

JOURNAL OF THE HOUSE

Forty-eighth Legislative Assembly

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TWELFTH DAY

Bismarck, January 19, 1983

The House convened at 1:00 p.m., with Speaker Kelly presiding.

The prayer was offered by Sister Elizabeth Mason, St. Anne's, Bismarck.

ROLL CALL

The roll was called and all members were present, except Representatives DuBord and Gerl.

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 Eleventh day and finds the same to be correct. We have reexamined the Journal of the Tenth day and recommend that the same be corrected as follows and when so corrected, recommends that the same be approved:

On page 280, line 39, delete the word "Taxation" and insert in lieu thereof the word "Government"

REP. LAUGHLIN, Chairman

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

MESSAGES 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 1044, HB 1049, HB 1086, HB 1112, HB 1127, HB 1130,
HB 1141, HB 1151, HB 1202, HB 1204, HB 1225, HB 1231,
HCR 3003

Very respectfully,
CHARLES FLEMING, Chief Clerk

HOUSE CHAMBER

MR. PRESIDENT: I have the honor to return herewith the following which the Speaker has signed:

SCR 4012

Very respectfully,
CHARLES FLEMING, Chief Clerk

REPORTS OF STANDING COMMITTEES

MADAM SPEAKER: Your Committee on Appropriations to which was referred HB 1003 has had the same under consideration and recommends by a vote of 13 YEAS, 7 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 11, delete the numerals "1983" and insert in lieu thereof the numerals "1985"

On page 1, delete line 13 and insert in lieu thereof the following lines:

"Legal expenses - Association for retarded citizens lawsuit	\$183,198
Legal expenses - Valley family planning lawsuit	<u>\$ 31,627</u> "

On page 1, line 14, delete the numerals "593,000" and insert in lieu thereof the numerals "214,825"

On page 1, after line 14, insert the following new section:

"SECTION 2. Any moneys appropriated in section 1 of this Act and not spent by the attorney general of the state of North Dakota for the legal expenses of those specific cases shall revert to the general fund."

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment reduces the appropriation for legal expenses for the Association for Retarded Citizens lawsuit and Valley Family Planning lawsuit by \$378,175 from a total of \$593,000 to \$214,825. The \$214,825 appropriation is sufficient to pay legal expenses totaling \$31,627 relating to the Valley Family Planning lawsuit and \$183,198, which represents the portion of the legal expenses the Attorney General does not dispute, in the Association for Retarded Citizens lawsuit.

REP. MERTENS, Chairman

HB 1003 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 1072 has had the same under consideration and recommends by a vote of 17 YEAS, 0 NAYS, 0 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, delete the word "chapter" and insert in lieu thereof the word "chapters", and after the numeral "57-43.2" insert the word and numeral "and 57-43.3"
- On page 1, line 3, delete the word "and"
- On page 1, line 4, after the word "Act" insert the words ", and the aviation fuel tax", and delete the word "and", and after the numeral "57-54.1" insert the word and numeral ", and 57-56"
- On page 1, line 6, after the word "levy," delete the word "and", and immediately after the words "use tax" insert the words ", and the aviation fuel tax", and after the semicolon delete the word "and"
- On page 1, line 7, after the word "penalties" insert the words "; and to declare an emergency"
- On page 3, line 30, after the word "user" insert the words "or unlicensed dealer"
- On page 7, line 25, delete the numeral "57-43.2-21" and insert in lieu thereof the numeral "57-43.2-20"
- On page 11, line 9, delete the word "seventy-nine" and insert in lieu thereof the words "such money, interest, and penalties to the highway tax distribution fund to be distributed pursuant to section 54-27-19."
- On page 11, delete lines 10 through 35
- On page 12, delete lines 1 through 26
- On page 12, line 28, immediately after the word "penalties" insert a comma, and immediately after the word "chapter" delete the words ", except for the"
- On page 12, delete lines 29 and 30
- On page 12, line 31, delete the numeral "57-43.2-08,"
- On page 14, line 25, delete the word "to"
- On page 16, line 10, delete the word "and"
- On page 16, line 11, delete the words "motor vehicle fuel"
- On page 16, line 21, delete the numeral "57-43.2-27" and insert in lieu thereof the numeral "57-43.2-26"

- On page 17, line 1, delete the numeral "57-43.2-27" and insert in lieu thereof the numeral "57-43.2-26"
- On page 17, line 7, delete the numeral "57-43.2-27" and insert in lieu thereof the numeral "57-43.2-26"
- On page 17, line 10, after the period insert the following sentence: "If the license required by section 57-43.1-38 has been obtained, no license is required pursuant to this section."
- On page 18, after line 29, insert the following new section:

"SECTION 2. Chapter 57-43.3 of the North Dakota Century Code is hereby created and enacted to read as follows:

57-43.3-01. Definitions. As used in this chapter unless the context otherwise requires:

1. "Aviation fuel" means aviation gasoline, jet motor fuel, and other motor fuel used by aircraft.
2. "Commission" means the North Dakota aeronautics commission.
3. "Commissioner" means the North Dakota tax commissioner.
4. "Dealer" means aviation fuel dealer.
5. "User" means aviation fuel user.

