

Organizational and Orientation Session
December 7, 8, 9, 1982

JOURNAL OF THE HOUSE

Forty-eighth Legislative Assembly

FIRST DAY

Bismarck, December 7, 1982

At the hour of nine a.m., on the seventh day of December, 1982, being the day and hour designated by law for the convening of the organizational session of the Legislative Assembly for the State of North Dakota, the members elect of the House of Representatives assembled in the House Chamber of the State Capitol building at Bismarck, North Dakota, and were called to order by the Speaker of the 1981 Legislative Session, Rep. Jim Peterson.

SPEAKER PETERSON ANNOUNCED the House would be on the Fourth Order of Business.

COMMUNICATIONS

Chief Clerk of the House of Representatives
Forty-eighth Legislative Assembly
Bismarck, North Dakota 58505

Dear Sir:

I hereby certify that the following is, according to the records of my office, a true and correct list of the names and addresses of those duly elected as members of the House of Representatives of the Forty-eighth Legislative Assembly of the State of North Dakota.

Dist.	Counties or parts thereof	Name	Address
1.	Williams	Steve Hughes	Williston
	.....	Verdine Rice	Williston
2.	Divide, Williams....	Irven Jacobson	Alamo
	.....	Olaf Opedahl	Tioga
3.	Renville, Ward	Richard J. Backes	Glenburn
	.....	Orlin (Bill) Hanson	Sherwood
4.	Burke, Divide,	Clare H. Aubol	New Town
	Mountrail	Ruth Meiers	Ross
5.	Ward	Larry Wayne Schoenwald	Minot
	.....	Mike Timm	Minot
6.	Bottineau, McHenry .	David Paul O'Connell	Lansford
	.	Walter C. Erdman	Bottineau

7. McHenry, Pierce	Charles (Chuck) Anderson	Bergen
	Gene Watne	Velva
8. McLean	Julie A. Hill	Roseglen
	Bob O'Shea	Turtle Lake
9. Rolette	Allen Richard	Dunseith
	Oscar Solberg	Rolla
10. Cavalier, Towner, ..	Eugene Nicholas	Cando
Walsh	Robert E. Nowatzki	Langdon
11. Pembina, Walsh	Kenneth Olafson	Gardar
	Alice Olson	Cavalier
12. Benson, Eddy	S. F. (Buckshot) Hoffner	Esmond
Ramsey	Bruce W. Larson	Sheyenne
13. Cass	Rodney A. Larson	Riverside
	Jean Rayl	West Fargo
14. Wells, Foster	Charles Linderman	Carrington
	Arthur Melby	Harvey
15. Ramsey	Kenneth Koehn	Devils Lake
	Charles Mertens	Devils Lake
16. Walsh	William E. Gorder	Grafton
	Harley R. Kingsbury	Grafton
17. & 18 Grand Forks	Judy L. DeMers	Grand Forks
	Thomas J. (Tom) Kuchera	Grand Forks
	E. Gene Martin	Grand Forks
	Earl Strinden	Grand Forks
19. Grand Forks	Dagne Olsen	Manvel
	Don Shide	Larimore
20. Grand Forks, Traill	David W. Kent	Hatton
	Peter Lipsiea	Portland
21. Cass	Tish Kelly	Fargo
	John T. Schneider	Fargo
22. Cass	Joe Peltier	Arthur
	George (Bud) Sinner	Casselton
23. Griggs, Nelson, ..	Bruce Laughlin	Finley
Steele	Dean A. Vig	Sharon
24. Barnes	Dean K. Horgan	Valley City
	Earl R. Pomeroy	Valley City
25. Richland	Roy Hausauer	Wahpeton
	Clark Williams	Wahpeton
26. Dickey, Ransom, ..	Don Lloyd	Lisbon
Sargent	Scott B. Stofferahn	Cogswell
27. Ransom, Richland	Adella J. Williams	Lidgerwood
	Ralph C. Dotzenrod	Wyndmere
28. Barnes, Dickey, ..	Jim Brokaw	Forbes
Logan, LaMoure	Kelly Shockman	LaMoure
29. Stutsman	Elmer Retzer	Cleveland
	Wade Williams	Eldridge
30. Burleigh, Emmons, ..	William E. Kretschmar	Venturia
Logan, McIntosh	Wilbur Vander Vorst	Hague
31. Burleigh, Kidder, ..	Theodore A. Lang	Sterling
Sheridan	Orville Schindler	McClusky
32. Burleigh	Serenus Hoffner	Bismarck
	Roger Koski	Bismarck
33. Mercer, Oliver	Ronald Gunsch	Zap
	Joseph Keller	Beulah

