

JOURNAL OF THE HOUSE

Forty-eighth Legislative Assembly

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EIGHTEENTH DAY

Bismarck, January 27, 1983

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

The prayer was offered by Rev. Lloyd Nelson, Oak Valley Lutheran Church, Velva.

ROLL CALL

The roll was called and all members were present, except Representatives W. Meyer and Retzer.

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 Seventeenth day and finds the same to be correct.

REP. LAUGHLIN, Chairman

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

SIGNING OF BILLS AND RESOLUTIONS

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following:

SB 2085, SB 2110, SB 2113, SCR 4010

CHARLES FLEMING, Chief Clerk

REPORTS 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 1052, HB 1129, HB 1131, HB 1174, HB 1183, HB 1184,  
HB 1196, HB 1198, HB 1213, HB 1219, HB 1228, HB 1259,  
HB 1298

REP. G. MARTIN, Chairman

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

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

HB 1197

REP. G. MARTIN, Chairman

REP. RAYL 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 1045, HB 1058, HB 1188, HB 1270, HB 1271, HB 1287,  
HB 1291, HB 1303, HB 1310

Very respectfully,  
CHARLES FLEMING, Chief Clerk

HOUSE CHAMBER

**MR. PRESIDENT:** I have the honor to return herewith the following which the House has passed unchanged:

SB 2089, SB 2090

Very respectfully,  
CHARLES FLEMING, Chief Clerk

HOUSE CHAMBER

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

SB 2085, SB 2110, SB 2113, SCR 4010

Very respectfully,  
CHARLES FLEMING, Chief Clerk

MESSAGES FROM THE SENATE  
SENATE CHAMBER

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

SB 2034, SB 2035, SB 2093, SB 2133, SB 2142, SB 2292,  
SB 2297, SB 2298, SB 2300, SB 2302, SB 2332, SB 2361,  
SB 2406

Very respectfully,  
LEO LEIDHOLM, Secretary

## SENATE CHAMBER

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

HB 1212

Very respectfully,  
LEO LEIDHOLM, Secretary

## SIXTH ORDER OF BUSINESS

REP. MERTENS MOVED that the amendments to ENGROSSED HB 1095 as recommended by the Committee on Appropriations as printed on page 504 of the House Journal be adopted, which motion prevailed.

REP. JACOBSON MOVED that the amendments to HB 1276 as recommended by the Committee on Education as printed on page 504 of the House Journal be adopted, which motion prevailed.

REP. SINNER MOVED that the amendments to HB 1296 as recommended by the Committee on Finance and Taxation as printed on page 504 of the House Journal be adopted, which motion prevailed.

REP. E. POMEROY MOVED that the amendments to HB 1340 as recommended by the Committee on Judiciary as printed on page 505 of the House Journal be adopted, which motion prevailed.

REP. E. POMEROY MOVED that the amendments to HB 1515 as recommended by the Committee on Judiciary as printed on page 505 of the House Journal be adopted, which motion prevailed.

## SECOND READING OF HOUSE BILLS

HB 1052: A BILL for an Act to amend and reenact section 57-02-27.2 of the North Dakota Century Code, relating to the assessment of agricultural land; 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 pages 438 and 439 of the House Journal, the roll was called and there were 95 YEAS, 9 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Aubol; Backes; 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; Linderman; Lipsiea; Lloyd; Martin, C.; Martin, G.; Martinson; Meier, A.; Meiers, R.; Melby; Mertens; Meyer, R.; Moore; Nalewaja; Nicholas; Nowatzki; 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; Whalen; Williams, A.; Williams, C.; Williams, W.; Wold

NAYS: Black; Kuchera; Lautenschlager; Mushik; O'Connell; Strinden; Watne; Wentz; Madam Speaker

ABSENT AND NOT VOTING: Meyer, W.; Murphy

HB 1052 passed and the title was agreed to.

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HB 1129: A BILL for an Act to amend and reenact section 14-15-16 of the North Dakota Century Code, relating to the issuance of a certified copy of a decree of adoption and the release of identifying information regarding an adult sibling.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill as amended on pages 438-444 of the House Journal, the roll was called and there were 102 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Aubol; Backes; 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; Meiers, R.; Melby; Mertens; Meyer, R.; 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; Riley; Rued; Sanstead; Schindler; Schneider; Schoenwald; Shide; Shockman; Sinner; Solberg; Stofferahn; Strinden; Swiontek; Thompson; Timm; Unhjem; Vander Vorst; Vig; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Wold; Madam Speaker

NAYS: Black; Meier, A.; Riehl

ABSENT AND NOT VOTING: Meyer, W.

HB 1129 passed and the title was agreed to.

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## MOTIONS

REP. BACKES MOVED that HB 1129 be reprinted, which motion prevailed.

REP. LIPSIEA MOVED that the House reconsider its action whereby HB 1149 failed to pass for a lack of a Constitutional majority, which motion prevailed.

## SECOND READING OF HOUSE BILLS

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 34 YEAS, 72 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Boyle; Brokaw; Conmy; DuBord; Gerl; Halmrast; Hanson, L.; Hanson, O.; Hoffner, Serenus; Horgan; Jacobson; Kent; Koski; Lang; Larson, B.; Lautenschlager; Linderman; Lipsiea; Martin, G.; Meier, A.; Pomeroy, E.; Pomeroy, G.; Richard; Sanstead; Schindler; Schneider; Schoenwald; Sinner; Solberg; Stofferahn; Thompson; Wentz; Williams, A.; Madam Speaker

NAYS: Anderson, C.; Anderson, R.; Aubol; Backes; Black; DeMers; Dotzenrod; Eagles; Erdman; Gates; Goetz; Gorder; Gullickson; Gunsch; Hamerlik; Haugland; Hausauer; Hill; Hjelle; Hoffner, S. F.; Hughes; Keller; Kingsbury; Kloubec; Knudson; Koehn; Kretschmar; Kuchera; Lardy; Larson, R.; Laughlin; Lloyd; Martin, C.; Martinson; 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; Rayl; Retzer; Rice; Riehl; Riley; Rued; Shide; Shockman; Strinden; Swlontek; Timm; Unhjem; Vander Vorst; Vig; Watne; Whalen; Williams, C.; Williams, W.; Wold

ABSENT AND NOT VOTING: None

HB 1149 was declared lost.