57-43.3-02. Imposition and collection of tax. An excise tax of eight cents per gallon [3.79 liters] is hereby imposed on the sale or delivery of aviation fuel by a dealer to a user. The dealer shall collect the tax from the user and pay the tax to the commissioner.

57-43.3-03. Refund of tax. Any user shall be reimbursed the tax levied by section 57-43.3-02 pursuant to the provisions of chapter 57-43.1.

57-43.3-04. Separate and additional tax imposed. In addition to any other tax imposed in this chapter, there is hereby imposed a special excise tax of four percent on the sale of aviation fuel by a dealer to a user.

57-43.3-05. Administration of tax. The commissioner shall administer this chapter and is empowered to

adopt reasonable rules and regulations relating to administration and enforcement. The commissioner shall audit returns and make assessments pursuant to section 57-43.2-14.

57-43.3-06. Allocation of revenue. The tax collected by the commissioner pursuant to section 57-43.3-04 and pursuant to section 57-43.3-02, upon which no refund is claimed, shall be deposited in the office of the state treasurer, who shall deposit such moneys in a special fund known as the state aeronautics commission construction fund. These funds are hereby appropriated to the commission and shall be disbursed by warrant-check prepared by the office of management and budget upon vouchers submitted by the commission and approved by the office of management and budget for the purpose of matching any funds made available by political subdivisions or airport authorities of this state, the state, or the United States, if the political subdivisions or airport authority is not qualified for or does not receive any funds pursuant to section 2-05-06.5. These funds may be used for airport construction and improvement projects and for the purchase of necessary land as determined by the commission."

On page 18, line 30, after the word "SECTION" delete the numeral "2" and insert in lieu thereof the numeral "3", and delete the word "and", and after the numeral "57-54.1" insert the words ", and 57-56"

On page 18, after line 31, insert the following new paragraph:

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

And renumber the lines, sections, and pages accordingly
REP. SINNER, Chairman

HB 1072 was placed on the Sixth 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 1121 has had the same under consideration and recommends by a vote of 11 YEAS, 4 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, delete the word "eighteen" and insert in lieu thereof the word "four"

- On page 1, line 2, immediately after the word "to" insert the words "enforcement of"
- On page 1, line 3, delete the words "restrictions and enforcement" and insert in lieu thereof the words "and recreation laws; and to provide a penalty"
- On page 1, line 6, delete the word "Eighteen" and insert in lieu thereof the word "Four"
- On page 1, line 17, delete the word "shall" and insert in lieu thereof the word "may"
- On page 2, delete lines 31 through 34
- And delete the remainder of the bill
- And renumber the lines, pages, and sections accordingly
 REP. L. HANSON, Chairman

HB 1121 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Transportation to which was referred HB 1167 has had the same under consideration and recommends by a vote of 13 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

- On page 3, line 4, after the word "registration" insert the words ", or if the aircraft is one year old or older and being registered for the first time the fees shall be reduced ten percent for each year after the year of manufacture of the aircraft,"

And renumber the lines accordingly
 REP. HJELLE, Chairman

HB 1167 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Political Subdivisions to which was referred HB 1173 has had the same under consideration and recommends by a vote of 11 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS and be rereferred to the Committee on Appropriations.

- On page 1, line 11, delete the words "or who has been ordered returned"
- On page 1, line 12, delete the words "by the court for a probation violation"

On page 1, line 17, after the word "mileage" insert the words "and expenses"

On page 1, line 18, delete the words "through the district court" and "If the person is ordered"

On page 1, delete line 19

And renumber the lines accordingly

REP. DOTZENROD, Chairman

HB 1173 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Education to which was referred HB 1180 has had the same under consideration and recommends by a vote of 17 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

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

On page 1, after line 9, insert the following new section:

"SECTION 2. EMERGENCY. This Act is hereby declared to be an emergency measure and is in effect from and after its passage and approval."

