

JOURNAL OF THE HOUSE

Forty-eighth Legislative Assembly

\* \* \* \* \*

TWENTY-SECOND DAY

Bismarck, February 2, 1983

The House convened at 11:45 a.m., with Speaker Kelly presiding.

ROLL CALL

The roll was called and all members were present, except Representatives Brokaw, Gerl, Jacobson, Koski, Martinson, Schoenwald, and Wentz.

A quorum was declared by the Speaker.

MOTIONS

REP. BACKES MOVED that, following the Joint Session, the House be in recess until 3:00 p.m., which motion prevailed.

REP. BACKES MOVED that the House be at ease to receive the Senate in Joint Session, which motion prevailed.

JOINT SESSION

The Joint Session was called to order with Speaker Kelly presiding.

MOTION

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

SPEAKER KELLY APPOINTED Sen. Wenstrom and Rep. Sanstead to such committee, and the Lt. Governor was escorted to the rostrum.

Lt. Governor Sands was introduced to the Assembly and Speaker Kelly turned the gavel over to him to preside.

MOTION

REP. BACKES MOVED that a committee of two be appointed to escort the Honorable Allen I. Olson, Governor, to the rostrum, which motion prevailed. Lt. Governor Sands appointed Sen. Nething and Rep. Backes to escort Governor Olson to the rostrum. Lt. Governor Sands introduced Governor Olson to the Assembly.

MESSAGE BY THE HONORABLE ALLEN I. OLSON, GOVERNOR

Ladies and gentlemen of the 48th Legislative Assembly, I have asked for the opportunity to address you in this Joint Assembly in order to present you with new select revenue projections for the next biennium and their effect on my Executive Budget recommendations. I have identified recent differentials in oil

production estimates and price variances which prompt me, indeed compel me, to address you at this time.

At the December 13th presentation of my budget I indicated there existed a plus or minus \$40 million risk factor in the revenue forecast. Since then the projected stable market condition has been effected by unforeseen economic pressures. Present oil production estimates indicate North Dakota oil production will decline 6 to 11 percent during the next two to three years. The possible fiscal ramifications of the production and price variance in anticipated revenue represents a \$30-\$70 million decrease in projected revenue for the next biennium.

My basic budget recommendation called for an ending balance in the general fund of not less than \$50 million. The facts as we know them mandate this reserve. This reserve is more important now that we have targeted the decline of oil prices and production. For that reason, I have taken the best current estimates we have of revenue adjustments and made a series of decisions based on my desire to provide you with specific recommendations for your consideration. I do this now so that you may move forward with the important business of making appropriations under which state and local governments will operate for the next two years.

First, I am intensifying my cost containment measures initiated in 1981 by directing agencies to continue and expand their cutback on travel - both in-state and out-of-state. They will combine and pool travel whenever possible to save the state dollars for other programs. I am continuing the freeze on employment for new positions and restating my position that no replacement personnel will enter government employment above the midpoint of salary range. Also, I am continuing the requirement that compensation adjustments in the current biennium be deferred. State agency administrators will be expected to save more dollars during the five months remaining in this biennium and return a larger share of authorized appropriations than previously directed.

I have directed the Office of Management and Budget to review with each agency the anticipated turnback to be certain that each agency has sufficiently disciplined itself to ensure the turnback will provide the expected minimum of \$10 million in the general fund at the close of this biennium.

State government must set the fiscal example for all levels of government in North Dakota and that fiscal self-discipline must become the rule rather than the exception.

I have written mayors, school board leaders, and county commissioners throughout North Dakota asking them to join me in implementing cost containment measures. I know they will recognize that reduced revenues will affect all levels of government.

My budget reflects a hold-the-line, no increase position in direct aid to political subdivisions. And while I recognize this will require sacrifice and strong fiscal discipline at the political subdivision level, it is the necessary and proper approach under the circumstances.

Mayors, school board members, county commissioners, township officers, water resource managers, park district representatives, and all others charged with fiscal responsibility in government in North Dakota must find ways to hold down spending, rethink positions, redefine objectives and proceed with the confidence that our prudence in fiscal restraint and sound management will pay dividends as a healthy economy returns to North Dakota and elsewhere.