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HB 1131: A BILL for an Act to amend and reenact sections 11-13-12, 11-13-13, and 11-18-02 of the North Dakota Century Code, relating to the prohibition against recording

certain instruments prior to the payment of delinquent taxes assessed against the property described in those instruments.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill as amended on pages 445 and 446 of the House Journal, the roll was called and there were 98 YEAS, 3 NAYS, 5 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.; 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; Mushik; Nalewaja; Nowatzki; O'Connell; Olafson; Olsen, D.; Olson, A.; Opedahl; O'Shea; Peltier; 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:** Black; Hanson, O.; Murphy

**ABSENT AND NOT VOTING:** Gerl; Nicholas; Peterson; Richard; Strinden

HB 1131 passed and the title was agreed to.

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**HB 1170:** A BILL for an Act to repeal section 49-05-04 of the North Dakota Century Code, relating to information required of a public utility requesting an increase in its rates.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 37 YEAS, 62 NAYS, 7 ABSENT AND NOT VOTING.

**YEAS:** Anderson, C.; Anderson, R.; Conmy; Dotzenrod; DuBord; Eagles; Goetz; Gullickson; Gunsch; Hamerlik; Hausauer; Hughes; Keller; Kloubec; Knudson; Koehn; Kretschmar; Lang; Larson, R.; Lipsiea; Martin, G.;

Martinson; Meyer, R.; Moore; Murphy; Nalewaja; Retzer; Rued; Schindler; Sinner; Timm; Unhjem; Vander Vorst; Wentz; Whalen; Williams, C.; Wold

**NAYS:** Aubol; Backes; Black; Boyle; Brokaw; DeMers; Erdman; Gates; Gerl; Gordier; Halmrast; Hanson, L.; Hanson, O.; Haugland; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Jacobson; Kent; Kingsbury; Koski; Kuchera; Lardy; Larson, B.; Laughlin; Lautenschlager; Linderman; Lloyd; Meier, A.; Meiers, R.; Melby; Meyer, W.; Mushik; Nowatzki; O'Connell; Olafson; Olsen, D.; Olson, A.; Opedahl; O'Shea; Peltier; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Rice; Sanstead; Schneider; Schoenwald; Shide; Shockman; Solberg; Stofferahn; Swiontek; Thompson; Vig; Watne; Williams, A.; Williams, W.; Madam Speaker

**ABSENT AND NOT VOTING:** Martin, C.; Mertens; Nicholas; Richard; Riehl; Riley; Strinden

HB 1170 was declared lost.

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#### MOTION

**REP. R. MEIERS MOVED** that HB 1174 be rereferred to the Committee on Social Services and Veterans Affairs, which motion prevailed.

**SPEAKER KELLY ANNOUNCED** that HB 1174 was rereferred to the Committee on Social Services and Veterans Affairs.

#### SECOND READING OF HOUSE BILLS

**HB 1183:** A BILL for an Act to amend and reenact sections 39-24-09.1, 39-24-10, and 39-24-11 of the North Dakota Century Code, relating to the operation and enforcement of snowmobile laws; and to provide a penalty.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill as amended on page 446 of the House Journal, the roll was called and there were 88 YEAS, 15 NAYS, 3 ABSENT AND NOT VOTING.

**YEAS:** Anderson, C.; Anderson, R.; Aubol; Backes; Black; Boyle; Brokaw; Dotzenrod; DuBord; Eagles; Erdman; Gates; Gerl; Goetz; Gullickson; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer; 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; Meiers, R.; Mertens; Meyer, R.; Meyer, W.; Moore;

Murphy; Nalewaja; Nicholas; Nowatzki; O'Connell;  
 Olafson; Olson, A.; Opedahl; Peltier; Peterson;  
 Pomeroy, E.; Pomeroy, G.; Rayl; Rice; Richard; Riley;  
 Rued; Sanstead; Schneider; Schoenwald; Shide; Shockman;  
 Sinner; Solberg; Stofferahn; Swiontek; Thompson;  
 Unhjem; Vander Vorst; Vig; Watne; Whalen; Williams, A.;  
 Williams, C.; Williams, W.; Wold; Madam Speaker

NAYS: Conmy; DeMers; Gorder; Gunsch; Hanson, O.; Hill;  
 Meier, A.; Melby; Olsen, D.; O'Shea; Retzer; Riehl;  
 Schindler; Timm; Wentz

ABSENT AND NOT VOTING: Kuchera; Mushik; Strinden

HB 1183 passed and the title was agreed to.

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HB 1184: A BILL for an Act to amend and reenact sections 15-40.1-07 and 15-40.1-08, subsection 1 of section 15-40.2-03, sections 15-40.2-08, 15-40.2-09, and 15-40.2-10 of the North Dakota Century Code, relating to high school per-pupil payments, elementary per-pupil payments, tuition payments, residency determination in child placement cases by a three-member committee, attendance in public schools or institutions of bordering states, and reciprocal master agreements for pupil attendance in other states.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill as amended on pages 446-453 of the House Journal, the roll was called and there were 101 YEAS, 2 NAYS, 3 ABSENT AND NOT VOTING.

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

**NAYS:** Kretschmar; Vander Vorst

**ABSENT AND NOT VOTING:** Koski; Mertens; Strinden

HB 1184 passed and the title was agreed to.

