

JOURNAL OF THE HOUSE

Forty-eighth Legislative Assembly

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SEVENTH DAY

Bismarck, January 12, 1983
The House convened at 1:00 p.m., with Speaker Kelly presiding.

The prayer was offered by Marla Wieland, Hankinson, a student at the School for the Deaf, Devils Lake.

Dear Lord, thank You for the opportunity to see how government works. Thank You for conscientious leaders and honest representatives. Help them to see the needs of our school, the North Dakota School for the Deaf, and other schools that work with exceptional children, and to deal kindly with our budgets so that we can continue to receive a quality education and continue to graduate and become productive citizens.

May the legislators always remember their responsibility to their constituents and especially their responsibility to You their God and Lord.

Empower them with a strong character that they may do what they know and feel is right.

Where they err, forgive them for Jesus' sake, and under their direction may our state flourish for the benefit of all its citizens and to the glory of Your name.

We pray in the name of Jesus, our Savior and Lord. Amen.

MOTION

REP. BACKES MOVED that the prayer be printed in the Journal, which motion prevailed.

ROLL CALL

The roll was called and all members were present, except Representatives Gerl, Kingsbury, Knudson, Lloyd, and Olafson.

A quorum was declared by the Speaker.

REVISION AND CORRECTION OF THE JOURNAL

MADAM SPEAKER: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Sixth day and finds the same to be correct.

REP. LAUGHLIN, Chairman

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

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:

HB 1179, HB 1181, HB 1197, HB 1209

Very respectfully,
CHARLES FLEMING, Chief Clerk

MESSAGE FROM THE SENATE
SENATE CHAMBER

MADAM SPEAKER: I have the honor to transmit herewith the following which the Senate has passed and your favorable consideration is requested on:

SB 2018, SB 2025, SB 2071, SB 2170, SB 2203, SB 2209,
SB 2237

Very respectfully,
LEO LEIDHOLM, Secretary

MOTION

REP. BROKAW MOVED that HB 1090 be returned to the Committee on Natural Resources, which motion prevailed.

SPEAKER KELLY ANNOUNCED that HB 1090 was returned to the Committee on Natural Resources.

MOTION

REP. O'SHEA MOVED that HB 1257 be returned to the House floor from the Committee on State and Federal Government, which motion prevailed.

REQUEST

REP. O'SHEA REQUESTED the unanimous consent of the House to withdraw HB 1257. There being no objection, it was so ordered by the Speaker.

MOTION

REP. E. POMEROY MOVED that HB 1153 be returned to the Committee on Judiciary, which motion prevailed.

SPEAKER KELLY ANNOUNCED that HB 1153 was returned to the Committee on Judiciary.

MOTION

REP. HUGHES MOVED that HB 1147 be returned to the House floor from the Committee on Natural Resources, which motion prevailed.

REQUEST

REP. HUGHES REQUESTED the unanimous consent of the House to withdraw HB 1147. There being no objection, it was so ordered by the Speaker.

REPORTS OF STANDING COMMITTEES

MADAM SPEAKER: Your Committee on Social Services and Veterans Affairs to which was referred HB 1114 has had the same under consideration and recommends by a vote of 15 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 1, immediately after the word "Act" insert the following:

"to create and enact a new section to chapter 43-06 , relating to use of national examining board examination of chiropractors; and"

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

On page 1, line 11, overstrike the words "on the"

On page 1, line 12, delete the words "third Friday in" and "the third Friday in"

On page 1, line 12, overstrike the words "January and" and "July of each year" and insert immediately thereafter the words "twice yearly at approximate six-month intervals"

On page 1, line 15, overstrike the word "regular" and insert immediately thereafter the word "first"

On page 1, line 16, overstrike the words "on the" and "January"

On page 1, line 16, delete the words "third Friday in"

On page 1, line 17, after the word "each" insert the word "calendar"

On page 1, line 19, overstrike the word "his" and insert immediately thereafter the word "a"

On page 1, line 26, delete the word "his"

On page 1, line 27, delete the word "his"