And renumber the lines and sections accordingly

REP. JACOBSON, Chairman

HB 1180 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Transportation to which was referred HB 1182 has had the same under consideration and recommends by a vote of 11 YEAS, 3 NAYS, 2 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 14, delete the words "a period of" and after the word "ninety" insert the word "consecutive"

On page 1, line 20, after the word "a" insert the word "resident"

And renumber the lines accordingly

REP. HJELLE, Chairman

HB 1182 was placed on the Sixth 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 1220 has had the same under consideration and recommends by a vote of 12 YEAS, 1 NAY, 3 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 2, line 8, insert immediately after the word "under" the words "section 106 of"

On page 2, line 25, delete the words "seven hundred seventy-five" and insert in lieu thereof the word "fifty"

On page 2, line 27, after the period insert the following new sentence "Following issuance of the annual permit, the permittee shall submit to the state historical society of North Dakota payment in the amount of twenty-five dollars with every cultural resources identification, evaluation, and mitigation report submitted to the superintendent in compliance with the federal and state statutory and regulatory requirements identified in this section."

And renumber the lines and pages accordingly

REP. L. HANSON, Chairman

HB 1220 was placed on the Sixth 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 1061 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. L. HANSON, Chairman

HB 1061 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 1157 has had the same under consideration and recommends by a vote of 14 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. E. POMEROY, Chairman

HB 1157 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 rereferred HB 1211 has had the same under consideration and recommends by a vote of 15 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. E. POMEROY, Chairman

HB 1211 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 1239 has had the same under consideration and recommends by a vote of 13 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING that the same DO PASS.

REP. L. HANSON, Chairman

HB 1239 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 1245 has had the same under consideration and recommends by a vote of 8 YEAS, 7 NAYS, 1 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. S. F. HOFFNER, Chairman

HB 1245 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 HCR 3008 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

REP. L. HANSON, Chairman

HCR 3008 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REPORT OF PROCEDURAL COMMITTEE

MADAM SPEAKER: Your Committee on Enrollment and Engrossment respectfully reports that they have examined the following bills and find the same correctly engrossed:

HB 1085, HB 1113

REP. G. MARTIN, Chairman

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

RECOGNITION

SPEAKER KELLY ANNOUNCED that a former Representative was in the chambers, and requested that the House recognize former Representative Oscar Lee, and Representative Lee was thereupon introduced to the House.

MOTION

REP. RETZER MOVED that HB 1104 be returned to the House floor from the Committee on Agriculture, which motion prevailed.

REQUEST

REP. RETZER REQUESTED the unanimous consent of the House to withdraw HB 1104. There being no objection, it was so ordered by the Speaker.

SIXTH ORDER OF BUSINESS

REP. MERTENS MOVED that the amendments to HB 1002 as recommended by the Committee on Appropriations as printed on pages 294 and 295 of the House Journal be adopted, which motion prevailed.

REP. SINNER MOVED that the amendments to HB 1073 as recommended by the Committee on Finance and Taxation as printed on pages 295 and 296 of the House Journal be adopted, which motion prevailed.

REP. BROKAW MOVED that the amendments to HB 1090 as recommended by the Committee on Natural Resources as printed on page 296 of the House Journal be adopted, which motion prevailed.

REP. W. MEYER MOVED that the amendments to HB 1100 as recommended by the Committee on Agriculture as printed on pages 296 and 297 of the House Journal be adopted, which motion prevailed.

REP. SINNER MOVED that the amendments to HB 1105 as recommended by the Committee on Finance and Taxation as printed on page 297 of the House Journal be adopted, which motion prevailed.

REP. JACOBSON MOVED that the amendments to HB 1109 as recommended by the Committee on Education as printed on pages 297 and 298 of the House Journal be adopted, which motion prevailed.

REP. R. MEIERS MOVED that the amendments to HB 1132 as recommended by the Committee on Social Services and Veterans Affairs as printed on page 298 of the House Journal be adopted, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1085: A BILL for an Act to create and enact a new section to chapter 57-38 of the North Dakota Century Code, providing for an income tax credit for qualified renters; and to provide an effective date.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended on page 242 of the House Journal, the roll was called and there were 55 YEAS, 49 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Aubol; Black; Boyle; Brokaw; Conmy; DeMers; Dotzenrod; Erdman; Gates; Gullickson; Halmrast; Hamerlik; Hanson, L.; Hausauer; Hill; Hoffner, Serenus; Hoffner, S. F.; Horgan; Jacobson; Keller; Koski; Lardy; Larson, B.; Laughlin; Lautenschlager; Linderman; Lloyd; Martin, C.; Martin, G.; Martinson; Meier, A.;

Meiers, R.; Mertens; Meyer, W.; Mushik; O'Connell;
 Opedahl; O'Shea; Pomeroy, E.; Pomeroy, G.; Rayl;
 Richard; Riehl; Sanstead; Schneider; Schoenwald;
 Shockman; Solberg; Stofferahn; Vig; Watne;
 Williams, A.; Williams, C.; Williams, W.; Madam Speaker

NAYS: Anderson, C.; Anderson, R.; Backes; Eagles; Goetz;
 Gorder; Gunsch; Hanson, O.; Haugland; Hjelle; Hughes;
 Kent; Kingsbury; Kloubec; Knudson; Koehn; Kretschmar;
 Kuchera; Lang; Larson, R.; Lipsiea; Melby; Meyer, R.;
 Moore; Murphy; Nalewaja; Nicholas; Nowatzki; Olafson;
 Olsen, D.; Olson, A.; Peltier; Peterson; Retzer; Rice;
 Riley; Rued; Schindler; Shide; Sinner; Strinden;
 Swiontek; Timm; Thompson; Unhjem; Vander Vorst; Wentz;
 Whalen; Wold

ABSENT AND NOT VOTING: DuBord; Gerl

HB 1085 passed and the title was agreed to.

