

JOURNAL OF THE HOUSE

Forty-eighth Legislative Assembly

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SEVENTEENTH DAY

Bismarck, January 26, 1983

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

The prayer was offered by Rev. Paul Long, First Church of the Nazarene, Bismarck.

ROLL CALL

The roll was called and all members were present, except Representatives Knudson, Moore, and Wold.

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 Sixteenth day and finds the same to be correct.

REP. LAUGHLIN, Chairman

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

REPORT OF PROCEDURAL COMMITTEE

MADAM SPEAKER: Your Committee on Enrollment and Engrossment respectfully reports that it has examined the following bills and finds the same correctly engrossed:

HB 1053, HB 1223

REP. G. MARTIN, Chairman

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

SIGNING OF BILLS AND RESOLUTIONS

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following:

HB 1212

CHARLES FLEMING, Chief Clerk

POINT OF PERSONAL PRIVILEGE

REP. STRINDEN: Madam Speaker: I rise on a point of personal privilege to read an editorial from the Minot Daily News regarding Rep. Haugland.

MOTION

REP. STRINDEN MOVED that the editorial be printed in the Journal, which motion prevailed.

SERVICE TO MANKIND

The woman who says that "almost anything can be accomplished if you don't worry about who gets the credit" will get some of the credit she deserves Saturday evening.

She's State Rep. Brynhild Haugland, R-Minot, the nation's longest serving female legislator. She was first elected in 1938, and is now serving her 23rd consecutive term.

She will receive the Sertoma Club's "Service to Mankind Award" at the banquet in the Student Union Ballroom at Minot State College. No one would be a better choice.

In session after session of the North Dakota legislature she stays out of the limelight. But any bill with the Brynhild Haugland seal of approval is likely to be passed.

Her influence has expanded and upgraded education in North Dakota at all levels. She has played a key role in improving the lot of the poor, the handicapped, the neglected. She has humanized government and politics. She has always sided with progress in making decisions affecting North Dakota's future.

In short, she is - in spite of her effort to hide her light - a shining example of the right way to make democracy work.

- The Minot Daily News

MEMBERS RECOGNIZED REP. HAUGLAND with a standing ovation.

MESSAGES FROM THE SENATE

SENATE CHAMBER

MADAM SPEAKER: I have the honor to return herewith the following which the President has signed:

HB 1012

Very respectfully,
LEO LEIDHOLM, Secretary

SENATE CHAMBER

MADAM SPEAKER: I have the honor to return herewith the following which the Senate has passed unchanged:

HB 1197

Very respectfully,
LEO LEIDHOLM, Secretary

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 2085, SB 2110, SB 2113, SCR 4010

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 2076, SB 2100, SB 2104, SB 2140, SB 2217, SB 2221,
SB 2230, SB 2234, SB 2236, SB 2244, SB 2246, SB 2252,
SB 2253, SB 2255, SB 2257, SB 2265, SB 2279, SB 2280,
SB 2290

Very respectfully,
LEO LEIDHOLM, Secretary

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 1003, HB 1046, HB 1111, HB 1156, HB 1185, HB 1186,
HB 1273, HB 1274

Very respectfully,
CHARLES FLEMING, Chief Clerk

HOUSE CHAMBER

MR. PRESIDENT: I have the honor to transmit herewith the following which the Speaker has signed and your signature is respectfully requested:

HB 1212

Very respectfully,
CHARLES FLEMING, Chief Clerk

SIXTH ORDER OF BUSINESS

REP. SINNER MOVED that the amendments to HB 1052 as recommended by the Committee on Finance and Taxation as printed on pages 438 and 439 of the House Journal be adopted, which motion prevailed.

REP. R. MEIERS MOVED that the amendments to HB 1129 as recommended by the Committee on Social Services and Veterans Affairs as printed on pages 438, 439, 440, 441, 442, 443, and 444 of the House Journal be adopted, which motion prevailed.

REP. DOTZENROD MOVED that the amendments to HB 1131 as recommended by the Committee on Political Subdivisions as printed on

pages 445 and 446 of the House Journal be adopted, which motion prevailed.

REP. R. MEIERS MOVED that the amendments to HB 1174 as recommended by the Committee on Social Services and Veterans Affairs as printed on page 446 of the House Journal be adopted, which motion prevailed.

REP. HJELLE MOVED that the amendments to HB 1183 as recommended by the Committee on Transportation as printed on page 446 of the House Journal be adopted, which motion prevailed.

REP. JACOBSON MOVED that the amendments to HB 1184 as recommended by the Committee on Education as printed on pages 446, 447, 448, 449, 450, 451, 452, and 453 of the House Journal be adopted, which motion prevailed.

REP. BROKAW MOVED that the amendments to HB 1196 as recommended by the Committee on Natural Resources as printed on page 453 of the House Journal be adopted, which motion prevailed.

REP. BROKAW MOVED that the amendments to HB 1198 as recommended by the Committee on Natural Resources as printed on pages 454, 455, and 456 of the House Journal be adopted and when so adopted, recommends the same be referred to the Committee on Appropriations, which motion prevailed.

SPEAKER KELLY ANNOUNCED that HB 1198 was rereferred to the Committee on Appropriations.