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**MOTION**

**REP. BACKES MOVED** that HB 1184 be reprinted, which motion prevailed.

**SECOND READING OF HOUSE BILLS**

**HB 1196:** A BILL for an Act to amend and reenact subsections 1 and 2 of section 38-08.1-03.1 of the North Dakota Century Code, relating to the surety bond for geophysical exploration.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill as amended on page 453 of the House Journal, the roll was called and there were 100 YEAS, 0 NAYS, 6 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; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Hughes; Jacobson; Keller; Kent; Kingsbury; Kloubec; Knudson; Koehn; Kretschmar; Kuchera; Lang; 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; 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:** None

**ABSENT AND NOT VOTING:** Backes; Hill; Koski; Lardy; Peltier; Strinden

HB 1196 passed and the title was agreed to.

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**HB 1213:** A BILL for an Act to create and enact four new sections to chapter 60-02 of the North Dakota Century Code, relating to bonds, insurance cancellation, license revocation and suspension, and credit-sale contracts of public grain warehousemen; to amend and reenact sections 60-02-01, 60-02-03, 60-02-07, 60-02-09, 60-02-10, 60-02-11, 60-02-12, 60-02-13, 60-02-14, 60-02-16, 60-02-24, 60-02-25, 60-02-30, 60-02-31, 60-02-32, 60-02-35, 60-02-36, 60-02-39, 60-02-40, and 60-02-41 of the North Dakota Century Code, relating to the license and operation of public grain warehouses; and to repeal sections 60-02-06, 60-02-08, 60-02-15, and 60-02-19 of the North Dakota Century Code, relating to track buyers and to rules and warehouse receipts for public grain warehousemen.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill as amended on page 456 of the House Journal, the roll was called and there were 101 YEAS, 2 NAYS, 3 ABSENT AND NOT VOTING.

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

**ABSENT AND NOT VOTING:** Koski; Lardy; Strinden

HB 1213 passed and the title was agreed to.

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#### MOTION

**REP. BACKES MOVED** that the House stand in recess for fifteen minutes, which motion prevailed.

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

#### SECOND READING OF HOUSE BILLS

**HB 1215:** A BILL for an Act to create and enact three new sections to chapter 60-03 of the North Dakota Century Code, relating to duties of the public service commission, credit-sale contracts, and complaint procedures against roving grain or hay buyers; to amend and reenact sections 60-03-01, 60-03-02, 60-03-03, 60-03-04, 60-03-06, and 60-03-08 of the North Dakota Century Code, relating to the licensing, bonding, and regulation of roving grain or hay buyers; and to repeal sections 60-03-07 and 60-03-09 of the North Dakota Century Code, relating to rules and the revocation procedure governing roving grain or hay buyers; 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 102 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING.

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

HB 1215 passed and the title was agreed to.

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**HB 1216:** A BILL for an Act to create and enact a new section to chapter 60-04, and section 60-04-03.1 of the North Dakota Century Code, relating to possession of grain of an

insolvent warehouseman and establishment of a trust fund; and to amend and reenact sections 60-04-01, 60-04-02, 60-04-03, 60-04-04, 60-04-05, 60-04-06, 60-04-07, 60-04-08, 60-04-09, and 60-04-10 of the North Dakota Century Code, relating to insolvent warehousemen and the marshaling of the trust assets of an insolvent grain warehouseman.

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; 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; 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; Strinden

HB 1216 passed and the title was agreed to.

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#### MOTION

REP. KLOUBEC MOVED that HB 1263 be returned to the House floor from the Committee on Natural Resources, which motion prevailed.

#### REQUEST

REP. KLOUBEC REQUESTED the unanimous consent of the House to withdraw HB 1263. There being no objection, it was so ordered by the Speaker.

#### MOTION

REP. MARTINSON MOVED that HB 1423 be returned to the House floor from the Committee on Education, which motion prevailed.

## REQUEST

REP. MARTINSON REQUESTED the unanimous consent of the House to withdraw HB 1423. There being no objection, it was so ordered by the Speaker.

## MOTION

REP. RICE MOVED that HB 1088 be returned to the House floor from the Committee on Judiciary, which motion prevailed.

## REQUEST

REP. RICE REQUESTED the unanimous consent of the House to withdraw HB 1088. There being no objection, it was so ordered by the Speaker.

## MOTIONS

REP. O. HANSON MOVED that the House reconsider its action whereby HB 1319 failed to pass for a lack of a Constitutional majority, which motion prevailed.

REP. GERL MOVED that HB 1319 be rereferred to the Committee on Industry, Business, and Labor, which motion prevailed.

SPEAKER KELLY ANNOUNCED that HB 1319 was rereferred to the Committee on Industry, Business, and Labor.

## SECOND READING OF HOUSE BILLS

HB 1219: A BILL for an Act to create and enact a new subsection to section 55-02-01.2 of the North Dakota Century Code, relating to duties of the superintendent of the state historical board; to amend and reenact sections 55-01-02 and 55-01-06, subsections 4, 5, and 7 of section 55-02-01.2, sections 55-02-03 and 55-02-04 of the North Dakota Century Code, relating to duties of the state historical board and duties of the superintendent; and to provide an appropriation.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill as amended on pages 456 and 457 of the House Journal, the roll was called and there were 58 YEAS, 48 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Aubol; Conmy; Dotzenrod; Eagles; Gates; Goetz; Gunsch; Halmrast; Hamerlik; Hausauer; Hill; Hjelle; Hoffner, Serenus; Hughes; Jacobson; Kent; Kloubec; Koehn; Kretschmar; Kuchera; Lang; Larson, R.; Linderman; Lipsiea; Martinson; Meyer, R.; Moore; Nalewaja; Nicholas; Olafson; Olsen, D.; Olson, A.; Opedahl; O'Shea; Peltier; Peterson; Pomeroy, E.; Retzer; Rice; Richard; Riley; Sanstead; Schindler; Shide; Sinner; Solberg; Stofferahn; Strinden; Swiontek; Unhjem; Vander Vorst; Wentz; Williams, A.; Williams, C.; Williams, W.; Wold