On page 1, line 28, delete the word "his"

On page 2, line 8, overstrike the word "he" and insert immediately thereafter the words "that person"

On page 2, line 8, delete the words "or she"

On page 2, line 11, overstrike the word "his" and insert immediately thereafter the word "the"

On page 2, line 11, delete the words "or her"

On page 2, line 15, overstrike the word "he" and insert immediately thereafter the words "the applicant"

On page 2, line 15, delete the words "or she"

On page 2, line 21, delete the words "on the third"

On page 2, delete line 22

On page 2, line 23, delete the words "place and commencing at such time as the board shall direct" and insert in lieu thereof "twice yearly at intervals of approximately six months with date and place to be determined by the board"

On page 3, line 5, delete the words "is approved and"

On page 3, immediately after line 28 insert the following language:

"SECTION 5. A new section to chapter 43-06 of the North Dakota Century Code is hereby created and enacted to read as follows:

National board examination."

On page 3, line 35, delete the words "Obstetrics and" and insert in lieu thereof the word "Nonsurgical"

On page 4, line 9, overstrike the words "he is rejected" and insert immediately thereafter the word "rejection"

On page 4, line 9, overstrike the word "him" and insert immediately thereafter "that person"

On page 5, line 1, delete the words "his or her" and insert in lieu thereof the words "the applicant's"

On page 5, line 2, delete the words "he or she" and insert in lieu thereof the words "the applicant"

On page 5, after line 4, insert the following new section:

"SECTION 8. 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, sections and pages accordingly

REP. R. MEIERS, Chairman

HB 1114 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Industry, Business, and Labor to which was referred HB 1176 has had the same under consideration and recommends by a vote of 13 YEAS, 2 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 8, delete the words "- Disclosure of additional"

On page 1, line 9, delete the word "merchandise"

On page 1, line 10, delete the numeral "1."

On page 1, line 12, delete the words "distress sale, liquidation sale, creditors sale,"

On page 1, line 22, delete the word "sixty" and insert in lieu thereof the words "one hundred eighty"

On page 1, delete lines 27 and 28

On page 2, delete lines 1 through 24

And renumber the lines accordingly

REP. S. F. HOFFNER, Chairman

HB 1176 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Finance and Taxation to which was referred HB 1071 has had the same under consideration and recommends by a vote of 15 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING that the same DO PASS.

REP. SINNER, Chairman

HB 1071 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Education to which was referred HB 1119 has had the same under consideration and recommends by a vote of 17 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

REP. JACOBSON, Chairman

HB 1119 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on State and Federal Government to which was referred HB 1136 has had the same under consideration and recommends by a vote of 11 YEAS, 2 NAYS, 3 ABSENT AND NOT VOTING that the same DO PASS.

REP. L. HANSON, Chairman

HB 1136 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Judiciary to which was referred HB 1144 has had the same under consideration and recommends by a vote of 10 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. E. POMEROY, Chairman

HB 1144 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Judiciary to which was referred HB 1148 has had the same under consideration and recommends by a vote of 11 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

REP. E. POMEROY, Chairman

HB 1148 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Judiciary to which was referred HB 1164 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. E. POMEROY, Chairman

HB 1164 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Industry, Business, and Labor to which was referred HB 1194 has had the same under consideration and recommends by a vote of 16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

REP. S. F. HOFFNER, Chairman

HB 1194 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Industry, Business, and Labor to which was referred HB 1195 has had the same under consideration and recommends by a vote of 13 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

REP. S. F. HOFFNER, Chairman

HB 1195 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Finance and Taxation to which was referred HB 1200 has had the same under consideration and recommends by a vote of 15 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

REP. SINNER, Chairman

HB 1200 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Education to which was referred HB 1222 has had the same under consideration and recommends by a vote of 17 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

REP. JACOBSON, Chairman

HB 1222 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SIXTH ORDER OF BUSINESS

REP. HJELLE MOVED that the amendments to HB 1154 as recommended by the Committee on Transportation as printed on pages 162 and 163 of the House Journal be adopted, which motion prevailed.