34. Morton	Corliss Mushik	Mandan
.....	James Gerl	Mandan
35. Hettinger, Grant, ..	Emil J. Riehl	Raleigh
Sioux ..	Ray Meyer	Morristown
36. Dunn, McKenzie	J. R. (Jack) Murphy	Killdeer
.....	Ronald A. Anderson	Keene
37. Stark	William G. Goetz	Dickinson
.....	Bill Lardy	Dickinson
38. Stark	Kenneth Knudson	Taylor
.....	Clarence Martin	Lefor
39. Adams, Billings, ...	Kenneth N. Thompson	Beach
Bowman, Golden ...	Joseph R. Whalen	Bowman
Valley, Slope ...		
40. & 50. Ward	Brynhild Haugland	Minot
.....	James A. Peterson	Minot
.....	Roy Rued	Minot
.....	Thomas J. Lautenschlager	Minot
41. Ward	Wayne G. Sanstead	Minot
.....	Janet Wentz	Minot
42. Grand Forks	Mike Hamerlik	Grand Forks
.....	Glenn Pomeroy	Grand Forks
43. Grand Forks	Rosie Black	Grand Forks
.....	Moine R. Gates	Grand Forks
44. Cass	Marshall W. Moore	Fargo
.....	John M. Riley	Fargo
45. Cass	Donna Nalewaja	Fargo
.....	Steve Swiontek	Fargo
46. Cass	Aloha Eagles	Fargo
.....	Thomas C. Wold	Fargo
47. Burleigh	Eugene P. (Gene) Boyle	Bismarck
.....	Patrick A. Conmy	Bismarck
48. Stutsman	Michael Unhjem	Jamestown
.....	Lyle Hanson	Jamestown
49. Burleigh	Walter R. Hjelle	Bismarck
.....	Bob Martinson	Bismarck
51. Cass	Richard Kloubec	Fargo
.....	Paul L. DuBord	Fargo
52. Burleigh	Gerald (Jerry) Halmrast	Bismarck
.....	Arlin D. Meier	Bismarck
53. Morton	Les Gullickson	Mandan
.....	Walter Meyer	Flasher

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of North Dakota, this 23rd day of November, 1982.

BEN MEIER
Secretary of State
State of North Dakota

POINT OF PERSONAL PRIVILEGE

REP. BACKES: Mr. Speaker, I rise on a point of personal privilege and request that my remarks be printed in the journal.

Reports have come to me concerning campaign tactics of Rep. Gene Nicholas the last several days before the election which indicates that there may have been activities which could constitute a violation of the Corrupt Practices Act. We have asked that those actions be investigated by the Towner County State's Attorney. However, we would be totally unrealistic if we looked to the criminal process alone to guard the sanctity of the election process in political elections. The likelihood of successful prosecutions is not too great where unanimous verdicts are required in what might be termed as a political prosecution by a state's attorney.

Therefore, it is important that this body address the problem where possible violations of the election process are indicated. I would therefore be inclined to ask for the appointment of a committee to investigate the reports that hundreds of cartons of eggs were passed out to prospective voters in Towner County the last days before the election bearing the campaign banners of the Republican party and urging the election of Gene Nicholas. Section 12.1-14-03 of the North Dakota Century Code dealing with safeguarding elections, was passed enthusiastically by most members of this body at the time. That section includes a provision that makes it a class A misdemeanor to offer, give, or agree to give a thing of pecuniary value to another as consideration for his vote. Pecuniary value is deemed by the statute to include alcoholic beverages by drink or in any other container. Certainly the distribution of cartons of eggs is giving something of value. In some instances giving of something of pecuniary value is not as directly associated with seeking votes as it is in this case where the campaign banner was attached to the cartons. Section 16.1-10-01 defines corrupt practices as actions prohibited under section 12.1-14-03, the section to which I just referred. Section 16.1-10-07 provides that if any person is found guilty of any corrupt practice, he shall be punished by being deprived of his government job or his nomination or election shall be declared void as the case may be.

It would not be appropriate for this body to totally ignore what appears to be a violation of the election process. The integrity of the election of all of us and the integrity of this body is at stake. However, I will not ask for the appointment of a committee. This body is not equipped to make the kind of investigation and evaluation that is necessary to fairly assess the degree of violation in order to invoke the sanctions that are intended by the statute. We must leave that process to the courts although realistically we realize that the courts may very well lack the proper procedures to make that judgment appropriately.

With that explanation, it is clear that I would be remiss not to discuss the matter before this body before the seating of Eugene Nicholas is considered. We all want to preserve the sanctity of that ballot box in order to preserve the democratic process that we are here to represent and protect. However, the voters of District 10 have spoken and perhaps we best leave to the people of that district the task to determine whether their election results were influenced by actions which appear to be in violation of the Corrupt Practices Act.

ROLL CALL

The roll was called, and there were 106 members present and 0 members absent as follows:

PRESENT: Anderson, C.; Anderson, R.; Aubol; Backes; Black; Boyle; Brokaw; Conmy; DeMers; Dotzenrod; DuBord; Eagles; Erdman; Gates; Gerl; Goetz; Gorder; Gullickson; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer; Hill; Hjelle; Hoffner, S.F.; Hoffner, Serenus; Horgan; Hughes; Jacobson; Keller; Kelly; Kent; Kingsbury; Kloubec; Knudson; Koehn; Koski; Kretschmar; Kuchera; Lang; Lardy; Larson, B.; Larson, R.; Laughlin; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, C.; Martin, G.; Martinson; Meier, A.; Meiers, R.; Melby; Mertens; Meyer, R.; Meyer, W.; Moore; Murphy; Mushik; Nalewaja; Nicholas; Nowatzki; O'Connell; Olafson; Olsen, D.; Olson, A.; Opedahl; O'Shea; Peltier; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Rice; Richard; Riehl; Riley; Rued; Sanstead; Schindler; Schneider; Schoenwald; Shide; Shockman; Sinner; Solberg; Stofferahn; Strinden; Swiontek; Thompson; Timm; Unhjem; Vander Vorst; Vig; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Wold

REP. BACKES MOVED that a committee of two be appointed to escort Chief Justice Ralph J. Erickstad to the rostrum. The motion prevailed, and Reps. Mushik and Kretschmar were so appointed.