**NAYS:** Backes; Black; Boyle; Brokaw; DeMers; DuBord; Erdman; Gerl; Gorder; Gullickson; Hanson, L.; Hanson, O.; Haugland; Hoffner, S. F.; Horgan; Keller; Kingsbury; Knudson; Koski; Lardy; Larson, B.; Laughlin; Lautenschlager; Lloyd; Martin, C.; Martin, G.; Meier, A.; Meiers, R.; Melby; Mertens; Meyer, W.; Murphy; Mushik; Nowatzki; O'Connell; Pomeroy, G.; Rayl; Riehl; Rued; Schneider; Schoenwald; Shockman; Thompson; Timm; Vig; Watne; Whalen; Madam Speaker

**ABSENT AND NOT VOTING:** None

HB 1219 passed and the title was agreed to.

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#### RECOGNITION

**SPEAKER KELLY ANNOUNCED** that a former Representative was in the chambers, and requested that the House recognize former Representative Arnold Gronneberg, and Representative Gronneberg 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 Anna Powers, and Representative Powers was thereupon introduced to the House.

#### SECOND READING OF HOUSE BILLS

**HB 1228:** A BILL for an Act to amend and reenact subsection 3 of section 39-06-17 of the North Dakota Century Code, relating to restrictions upon the use of drivers' licenses issued to individuals less than sixteen years of age.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill as amended on page 474 of the House Journal, the roll was called and there were 97 YEAS, 8 NAYS, 1 ABSENT AND NOT VOTING.

**YEAS:** Anderson, C.; Anderson, R.; Aubol; Backes; Black; Boyle; Brokaw; Conmy; DuBord; Eagles; Erdman; Goetz; Gorder; Gullickson; Gunsch; 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; Lloyd; Martin, C.; Martin, G.; Martinson; 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; Whalen; Williams, A.; Williams, C.;  
Williams, W.; Wold

NAYS: DeMers; Dotzenrod; Gates; Halmrast; Lipsiea;  
Meier, A.; Wentz; Madam Speaker

ABSENT AND NOT VOTING: Gerl

HB 1228 passed and the title was agreed to.

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HB 1258: A BILL for an Act to amend and reenact section 15-59-04  
of the North Dakota Century Code, relating to school  
districts providing special education.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was  
called and there were 12 YEAS, 92 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Black; Gates; Gerl; Hausauer; Hoffner, Serenus;  
Kingsbury; Meier, A.; Meiers, R.; Olson, A.; Sanstead;  
Unhjem; Wold

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

ABSENT AND NOT VOTING: Rued; Timm

HB 1258 was declared lost.

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HB 1259: A BILL for an Act to create and enact a new section to chapter 39-04 of the North Dakota Century Code, relating to issuance of special prisoner of war number plates; and to amend and reenact subdivision o of subsection 2 of section 39-04-18 of the North Dakota Century Code, relating to registration of certain motor vehicles owned by spouses of prisoners of war.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill as amended on pages 457 and 458 of the House Journal, the roll was called and there were 31 YEAS, 74 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Aubol; Brokaw; DeMers; Dotzenrod; Gerl; Hanson, L.; Hill; Hoffner, Serenus; Horgan; Jacobson; Kent; Knudson; Koski; Lardy; Laughlin; Lloyd; Martin, C.; Martin, G.; Meier, A.; Murphy; O'Shea; Pomeroy, G.; Rayl; Richard; Schindler; Schneider; Stofferahn; Vig; Williams, A.; Williams, W.; Madam Speaker

NAYS: Anderson, C.; Anderson, R.; Black; Boyle; Conmy; DuBord; Eagles; Erdman; Gates; Goetz; Gorder; Gullickson; Gunsch; Halmrast; Hamerlik; Hanson, O.; Haugland; Hausauer; Hjelle; Hoffner, S. F.; Hughes; Keller; Kingsbury; Kloubec; Koehn; Kretschmar; Kuchera; Lang; Larson, B.; Larson, R.; Lautenschlager; Linderman; Lipsiea; Martinson; Meiers, R.; Melby; Mertens; Meyer, R.; Meyer, W.; Moore; Mushik; Nalewaja; Nicholas; Nowatzki; O'Connell; Olafson; Olsen, D.; Olson, A.; Opedahl; Peltier; Peterson; Pomeroy, E.; Retzer; Rice; Riehl; Riley; Rued; Sanstead; Schoenwald; Shide; Shockman; Sinner; Solberg; Strinden; Swiontek; Thompson; Timm; Unhjem; Vander Vorst; Watne; Wentz; Whalen; Williams, C.; Wold

ABSENT AND NOT VOTING: Backes

HB 1259 was declared lost.

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HB 1269: A BILL for an Act to amend and reenact section 15-40.1-08 of the North Dakota Century Code, relating to the elementary school per-pupil payments under the foundation program.

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; 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; 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; Strinden

HB 1269 passed and the title was agreed to.

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

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill as amended on page 458 of the House Journal, the roll was called and there were 101 YEAS, 0 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: 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; 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.; Mertens; Meyer, R.; Meyer, W.; Moore; Murphy; Mushik; Nalewaja; Nicholas; Nowatzki; O'Connell; Olafson; Olsen, D.; 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:** None

**ABSENT AND NOT VOTING:** Anderson, R.; Kuchera; Melby;  
 Olson, A.; Strinden

HB 1298 passed and the title was agreed to.

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**HB 1322:** A BILL for an Act to amend and reenact section 26-03-49  
 of the North Dakota Century Code, relating to the inception  
 and expiration of policies of insurance.

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, 10 NAYS, 0 ABSENT AND NOT VOTING.