REP. DOTZENROD MOVED that the amendments to HB 1192 as recommended by the Committee on Political Subdivisions as printed on page 169 of the House Journal be adopted, which motion prevailed.

REP. BROKAW MOVED that the amendments to HCR 3002 as recommended by the Committee on Natural Resources as printed on page 170 of the House Journal be adopted, which motion prevailed.

SECOND READING OF HOUSE BILLS

HB 1056: A BILL for an Act to amend and reenact sections 27-07.1-17, 30.1-02-02, 30.1-32-01, 30.1-32-03, 30.1-32-04, 30.1-33-01, 30.1-33-03, 30.1-33-04, 30.1-33-05, 30.1-33-06, 30.1-34-03, 30.1-34-04, 30.1-34-05, 32-03-28, 33-06-01, 33-06-02, 33-06-03, 33-06-04, 57-27-01, 59-01-11, 59-02-12, 59-02-20, 59-04-02, 59-04-03, 59-04-04, 59-04-08, 59-04-10, 59-04-15, 59-04-24, 59-04-25, 59-04-26, 59-04-27, 59-04-29, 59-04-31, 59-05-28, and 59-05-55, relating to county court jurisdiction over trusts, garnishment, attachment, claim and delivery of property, and forcible detainer cases.

Which has been read.

MOTION

REP. LARDY MOVED that the rules be suspended, and the House dispense with the reading of the title to HB 1056, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 103 YEAS, 0 NAYS, 3 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; Serenus; Hoffner, S. F.; Horgan; Hughes; Jacobson; Keller; Kent; Kloubec; 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; 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; Madam Speaker

NAYS: None

ABSENT AND NOT VOTING: Kingsbury; Knudson; Olafson

HB 1056 passed and the title was agreed to.

HB 1074: A BILL for an Act to amend and reenact subsection 1 of section 28-32-01 of the North Dakota Century Code, relating to the definition of administrative agency; and to repeal chapter 15-20.3 of the North Dakota Century Code, relating to the postsecondary education commission.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 103 YEAS, 0 NAYS, 3 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; Serenus; Hoffner, S. F.; Horgan; Hughes; Jacobson; Keller; Kent; Kloubec; 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; 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; Madam Speaker

NAYS: None

ABSENT AND NOT VOTING: Kingsbury; Knudson; Olafson

HB 1074 passed and the title was agreed to.

HB 1076: A BILL for an Act to amend and reenact section 15-10-28 of the North Dakota Century Code, relating to the authority of the state board of higher education to enter into agreements with regional education compacts.

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, 6 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Aubol; Backes; Boyle; Conmy; DeMers; Dotzenrod; DuBord; Eagles; Erdman; Gates; Gerl; Goetz; Gorder; Gullickson; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer; Hill; Hjelle; Hoffner; Serenus; Hoffner, S. F.; Horgan; Hughes; Jacobson; Keller; Kent; Kloubec; Koehn; Koski; Kretschmar; Lang; Larson, B.; Larson, R.; Laughlin; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, C.; Martinson; Meier, A.; Meiers, R.; Melby; Mertens; Meyer, R.; Meyer, W.; Moore; Murphy; Mushik; Nalewaja; Nicholas; Nowatzki; O'Connell; 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; Vig; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Wold; Madam Speaker

NAYS: Black; Brokaw; Kuchera; Lardy; Martin, G.; Williams, W.

ABSENT AND NOT VOTING: Kingsbury; Knudson; Olafson; Vander Vorst

HB 1076 passed and the title was agreed to.

MOTION

REP. BACKES MOVED that HB 1096 be rereferred to the Committee on Appropriations, which motion prevailed.

SPEAKER KELLY ANNOUNCED that HB 1096 was rereferred to the Committee on Appropriations.