REP. W. MEYER MOVED that the amendments to HB 1213 as recommended by the Committee on Agriculture as printed on page 456 of the House Journal be adopted, which motion prevailed.

REP. L. HANSON MOVED that the amendments to HB 1219 as recommended by the Committee on State and Federal Government as printed on pages 456 and 457 of the House Journal be adopted, which motion prevailed.

REP. HJELLE MOVED that the amendments to HB 1228 as recommended by the Committee on Transportation as printed on page 474 of the House Journal be adopted, which motion prevailed.

REP. HJELLE MOVED that the amendments to HB 1259 as recommended by the Committee on Transportation as printed on pages 457 and 458 of the House Journal be adopted, which motion prevailed.

REP. DOTZENROD MOVED that the amendments to HB 1298 as recommended by the Committee on Political Subdivisions as printed on page 458 of the House Journal be adopted, which motion prevailed.

MOTION

REP. GATES MOVED that HB 1328 be returned to the House floor from the Committee on Industry, Business, and Labor, which motion prevailed.

REQUEST

REP. GATES REQUESTED the unanimous consent of the House to withdraw HB 1328. There being no objection, it was so ordered by the Speaker.

MOTION

REP. C. ANDERSON MOVED that HB 1368 be returned to the House floor from the Committee on Social Services and Veterans Affairs, which motion prevailed.

REQUEST

REP. C. ANDERSON REQUESTED the unanimous consent of the House to withdraw HB 1368. There being no objection, it was so ordered by the Speaker.

MOTION

REP. SCHOENWALD MOVED that HB 1537 be returned to the House floor from the Committee on Industry, Business, and Labor, which motion prevailed.

REQUEST

REP. SCHOENWALD REQUESTED the unanimous consent of the House to withdraw HB 1537. There being no objection, it was so ordered by the Speaker.

SECOND READING OF HOUSE BILLS

HB 1053: A BILL for an Act to create and enact a new section to chapter 57-02 of the North Dakota Century Code, relating to protection of property taxpayers and taxing districts; to provide an effective date; 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 387 of the House Journal, the roll was called and there were 77 YEAS, 26 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Aubol; Black; Boyle; Conmy; DeMers; DuBord; Eagles; Gates; Gerl; Goetz; Gullickson; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Hughes; Keller; Kent; Kloubec; Koski; Kretschmar; Lang; Larson, B.; Larson, R.; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, C.; Martin, G.; Martinson; Meiers, R.; Mertens; Meyer, R.; Meyer, W.; Murphy; Mushik; Nalewaja; Nicholas; Nowatzki; Opedahl; Peltier; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Riehl; Riley; Sanstead; Schindler;

Schneider; Schoenwald; Sinner; Stofferahn; Strinden;
Swiontek; Thompson; Timm; Unhjem; Vander Vorst; Watne;
Wentz; Whalen; Williams, A.; Williams, C.;
Williams, W.; Wold; Madam Speaker

NAYS: Backes; Brokaw; Dotzenrod; Erdman; Gorder; Gunsch;
Kingsbury; Koehn; Kuchera; Lardy; Laughlin; Meier, A.;
Melby; O'Connell; Olafson; Olsen, D.; Olson, A.;
O'Shea; Retzer; Rice; Richard; Rued; Shide; Shockman;
Solberg; Vig

ABSENT AND NOT VOTING: Jacobson; Knudson; Moore

HB 1053 passed, the title was agreed to, and the emergency clause carried.

HB 1128: A BILL for an Act to amend and reenact subsection 13 of section 15-10-17, subsection 1 of section 54-14-04.3, and section 54-52.1-03 of the North Dakota Century Code, relating to contributions toward the cost of annuity contracts, severance pay upon retirement of tenured faculty employees at state institutions, and payment of group insurance premium for tenured faculty employees of state institutions of higher learning.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 92 YEAS, 13 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;
Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer;
Hill; Hjelle; Hoffner, S. F.; Horgan; Hughes; Jacobson;
Keller; Kent; Kloubec; Koehn; Koski; Kretschmar;
Kuchera; Lardy; Larson, B.; Larson, R.; Laughlin;
Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, C.;
Martin, G.; Martinson; Meier, A.; Meiers, R.; Mertens;
Meyer, R.; Meyer, W.; Moore; Murphy; Mushik; Nalewaja;
Nicholas; Nowatzki; O'Connell; Opedahl; O'Shea;
Peltier; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl;
Retzer; Rice; Richard; Riehl; Riley; Rued; Sanstead;
Schindler; Schneider; Schoenwald; Shockman; Sinner;
Solberg; Stofferahn; Strinden; Swiontek; Timm; Unhjem;
Vander Vorst; Vig; Watne; Wentz; Williams, A.;
Williams, C.; Williams, W.; Madam Speaker

NAYS: Gunsch; Hanson, O.; Hoffner, Serenus; Kingsbury;
Lang; Melby; Olafson; Olsen, D.; Olson, A.; Shide;
Thompson; Whalen; Wold

ABSENT AND NOT VOTING: Knudson

HB 1128 passed and the title was agreed to.