RECOGNITION

SPEAKER KELLY ANNOUNCED that a former Representative was in the chambers, and requested that the House recognize former Representative John Gengler, and Representative Gengler was thereupon introduced to the House.

MESSAGES FROM THE SENATE SENATE CHAMBER

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

SB 2225

Very respectfully,
 LEO LEIDHOLM, Secretary

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 2057, SB 2078, SB 2094, SB 2125, SB 2153, SB 2160,
 SB 2174, SB 2175, SB 2177, SB 2181, SB 2186, SB 2194,
 SB 2200, SB 2210, SB 2214, SB 2215, SB 2218, SB 2223,
 SB 2241, SB 2258

Very respectfully,
 LEO LEIDHOLM, Secretary

POINT OF PERSONAL PRIVILEGE

REP. MERTENS: Madam Speaker: I rise on a point of personal privilege and request that my remarks be printed in the Journal:

On Tuesday, January 18, 1983, the House Appropriations Committee held a hearing on the Health and Health Service block grant moneys anticipated by the Health Department during the period beginning October 1, 1983, and ending September 30, 1985. If any member of the Legislative Assembly desires copies of the minutes and testimony presented to the House Appropriations Committee during the block grant hearing, the House Appropriations Committee Clerk will make copies available to you. I inform you about the availability of the information at this time, since your approval or disapproval of the appropriation for the State Health Department includes the legislative action regarding the use of the federal block grant funds.

SECOND READING OF HOUSE BILLS

HB 1091: A BILL for an Act to require a deposit on glass beer containers; and to provide a penalty.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 46 YEAS, 58 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Black; Boyle; Brokaw; DeMers; Eagles; Gates; Gorder; Halmrast; Hamerlik; Hanson, O.; Hjelle; Horgan; Jacobson; Knudson; Koehn; Kuchera; Lardy; Larson, B.; Laughlin; Lautenschlager; Linderman; Meiers, R.; Melby; Nalewaja; Nicholas; Olafson; Olsen, D.; Olson, A.; Opedahl; Pomeroy, E.; Pomeroy, G.; Retzer; Rice; Richard; Schindler; Shide; Sinner; Solberg; Stofferahn; Swiontek; Thompson; Watne; Wentz; Williams, W.; Madam Speaker

NAYS: Anderson, R.; Aubol; Backes; Conmy; Dotzenrod; Erdman; Goetz; Gullickson; Gunsch; Hanson, L.; Haugland; Hausauer; Hill; Hoffner; Serenus; Hoffner, S. F.; Hughes; Keller; Kent; Kingsbury; Kloubec; Koski; Kretschmar; Lang; Larson, R.; Lipsiea; Lloyd; Martin, C.; Martin, G.; Martinson; Meier, A.; Mertens; Meyer, R.; Meyer, W.; Moore; Murphy; Mushik; Nowatzki; O'Connell; O'Shea; Peltier; Peterson; Rayl; Riehl; Riley; Rued; Sanstead; Schneider; Schoenwald; Shockman; Strinden; Timm; Unhjem; Vander Vorst; Vig; Whalen; Williams, A.; Williams, C.; Wold

ABSENT AND NOT VOTING: DuBord; Gerl

HB 1091 was declared lost.

HB 1113: A BILL for an Act to amend and reenact subsection 2 of section 37-15-02 and subsection 3 of section 37-15-10 of

the North Dakota Century Code, relating to admission to the North Dakota soldiers' home; and to declare an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended on page 243 of the House Journal, the roll was called and there were 104 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: DuBord; Gerl

HB 1113 passed, the title was agreed to, and the emergency clause carried.

MOTION

REP. MOORE MOVED that the House reconsider its action whereby HB 1135 was passed, which motion prevailed on a verification vote.