**YEAS:** Anderson, C.; Anderson, R.; Aubol; Backes; Black;  
 Boyle; Brokaw; 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; Kloubec; Koehn; Koski; Kretschmar; Kuchera;  
 Lang; Lardy; Larson, R.; Laughlin; Lautenschlager;  
 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;  
 Peltier; Peterson; Pomeroy, E.; Pomeroy, G.; 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:** Conmy; Hughes; Knudson; Larson, B.; Linderman;  
 Murphy; Nicholas; O'Shea; Rayl; Sinner

**ABSENT AND NOT VOTING:** None

HB 1322 passed and the title was agreed to.

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**HB 1339:** A BILL for an Act to amend and reenact section 49-20-15  
 of the North Dakota Century Code, relating to the liability

of electric light and power facilities for inductive interference caused in communication circuits.

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, 98 NAYS, 1 ABSENT AND NOT VOTING.

**YEAS:** Hanson, O.; Laughlin; Melby; Olafson; Pomeroy, E.; Stofferahn; Thompson

**NAYS:** 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.; 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.; 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; Olsen, D.; Olson, A.; Opedahl; O'Shea; Peltier; Peterson; Pomeroy, G.; Retzer; Rice; Richard; Riehl; Riley; Rued; Sanstead; Schindler; Schneider; Schoenwald; Shide; Shockman; Sinner; Solberg; Strinden; Swiontek; Timm; Unhjem; Vander Vorst; Vig; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Wold; Madam Speaker

**ABSENT AND NOT VOTING:** Rayl

HB 1339 was declared lost.

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**HB 1347:** A BILL for an Act to provide for the underground burial of electric transmission lines; and to provide penalties.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 29 YEAS, 76 NAYS, 1 ABSENT AND NOT VOTING.

**YEAS:** Anderson, R.; Aubol; Backes; Black; Brokaw; DeMers; Gorder; Hanson, O.; Hoffner, Serenus; Kent; Kloubec; Koski; Kuchera; Larson, B.; Larson, R.; Laughlin; Lipsiea; Meiers, R.; Melby; Mushik; Olafson; Olsen, D.; Olson, A.; Retzer; Rued; Schneider; Shide; Stofferahn; Vig

**NAYS:** Anderson, C.; Boyle; Conmy; Dotzenrod; DuBord; Eagles; Erdman; Gates; Gerl; Goetz; Gullickson; Gunsch; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer; Hill; Hjelle; Hoffner, S. F.; Horgan; Hughes; Jacobson; Keller; Kingsbury; Knudson; Koehn; Kretschmar; Lang; Lardy; Lautenschlager; Linderman; Lloyd; Martin, C.; Martin, G.; Martinson; Meier, A.; Mertens; Meyer, R.; Meyer, W.; Moore; Murphy; Nalewaja; Nicholas; Nowatzki; O'Connell; Opedahl; O'Shea; Peltier; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Rice; Richard; Riehl; Riley; Sanstead; Schindler; Schoenwald; Shockman; Sinner; Solberg; Swiontek; Thompson; Timm; Unhjem; Vander Vorst; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Wold; Madam Speaker

**ABSENT AND NOT VOTING:** Strinden

HB 1347 was declared lost.

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**HB 1350:** A BILL for an Act to amend and reenact subsection 1 of section 57-39.2-02.1 and subsection 22 of section 57-39.2-04 of the North Dakota Century Code, relating to sales tax exemptions for hotel or motel room and tourist court accommodations.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 98 YEAS, 6 NAYS, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson, C.; Anderson, R.; Aubol; Backes; Boyle; Brokaw; Conmy; DeMers; Dotzenrod; DuBord; Eagles; Erdman; Gates; Gerl; Goetz; Gorder; Gullickson; Halmrast; Hamerlik; Hanson, L.; Haugland; Hill; Hjelle; Hoffner, S. F.; Hoffner, S. F.; Horgan; Hughes; Jacobson; Keller; 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; Vig; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Wold; Madam Speaker

NAYS: Black; Gunsch; Hanson, O.; Kuchera; Vander Vorst; Whalen

ABSENT AND NOT VOTING: Hausauer; Kent

HB 1350 passed and the title was agreed to.

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HB 1353: A BILL for an Act to amend and reenact section 49-22-19 of the North Dakota Century Code, relating to judicial review of the issuance of a certificate of corridor compatibility by the public service commission.

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, 1 NAY, 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; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Hughes; Jacobson; Keller; Kent; Kingsbury; Kloubec; Knudson; 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: Koehn

ABSENT AND NOT VOTING: Hausauer

HB 1353 passed and the title was agreed to.

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HB 1372: A BILL for an Act to amend and reenact subsections 2 and 6 of section 57-38-04 of the North Dakota Century Code, relating to computation and limitation of credit for taxes paid to another state; to repeal sections 57-38-01.5, 57-38-01.6, 57-38-01.9, 57-38-01.10, 57-38-01.11, and

57-38-52 of the North Dakota Century Code, relating to income tax; and to provide an effective date.

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; 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; Kloubec; Knudson; Koehn; Koski; Kretschmar; Kuchera; Lang; Lardy; Larson, B.; Larson, R.; Laughlin; Lautenschlager; Linderman; 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; Williams, A.; Williams, C.; Williams, W.; Wold; Madam Speaker

NAYS: Black; Hughes; Whalen

ABSENT AND NOT VOTING: Hausauer; Lipsiea

HB 1372 passed and the title was agreed to.

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HB 1378: A BILL for an Act to amend and reenact section 32-23-06 of the North Dakota Century Code, relating to the rendering of declaratory judgments.

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; 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; Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Rice; Richard; Riehl; Riley; Rued; Sanstead; Schindler; Schneider; Schoenwald; Shide; Shockman; Solberg; Stofferahn; Strinden; Swiontek; Timm; Unhjem; Vander Vorst; Vig; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Wold; Madam Speaker

**NAYS:** None

**ABSENT AND NOT VOTING:** Hausauer; Peterson; Sinner; Thompson

HB 1378 passed and the title was agreed to.