Chief Justice Erickstad was escorted to the rostrum and administered the Oath of Office to the members present.

Prayer was offered by Bishop John F. Kinney, Roman Catholic Diocese of Bismarck, North Dakota.

REP. BACKES REQUESTED that the remarks of Bishop Kinney be printed in the Journal, which request was granted.

Let us pray. Lord God, we call on you at this moment of our lives and our work to bless us again with the unique gifts that we need.

We have been entrusted with great responsibilities in our State. We have been designated to represent, to serve, to lead. You know our hearts, Lord. Give us sincerity, strength, wisdom, and singleness of purpose.

Help us see the common good of the people of our State. Give us a reverence for each one, no matter who. Make us strong for the weak, vocal for the quiet, and powerful on behalf of those who have no strength.

Give us vision and will to see, and then to do.

Help us, Lord God, to be instruments of dialogue and to teach people to dialogue. Help us to be instruments of development, and then to work for the development of peoples. Allow us to rely on each other, and to teach interdependence by our example.

Free us from self interest. Give to us a critical love of our State and of its people.

Bless us, Lord, bless this Forty-eighth Legislative Assembly. Make us instruments of peace. Lord God, save the peace for all of us.

Amen.

Information packets were distributed to the members, with the materials therein being explained by Mr. Jay Buringrud, Assistant Director of the Legislative Council.

REP. MUSHIK MOVED that the House stand recessed until 1:30 p.m., which motion prevailed.

The House reconvened at 1:30 p.m., with Acting Speaker Peterson presiding.

Nominations then were opened for the position of Chief Clerk.

REP. GENE MARTIN nominated Charles Fleming.

REP. HORGAN MOVED that the nominations cease, which motion prevailed.

ROLL CALL

The question being on the election of Charles Fleming as Chief Clerk of the House of Representatives. The roll was called, and there were 106 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Aubol; Backes; Black; Boyle; Brokaw; Conmy; DeMers; Dotzenrod; DuBord; Eagles; Erdman; Gates; Gerl; Goetz; Gorder; Gullickson; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer; Hill; Hjelle; Hoffner, S.F.;

Hoffner, Serenus; Horgan; Hughes; Jacobson; Keller; Kelly; Kent; Kingsbury; Kloubec; Knudson; Koehn; Koski; Kretschmar; Kuchera; Lang; Lardy; Larson, B.; Larson, R.; Laughlin; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, C.; Martin, G.; Martinson; Meier, A.; Meiers, R.; Melby; Mertens; Meyer, R.; Meyer, W.; Moore; Murphy; Mushik; Nalewaja; Nicholas; Nowatzki; O'Connell; Olafson; Olsen, D.; Olson, A.; Opedahl; O'Shea; Peltier; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Rice; Richard; Riehl; Riley; Rued; Sanstead; Schindler; Schneider; Schoenwald; Shide; Shockman; Sinner; Solberg; Stofferahn; Strinden; Swiontek; Thompson; Timm; Unhjem; Vander Vorst; Vig; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Wold

NAYS: None

ABSENT AND NOT VOTING: None

ACTING SPEAKER PETERSON administered the Oath of Office to Chief Clerk Charles Fleming.

REP. STRINDEN expressed appreciation to Roy Gilbreath for his services in many past sessions and moved that the record show that a standing vote of thanks be extended to him, which motion prevailed.

REP. E. POMEROY MOVED that the name of Chris King of Cass County be placed in nomination for Desk Reporter.

REP. SINNER MOVED that nominations cease, which motion prevailed.

ROLL CALL

The question being on the election of Chris King as Desk Reporter for the House of Representatives. The roll was called, and there were 106 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Aubol; Backes; Black; Boyle; Brokaw; Conmy; DeMers; Dotzenrod; DuBord; Eagles; Erdman; Gates; Gerl; Goetz; Gorder; Gullickson; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer; Hill; Hjelle; Hoffner, S.F.; Hoffner, Serenus; Horgan; Hughes; Jacobson; Keller; Kelly; Kent; Kingsbury; Kloubec; Knudson; Koehn; Koski; Kretschmar; Kuchera; Lang; Lardy; Larson, B.; Larson, R.; Laughlin; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, C.; Martin, G.; Martinson; Meier, A.; Meiers, R.; Melby; Mertens; Meyer, R.; Meyer, W.; Moore; Murphy; Mushik; Nalewaja; Nicholas; Nowatzki; O'Connell; Olafson; Olsen, D.; Olson, A.; Opedahl; O'Shea; Peltier; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Rice; Richard; Riehl; Riley;

Rued; Sanstead; Schindler; Schneider; Schoenwald; Shide; Shockman; Sinner; Solberg; Stofferahn; Strinden; Swiontek; Thompson; Timm; Unhjem; Vander Vorst; Vig; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Wold

NAYS: None

ABSENT AND NOT VOTING: None

ACTING SPEAKER PETERSON administered the Oath of Office to Desk Reporter King.

MOTIONS

REP. STRINDEN expressed appreciation to Barbara Middaugh, retiring Desk Reporter, for her services in the past session, and moved that the record show that a standing vote of thanks be extended to her, which motion prevailed.

REP. LARDY MOVED that the name of Douglas Nordby of Slope County be placed in nomination for Sergeant-at-Arms.

REP. RIEHL MOVED that nominations be closed, which motion prevailed.