SECOND READING OF HOUSE BILLS

HB 1135: A BILL for an Act to create and enact a new section to chapter 57-38 of the North Dakota Century Code, relating to withholding sums for income tax withholding purposes from wages of an employee who voluntarily elects withholding.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 50 YEAS, 56 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Aubol; Backes; Black; Boyle; Brokaw; DeMers; DuBord; Erdman; Gates; Gerl; Halmrast; Hamerlik; Hanson, L.; Haugland; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Jacobson; Keller; Koski; Lardy; Laughlin; Lautenschlager; Linderman; Lloyd; Martin, G.; Meier, A.; Meiers, R.; Meyer, R.; Mushik; Nicholas; Nowatzki; O'Connell; Pomeroy, E.; Pomeroy, G.; Rayl; Richard; Riehl; Sanstead; Schneider; Schoenwald; Shockman; Sinner; Stofferahn; Vig; Watne; Williams, A.; Williams, W.; Madam Speaker

NAYS: Anderson, C.; Anderson, R.; Conmy; Dotzenrod; Eagles; Goetz; Gorder; Gullickson; Gunsch; Hanson, O.; Hausauer; Hill; Hughes; Kent; Kingsbury; Kloubec; Knudson; Koehn; Kretschmar; Kuchera; Lang; Larson, B.; Larson, R.; Lipsiea; Martin, C.; Martinson; Melby; Mertens; Meyer, W.; Moore; Murphy; Nalewaja; Olafson; Olsen, D.; Olson, A.; Opedahl; O'Shea; Peltier; Peterson; Retzer; Rice; Riley; Rued; Schindler; Shide; Solberg; Strinden; Swiontek; Thompson; Timm; Unhjem; Vander Vorst; Wentz; Whalen; Williams, C.; Wold

ABSENT AND NOT VOTING: None

HB 1135 was declared lost.

HB 1118: A BILL for an Act to amend and reenact section 55-01-01 of the North Dakota Century Code, relating to membership on the state historical board.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 60 YEAS, 46 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Aubol; Backes; Black; Boyle; Brokaw; DeMers; Dotzenrod; Gates; Gerl; Goetz; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hausauer; Hill; Hjelle; Hoffner, Serenus; Horgan; Jacobson; Kent; Kingsbury; Koehn; Koski; Kretschmar; Kuchera; Lardy; Laughlin; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, G.; Meier, A.; Mertens; Meyer, R.; Nicholas; Nowatzki; O'Connell; Olsen, D.; O'Shea; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Richard; Sanstead; Schneider; Schoenwald; Sinner; Solberg; Stofferahn; Strinden; Thompson; Vander Vorst; Vig; Wentz; Williams, A.; Williams, C.; Williams, W.

NAYS: Anderson, C.; Anderson, R.; Conmy; DuBord; Eagles; Erdman; Gorder; Gullickson; Hanson, O.; Haugland; Hoffner, S. F.; Hughes; Keller; Kloubec; Knudson; Lang; Larson, B.; Larson, R.; Martin, C.; Martinson; Meiers, R.; Melby; Meyer, W.; Moore; Murphy; Mushik; Nalewaja; Olafson; Olson, A.; Opedah; Peltier; Retzer; Rice; Riehl; Riley; Rued; Schindler; Shide; Shockman; Swiontek; Timm; Unhjem; Watne; Whalen; Wold; Madam Speaker

ABSENT AND NOT VOTING: None

HB 1118 passed and the title was agreed to.

MOTION

REP. MURPHY MOVED that HB 1125 be laid over one legislative day, which motion failed on a verification vote.

SECOND READING OF HOUSE BILLS

HB 1125: A BILL for an Act to repeal section 15-10-28.1 of the North Dakota Century Code, relating to the requirement that the board of higher education require notes from veterinary medicine, optometry, or dental students.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 80 YEAS, 26 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Aubol; Backes; Boyle; Brokaw; Conmy; DeMers; Dotzenrod; DuBord; Erdman; Gerl; Goetz; Gorder; Gullickson; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer; Hill; Hjelle; Hoffner, S. F.; Horgan; Jacobson; Keller; Koski; Kretschmar; Larson, B.; Larson, R.; Laughlin; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, C.; Martin, G.; Martinson; Meier, A.; Meiers, R.; Mertens; Meyer, R.; Meyer, W.; Mushik; Nalewaja; Nicholas; Nowatzki; O'Connell; Olafson; Opedah; O'Shea; Peltier; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Richard; Riehl; Rued; Sanstead; Schneider; Schoenwald; Shockman; Sinner; Stofferahn; Strinden; Swiontek; Thompson; Timm; Unhjem; Vander Vorst; Vig; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Madam Speaker

NAYS: Anderson, R.; Black; Eagles; Gates; Gunsch; Hughes; Kent; Kingsbury; Kloubec; Knudson; Koehn; Kuchera; Lang; Lardy; Melby; Moore; Murphy; Olsen, D.; Olson, A.; Retzer; Rice; Riley; Schindler; Shide; Solberg; Wold

ABSENT AND NOT VOTING: None

HB 1125 passed and the title was agreed to.