SECOND READING OF HOUSE BILLS

HB 1099: A BILL for an Act to amend and reenact section 54-52-13 of the North Dakota Century Code, relating to the deposit of moneys with the state treasurer.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 100 YEAS, 1 NAY, 5 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Aubol; 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; Serenus; Hoffner, S. F.; Horgan; Hughes; Jacobson; Keller; Kent; Kloubec; 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; Olsen, D.; Olson, A.; Opedahl; O'Shea; Peltier; 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; Madam Speaker

NAYS: Black

ABSENT AND NOT VOTING: Backes; Kingsbury; Knudson; Olafson; Peterson

HB 1099 passed and the title was agreed to.

HB 1110: 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 college teachers retired under the provisions of chapter 15-39 of the North Dakota Century Code purchasing military service credit as provided in section 15-39.1-24 of the North Dakota Century Code.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 102 YEAS, 1 NAY, 3 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, Serenus; Hoffner, S. F.; Horgan; Jacobson; Keller; Kent; Kloubec; 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; 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; Madam Speaker

NAYS: Hughes

ABSENT AND NOT VOTING: Kingsbury; Knudson; Olafson

HB 1110 passed and the title was agreed to.

HB 1122: A BILL for an Act to amend and reenact section 57-37.1-12 of the North Dakota Century Code, relating to access to the safe deposit box of a decedent.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 102 YEAS, 0 NAYS, 4 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, Serenus; Hoffner, S. F.; Horgan; Hughes; Jacobson; Keller; Kent; Kloubec; 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; Mushik; Nalewaja; Nicholas; Nowatzki; O'Connell; 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; Madam Speaker

NAYS: None

ABSENT AND NOT VOTING: Kingsbury; Knudson; Murphy; Olafson

HB 1122 passed and the title was agreed to.

HB 1142: A BILL for an Act to amend and reenact section 10-31-13 of the North Dakota Century Code, relating to annual report fees for professional corporations.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 102 YEAS, 1 NAY, 3 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, Serenus; Hoffner, S. F.; Horgan; Hughes; Jacobson; Keller; Kent; Kloubec; 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; 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; Sinner; Solberg; Stofferahn; Strinden; Swiontek; Thompson; Timm; Unhjem; Vander Vorst; Vig; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Wold; Madam Speaker

NAYS: Shockman

ABSENT AND NOT VOTING: Kingsbury; Knudson; Olafson

HB 1142 passed and the title was agreed to.

HB 1145: A BILL for an Act to amend and reenact section 10-23-05 of the North Dakota Century Code, relating to miscellaneous charges in the Business Corporation Act.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 103 YEAS, 0 NAYS, 3 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, Serenus; Hoffner, S. F.; Horgan; Hughes; Jacobson; Keller; Kent; Kloubec; 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; 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; Madam Speaker

NAYS: None

ABSENT AND NOT VOTING: Kingsbury; Knudson; Olafson

HB 1145 passed and the title was agreed to.

HB 1150: A BILL for an Act to amend and reenact section 12.1-32-01.1 of the North Dakota Century Code, relating to organizational fines which may be imposed upon conviction of an organization.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 23 YEAS, 80 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Black; DuBord; Gullickson; Hamerlik; Haugland; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Kuchera; Lang; Lardy; Larson, R.; Mertens; Pomeroy, E.;

Pomeroy, G.; Retzer; Schindler; Schoenwald; Shockman; Strinden; Thompson; Vander Vorst

NAYS: Anderson, C.; Anderson, R.; Aubol; Backes; Boyle; Brokaw; Conmy; DeMers; Dotzenrod; Eagles; Erdman; Gates; Gerl; Goetz; Gorder; Gunsch; Halmrast; Hanson, L.; Hanson, O.; Hausauer; Hill; Hughes; Jacobson; Keller; Kent; Kloubec; Koehn; Koski; Kretschmar; Larson, B.; Laughlin; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, C.; Martin, G.; Martinson; Meier, A.; Meiers, R.; Melby; Meyer, R.; Meyer, W.; Moore; Murphy; Mushik; Nalewaja; Nicholas; Nowatzki; O'Connell; Olsen, D.; Olson, A.; Opedahl; O'Shea; Peltier; Peterson; Rayl; Rice; Richard; Riehl; Riley; Rued; Sanstead; Schneider; Shide; Sinner; Solberg; Stofferahn; Swiontek; Timm; Unhjem; Vig; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Wold; Madam Speaker

ABSENT AND NOT VOTING: Kingsbury; Knudson; Olafson

HB 1150 was declared lost.