ROLL CALL

The question being on the election of Douglas Nordby as Sergeant-at-Arms. The roll was called, and there were 106 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Aubol; Backes; Black; Boyle; Brokaw; Conmy; DeMers; Dotzenrod; DuBord; Eagles; Erdman; Gates; Gerl; Goetz; Gorder; Gullickson; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer; Hill; Hjelle; Hoffner, S.F.; Hoffner, Serenus; Horgan; Hughes; Jacobson; Keller; Kelly; Kent; Kingsbury; Kloubec; Knudson; Koehn; Koski; Kretschmar; Kuchera; Lang; Lardy; Larson, B.; Larson, R.; Laughlin; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, C.; Martin, G.; Martinson; Meier, A.; Meiers, R.; Melby; Mertens; Meyer, R.; Meyer, W.; Moore; Murphy; Mushik; Nalewaja; Nicholas; Nowatzki; O'Connell; Olafson; Olsen, D.; Olson, A.; Opedahl; O'Shea; Peltier; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Rice; Richard; Riehl; Riley; Rued; Sanstead; Schindler; Schneider; Schoenwald; Shide; Shockman; Sinner; Solberg; Stofferahn; Strinden; Swiontek; Thompson; Timm; Unhjem; Vander Vorst; Vig; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Wold

NAYS: None

ABSENT AND NOT VOTING: None

ACTING SPEAKER PETERSON administered the oath of office to Sergeant-at-Arms Nordby.

REP. STRINDEN expressed appreciation to David Hillesland, retiring Sergeant-at-Arms, for his services and moved that the record show that a standing vote of thanks be extended to him, which motion prevailed.

Nominations were opened for Speaker of the House.

REP. SOLBERG: Mr. Speaker and members of the Assembly:

The highest honor that this distinguished body can bestow on one of its members is that of election as Speaker of the House.

Today it is my privilege to rise and place in nomination for this honor a person who is totally qualified and deserving of this recognition. Rep. Kelly was first elected to the North Dakota House of Representatives in 1974. During these years of service, she has earned the respect of all who have served with her for her honesty and ability.

Her early interest in government and politics is evident by degrees earned in History and Political Science at the University of Maryland.

In her private life she is the mother of three sons and they, with her husband, John, are residents of the city of Fargo, where she represents the Twenty-first Legislative District. An indication of her stature in her community is that she ran unopposed in her district in the recent election.

Rep. Kelly is now serving her fifth term in the House of Representatives. She has served on numerous committees including Industry and Business, Appropriations, Finance and Taxation, and Political Subdivisions. In addition to this she has served two terms as a member of the Legislative Council. This experience will be of tremendous help to her as she assumes the office of Speaker of the House.

The State of North Dakota faces a multitude of problems as we convene for the Forty-eighth Legislative Assembly. This will at times require a bipartisan approach if we are to serve our state well. Rep. Kelly will have a careful regard for the rights of every member of the House regardless of politics.

Ladies and Gentlemen of the House, it is my great pleasure and privilege to place in nomination for the Speaker of the

House, Representative Tish Kelly of the Twenty-first District.

REP. W. MEYER seconded her nomination.

REP. W. MEYER: For those of you that don't know me, I want you to know that I usually only make one speech a year and that's generally toward the end of the session, not the beginning. Therefore you must realize that it takes something or someone very special to get me up here on one of the very first days, and Rep. Tish Kelly is that someone.

As Rep. Solberg stated, she is highly qualified and I know from working with her the past four sessions how ambitious, dependable, quiet, effective, and Irish she is.

Democrats, as the majority party, are concerned that all North Dakotans are represented and heard in the House of Representatives.

Our party has elected a floor leader from western North Dakota, an assistant floor leader from central North Dakota, and now we have a chance to put a Speaker at the front of this assembly from eastern North Dakota.

Two of our three Democratic-NPL leaders are women. Women have a place in government and in our party, but she is being nominated not because she is a woman, but because of her high qualifications and because she has earned the respect of every member of this legislature and of those who work with the legislature.

Therefore, it is with great pleasure that I am able to second Rep. Solberg's nomination for Rep. Tish Kelly and I hope that she receives unanimous support from the members of the House of Representatives as your next Speaker of the House. Thank you.

REP. STRINDEN, on behalf of the Republican caucus, extended congratulations to Rep. Kelly, wished her well, and moved that nominations be closed and that we proceed to cast our ballots for Rep. Kelly for Speaker of the Forty-eighth Legislative Assembly, which motion prevailed.

ROLL CALL

The question being on the election of Speaker of the House, the roll was called and there were 105 votes for Rep. Kelly and one pass.

Those voting for Rep. Kelly were:

Anderson, C.; Anderson, R.; Aubol; Backes; Black; Boyle; Brokaw; Conmy; DeMers; Dotzenrod; DuBord; Eagles; Erdman;

Gates; Gerl; Goetz; Gorder; Gullickson; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer; Hill; Hjelle; Hoffner, S.F.; Hoffner, Serenus; Horgan; Hughes; Jacobson; Keller; Kent; Kingsbury; Kloubec; Knudson; Koehn; Koski; Kretschmar; Kuchera; Lang; Lardy; Larson, B.; Larson, R.; Laughlin; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, C.; Martin, G.; Martinson; Meier, A.; Meiers, R.; Melby; Mertens; Meyer, R.; Meyer, W.; Moore; Murphy; Mushik; Nalewaja; Nicholas; Nowatzki; O'Connell; Olafson; Olsen, D.; Olson, A.; Opedahl; O'Shea; Peltier; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Rice; Richard; Riehl; Riley; Rued; Sanstead; Schindler; Schneider; Schoenwald; Shide; Shockman; Sinner; Solberg; Stofferahn; Strinden; Swiontek; Thompson; Timm; Unhjem; Vander Vorst; Vig; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Wold

Those passing were:

Kelly

MOTIONS

REP. BACKES MOVED that a committee of two be appointed to escort the newly elected Speaker to the rostrum, which motion prevailed.