HB 1158: A BILL for an Act to amend and reenact subsection 3 of section 39-21-18 of the North Dakota Century Code, relating to lighting on emergency and military vehicles.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 7 YEAS, 96 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Gates; Hanson, O.; Koehn; Murphy; Nicholas; Whalen

NAYS: Anderson, R.; Aubol; Black; Boyle; Brokaw; Conmy; DeMers; Dotzenrod; DuBord; Eagles; Erdman; Gerl; Goetz; Gorder; Gullickson; Gunsch; Halmrast; Hamerlik; Hanson, L.; Haugland; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Hughes; Jacobson; Keller; Kent; Kingsbury; Kloubec; Knudson; 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; 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; Williams, A.; Williams, C.; Williams, W.; Wold; Madam Speaker

ABSENT AND NOT VOTING: Backes; Hausauer; Koski

HB 1158 was declared lost.

HB 1193: A BILL for an Act to amend and reenact subsection 1 of section 15-34.2-02 of the North Dakota Century Code, relating to transportation of nonresident students.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 105 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Aubol; 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; 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; Madam Speaker

NAYS: None

ABSENT AND NOT VOTING: Backes

HB 1193 passed and the title was agreed to.

HB 1207: A BILL for an Act to amend and reenact sections 15-06-02 and 54-01-13.2 of the North Dakota Century Code, relating to appraisers and appraisals.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 105 YEAS, 0 NAYS, 1 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; 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; 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: Richard

HB 1207 passed and the title was agreed to.

MOTION

REP. LIPSIEA MOVED that the rules be suspended and the House dispense with the reading of the title to HB 1227, which motion prevailed.

SECOND READING OF HOUSE BILLS

HB 1227: A BILL for an Act to create and enact section 26-17.1-13.1 of the North Dakota Century Code, relating to renewal of appointments and annual fees; and to amend and reenact sections 26-17.1-06, 26-17.1-07, 26-17.1-12, 26-17.1-13, 26-17.1-14, 26-17.1-15, 26-17.1-18, 26-17.1-20, 26-17.1-28, 26-17.1-31, 26-17.1-32, 26-17.1-33, 26-17.1-35, 26-17.1-41, and 26-17.1-42 of the North Dakota Century Code, relating to the qualifications and procedures for the licensing of insurance agents, insurance brokers, surplus lines insurance brokers, insurance consultants, and limited insurance representatives; and to provide a penalty.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 93 YEAS, 8 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; 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.; Hughes; Jacobson; Keller; Kent; Kingsbury; Kloubec; Knudson; Koehn; Koski; Kretschmar; Kuchera; Lang; Larson, B.; Larson, R.; Laughlin; Linderman; Lipsiea; Lloyd; Martin, C.; Martin, G.; Martinson; Meier, A.; Meiers, R.; Melby; Meyer, W.; Moore; Nalewaja; Nicholas; Nowatzki; O'Connell; Olafson; Olson, D.; Olson, A.; Opedahl; O'Shea; Peltier; Peterson; Pomeroy, E.; Pomeroy, G.; Retzer; Rice; Riehl; Riley; Rued; Schindler; Schneider; Shide; Shockman; Sinner; Solberg; Stofferahn; Swiontek; Thompson; Timm; Unhjem; Vander Vorst; Vig; Watne;

Wentz; Whalen; Williams, A.; Williams, C.;
Williams, W.; Wold; Madam Speaker

NAYS: Aubol; Lardy; Lautenschlager; Mertens; Mushik;
Rayl; Sanstead; Schoenwald

ABSENT AND NOT VOTING: Horgan; Meyer, R.; Murphy;
Richard; Strinden

HB 1227 passed and the title was agreed to.

HB 1232: A BILL for an Act to amend and reenact sections 26-09.2-04, 26-09.2-05, and 26-09.2-11 of the North Dakota Century Code, relating to requirements for the utilization of surplus lines insurance.

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.; 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; Riehl; Riley; Rued; Sanstead; Schindler; Schneider; Schoenwald; Shide; Sinner; Solberg; Stofferahn; 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: Horgan; Richard; Strinden

HB 1232 passed and the title was agreed to.