HB 1149: A BILL for an Act to amend and reenact section 65-04-04 of the North Dakota Century Code, relating to the amount of wages subject to workmen's compensation payments by employers.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 61 YEAS, 43 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Aubol; Black; Boyle; Brokaw; Conmy; Dotzenrod; DuBord; Eagles; Gates; Gerl; Gorder; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Jacobson; Kent; Kingsbury; Koski; Lang; Lardy; Larson, B.; Lautenschlager; Linderman; Lipsiea; Martin, G.; Martinson; Meier, A.; Murphy; Mushik; Nicholas; Olafson; Olsen, D.; Olson, A.; Opedahl; Pomeroy, E.; Pomeroy, G.; Rayl; Richard; Sanstead; Schindler; Schneider; Schoenwald; Sinner; Solberg; Thompson; Vig; Watne; Wentz; Williams, A.; Williams, C.; Wold; Madam Speaker

NAYS: Backes; DeMers; Erdman; Goetz; Gullickson; Hausauer; Hill; Hughes; Keller; Kloubec; Koehn; Kretschmar; Kuchera; Larson, R.; Laughlin; Lloyd; Martin, C.; Meiers, R.; Melby; Mertens; Meyer, R.; Meyer, W.; Moore; Nalewaja; Nowatzki; O'Connell; O'Shea; Peltier; Peterson; Retzer; Rice; Riehl; Riley; Rued; Shide; Shockman; Stofferahn; Swiontek; Timm; Unhjem; Vander Vorst; Whalen; Williams, W.

ABSENT AND NOT VOTING: Knudson; Strinden

HB 1149 passed and the title was agreed to.

HB 1177: A BILL for an Act to create and enact a new chapter to title 43 of the North Dakota Century Code, relating to credentials of persons in medical radiation technology; 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 5 YEAS, 99 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Black; DeMers; Martin, G.; Nicholas; Schoenwald

NAYS: Anderson, C.; Anderson, R.; Aubol; Backes; Boyle; Brokaw; Conmy; 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; Koehn; Koski; Kretschmar; Kuchera; Lang; Lardy; 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; 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; Shide; Shockman; Sinner; Solberg; Stofferahn; Swiontek; Thompson; Timm; Unhjem; Vander Vorst; Vig; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Wold; Madam Speaker

ABSENT AND NOT VOTING: Knudson; Strinden

HB 1177 was declared lost.

HB 1223: A BILL for an Act to create and enact subsection 12 of section 63-01.1-02 of the North Dakota Century Code, relating to the definition of township road; and to amend and reenact subsection 4 of section 63-01.1-05, subsection 1 of section 63-01.1-06, subsection 3 of section 63-01.1-06.2, subsection 3 of section 63-01.1-06.5, subsection 5 of section 63-01.1-08, and section 63-01.1-09 of the North Dakota Century Code, relating to noxious weed control.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended on pages 389 and 390 of the House Journal, the roll was called and there were 100 YEAS, 4 NAYS, 2 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; 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; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Rice; Richard; Riehl; Riley; 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: Murphy; Olafson; Peltier; Rued

ABSENT AND NOT VOTING: Knudson; Strinden

HB 1223 passed and the title was agreed to.

HB 1272: A BILL for an Act to create and enact a new subsection to section 53-06.1-06 of the North Dakota Century Code, relating to required counting devices to be used in the conduct of the games of pull tabs, jars, punchboards, and twenty-one; 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 22 YEAS, 83 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Boyle; Brokaw; Gorder; Hoffner, Serenus; Hoffner, S. F.; Kingsbury; Lang; Lardy; Laughlin; Linderman; Martin, G.; O'Connell; Olafson; Olson, A.; Pomeroy, G.; Retzer; Schindler; Shockman; Solberg; Vig; Watne; Madam Speaker

NAYS: Anderson, C.; Anderson, R.; Aubol; Backes; Black; Conmy; DeMers; Dotzenrod; DuBord; Eagles; Erdman; Gates; Gerl; Goetz; Gullickson; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer; Hill; Hjelle; Horgan; Hughes; Jacobson; Keller; Kent; Kloubec; Koehn; Koski; Kretschmar; Kuchera; Larson, B.; Larson, R.; Lautenschlager; Lipsiea; Lloyd; Martin, C.; Martinson; Meier, A.; Meiers, R.; Melby; Mertens; Meyer, R.; Meyer, W.; Moore; Murphy; Mushik; Nalewaja; Nicholas; Nowatzki; Olsen, D.; Opedahl; O'Shea; Peltier; Peterson; Pomeroy, E.; Rayl; Rice; Richard; Riehl; Riley; Rued; Sanstead; Schneider; Schoenwald; Shide; Sinner; Stofferahn; Strinden; Swiontek;

Thompson; Timm; Unhjem; Vander Vorst; Wentz; Whalen;
Williams, A.; Williams, C.; Williams, W.; Wold

ABSENT AND NOT VOTING: Knudson

HB 1272 was declared lost.