HB 1160: A BILL for an Act to amend and reenact section 29-05-10 of the North Dakota Century Code, relating to the definition of a peace officer.

Which has been read.

ROLL CALL

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

YEAS: Anderson, C.; Anderson, R.; Boyle; Conmy; DeMers; DuBord; Eagles; Erdman; Gates; Gerl; Goetz; Gullickson; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hjelle; Horgan; Hughes; Jacobson; Keller; Kent; Kloubec; Koehn; Koski; Kretschmar; Kuchera; Lardy; Larson, R.; Laughlin; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, C.; Martinson; Meier, A.; Meiers, R.; Mertens; Meyer, R.; Meyer, W.; Moore; Murphy; Mushik; Nalewaja; Nicholas; Nowatzki; O'Connell; Opedahl; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Rice; Richard; Riehl; Riley; Sanstead; Schindler; Schneider; Schoenwald; Shockman; Sinner; Solberg; Stofferahn; Swiontek; Thompson; Unhjem; Vander Vorst; Vig; Watne; Wentz; Williams, A.; Williams, C.; Wold; Madam Speaker

NAYS: Aubol; Backes; Black; Brokaw; Dotzenrod; Gorder; Gunsch; Halmrast; Hausauer; Hill; Hoffner, Serenus; Hoffner, S. F.; Lang; Larson, B.; Martin, G.; Melby;

Olsen, D.; Olson, A.; O'Shea; Peltier; Rued; Shide;
Strinden; Timm; Whalen; Williams, W.

ABSENT AND NOT VOTING: Kingsbury; Knudson; Olafson

HB 1160 passed and the title was agreed to.

SECOND READING OF SENATE BILLS

SB 2204: A BILL for an Act to create and enact subsection 17 to section 52-06-02 and sections 52-06-06.1 and 52-07.1-08.3 of the North Dakota Century Code, relating to disqualification for unemployment compensation benefits, deductions from unemployment compensation benefits for child support obligations, and reduction of extended unemployment compensation benefits on account of trade readjustment allowances; to amend and reenact sections 52-06-30, 52-06-31, subsections 4, 8, 11, and 12 of section 52-07.1-03, and section 52-07.1-08 of the North Dakota Century Code, relating to assignment of unemployment compensation benefits, waiver of rights to unemployment compensation benefits, extended unemployment compensation benefit definitions, and announcements of extended benefit periods; to repeal subsections 6 and 7 of section 52-07.1-03 of the North Dakota Century Code, relating to extended unemployment compensation benefit definitions; to provide an effective date; and to declare an emergency.

Which has been read.

MOTION

REP. LARDY MOVED that the rules be suspended, and the House dispense with the reading of the title to SB 2204, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 98 YEAS, 5 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Aubol; Backes; Black; Boyle; Brokaw; Conmy; DeMers; Dotzenrod; DuBord; Eagles; Erdman; Gates; Gerl; Goetz; Gullickson; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer; Hill; Hjelle; Hoffner; Serenus; Hoffner, S. F.; Hughes; Jacobson; Keller; Kent; Kloubec; Koehn; Koski; Kretschmar; 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; Mushik; Nalewaja; Nicholas; Nowatzki; O'Connell; Olsen, D.; Olson, A.; Opedahl; O'Shea; Peltier; Peterson; 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; Madam Speaker

NAYS: Gorder; Horgan; Kuchera; Murphy; Pomeroy, E.

ABSENT AND NOT VOTING: Kingsbury; Knudson; Olafson

SB 2204 passed, the title was agreed to, and the emergency clause carried.

MOTION

REP. PELTIER MOVED that the vote by which SB 2204 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MOTIONS

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

REP. BACKES 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 1:00 p.m., Thursday, January 13, 1983, which motion prevailed.