HB 1252: A BILL for an Act to amend and reenact section 15-39.1-23 of the North Dakota Century Code, relating to

penalties for failing to make the required reports and payments to the teachers' fund for retirement.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 36 YEAS, 70 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Conmy; Dotzenrod; Goetz; Gorder; Gunsch; Hamerlik; Hanson, O.; Horgan; Hughes; Kent; Kingsbury; Knudson; Kuchera; Lang; Lipsiea; Martin, C.; Martinson; Meiers, R.; Mertens; Murphy; Malewaja; Olafson; Olsen, D.; Olson, A.; Peltier; Retzer; Rice; Schindler; Schneider; Shide; Thompson; Unhjem; Whalen; Wold

NAYS: Aubol; Backes; Black; Boyle; Brokaw; DeMers; DuBord; Eagles; Erdman; Gates; Gerl; Gullickson; Halmrast; Hanson, L.; Haugland; Hausauer; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Jacobson; Keller; Kloubec; Koehn; Koski; Kretschmar; Lardy; Larson, B.; Larson, R.; Laughlin; Lautenschlager; Linderman; Lloyd; Martin, G.; Meier, A.; Melby; Meyer, R.; Meyer, W.; Moore; Mushik; Nicholas; Nowatzki; O'Connell; Opedahl; O'Shea; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Richard; Riehl; Riley; Rued; Sanstead; Schoenwald; Shockman; Sinner; Solberg; Stofferahn; Strinden; Swiontek; Timm; Vander Vorst; Vig; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Madam Speaker

ABSENT AND NOT VOTING: None

HB 1252 was declared lost.

HB 1265: A BILL for an Act to amend and reenact subsection 6 of section 37-17.1-05 of the North Dakota Century Code, relating to the governor and disaster emergencies.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 105 YEAS, 0 NAYS, 1 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; 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; 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: Sinner

HB 1265 passed and the title was agreed to.

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.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 105 YEAS, 0 NAYS, 1 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; Kingsbury; Kloubec; Knudson; 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; 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; Madam Speaker

NAYS: None

ABSENT AND NOT VOTING: Kuchera

HB 1289 passed and the title was agreed to.

RECOGNITION

SPEAKER KELLY ANNOUNCED that a former Representative was in the chambers, and requested that the House recognize former Representative Dorothy Moum, and Representative Moum was thereupon introduced to the House.

SPEAKER KELLY ANNOUNCED that a former Representative was in the chambers, and requested that the House recognize former Representative Howard Hove, and Representative Hove was thereupon introduced to the House.

SECOND READING OF SENATE BILL

SB 2059: A BILL for an Act to amend and reenact subsection 2 of section 12.1-08-03 of the North Dakota Century Code, relating to the penalty for hindering law enforcement; and to declare an emergency.

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; Knudson; Koehn; Koski; Kretschmar; Lang; Lardy; Larson, B.; Larson, R.; Laughlin; Lautenschlager; Linderman; Lipsiea; Lloyd; 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; Swiontek; Thompson; Timm; Unhjem; Vander Vorst; Vig; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Wold; Madam Speaker

NAYS: Kingsbury

ABSENT AND NOT VOTING: Kuchera; Martin, C.; Strinden

SB 2059 passed, the title was agreed to, and the emergency clause carried.

SIGNING OF BILLS AND RESOLUTIONS

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following:

SB 2225

CHARLES FLEMING, Chief Clerk

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 20, 1983, which motion prevailed.

FIRST READING OF HOUSE BILLS

Reps. Whalen, Thompson introduced:

HB 1565: A BILL for an Act to amend and reenact section 43-19.1-28 of the North Dakota Century Code, relating to when the state and its political subdivisions must employ a professional engineer for construction of public works.

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

Rep. Wold introduced:

HB 1566: A BILL for an Act to create and enact chapter 35-12.1 of the North Dakota Century Code, relating to the creation and enforcement of construction liens for improvements to real property; to amend and reenact section 6-03-05.1, subsection 23 of section 11-17-04, sections 11-18-14, 28-01-17, 28-05-09, 35-13-04, 35-15-06, 35-20-13, 35-21-01, 40-33.2-09, subsection 7 of section 40-33.3-06, subsection 5 of section 43-01-18, and section 47-18-04 of the North Dakota Century Code, relating to references to construction liens; and to repeal subsection 23 of section 11-17-04 and chapter 35-27 of the North Dakota Century Code, relating to mechanic's liens.

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

Reps. Serenus Hoffner, C. Williams introduced:

HB 1567: A BILL for an Act to amend and reenact sections 39-06-03 and 39-06-34 of the North Dakota Century Code, relating to the licensing of operators of motor vehicles.

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

Reps. Gerl, Mushik introduced:

HB 1568: A BILL for an Act to amend and reenact sections 60-06-01, 60-06-02, 60-06-03, 60-06-04, 60-06-05, 60-06-07, 60-06-08, 60-06-09, 60-06-10, 60-06-11, 60-06-12, 60-06-13, and 60-06-14 of the North Dakota Century Code, relating to the establishment of commercial enterprises on railroad right of way.

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

FIRST READING OF SENATE BILLS

SB 2057: A BILL for an Act to amend and reenact sections 15-21-17, 54-54-02, 55-01-01, and 57-59-03 of the North Dakota Century Code, relating to senate confirmation of appointees to the board of public school education, council on the arts, state historical board, and the multistate tax commission; and if House Bill No. 1074 is not approved by the forty-eighth legislative assembly, to amend and reenact section 15-20.3-01 of the North Dakota Century Code, relating to senate confirmation of appointees to the postsecondary education commission.