HB 1283: A BILL for an Act to amend and reenact sections 14-09-06.1 and 14-09-06.2 of the North Dakota Century Code, relating to the custodial preferences of a child fourteen years of age and older.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 81 YEAS, 24 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Aubol; Backes; Boyle; Conmy; DeMers; Dotzenrod; DuBord; Eagles; Gates; Gerl; Goetz; Gorder; Gullickson; Gunsch; Hamerlik; Hanson, L.; Hanson, O.; Hausauer; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Hughes; Jacobson; Kingsbury; Kloubec; Koehn; Koski; Kretschmar; Lang; Lardy; Larson, R.; Laughlin; Lautenschlager; Linderman; Lloyd; Martin, C.; 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; Peterson; Pomeroy, G.; Retzer; Rice; Richard; Riley; Rued; Sanstead; Shide; Shockman; Sinner; Solberg; Strinden; Swiontek; Thompson; Timm; Unhjem; Vander Vorst; Watne; Wentz; Whalen; Williams, C.; Williams, W.; Madam Speaker

NAYS: Black; Brokaw; Erdman; Halmrast; Haugland; Hill; Horgan; Keller; Kent; Kuchera; Larson, B.; Lipsiea; Martin, G.; Peltier; Pomeroy, E.; Rayl; Riehl; Schindler; Schneider; Schoenwald; Stofferahn; Vig; Williams, A.; Wold

ABSENT AND NOT VOTING: Knudson

HB 1283 passed and the title was agreed to.

MOTION

REP. BLACK MOVED that the House reconsider its action whereby HB 1168 was lost for lack of a Constitutional majority, which motion lost on a verification vote.

SECOND READING OF HOUSE BILLS

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.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, 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; 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; 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; Unhjem; Vander Vorst; Vig; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Wold; Madam Speaker

NAYS: None

ABSENT AND NOT VOTING: Knudson; Timm

HB 1290 passed and the title was agreed to.

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.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 71 YEAS, 33 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Aubol; Black; Boyle; Conmy; DeMers; DuBord; Eagles; Gates; Gerl; Goetz; Gullickson; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan;

Jacobson; Kent; Koehn; Koski; Kretschmar; Kuchera; Lardy; Larson, R.; Laughlin; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, C.; Martin, G.; Martinson; Meier, A.; Meiers, R.; Mertens; Meyer, R.; Mushik; Nalewaja; Nicholas; Nowatzki; O'Connell; Opedahl; Peltier; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Rice; Sanstead; Schindler; Schneider; Schoenwald; Shockman; Sinner; Solberg; Stofferahn; Strinden; Swiontek; Unhjem; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Madam Speaker

NAYS: Anderson, R.; Backes; Brokaw; Dotzenrod; Erdman; Gorder; Gunsch; Hanson, O.; Hill; Hughes; Keller; Kingsbury; Kloubec; Lang; Larson, B.; Melby; Meyer, W.; Moore; Murphy; Olafson; Olsen, D.; Olson, A.; O'Shea; Riehl; Riley; Rued; Shide; Thompson; Timm; Vander Vorst; Vig; Whalen; Wold

ABSENT AND NOT VOTING: Knudson; Richard

HB 1292 passed and the title was agreed to.

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

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 101 YEAS, 3 NAYS, 2 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; Kingsbury; 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.; Madam Speaker

NAYS: Hughes; Kloubec; Wold

ABSENT AND NOT VOTING: Knudson; Richard

HB 1300 passed and the title was agreed to.

HB 1304: A BILL for an Act to amend and reenact section 6-05-15.1 of the North Dakota Century Code, relating to the investment of trust funds and commingling of funds.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 101 YEAS, 0 NAYS, 5 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; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Hughes; Jacobson; Keller; Kent; Kingsbury; Kloubec; Koehn; Koski; Kretschmar; Kuchera; Lang; Lardy; Larson, B.; Larson, R.; Laughlin; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, C.; Martin, G.; 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; 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: Hausauer; Knudson; Martinson; Richard; Strinden

HB 1304 passed and the title was agreed to.

HB 1313: A BILL for an Act to amend and reenact section 6-05-15 of the North Dakota Century Code, relating to the investment of trust funds.

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; Black; Boyle; Brokaw; DeMers; Dotzenrod; DuBord; Eagles; Erdman; Gates; Gerl; Goetz; Gorder; Gullickson; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Hughes; Jacobson; Keller; Kent; Kingsbury; 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; Olafson; Olsen, D.; Olson, A.; Opedahl; O'Shea; Peltier; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Rice; Richard; Riehl; Riley; 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: Conmy

ABSENT AND NOT VOTING: Backes; Hausauer; Knudson; Rued; Strinden

HB 1313 passed and the title was agreed to.

HB 1316: A BILL for an Act to amend and reenact subsection 1 of section 57-39.2-18 of the North Dakota Century Code, relating to sales tax penalties.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 86 YEAS, 14 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Anderson, R.; Aubol; Black; Boyle; Brokaw; Conmy; DeMers; Dotzenrod; DuBord; Eagles; Erdman; Gates; Gerl; Goetz; Gullickson; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Hughes; Jacobson; Keller; Kloubec; Koehn; Koski; Kretschmar; Kuchera; Lardy; Larson, B.; Larson, R.; Laughlin; Lautenschlager; Linderman; Lloyd; Martin, C.; Martinson; Meier, A.; Meiers, R.; Meyer, R.; Meyer, W.; Moore; Murphy; Mushik; Nalewaja; Nicholas; Nowatzki; O'Connell; Olson, A.; Opedahl; O'Shea; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Rice; Richard; Riehl; Riley; Sanstead; Schneider; Schoenwald; Shide; Shockman; Sinner; Solberg; Stofferahn; Swiontek; Thompson; Timm;

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

NAYS: Anderson, C.; Gorder; Gunsch; Kent; Kingsbury;
Lang; Lipsiea; Olafson; Olsen, D.; Peltier; Retzer;
Rued; Schindler; Vander Vorst

ABSENT AND NOT VOTING: Backes; Hausauer; Knudson;
Martin, G.; Mertens; Strinden

HB 1316 passed and the title was agreed to.