FIRST READING OF HOUSE BILLS

Rep. Black introduced:

HB 1286: A BILL for an Act to amend and reenact section 15-39.1-24 of the North Dakota Century Code, relating to when a teacher is entitled to additional credit for military service in the teachers' retirement fund.
 Was read the first time and referred to the Committee on Education.

Rep. Serenus Hoffner introduced:

HB 1287: A BILL for an Act to amend and reenact section 54-52-02.6 of the North Dakota Century Code, relating to the repurchase of past service under the public employees retirement system.
 Was read the first time and referred to the Committee on State and Federal Government.

Reps. Conmy, Haugland and Sens. Naaden, Tallackson introduced:

HB 1288: A BILL for an Act to provide a referendum on the dairy products promotion assessment; and to amend and reenact section 4-27-01, subsection 4 of section 4-27-02, subsection 1 of section 4-27-03, section 4-27-04, subsections 3 and 7 of section 4-27-05, sections 4-27-06, 4-27-07, 4-27-08, 4-27-09, and 4-27-11 of the North Dakota Century Code, relating to the promotion and sale of state

dairy products, the state dairy promotion commission, the commission's purposes, the collection and disbursement of commission funds, the assessments on milk and a referendum regarding that assessment, and administration.

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

Reps. C. Martin, Knudson, Whalen, O'Shea, Thompson introduced:

HB 1289: A BILL for an Act to amend and reenact subsection 3 of section 57-62-02 of the North Dakota Century Code, relating to allocation of revenues to counties from the coal severance tax.

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

Reps. Unhjem, Hamerlik introduced:

HB 1290: A BILL for an Act to amend and reenact section 27-09.1-14 of the North Dakota Century Code, relating to mileage for jurors.

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

Rep. Unhjem introduced:

HB 1291: A BILL for an Act to amend and reenact subsection 3 of section 14-17-11 of the North Dakota Century Code, relating to evidence concerning paternity.

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

Rep. Martinson and Sens. Olson, Lips introduced:

HB 1292: A BILL for an Act to amend and reenact section 1-03-01 of the North Dakota Century Code, providing an extra holiday.

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

Reps. Black, G. Martin introduced:

HB 1293: A BILL for an Act to amend and reenact sections 12.1-30-01, 12.1-30-02, and 12.1-30-03 of the North Dakota Century Code, relating to operation of certain businesses on certain holidays.

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

Rep. Moore introduced:

HB 1294: A BILL for an Act to amend and reenact section 43-07-12 of the North Dakota Century Code, relating to bids on contracts for public projects.

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

Reps. D. Olsen, Strinden, Conmy, R. Meiers, Serenus Hoffner introduced:

HB 1295: A BILL for an Act to amend and reenact subsection 8 of section 57-02-08 of the North Dakota Century Code, to

provide a property tax exemption for group homes for persons handicapped by mental retardation; and to provide an effective date.

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

Rep. Hughes and Sen. Lodoen introduced:

HB 1296: A BILL for an Act to amend and reenact subsection 11 of section 57-02-01 of the North Dakota Century Code, relating to the definition of agricultural property for assessment purposes; and to provide an effective date.

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

Rep. R. Larson introduced:

HB 1297: A BILL for an Act to amend and reenact section 15-40.2-05 of the North Dakota Century Code, relating to convenience as a consideration for determining tuition payments.

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

Rep. Lloyd introduced:

HB 1298: A BILL for an Act to amend and reenact section 24-08-03 of the North Dakota Century Code, relating to posting of signs on certain bridges by county commissioners.

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

Rep. Vig introduced:

HB 1299: A BILL for an Act to provide for overtime pay for city police officers.

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

Reps. Martinson, Gerl, Hausauer and Sens. Holmberg, Redlin introduced:

HB 1300: A BILL for an Act to amend section 37-01-25 of the North Dakota Century Code, relating to military leave.