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HB 1386: A BILL for an Act to create and enact a new section to chapter 53-06.1 of the North Dakota Century Code, to permit the award of cash prizes not exceeding three hundred dollars in raffles.

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, 14 NAYS, 3 ABSENT AND NOT VOTING.

**YEAS:** Anderson, R.; Aubol; Backes; Black; Brokaw; Conmy; DeMers; Dotzenrod; DuBord; Eagles; Erdman; Gates; Gerl; Goetz; Gullickson; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hill; Hjelle; Hoffner, S. F.; Horgan; Hughes; Jacobson; Keller; Kent; Kingsbury; Kloubec; Knudson; Koehn; Koski; Kretschmar; Kuchera; Lang; 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; Olsen, D.; Opedahl; O'Shea; Peltier; Pomeroy, E.; Pomeroy, G.; Rice; Richard; Riehl; Riley; Rued; Sanstead; Schindler; Schneider; Schoenwald; Shide; Shockman; Sinner; Strinden; Swiontek; Timm; Unhjem; Vander Vorst; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Wold; Madam Speaker

**NAYS:** Anderson, C.; Boyle; Gorder; Hoffner, Serenus; Lardy; Melby; Olafson; Olson, A.; Rayl; Retzer; Solberg; Stofferahn; Vig; Watne

ABSENT AND NOT VOTING: Hausauer; Peterson; Thompson

HB 1386 passed and the title was agreed to.

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HB 1388: A BILL for an Act to create and enact a new section to chapter 53-06.1 of the North Dakota Century Code, permitting prize winners in raffles to be determined by spinning a wheel.

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, 42 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Aubol; Backes; Black; Conny; Dotzenrod; Eagles; Erdman; Gerl; Goetz; Gullickson; Hamerlik; Hanson, L.; Haugland; Hoffner, S. F.; Horgan; Hughes; Jacobson; Keller; Kent; Koski; Kretschmar; Kuchera; Lardy; Larson, B.; Laughlin; Lautenschlager; Lloyd; Martin, C.; Martinson; Meier, A.; Meiers, R.; Melby; Mertens; Meyer, R.; Meyer, W.; Moore; Murphy; Mushik; Nicholas; Nowatzki; O'Connell; Olsen, D.; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Riehl; Riley; Sanstead; Schneider; Sinner; Swiontek; Timm; Unhjem; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.

NAYS: Boyle; Brokaw; DeMers; DuBord; Gates; Gorder; Gunsch; Halmrast; Hanson, O.; Hill; Hjelle; Hoffner, Serenus; Kingsbury; Kloubec; Knudson; Koehn; Lang; Larson, R.; Linderman; Lipsiea; Martin, G.; Nalewaja; Olafson; Olson, A.; Opedahl; O'Shea; Peltier; Retzer; Rice; Rued; Schindler; Schoenwald; Shide; Shockman; Solberg; Stofferahn; Strinden; Vander Vorst; Vig; Watne; Wold; Madam Speaker

ABSENT AND NOT VOTING: Hausauer; Richard; Thompson

HB 1388 passed and the title was agreed to.

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HB 1419: A BILL for an Act to create and enact a new section to chapter 57-51 of the North Dakota Century Code, relating to the taxation of oil recovered from tank bottoms, pit oil, and salt water.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 97 YEAS, 4 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.; Haugland; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Hughes; Jacobson; Keller; Kent; 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; 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; Sanstead; Schindler; Schneider; Schoenwald; Shide; Shockman; Sinner; Solberg; Stofferahn; Swiontek; Thompson; Timm; Unhjem; Vander Vorst; Vig; Watne; Wentz; Williams, A.; Williams, W.; Wold; Madam Speaker

**NAYS:** Hanson, O.; Kingsbury; Murphy; Rued

**ABSENT AND NOT VOTING:** Hausauer; Richard; Strinden; Whalen; Williams, C.

HB 1419 passed and the title was agreed to.

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HB 1542: A BILL for an Act to amend and reenact section 27-20-23 of the North Dakota Century Code, relating to the service of juvenile summons.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 95 YEAS, 6 NAYS, 5 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; Kent; Kloubec; Knudson; Koehn; Koski; Kretschmar; Kuchera; Lang; 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; Olafson; Olsen, D.; Olson, A.; Opedahl;

O'Shea; Peltier; Peterson; Pomeroy, E.; Pomeroy, G.;  
Rayl; Retzer; Rice; Riehl; Riley; Rued; Sanstead;  
Schindler; Schoenwald; Shide; Shockman; Sinner;  
Solberg; Stofferahn; Swiontek; Thompson; Timm; Unhjem;  
Vander Vorst; Vig; Watne; Wentz; Williams, A.;  
Williams, W.; Wold; Madam Speaker

**NAYS:** Black; Gerl; Kingsbury; Lardy; Meier, A.; Schneider

**ABSENT AND NOT VOTING:** Hausauer; Richard; Strinden;  
Whalen; Williams, C.

HB 1542 passed and the title was agreed to.

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**MESSAGE FROM THE SENATE  
SENATE CHAMBER**

**MADAM SPEAKER:** I have the honor to return herewith HB 1171  
which the Senate has amended as follows:

**SENATE AMENDMENTS TO HB 1171**

On page 3, line 14, overstrike the word "painted" and  
immediately thereafter insert the word "placed"

And renumber the lines accordingly

Very respectfully,  
LEO LEIDHOLM, Secretary

**RECOGNITION**

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

**SECOND READING OF A SENATE BILL**

**SB 2127:** A BILL for an Act to amend and reenact sections 54-29-  
02 and 54-29-03 of the North Dakota Century Code, relating  
to the cancellation and destruction of state bonds.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was  
called and there were 98 YEAS, 4 NAYS, 4 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;  
Hill; Hjelle; Hoffner; Serenus; Hoffner, S. F.; Hughes;  
Jacobson; Keller; Kent; Kingsbury; Kloubec; Knudson;  
Koehn; Koski; Kretschmar; Kuchera; Lang; 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, 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; Williams, A.; Williams, C.; Williams, W.; Wold; Madam Speaker

**NAYS:** Aubol; Horgan; Lardy; Pomeroy, E.

**ABSENT AND NOT VOTING:** Hausauer; Richard; Strinden; Whalen

SB 2127 passed and the title was agreed to.