HB 1319: A BILL for an Act relating to the marking of containers
used for liquefied petroleum gas, and regulating the
filling, transferring, and possession of marked 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 44 YEAS, 60 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Black; Dotzenrod; DuBord; Eagles; Gorder;
Gullickson; Halmrast; Haugland; Hjelle; Hoffner, S. F.;
Horgan; Kingsbury; Kretschmar; Kuchera; Lang; Lardy;
Larson, B.; Larson, R.; Lloyd; Martinson; Melby;
Nalewaja; Nicholas; Nowatzki; Olafson; Olsen, D.;
Olson, A.; Peltier; Peterson; Retzer; Richard; Rued;
Sanstead; Shide; Shockman; Sinner; Strinden; Timm;
Unhjem; Vander Vorst; Wentz; Whalen; Williams, A.; Wold

NAYS: Anderson, C.; Anderson, R.; Aubol; Backes; Boyle;
Brokaw; Conmy; DeMers; Erdman; Gates; Gerl; Goetz;
Gunsch; Hamerlik; Hanson, L.; Hanson, O.; Hill;
Hoffner, Serenus; Hughes; Jacobson; Keller; Kent;
Kloubec; Koehn; Koski; Laughlin; Lautenschlager;
Linderman; Lipsiea; Martin, C.; Martin, G.; Meier, A.;
Meiers, R.; Mertens; Meyer, R.; Meyer, W.; Moore;
Murphy; Mushik; O'Connell; Opedahl; O'Shea;
Pomeroy, E.; Pomeroy, G.; Rayl; Rice; Riehl; Riley;
Schindler; Schneider; Schoenwald; Solberg; Stofferahn;
Swiontek; Thompson; Vig; Watne; Williams, C.;
Williams, W.; Madam Speaker

ABSENT AND NOT VOTING: Hausauer; Knudson

HB 1319 was declared lost.

HB 1320: A BILL for an Act to provide for immunity from liability for provision of assistance during a hazardous materials discharge.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 101 YEAS, 0 NAYS, 5 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; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Hughes; Jacobson; Keller; Kent; Kingsbury; Kloubec; Koehn; Koski; Kretschmar; Kuchera; 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; Rued; Sanstead; Schindler; Schneider; Schoenwald; Shide; Shockman; Sinner; Solberg; Stofferahn; Strinden; Swiontek; Thompson; Timm; Vander Vorst; Vig; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Wold; Madam Speaker

NAYS: None

ABSENT AND NOT VOTING: Hausauer; Knudson; Lang; Riley; Unhjem

HB 1320 passed and the title was agreed to.

HB 1345: A BILL for an Act to amend and reenact subsection 1 of section 6-08-16 and subsection 2 of section 6-08-16.2 of the North Dakota Century Code, relating to the penalties for issuing checks with insufficient funds or without an account.

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, 95 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Anderson, R.; Hughes; Kloubec; Larson, R.; Rued; Timm; Whalen

NAYS: Anderson, C.; Aubol; Backes; Black; Boyle; Brokaw; Conmy; DeMers; Dotzenrod; DuBord; Eagles; Erdman; Gates; Gerl; Goetz; Gorder; Gullickson; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Jacobson; Keller; Kent; Kingsbury; Koehn; Koski; Kretschmar; Kuchera; Lang; Lardy; Larson, B.; 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; Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Rice; Richard; Riehl; Sanstead; Schindler; Schneider; Schoenwald; Shide; Shockman; Sinner; Solberg; Stofferahn; Strinden; Swiontek; Thompson; Unhjem; Vander Vorst; Vig; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Wold; Madam Speaker

ABSENT AND NOT VOTING: Hausauer; Knudson; Peterson; Riley

HB 1345 was declared lost.

HB 1361: A BILL for an Act to amend and reenact section 55-08-04 of the North Dakota Century Code, relating to employees as peace officers.

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; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Hughes; Jacobson; Keller; Kent; Kingsbury; 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; Olafson; Olsen, D.; Olson, A.; Opedahl; O'Shea; Peltier; Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Rice; Richard; Riehl; 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: Hausauer; Knudson; Peterson;
Riley

HB 1361 passed and the title was agreed to.

HB 1381: A BILL for an Act to amend and reenact section 28-04-01 of the North Dakota Century Code, relating to venue of actions for the foreclosure of mortgages upon real property where the mortgaged premises is situated in more than one county.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 92 YEAS, 6 NAYS, 8 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Aubol; Backes; Boyle; Conmy; DeMers; Dotzenrod; DuBord; Eagles; Erdman; Gates; Goetz; Gorder; Gullickson; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Hughes; Jacobson; Keller; 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.; Opedahl; O'Shea; Peltier; Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Rice; Richard; Riehl; 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: Black; Brokaw; Gerl; Olafson; Olson, A.; Shockman

ABSENT AND NOT VOTING: Hausauer; Kent; Kingsbury;
Knudson; Kuchera; Murphy; Peterson; Riley

HB 1381 passed and the title was agreed to.