ACTING SPEAKER PETERSON APPOINTED Reps. Schneider and DuBord. Speaker Kelly then was escorted to the rostrum.

REP. BACKES MOVED that a committee of two be appointed to escort Chief Justice Ralph Erickstad to the rostrum to administer the Oath of Office to the new Speaker. Reps. Mertens and Koehn were so appointed. Chief Justice Erickstad was escorted to the rostrum and the Oath of Office was administered to the new Speaker.

SPEAKER KELLY: Mr. Chief Justice - Members of the House:

I asked Rep. Solberg to nominate me because he is such a special man. For as long as I serve in this House, he will always be "Mr. Speaker" to me. To Rep. Walter Meyer, and to the others, I hope your judgment is right.

This is a moment of joy for me. To the members of my caucus, I ask you to share all of this with me.

I have much to be thankful for. Foremost, I have an abiding debt of gratitude to my colleagues, new and old, in our majority caucus who have so honored me and demonstrated their trust in me.

For over forty years Rep. Haugland has served in this House with distinction and vigor. I hope she and the other women who have served here during the past fifty years see my

selection as Speaker as a tribute to their service to our State.

To all of the members of the House, I give you my thanks. This is so much fun we really shouldn't wait fifty years.

The role that has historically been assigned to the Speaker will, as best as I am able, not be diminished during my term.

I have served too long in the minority to lose sight of the rights that the minority enjoys under our system. I will guard those rights. I will be ever mindful of the responsibilities that are assigned to the majority. I will not lose sight that our Rules are intended to assure that the House is capable of working its will.

When in doubt, I am not going to pass and I am not going to punt. I am going to call time out. I ask for your patience and your help. I promise I will do the very best that I can.

The destiny of North Dakota is not entirely in our hands. But in the spring of the year when our work is over, let us be able to say, in truth, that we have helped the people we serve. If we can say that, we will have done honor to the oath we have all so recently taken.

Thank you.

Speaker Peterson, you have served with fairness and distinction. All of the members are in your debt. But your work is not over.

Now as we move into December, our thoughts turn to Christmas - and to Christmas trees. And thinking of Christmas trees, we think of you. The times are troublesome but surely out there in the forest stands a tree, perhaps smaller than usual, just waiting for your selection. I do not have an axe to give you. But I know you have carefully saved the one that you have used so well in the past. Instead, I have a gavel which I now present to you on behalf of all of the members as a symbol of your faithful work as Speaker.

FORMER SPEAKER PETERSON accepts gavel from Speaker Kelly.

FORMER SPEAKER PETERSON: I just want to say a couple of things. Thanks for allowing me to be your Speaker in the Forty-seventh Legislative Assembly. It was indeed my privilege. And the next thing I'd like to comment on, I presented Tish Kelly this morning with an orchid. You know there's an old song, "I overlooked an orchid while searching for a rose". Well, I'd like to commend a loyal

opposition in having not overlooked an orchid. You got a true jewel, and I wish her all the best as she sits up here in my place and I'll retire to the back chair. Thank you.

REP. BACKES: On behalf of the members of this Assembly and especially the members of the Democratic Party who served under your speakership, I want to commend Rep. Peterson for his distinguished and fair handling of the Speaker's position.

Even with the tremendous added duties of the speakership, Speaker Peterson still fulfilled his duties as a legislator meeting the needs and concerns of the State of North Dakota as well as his district.

We all felt your distinguished service deserved another term until November 2nd.

Committee from the Senate was received, which committee announced the Senate was now organized and ready to do business.

MOTION

REP. BACKES MOVED that the House adopt as temporary rules the rules of the Forty-seventh Legislative Assembly with amendments, which motion prevailed.

PROPOSED AMENDMENTS TO HOUSE RULE 501

SECTION 1. AMENDMENT. House Rule 501 is hereby amended to read as follows:

501. STANDING COMMITTEES

Standing committees concerned with matters in the fields as indicated, shall be appointed as follows:

1. Appropriations: (~~19~~ 21 members)

All bills calling for appropriations in excess of five thousand dollars.

Group A-1

2. Education: (~~16~~ 17 members)

Public Schools; Libraries; and Institutions of Higher Learning.

3. Finance and Taxation: (~~16~~ 17 members)

Public Debt; Taxes and Tax Laws.

4. Judiciary: (~~15~~ 16 members)

Elections and Election Privileges; Judiciary.