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#### 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., Friday, January 28, 1983, which motion prevailed.

#### REPORTS OF STANDING COMMITTEES

**MADAM SPEAKER:** Your Committee on Finance and Taxation to which was referred HB 1089 has had the same under consideration and recommends by a vote of 9 YEAS, 6 NAYS, 2 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO NOT PASS:

On page 1, line 1, delete the words "sections 57-51.1-01 and" and insert in lieu thereof the word "section"

On page 1, line 3, delete the words "and independent producers"

On page 1, delete lines 7 through 27

Delete pages 2 and 3

On page 4, delete lines 16 and 17

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

HB 1089 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 1282 has had the same under consideration and recommends by a vote of 16 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 5, after the word "tax" insert the word "reduction"

On page 1, line 23, after the word "liters]" insert the words "less than the nonagriculturally derived special fuel excise tax provided in this section"

On page 2, line 23, after the word "gallon" insert the words "[3.79 liters] less than the nonagriculturally derived special fuel excise tax provided in this section"

And renumber the lines accordingly

REP. SINNER, Chairman

HB 1282 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 1295 has had the same under consideration and recommends by a vote of 14 YEAS, 2 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, delete the words "for group homes for persons handicapped by mental"

On page 1, line 4, delete the word "retardation" and insert in lieu thereof the words "to include the construction phase of qualified charitable property"

On page 1, line 27, delete the words "This exemption"

On page 1, delete line 28

On page 2, delete line 1

On page 2, line 2, delete the words "by mental retardation" and insert in lieu thereof the words "This exemption includes the construction phase"

And renumber the lines, sections, and pages accordingly

REP. SINNER, Chairman

HB 1295 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 SB 2063 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 NOT PASS:

On page 1, line 13, remove the overstrike over the words  
"over which it takes jurisdiction and"

And renumber the lines accordingly

REP. L. HANSON, Chairman

SB 2063 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Appropriations to which was referred HB 1021 has had the same under consideration and recommends by a vote of 20 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

REP. MERTENS, Chairman

HB 1021 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Appropriations to which was referred HB 1027 has had the same under consideration and recommends by a vote of 20 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

REP. MERTENS, Chairman

HB 1027 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Appropriations to which was referred HB 1059 has had the same under consideration and recommends by a vote of 20 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

REP. MERTENS, Chairman

HB 1059 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Natural Resources to which was referred HB 1103 has had the same under consideration and recommends by a vote of 8 YEAS, 6 NAYS, 3 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. BROKAW, Chairman

HB 1103 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Natural Resources to which was referred HB 1203 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. BROKAW, Chairman

HB 1203 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Social Services and Veterans Affairs to which was referred HB 1230 has had the same under consideration and recommends by a vote of 9 YEAS, 7 NAYS, 0 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. R. MEIERS, Chairman

HB 1230 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 1275 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 NOT PASS.

REP. W. MEYER, Chairman

HB 1275 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Political Subdivisions to which was referred HB 1299 has had the same under consideration and recommends by a vote of 11 YEAS, 2 NAYS, 3 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. DOTZENROD, Chairman

HB 1299 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 1301 has had the same under consideration and recommends by a vote of 17 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

REP. W. MEYER, Chairman

HB 1301 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 1376 has had the same under consideration and recommends by a vote of 12 YEAS, 1 NAY, 3 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. E. POMEROY, Chairman

HB 1376 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Political Subdivisions to which was referred HB 1392 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. DOTZENROD, Chairman

HB 1392 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Political Subdivisions to which was referred HB 1393 has had the same under consideration and recommends by a vote of 11 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

REP. DOTZENROD, Chairman

HB 1393 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 1412 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 PASS.

REP. E. POMEROY, Chairman

HB 1412 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Appropriations to which was referred HB 1439 has had the same under consideration and recommends by a vote of 21 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

REP. MERTENS, Chairman

HB 1439 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 1485 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 1485 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 1524 has had the same under consideration and recommends by a vote of 12 YEAS, 1 NAY, 3 ABSENT AND NOT VOTING that the same DO PASS.

REP. E. POMEROY, Chairman

HB 1524 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Natural Resources to which was referred HB 1561 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. BROKAW, Chairman

HB 1561 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Appropriations to which was referred SB 2017 has had the same under consideration and recommends by a vote of 21 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

REP. MERTENS, Chairman

SB 2017 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Political Subdivisions to which was referred SB 2103 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 PASS.

REP. DOTZENROD, Chairman

SB 2103 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

#### FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

Reps. Nowatzki, Linderman, W. Meyer, Olafson introduced:

HCR 3024: A concurrent resolution urging the United States Secretary of Agriculture to include barley as an eligible commodity for participation in the federal payment-in-kind acreage reduction program.

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

Rep. S. F. Hoffner and Sen. Wenstrom introduced:

HCR 3025: A concurrent resolution to establish a procedure for calling the Forty-eighth Legislative Assembly back into regular session after July 1, 1983, should the remaining constitutional time allotted for the regular session be needed.

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

Rep. Kretschmar introduced:

HCR 3026: A concurrent resolution for the amendment of section 4 of article IX and section 17 of article X of the Constitution of the State of North Dakota, relating to references to the county superintendent of common schools and the county auditor.

Was read the first time and referred to the Committee on Joint Constitutional Revision.