Best estimates now suggest that oil production will not reach the 95 million barrel mark on which 1983-85 oil revenues were projected. The new forecast, and it may be optimistic, anticipates production closer to 87 million barrels for the next biennium. The reason for the rapid deterioration in this production forecast is simple enough to understand but nearly impossible to predict.

Surpluses of natural gas, lack of storage, cancellation of major contracts for natural gas, the mild winter and other factors have necessitated the cutback in production of existing wells whose oil flow is determined by the gas production level. New exploration has fallen off with approximately 39 rigs drilling in North Dakota as I speak to you compared to 115 a year ago. You can readily see that the anticipated production from new finds is dramatically effected.

On the matter of price, who can say what that will be? But I believe we can say with certainty that it will not reach the \$32 to \$34 per barrel projection which was agreed upon at the time of the budget preparation. Thirty dollars per barrel is a more accurate estimate through the next biennium.

And finally, the effect that crude oil revenue adjustments will have on income, sales, and use tax, particularly in Western North Dakota, is a tough call to make. There will be a negative impact in these critical revenue areas as well and therefore I am taking a conservative position in presenting this new information to you.

The causes and effects I have outlined require spending reductions of approximately \$50 million in the budget I presented to you in December. I will distribute a compilation which shows the specific recommendations that I am making. I will not go into great detail now but I want to discuss a few of my concerns.

Clearly our concern for taxpayers and the people of North Dakota must come first. That's why I recommend cutbacks rather than additional tax increases and that's why I based my cutback

decision on bricks and mortar first, with people and programs last. My first recommendations for budget cuts are in the area of capital expenditure. You've heard me speak of the need for continuing capital construction at the penitentiary. While I feel strongly that the program does need to go forward, I recognize that the economic restraints and constraints placed upon us compel deferral of that program until the next biennium.

I am continuing my recommendation of \$1,400 per student per year in the elementary and secondary education foundation aid program. No reductions should be made in that critical area of school finance. I believe that \$1,400 will be sufficient when supported by continuing local efforts to achieve a sustained level of service in elementary and secondary education for the next two years.

I am recommending a reduction in my higher education proposals but in doing so I am recommending a significant departure from the customary appropriation process: it is my recommendation that all funding for higher education be consolidated into a single budget and appropriated to the Board of Higher Education for allocation among the institutions under the Board's jurisdiction. This will give the Board members the flexibility and responsibility to make institutional allocations on an "as needed" basis.

The \$5.5 million cutback I propose for higher education may seem harsh. But the concurrent opportunity for flexible management control by the Board of Higher Education should lessen the consequences.

I will not ask the dedicated and faithful state employees of North Dakota to go two years without a compensation increase. But I believe that the increase should be limited to 3 percent per year. We must either reduce salary increases or be forced to eliminate an additional 300 jobs. Frankly, I - and I believe you - prefer the former response.

You now have the difficult task of evaluating and passing on these proposed cutbacks. Since we share the responsibility of putting together an acceptable combination of tax increases to fund even this more stringent level of spending, now is the appropriate time to strip ourselves of political identification. Let us put aside partisanship and rise to the statesman-like level that will be required for the two-thirds approval of most of the major issues that are before this Assembly.

Ladies and gentlemen of the 48th Legislative Assembly, not since the difficult days of the 1930's has the need for courageous self-discipline, nonpartisan, unselfish action been more critical. This is the time for all of us in government at every level--county commissioners, mayors, school boards, state employees, legislators, and agency executives--to join together

in a dedicated commitment to fiscal accountability and responsibility.

Most of those who offer political advice continue to suggest that I leave to the Legislature the unpopular business of budget cuts and tax proposals. Responsibility in government is far more important than elective political careers. The current situation, difficult as it may be, presents us with both a challenge and an opportunity to use our best talents and abilities.

If I might digress for just a moment from my formal remarks to remind you, as I believe you can remind yourselves, that it was just about ten years ago that a significant upsurge in the cost of crude oil around the world caused the first difficulties for this most important nation, and the western democracies. We struggled through the seventies with a continuing upward trend in the cost of crude oil and energy of all kinds in all places. This was the basic cause of the problems which we now contend with and confront. While we talk in very serious terms about the consequences of the decline of crude oil prices to North Dakota, we are in a transition period in that sense while we struggle with getting our fiscal policy in the state back in order and back in a more proper context. But we should keep in mind that farmers will pay less for fuel to plant their crops this year, the petro chemicals that are necessary for this state's basic industry, agriculture, will be cheaper, tourism should be enhanced because people will be encouraged to travel because it won't cost as much as it used to. We need to keep that in mind as we struggle together for a couple of months with the very difficult situation we find ourselves in, but we can, I think, see better days ahead for us as we work together.