HB 1382: A BILL for an Act to amend and reenact section 32-19-08 of the North Dakota Century Code, relating to by whom and

where mortgaged premises under a judgment of foreclosure must be sold and the notice for and manner prescribed for the sale.

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, 2 NAYS, 8 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Aubol; Backes; Boyle; Brokaw; Conmy; DeMers; Dotzenrod; DuBord; Eagles; Erdman; Gates; Goetz; Gorder; Gullickson; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Hughes; Jacobson; Keller; Kloubec; Koehn; Koski; Kretschmar; 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; 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, C.; Williams, W.; Wold; Madam Speaker

NAYS: Black; Gerl

ABSENT AND NOT VOTING: Hausauer; Kent; Kingsbury; Knudson; Kuchera; Lang; Peterson; Williams, A.

HB 1382 passed and the title was agreed to.

HB 1411: A BILL for an Act to amend and reenact section 26-04-03 of the North Dakota Century Code, or in the alternative to amend and reenact section 26.1-24-03 of the North Dakota Century Code as created by House Bill No. 1054, as approved by the forty-eighth legislative assembly, relating to when an insured is entitled to a return of premium.

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; Hill; Hjelle; Hoffner, Serenus;
 Hoffner, S. F.; Horgan; Hughes; Jacobson; Keller; Kent;
 Kingsbury; 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; Olafson;
 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.; Madam Speaker

NAYS: None

ABSENT AND NOT VOTING: Hausauer; Knudson; Peterson; Wold

HB 1411 passed and the title was agreed to.

HB 1560: A BILL for an Act to amend and reenact section 32-08.1-08 of the North Dakota Century Code, relating to the service of writs of attachment and limitations on seizure.

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, 8 NAYS, 2 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; Koehn; Koski; Kretschmar; Lang;
 Lardy; Larson, B.; Larson, R.; Laughlin;
 Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, C.;
 Martin, G.; Martinson; Meiers, R.; Melby; Mertens;
 Meyer, R.; Meyer, W.; Moore; Murphy; Mushik; Nalewaja;
 Nicholas; Nowatzki; O'Connell; Olsen, D.; Opedahl;
 O'Shea; Peltier; Pomeroy, E.; Pomeroy, G.; Rayl;
 Retzer; Rice; Richard; Riehl; Riley; Sanstead;
 Schindler; Schneider; Schoenwald; Shide; Shockman;
 Sinner; Stofferahn; Strinden; Swiontek; Thompson;
 Unhjem; Vander Vorst; Watne; Wentz; Whalen;

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

NAYS: Kuchera; Meier, A.; Olafson; Olson, A.; Rued;
Solberg; Timm; Vig

ABSENT AND NOT VOTING: Knudson; Peterson

HB 1560 passed and the title was agreed to.

SECOND READING OF A HOUSE CONCURRENT RESOLUTION

HCR 3001: A concurrent resolution directing a Legislative Council study and revision of the insurance laws remaining in Title 26 of the North Dakota Century Code.

Which has been read.

The question being on the final adoption of the resolution.

HCR 3001 was declared adopted on a voice vote.

SECOND READING OF SENATE BILLS

SB 2086: A BILL for an Act authorizing the state of North Dakota acting by job service North Dakota to sell and convey lots thirty-four, thirty-five, thirty-six, thirty-seven, thirty-eight, thirty-nine, and forty, block 9, Kelley and Fuller's second addition to Jamestown, Stutsman County, North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 101 YEAS, 1 NAY, 4 ABSENT AND NOT VOTING.

YEAS: Anderson, R.; Aubol; Backes; Black; 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; Kingsbury; 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; Olafson; 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; Swiontek;
Thompson; Timm; Unhjem; Vander Vorst; Vig; Watne;
Wentz; Whalen; Williams, A.; Williams, C.;
Williams, W.; Wold; Madam Speaker

NAYS: Brokaw

ABSENT AND NOT VOTING: Anderson, C.; Knudson; Peterson;
Strinden

SB 2086 passed and the title was agreed to.

SB 2096: A BILL for an Act to amend and reenact section 10-22-11 of the North Dakota Century Code, relating to amendment of articles of incorporation of foreign 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, 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; Kingsbury; 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; Nowatzki; O'Connell; Olafson; 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; 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: Knudson; Nicholas; Peterson;
Strinden

SB 2096 passed and the title was agreed to.

SB 2130: A BILL for an Act to amend and reenact section 51-05.1-01 of the North Dakota Century Code, relating to auctioneer's license, clerk's license, fees, and bonds.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 89 YEAS, 11 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Aubol; Black; Boyle; Brokaw; Conny; DeMers; Dotzenrod; DuBord; Eagles; Erdman; Gates; Gerl; Goetz; Gorder; Gullickson; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Hughes; Jacobson; Keller; Kent; Kingsbury; Kloubec; 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.; Opedahl; Peltier; Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Rice; Richard; Riehl; Riley; Rued; Sanstead; Schindler; Schneider; Schoenwald; Shide; Shockman; Stofferahn; Swiontek; Thompson; Unhjem; Vander Vorst; Vig; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Wold; Madam Speaker

NAYS: Anderson, R.; Backes; Gunsch; Hanson, O.; Hill; Murphy; Olafson; Olson, A.; O'Shea; Timm; Watne

ABSENT AND NOT VOTING: Knudson; Koehn; Peterson; Sinner; Solberg; Strinden

SB 2130 passed and the title was agreed to.