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5. Industry, Business, and Labor: (16 members)
Banks and Banking; Corporations; Insurance;
Matters pertaining to Private Business and
Industry; Workmen's Compensation;
Unemployment Compensation; Labor Laws and
kindred subjects.
6. State and Federal Government: (~~15~~ 16 members)
State and Federal Affairs; Director of
Institutions and Industrial Commission and
institutions under their supervision; State
Historical Society and State Parks;
Immigration and Statistics.
7. Agriculture: (~~15~~ 17 members)
Group A-2
Agriculture; Livestock; Drainage and
Irrigation; Warehouse and Grain Grading.
8. Natural Resources: (~~16~~ 17 members)
Game and Fish; Public Lands; Mines and
Mining; Gas and Oil; Forestry.
9. Political Subdivisions: (16 members)
Cities; Counties; Townships; Park Districts;
Apportionment.
10. Social Services and Veterans Affairs: (~~15~~ 16
members)
Social Services; Public Health; Public
Safety; Temperance; Matters affecting the
Military and Veterans.
11. Transportation: (16 members)
Highways and Bridges; Railroads; Motor
Vehicles; Airlines and Airports.
- PROCEDURAL COMMITTEES
12. Delayed Bills, to consist of five members.
13. Employment, to consist of five members.
14. Enrolled and Engrossed Bills, to consist of five
members.
15. Revision and Correction of Journal, to consist of
five members.

16. Rules, to consist of nine members.

SPEAKER KELLY ANNOUNCED the House would be on the sixteenth order of business, and seating of the members would be handled with preference given to those with the greatest seniority after the former speakers and officers for the session had been seated with their delegations.

SEATING ORDER

1. Former Speaker Solberg and District 9 delegation (Rep. Richard).
2. Former Speaker Peterson and District 40-50 delegation (Rep. Haugland, Rued, Lautenschlager).
3. Present Speaker Kelly and District 21 delegation (Rep. Schneider).
4. Majority Leader Backes and District 3 delegation (Rep. Orlin Hanson).
5. Minority Leader Strinden and District 17-18 delegation (Rep. Kuchera, DeMers, Gene Martin).
6. Assistant Majority Floor Leader Mushik and District 34 delegation (Rep. Gerl).
7. Assistant Minority Floor Leader Kretschmar and District 30 delegation (Rep. Vander Vorst).
Reps. Opedahl and Jacobson - District 2.
Reps. Lang and Schindler - District 31.
Reps. S.F. Hoffner and Bruce Larson - District 12.
Reps. Knudson and Clarence Martin - District 38.
Reps. Eagles and Wold - District 46.
Reps. Mertens and Koehn - District 15.
Reps. Kingsbury and Gorder - District 16.
Reps. Hausauer and Clark Williams - District 25.
Reps. Dotzenrod and Adella Williams - District 27.
Reps. Murphy and Ronald Anderson - District 36.
Reps. Timm and Schoenwald - District 5.
Reps. Erdman and O'Connell - District 6.
Reps. Alice Olson and Olafson - District 11.
Reps. Martinson and Hjelle - District 49.
Reps. Meiers and Aubol - District 4.
Reps. Nicholas and Nowatzki - District 10.
Reps. Laughlin and Vig - District 23.
Reps. Sanstead and Wentz - District 41.
Reps. Unhjem and Lyle Hanson - District 48.
Reps. Kloubec and DuBord - District 51.
Reps. Walter Meyer and Gullickson - District 53.
Reps. Lipsiea and Kent - District 20.
Reps. Gunsch and Keller - District 33.
Reps. Riehl and Ray Meyer - District 35.
Reps. Black and Gates - District 43.
Reps. Swiontek and Nalewaja - District 45.
Reps. Conmy and Boyle - District 47.
Reps. Melby and Linderman - District 14.
Reps. Peltier and Sinner - District 22.
Reps. Horgan and Earl Pomeroy - District 24.
Reps. Brokaw and Shockman - District 28.

Reps. Retzer and Wade Williams - District 29.
 Reps. Serenus Hoffner and Koski - District 32.
 Reps. Goetz and Lardy - District 37.
 Reps. Thompson and Whalen - District 39.
 Reps. Glenn Pomeroy and Hamerlik - District 42.
 Reps. Hughes and Rice - District 1.
 Reps. Charles Anderson and Watne - District 7.
 Reps. O'Shea and Hill - District 8.
 Reps. Dagne Olsen and Shide - District 19.
 Reps. Moore and Riley - District 44.
 Reps. Halmrast and Arlin Meier - District 52.
 Reps. Rodney Larson and Rayl - District 13.
 Reps. Lloyd and Stofferahn - District 26.

1983

MEMBERS OF HOUSE OF REPRESENTATIVES
 (1983 Session not included)

HOUSE SENIORITY TABLE:

NAME	SESSIONS SERVED	TOTAL HOUSE SESSIONS	TOTAL LEGISLATIVE SESSIONS
Haugland, Brynhild	1939-41-43-45-47-49-51- 53-55-57-59-61-63-65-67- 69-71-73-75-77-79-81	22	22
Solberg, Oscar	1949-51-53-55-59-61-63- 65-67-69-71-73-75-77-79- 81	16	16
Backes, Richard J.	1961-63-65-67-69-71-73- 75-77-79-81	11	11
Opedahl, Olaf	1963-65-67-69-71-73-75- 77-79-81	10	10
Lang, Theodore A.	1965-67-69-71-73-75-77- 79-81	9	9
Eagles, Aloha	1967-69-71-73-75-77-79- 81	8	8
Hoffner, S. F.	1963-65-69-71-(Senate 73-75-77-79)	4	8
Knudson, Kenneth	1967-69-71-73-75-77-79- 81	8	8
Peterson, Jim	1967-69-71-73-75-77-79- 81	8	8
Strinden, Earl	1967-69-71-73-75-77-79- 81	8	8
Dotzenrod, Ralph C.	1971-73-75-77-79-81	6	6
Hausauer, Roy	1971-73-75-77-79-81	6	6
Jacobson, Irven	1971-73-75-77-79-81	6	6
Kingsbury, Harley R.	1967-69-71-73-79-81	6	6
Mertens, Charles F.	1971-73-75-77-79-81	6	6
Murphy, Jack	1971-73-75-77-79-81	6	6
Erdman, Walter C.	(Senate 1971-73-75-77-79)	0	5
Kretschmar, William	1973-75-77-79-81	5	5