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

SB 2078: A BILL for an Act to create and enact a new section to chapter 15-34.2 of the North Dakota Century Code, relating to the authority of school boards to negotiate with nonprofit organizations to allow those groups to use district-owned schoolbuses for their activities.

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

SB 2094: A BILL for an Act to amend and reenact section 11-28.2-04.1 of the North Dakota Century Code, relating to mailing of notice of improvements to all owners of property within a recreation service district.

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

SB 2125: A BILL for an Act to create and enact a new section to chapter 28-01 of the North Dakota Century Code, relating to the limitation on actions against the state.

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

SB 2153: A BILL for an Act to amend and reenact sections 49-18-19 and 49-18-25 of the North Dakota Century Code, relating to regulation of contract motor carriers.

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

SB 2160: A BILL for an Act to amend and reenact section 49-02-03 of the North Dakota Century Code, relating to the power of the public service commission to supervise public utility rates.

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

SB 2174: A BILL for an Act to amend and reenact sections 39-04-12, 39-04-14.1, 39-04-15, 39-04-21, 39-04-36, and 39-04-44 of the North Dakota Century Code, relating to contents of number plates, renewal of passenger motor vehicle registration, when registration fees become due, fees for motor vehicles first registered in this state, transfer of registration, and credits on a destroyed vehicle.

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

SB 2175: A BILL for an Act to amend and reenact section 14-06.1-15 of the North Dakota Century Code, relating to a fee assessment upon filing for an annulment or separation.

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

SB 2177: A BILL for an Act to amend and reenact section 50-22-04.1 of the North Dakota Century Code, relating to limitations on amount of payments for solicitation or funding.

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

SB 2181: A BILL for an Act to create and enact a new subdivision to subsection 1 of section 38-08-04 and a new subdivision to subsection 2 of section 38-08-04 of the North Dakota Century Code, relating to the filing of samples and cores with the state geologist and the underground storage of oil and gas; and to amend and reenact subdivisions b and i of subsection 1 of section 38-08-04 and section 38-08-05 of the North Dakota Century Code, relating to the filing of logs and reports with the industrial commission and the permitting of oil and gas wells.

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

SB 2186: A BILL for an Act to amend and reenact subsection 2 of section 57-15-14 of the North Dakota Century Code, relating to tax levy limitations in school districts.

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

SB 2194: A BILL for an Act to amend and reenact sections 39-04-08 and 39-04-11 of the North Dakota Century Code, relating to the issuance of numbered plates and the display of numbered plates on motor vehicles.

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

SB 2200: A BILL for an Act to amend and reenact subsection 4 of section 15-34.1-03 of the North Dakota Century Code, relating to compulsory attendance exceptions.

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

SB 2210: A BILL for an Act to amend and reenact sections 40-24-04, 40-24-05, 40-24-06, 40-24-07, 40-24-08, 40-24-19, 40-24-21, 40-27-06, 40-27-07, 40-27-08, 40-27-09, 40-27-10, 40-27-11, and 40-27-12 of the North Dakota Century Code, relating to municipal government special assessment funds, definitive and temporary warrants or improvement bonds, and refunding special assessment warrants and bonds.

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

SB 2214: A BILL for an Act to create and enact a new subdivision to subsection 1 of section 38-08-04 of the North Dakota Century Code, relating to the payment of fees for services performed by the industrial commission.

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

SB 2215: A BILL for an Act to create and enact a new subsection to section 38-08-04 of the North Dakota Century Code, relating to confidentiality of well data reported to the industrial commission.

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

SB 2218: A BILL for an Act to amend and reenact section 6-09.4-05 and subsection 2 of section 6-09.4-10 of the North Dakota Century Code, relating to participation by a political subdivision in the North Dakota municipal bond bank and the reserve fund required to be maintained by the bond bank.

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

SB 2223: A BILL for an Act to amend and reenact subsection 1 of section 57-02-08.1 of the North Dakota Century Code, relating to property tax credits for persons sixty-five years of age or older with limited income; and to provide an effective date.

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

SB 2241: A BILL for an Act to create and enact section 4-33-12 of the North Dakota Century Code, relating to plant and product inspection; and to amend and reenact subsection 1 of section 4-33-01 and sections 4-33-02, 4-33-08, 4-33-10, and 4-33-11 of the North Dakota Century Code, relating to plant pests; and to provide a penalty.

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

SB 2258: A BILL for an Act to amend and reenact subsection 22 of section 57-02-08 of the North Dakota Century Code, relating to property tax exemption for blind persons.

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

The House stood adjourned pursuant to Representative Backes' motion.

CHARLES FLEMING, Chief Clerk