MOTIONS

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

REP. BACKES MOVED that the House be on the Fifth order of business, and at the conclusion of the Fifth 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 27, 1983, which motion prevailed.

REPORTS OF STANDING COMMITTEES

MADAM SPEAKER: Your Committee on Appropriations to which was rereferred ENGROSSED HB 1095 has had the same under consideration and recommends by a vote of 16 YEAS, 1 NAY, 4 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 5, of the engrossed bill, line 4, after the numeral "2" insert the words "and section 54-52-06.1"

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment is necessary to allow judge's contributions to be paid by the employer under this Act. The reference to Section 54-52-06.1 was inadvertently omitted.

REP. MERTENS, Chairman

ENGROSSED HB 1095 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 1276 has had the same under consideration and recommends by a vote of 12 YEAS, 4 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 2, line 11, delete the words "The status of salary negotiations"

On page 2, delete line 12

And renumber the lines accordingly

REP. JACOBSON, Chairman

HB 1276 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 1296 has had the same under consideration and recommends by a vote of 11 YEAS, 2 NAYS, 4 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 10, remove the overstrike over the words "unplatted lands" and delete the word "land"

On page 1, line 11, remove the overstrike over the comma

On page 1, remove the overstrike over lines 12 through 15

On page 1, line 26, after the word "development" insert the words "on three or more sides"

And renumber the lines accordingly

REP. SINNER, Chairman

HB 1296 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Judiciary to which was referred HB 1340 has had the same under consideration and recommends by a vote of 16 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 2, immediately following the word "courts" insert the words "; and to declare an emergency"

On page 1, after line 21, 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 pages accordingly

REP. E. POMEROY, Chairman

HB 1340 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Judiciary to which was referred HB 1515 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 3, immediately following the word "evidence" insert the words "; and to declare an emergency"

On page 1, after line 13, 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 pages accordingly

REP. E. POMEROY, Chairman

HB 1515 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 1170 has had the same under consideration and recommends by a vote of 8 YEAS, 6 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

REP. S. F. HOFFNER, Chairman

HB 1170 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Agriculture to which was referred HB 1215 has had the same under consideration and recommends by a

vote of 16 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

REP. W. MEYER, Chairman

HB 1215 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Agriculture to which was referred HB 1216 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. W. MEYER, Chairman

HB 1216 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 1258 has had the same under consideration and recommends by a vote of 11 YEAS, 3 NAYS, 3 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. JACOBSON, Chairman

HB 1258 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 1269 has had the same under consideration and recommends by a vote of 16 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

REP. JACOBSON, Chairman

HB 1269 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 1322 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. S. F. HOFFNER, Chairman

HB 1322 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 1339 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 NOT PASS.

REP. S. F. HOFFNER, Chairman

HB 1339 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 1347 has had the same under consideration

and recommends by a vote of 13 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. S. F. HOFFNER, Chairman

HB 1347 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 1350 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 1350 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 1353 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 1353 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 1372 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same DO PASS.

REP. SINNER, Chairman

HB 1372 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 1378 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 1378 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 1386 has had the same under consideration and recommends by a vote of 14 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

REP. E. POMEROY, Chairman

HB 1386 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 1388 has had the same under consideration and recommends by a

vote of 12 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

REP. E. POMEROY, Chairman

HB 1388 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 1419 has had the same under consideration and recommends by a vote of 12 YEAS, 0 NAYS, 5 ABSENT AND NOT VOTING that the same DO PASS.

REP. SINNER, Chairman

HB 1419 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 1542 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 1542 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 SB 2127 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. L. HANSON, Chairman

SB 2127 was placed on the Fourteenth 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 1251 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 PASS and be rereferred to the Committee on Appropriations.

REP. L. HANSON, Chairman

HB 1251 was rereferred to the Committee on Appropriations.

FIRST READING OF SENATE BILLS

SB 2076: A BILL for an Act to create and enact a new section to chapter 20.1-01 of the North Dakota Century Code, relating to interference with rights of hunters.

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

SB 2100: A BILL for an Act to amend and reenact sections 20.1-09-02 and 20.1-09-03 of the North Dakota Century Code, relating to permits to propagate, domesticate, or possess birds or animals and contents of the permit application.

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

SB 2104: A BILL for an Act to amend and reenact section 20.1-01-27 of the North Dakota Century Code, relating to the disposition of animals injured or killed by motor vehicles.

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

SB 2140: A BILL for an Act to amend and reenact section 12-62-04 of the North Dakota Century Code, relating to the certification of qualified officers.

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

SB 2217: A BILL for an Act to amend and reenact sections 61-04-02, 61-04-06, 61-04-09, 61-04-15, and 61-04-15.1 of the North Dakota Century Code, relating to water permits for the appropriation of water.

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

SB 2221: A BILL for an Act to amend and reenact section 39-04-13, subsection 5 of section 39-05-05, sections 39-05-09.1, 39-05-16.1, 39-05-17, 39-05-19, 39-05-20.2 of the North Dakota Century Code, relating to the costs and the fees for motor vehicle department services and documents.