Martinson, Robert W.	1973-75-77-79-81	5	5
Mushik, Corliss	1971-75-77-79-81	5	5
Olson, Alice	1973-75-77-79-81	5	5
Rued, Royden D.	1973-75-77-79-81	5	5
Schindler, Orville	1973-75-77-79-81	5	5
Timm, Mike	1973-75-77-79-81	5	5
Vander Vorst, Wilbur	1973-75-77-79-81	5	5
Gerl, James	1971-77-79-81	4	4
Kelly, Tish	1975-77-79-81	4	4
Kloubec, Richard	1973-77-79-81	4	4
Laughlin, Bruce	1971-73-75-77	4	4
Martin, Clarence	1975-77-79-81	4	4
Meiers, Ruth	1975-77-79-81	4	4
Meyer, Walter A.	1975-77-79-81	4	4
Nicholas, Eugene	1975-77-79-81	4	4
Sanstead, Wayne G.	1965-67-69-(Senate 71)	3	4
Unhjem, Michael	1975-77-79-81	4	4
Wentz, Janet	1975-77-79-81	4	4
Black, Rosie	1977-79-81	3	3
Conmy, Pat	1977-79-81	3	3
DuBord, Paul L.	1977-79-81	3	3
Gunsch, Ronald E.	1977-79-81	3	3
Kuchera, Tom	1977-79-81	3	3
Lipsiea, Peter	1977-79-81	3	3
Richard, Allen	1977-79-81	3	3
Riehl, Emil J.	1977-79-81	3	3
Swiontek, Steven J.	1977-79-81	3	3
Brokaw, Jim	1979-81	2	2
Goetz, William G.	1975-81	2	2
Gorder, William E.	1979-81	2	2
Hanson, Lyle L.	1979-81	2	2
Hoffner, Serenus	1979-81	2	2
Horgan, Dean K.	1977-81	2	2
Koski, Roger A.	1979-81	2	2
Lardy, Bill	1977-79	2	2
Larson, Bruce W.	1977-81	2	2
Melby, Arthur	1979-81	2	2
Peltier, Joe	1979-81	2	2
Pomeroy, Glenn	1979-81	2	2
Retzer, Elmer	1979-81	2	2
Thompson, Kenneth N.	1979-81	2	2
Sinner, George	(Senate 1963-65)	0	2
Anderson, Charles C.	1981	1	1
Anderson, Ronald A.	1981	1	1
Gates, Moine R.	1981	1	1
Halmrast, Gerald	1975	1	1
Hanson, Orlin	1981	1	1
Hjelle, Walter R.	1959	1	1
Hughes, Steve	1981	1	1
Kent, David W.	1981	1	1
Martin, Gene	1977	1	1
Moore, Marshall W.	1981	1	1
Olafson, Kenneth	1981	1	1
Olsen, Dagne	1981	1	1

O'Shea, Bob	1977	1	1
Pomeroy, Earl R.	1981	1	1
Rice, Verdine D.	1981	1	1
Whalen, Joseph R.	1981	1	1
Aubol, Clare H.		0	
Boyle, Eugene P.		0	
DeMers, Judy L.		0	
Gullickson, Les		0	
Hamerlik, Mike		0	
Hill, Julie A.		0	
Keller, Joseph		0	
Koehn, Kenneth		0	
Larson, Rodney A.		0	
Lautenschlager, T. J.		0	
Linderman, Charles		0	
Lloyd, Don		0	
Meier, Arlin D.		0	
Meyer, Ray		0	
Nalewaja, Donna		0	
Nowatzki, Robert E.		0	
O'Connell, David P.		0	
Rayl, Jean		0	
Riley, John M.		0	
Schneider, John T.		0	
Schoenwald, Larry W.		0	
Shide, Don		0	
Shockman, Kelly		0	
Stofferahn, Scott B.		0	
Vig, Dean A.		0	
Watne, Gene		0	
Williams, Adella J.		0	
Williams, Clark		0	
Williams, Wade		0	
Wold, Thomas C.		0	

REP. BACKES MOVED that a committee of three be appointed to notify the Governor and the Senate that the House is organized and ready to transact business, which motion prevailed.

SPEAKER KELLY APPOINTED Reps. Opedahl, Haugland, and Solberg.

REP. BACKES MOVED that a committee of five be appointed to act as the Committee on Delayed Bills, which motion prevailed.

SPEAKER KELLY APPOINTED Reps. Backes, Mushik, Kelly, Strinden, and Kretschmar.

REP. MUSHIK MOVED that a committee of three be appointed to act as the Committee on Arrangements for House Committee Rooms, which motion prevailed.

SPEAKER KELLY APPOINTED Reps. Halmrast, O'Shea, and Nalewaja.