Reps. Schoenwald, Schneider, Sanstead and Sen. Maixner introduced:

HCR 3027: A concurrent resolution urging Congress to remove the time limitations for veterans to use their education benefits under the G.I. bill.

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

Rep. Kretschmar and Sen. Wenstrom introduced:

HCR 3028: A concurrent resolution to create eight new sections to article IV of the Constitution of the State of North Dakota, relating to the legislative assembly; to repeal sections 1 through 13, sections 16 through 18, and sections 22 through 24 of article IV of the Constitution of the State of North Dakota, relating to the legislative assembly; and to provide an effective date.

Was read the first time and referred to the Committee on Joint Constitutional Revision.

Rep. Kretschmar and Sen. Wenstrom introduced:

HCR 3029: A concurrent resolution to create five new sections to article IV of the Constitution of the State of North Dakota, relating to the legislative assembly; to repeal sections 20 and 21 and sections 25 through 45 of article IV of the Constitution of the State of North Dakota, relating to the legislative assembly; and to provide an effective date.

Was read the first time and referred to the Committee on Joint Constitutional Revision.

Reps. A. Olson, Olafson and Sen. Vosper introduced:

HCR 3030: A concurrent resolution expressing the support of the North Dakota Legislative Assembly for the construction of the Pembilier Dam Project.

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

Reps. B. Larson, Schoenwald, Lautenschlager and Sen. Barth introduced:

HCR 3031: A concurrent resolution urging the President and Congress of the United States to make every effort toward restoring United States agriculture to a strong position in the world grain trade and to aid in the development of a strong agricultural economy.

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

Reps. Unhjem, Strinden introduced:

HCR 3032: A concurrent resolution urging the Congress of the United States to enact legislation to either abolish statutorily created private causes of action or to provide sufficient funding to states and their political subdivisions for facilities and services for handicapped persons, and to enact legislation providing rights for handicapped and disabled persons which would provide for

individualized consideration of the specific needs of such persons.

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

Reps. Nalewaja, Peltier and Sen. Nelson introduced:

HCR 3033: A concurrent resolution urging Congress to require a proposed ethanol production facility to show a substantial, net increase in the yield of liquid fuel for motive power on a caloric basis in order to qualify for any available federal assistance.

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

Reps. Gullickson, W. Meyer and Sen. Barth introduced:

HCR 3034: A concurrent resolution urging the Farmers Home Administration of the United States Department of Agriculture to develop a farm credit payment plan to allow farmers who use the credit of the United States Department of Agriculture to use farm produce to repay their loans to the government.

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

#### FIRST READING OF SENATE BILLS

SB 2034: A BILL for an Act making an appropriation for defraying the expenses of the bonding fund and the fire and tornado fund of the state of North Dakota.

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

SB 2035: A BILL for an Act making an appropriation for defraying the administrative expenses of the unsatisfied judgment fund of the state of North Dakota.

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

SB 2093: A BILL for an Act to create and enact a new section to chapter 54-52.1 of the North Dakota Century Code, relating to self-insurance of the health insurance benefits coverage under the state uniform group insurance program; and to amend and reenact sections 54-52.1-01, 54-52.1-04, and 54-52.1-06 of the North Dakota Century Code, relating to definitions and board authority to contract for insurance under the uniform group insurance program.

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

SB 2133: A BILL for an Act to amend and reenact section 61-28.1-04 of the North Dakota Century Code, relating to approval of water systems.

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

SB 2142: A BILL for an Act to create and enact a new subsection to section 18-01-02 and a new section to chapter 18-01 of the North Dakota Century Code, relating to providing for the education of the citizens of North Dakota on the hazards of fire through organized programs by the state fire marshal's office.

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

SB 2292: A BILL for an Act to amend and reenact sections 43-10-03, 43-10-10, 43-10-16, and 43-10-19 of the North Dakota Century Code, relating to the state board of embalmers and licensing of embalmers.

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

SB 2297: A BILL for an Act to amend and reenact subsection 1 of section 54-03-01.7 of the North Dakota Century Code, relating to the boundary for the first legislative district.

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

SB 2298: A BILL for an Act to amend and reenact section 57-02-08.3 of the North Dakota Century Code, relating to the homestead credit for special assessments and to the postponement of the satisfaction of lien on certain transfers; and to provide an effective date.

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

SB 2300: A BILL for an Act to amend and reenact subsection 2 of section 57-33-04 of the North Dakota Century Code, relating to the taxation of rural electric cooperatives by cities.

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

SB 2302: A BILL for an Act to amend and reenact section 47-19-07 of the North Dakota Century Code, relating to deeds recorded more than six months after acknowledgment.

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

SB 2332: A BILL for an Act to create and enact a new subsection to section 57-02-08.1 of the North Dakota Century Code, relating to the homestead credit and farm structures exempt from taxation; and to provide an effective date.

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

SB 2361: A BILL for an Act to amend and reenact section 54-03-20 of the North Dakota Century Code, relating to compensation and expenses of members of the legislative assembly; to suspend section 54-03-20.1 of the North Dakota Century

Code, relating to compensation for attending legislators; providing an expiration date; and to declare an emergency. Was read the first time and referred to the **Committee on Appropriations**.

**SB 2406:** A BILL for an Act to amend and reenact subsections 1 and 12 of section 10-04-02, subsections 1 and 3 of section 10-04-03, subdivisions d and h of subsection 6 of section 10-04-05, section 10-04-08.1, section 10-04-13, and subsection 1 of section 10-04-16 of the North Dakota Century Code, relating to securities act definitions, administration exemptions, registration by qualification, appeals, and orders; to repeal section 10-04-12.1 of the North Dakota Century Code, relating to the board of review; and declaring an emergency.

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

#### MOTION

The House stood adjourned pursuant to Representative Backes' motion.

CHARLES FLEMING, Chief Clerk