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

SB 2230: A BILL for an Act to create and enact a new chapter to title 39 of the North Dakota Century Code, relating to licensing of motorcycle dealers; to repeal section 39-22-03 of the North Dakota Century Code, relating to motorcycle dealer's license fees; and to provide a penalty.

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

SB 2234: A BILL for an Act to amend and reenact sections 61-02-01, 61-02-02, 61-02-04, 61-02-05, 61-02-07, 61-02-08, 61-02-13, 61-02-17, 61-02-24, 61-02-24.1, 61-02-25, 61-02-26, 61-02-27, 61-02-28, 61-02-29, 61-02-30, 61-02-33, 61-02-35, 61-02-37, 61-02-46, 61-02-47, 61-02-48, 61-02-51, 61-02-53, 61-02-54, 61-02-55, 61-02-56, 61-02-57, 61-02-58, 61-02-61, 61-02-62, 61-02-63, 61-02-64, 61-02-66, 61-02-67, 61-02-68, and 61-02-72 of the North Dakota Century Code, relating to the authorities of the water conservation commission; and to repeal sections 61-02-31 and 61-02-50 of the North Dakota Century Code, relating to the date of the priority of a water right and negotiability of bonds.

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

SB 2236: A BILL for an Act to amend and reenact subsection 3 of section 12.1-06-01 and subsection 6 of section 12.1-06-04 of the North Dakota Century Code, relating to providing penalties for criminal attempt and conspiracy offenses.

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

SB 2244: A BILL for an Act to create and enact three new sections to chapter 10-06 of the North Dakota Century Code, relating to applicability of the Business Corporation Act to the corporate farming law, to officers, directors, and shareholders of corporate farms or ranches, and to an initial report; and to amend and reenact sections 10-06-07 and 10-06-08 of the North Dakota Century Code, relating to requirements to be met before a corporation will be allowed to engage in farming or ranching and reports that must be filed by farm or ranch corporations.

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

SB 2246: A BILL for an Act to establish the office of intergovernmental assistance in the office of management and budget; to amend and reenact subsection 3 of section 20.1-02-17.1, sections 20.1-02-18.1, 23-11-30, 23-18.2-27, 54-01.1-08, 54-40.1-01, subsection 2 of section 54-40.1-02, and subsection 6 of section 54-40.1-04 of the North Dakota Century Code, relating to various responsibilities of the office of intergovernmental assistance; and to repeal sections 54-27.1-01, 54-27.1-02, 54-27.1-03, 54-27.1-04, 54-27.1-05, 54-27.1-06, 54-27.1-07, 54-27.1-08, and 54-27.1-09 of the North Dakota Century Code, relating to the federal aid coordinator.

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

SB 2252: A BILL for an Act to create and enact sections 26-03.2-06.1, 26-03.2-06.2, and 26-03.2-07.1, relating to the nonforfeiture law for life insurance; and to amend and reenact sections 26-03.2-01, 26-03.2-02, 26-03.2-04, 26-03.2-05, 26-03.2-06, 26-03.2-07, and 26-03.2-08 of the North Dakota Century Code, relating to the nonforfeiture law for life insurance.

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

SB 2253: A BILL for an Act to create and enact sections 26-10.1-03.1 and 26-10.1-09 of the North Dakota Century Code; and to amend and reenact sections 26-10.1-02, 26-10.1-03, 26-10.1-04, 26-10.1-05, 26-10.1-06, 26-10.1-07, 26-10.1-08, and 26-10.1-10 of the North Dakota Century Code, relating to the standard valuation law for life insurance.

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

SB 2255: A BILL for an Act to amend and reenact section 36-21.1-07 of the North Dakota Century Code, relating to the prohibition on cockfights, dogfights, and other exhibitions; and to provide penalties.

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

SB 2257: A BILL for an Act to amend and reenact section 61-21-46 of the North Dakota Century Code, relating to the maximum levies allowed for cleaning and repairing drains.

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

SB 2265: A BILL for an Act to create and enact two new sections to chapter 24-02 of the North Dakota Century Code, relating to sale by the state highway department of certain inventories to local governments and to provide a continuing appropriation for the disposition of the proceeds from these sales.

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

SB 2279: A BILL for an Act to amend and reenact section 26-08-11 of the North Dakota Century Code, or in the alternative to amend and reenact section 26.1-05-19 of the North Dakota Century Code as amended by House Bill No. 1054, as approved by the forty-eighth legislative assembly, relating to authorized investments for domestic insurance companies.

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

SB 2280: A BILL for an Act to amend and reenact section 26-08-10 of the North Dakota Century Code, or in the alternative to amend and reenact section 26.1-05-18 of the North Dakota Century Code as created by House Bill No. 1054, as approved by the forty-eighth legislative assembly, relating to directors authorizing the investment of funds and prohibited investment practices by domestic insurance companies.

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

SB 2290: A BILL for an Act to designate the city of Valley City as the official site for the North Dakota winter show, and to prevent any other exhibition in the state from calling itself the North Dakota winter show or any similar name.

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

The House stood adjourned pursuant to Representative Backes' motion.

CHARLES FLEMING, Chief Clerk