REP. MUSHIK MOVED that a committee of five be appointed to act as a Committee on Employment, which motion prevailed.

SPEAKER KELLY APPOINTED Reps. Opedahl, Serenus Hoffner, DuBord, Martinson, and Ron Anderson.

REP. BACKES MOVED that a committee of five be appointed to act as a Committee on Revision and Correction of the Journal, which motion prevailed.

SPEAKER KELLY APPOINTED Reps. Laughlin, Gullickson, Boyle, Koehn, and Hamerlik.

REP. BACKES MOVED that a committee of five be appointed to act as a Committee on Enrolling and Engrossing, which motion prevailed.

SPEAKER KELLY APPOINTED Reps. Gene Martin, O'Connell, Rayl, Shide, and Rod Larson.

REP. BACKES MOVED that a committee of nine be appointed to act as a Committee on House and Joint Rules, which motion prevailed.

SPEAKER KELLY APPOINTED to that committee Reps. Backes, Mushik, Kelly, Lardy, Conmy, Sanstead, Krestchmar, Hausauer, and Strinden.

REP. MUSHIK MOVED that a committee of three be appointed to act as a Committee on Photography, which motion prevailed.

SPEAKER KELLY APPOINTED to that committee Reps. Koski, Adella Williams, and Black.

REP. MUSHIK MOVED that a committee of three be appointed to act with a like committee from the Senate, as an Inaugural Planning Committee, which motion prevailed.

SPEAKER KELLY APPOINTED to that committee Reps. Erdman, Hill, and Riley.

The committee appointed to notify the Governor and the Senate that the House was organized and ready to carry on its constitutional functions announced it had completed its work, and the committee was subsequently discharged.

MOTION

REP. BACKES MOVED that the House be at ease to receive the Governor and the Senate in joint session, which motion prevailed.

CALL TO ORDER FOR JOINT SESSION

REP. BACKES MOVED that a committee of two be appointed to escort the Lt. Governor Ernest Sands to the rostrum to preside over the joint session, which motion prevailed.

SPEAKER KELLY APPOINTED Reps. Watne and Charles Anderson, and the Lt. Governor was escorted to the rostrum.

REP. BACKES MOVED that a committee of three be appointed to escort the Hon. Allen I. Olson, Governor of the State of North Dakota, to the rostrum, which motion prevailed.

SPEAKER KELLY APPOINTED Reps. Nowatzki, Dotzenrod, and Conmy.

JOINT SESSION

LT. GOVERNOR SANDS called the Joint Session to order.

Governor Allen I. Olson was then escorted to the rostrum, and was introduced to the Joint Session.

GOVERNOR'S MESSAGE

TO

ORGANIZATIONAL SESSION

FORTY-EIGHTH LEGISLATIVE ASSEMBLY

Members and Leadership of the Forty-eighth Legislative Assembly:

Fourteen years ago I sat in the back of this room and listened to Governor Bill Guy welcome the Forty-first Legislative Assembly to the historic first organizational session of a North Dakota legislature. Prior to that time legislators convened in early January of odd-numbered years for just sixty days without the opportunity to organize and prepare prior to the formal start of the session.

I was more than just an observer at the time - I was the Assistant Director of the Legislative Research Committee (now the Legislative Council) staff, and had a very direct and official interest in the work of that first organizational session. So, by background, experience and inclination, I have more than the apparent interest in the legislature and this organizational session indicated by the office I now hold.

You have my sincere best wishes as you organize and prepare yourselves for what promises to be a most difficult legislative session.

Most of you have just won election or reelection. Regardless of whether this is your first or fifth legislative session I suspect you sense the excitement and anticipation that accompanies the beginning of the latest chapter in the legislative process, especially its early stages when all things seem possible.

You will discover soon enough that all things are not possible. The success of this session will depend on your individual and collective response to that realization. If the larger, long-term interests of this state and its people prevail over short-term, special, parochial interests you will gain the gratitude and respect of those who really care.

This session - more than any other in the post-World War II era - will face revenue and expenditure decisions that will require all the "political courage" you and I can muster. Two years ago, legislators could look forward to rosy projections of expanding state revenues generated by an optimistic agricultural economy and new revenues from an apparently prosperous oil industry. That rosy picture has changed dramatically.

You will soon be faced with decisions that few of your predecessors have faced. Instead of the expanding public treasury of the past two decades or so, we now deal with shrinking resources available to meet many competing demands. But this state and its public officials have overcome worse times and will do so again.

I'm ready and willing to work with you. Next week I'll present my budget recommendations. They will be the result of hundreds of hours of involvement of my staff and me. The stage will then be set for the necessary "give and take" on budget and fiscal matters between all of the elements that influence the legislative process.

I am confident that after tension, argument, dispute, and discussion we will reach agreement on a responsible course of action agreeable to the people we serve. It will be much easier to reach agreement if we are more concerned with the general welfare of North Dakota and its citizens than with who gets the credit or blame for our actions. We have a mutual constituency and hopefully we will ultimately serve them well.

Thank you!

MOTIONS

SEN. NETHING MOVED that the remarks of the Governor be printed in the Journal, which motion prevailed.

REP. BACKES MOVED that the joint session of the House and Senate be dissolved, which motion prevailed.

The House reconvened for announcements.

REP. BACKES MOVED that the House stand adjourned until 9:00 a.m., Wednesday, December 8, 1982, which motion prevailed.

CHARLES FLEMING, Chief Clerk