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

FIRST READING OF SENATE BILLS

SB 2018: A BILL for an Act making an appropriation for defraying the unforeseen expenses of the various agencies and institutions of the state of North Dakota.

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

SB 2025: A BILL for an Act making an appropriation for defraying the expenses of the civil air patrol of the state of North Dakota.

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

SB 2071: A BILL for an Act to amend and reenact sections 2-06-15, 4-02-26, 4-02-27.2, 4-02-37, 4-16-02, 11-11-24, 11-28.2-04.2, 15-08-18.1, 15-28-02, 15-39.1-28, subsection 1 of section 15-53.1-14, section 15-53.1-33, subsection 4.1 of section 21-03-06, subsection 1 of section 23-14-11, sections 23-18-01, 23-18-02, 23-18-03, 23-18.2-12, 24-05-01, 40-05-09.1, 40-05-09.2, 40-37-03, subsection 1 of section 40-38-02, sections 40-38.1-02, 40-40-11, 40-48-07, 40-55-08, 40-55-09, 40-57.1-03, 40-57.2-04, 40-59-01, subsection 3 of section 52-09-08, sections 54-24.2-03, subsections 7 and 16 of section 57-02-01, subsections 20, 22, and 26 of section 57-02-08, subsection 1 of section 57-02-08.1, sections 57-02-27, 57-02-28, 57-09-06, 57-12-09, 57-15-02, 57-15-06, subsection 1 of section 57-15-06.3, sections 57-15-06.4, 57-15-06.5, 57-15-06.6, 57-15-08, subsection 4 of section 57-15-10, sections 57-15-10.1, 57-15-12, subsection 1 of section 57-15-12.1, sections 57-15-14, 57-15-15, 57-15-18.1, 57-15-18.2, subsection 1 of section 57-15-19.4, sections 57-15-19.5, 57-15-19.6, 57-15-20, 57-15-22, 57-15-27.1, 57-15-27.2, 57-15-28, 57-15-36, 57-15-37, 57-15-37.1, 57-15-42, 57-15-48, 57-15-50, 57-15-51, 57-15-51.1, 57-15-53, 57-15-54, 57-15-55, subsection 1 of section 57-15-56, sections 57-15-57, 57-19-04, 57-20-02, 57-22-16, 57-44-03, 58-02-01, subsection 18 of section 58-03-07, section 58-17-02, subsection 3 of section 61-04.1-24, sections 61-04.1-26, 61-04.1-32, 61-09-20, 61-21-46, subsection 1 of section 63-01.1-06, section 63-01.1-06.3, and subsection 2 of section 63-01.1-10.1 of the North Dakota Century Code, relating to technical corrections and to make uniform the usage of the terms "assessed valuation" and "taxable valuation" without incorporating any substantive change in property tax law.

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

SB 2170: A BILL for an Act to amend and reenact subsection 2 of section 39-04-18 of the North Dakota Century Code, relating to motor vehicles exempt from registration.

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

SB 2203: A BILL for an Act to amend and reenact subsection 3 of section 11-11-53 of the North Dakota Century Code, relating to county historical societies.

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

SB 2209: A BILL for an Act to amend and reenact sections 21-05-01, 21-05-02, 21-05-07, 21-05-08, and 40-49-14 of the North Dakota Century Code, relating to claims against townships, counties, or park districts; and to repeal section 21-05-05 of the North Dakota Century Code, relating to the provision that all blank forms for bills, claims,

accounts, or demands against a county or township shall have printed thereon the provisions of section 12.1-11-02. Was read the first time and referred to the Committee on Political Subdivisions.

SB 2237: A BILL for an Act to amend and reenact sections 14-03-17 and 14-03-20 of the North Dakota Century Code, relating to the requirement of a premarital serological test for syphilis; and to repeal sections 14-03-12, 14-03-13, 14-03-14, 14-03-15, and 14-03-16, relating to the requirement of a premarital serological test for syphilis. Was read the first time and referred to the Committee on Social Services and Veterans Affairs.

The House stood adjourned pursuant to Representative Backes' motion.

CHARLES FLEMING, Chief Clerk