I will work with you, to surmount the fiscal difficulties we face. Our responsibilities go far beyond this Capitol City. Across the width and breadth of this great state there are 650 thousand citizens relying on us to get on with the serious business at hand. I know we can work together to serve them by effective and fair action.

Thank you very much.

#### MOTIONS

REP. STRINDEN MOVED that the Governor's remarks be printed in the Journals of the House and Senate, which motion prevailed.

REP. MUSHIK MOVED that the Joint Session be dissolved, which motion prevailed.

THE HOUSE RECONVENED pursuant to recess taken, with Speaker Kelly presiding.

The prayer was offered by Rev. Don Andrews, McCabe United Methodist Church, Bismarck.

## REVISION AND CORRECTION OF THE JOURNAL

MADAM SPEAKER: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Twenty-first 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:

HB 1099, SB 2086, SB 2096, SB 2130

CHARLES FLEMING, Chief Clerk

## MESSAGES TO THE SENATE

## 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 1099

Very respectfully,  
CHARLES FLEMING, Chief Clerk

## HOUSE CHAMBER

MR. PRESIDENT: I have the honor to inform you that the House has concurred in the Senate amendment to HB 1171, and subsequently passed the same:

Very respectfully,  
CHARLES FLEMING, Chief Clerk

## 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 1159, HB 1198, HB 1281, HB 1282, HB 1295, HB 1363,  
HB 1375, HB 1398, HB 1403, HB 1497, HB 1521, HCR 3014,  
HCR 3015, HCR 3016

Very respectfully,  
CHARLES FLEMING, Chief Clerk

## HOUSE CHAMBER

MR. PRESIDENT: I have the honor to return herewith the following which the House has failed to pass:

SB 2063

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 2086, SB 2096, SB 2130

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 2361

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 President has signed and your signature is respectfully requested:

SB 2127

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 2044, SB 2070, SB 2229, SB 2310, SB 2330, SB 2353,  
SB 2377, SB 2396

Very respectfully,  
LEO LEIDHOLM, Secretary

SIXTH ORDER OF BUSINESS

REP. JACOBSON MOVED that the amendments to HB 1075 as recommended by the Committee on Education as printed on page 643 of the House Journal be adopted, which motion prevailed.

REP. BROKAW MOVED that the amendments to HB 1083 as recommended by the Committee on Natural Resources as printed on page 644 of the House Journal be adopted, which motion prevailed.

REP. L. HANSON MOVED that the amendments to HB 1214 as recommended by the Committee on State and Federal Government as printed on pages 644 and 645 of the House Journal be adopted, which motion prevailed.

REP. R. MEIERS MOVED that the amendments to HB 1236 as recommended by the Committee on Social Services and Veterans Affairs as printed on pages 645 and 646 of the House Journal be adopted, and

that SB 1236 be rereferred to the Committee on Appropriations, which motion prevailed.

REP. DOTZENROD MOVED that the amendments to HB 1268 as recommended by the Committee on Political Subdivisions as printed on pages 646 and 647 of the House Journal be adopted, which motion prevailed.

REP. JACOBSON MOVED that the amendments to HB 1297 as recommended by the Committee on Education as printed on page 647 of the House Journal be adopted, which motion prevailed.

REP. S. F. HOFFNER MOVED that the amendments to HB 1321 as recommended by the Committee on Industry, Business, and Labor as printed on pages 647 and 648 of the House Journal be adopted, which motion prevailed.

REP. E. POMEROY MOVED that the amendments to HB 1406 as recommended by the Committee on Judiciary as printed on page 648 of the House Journal be adopted, which motion prevailed.

REP. MERTENS MOVED that the amendments to HB 1452 as recommended by the Committee on Appropriations as printed on page 649 of the House Journal be adopted, which motion prevailed.

#### CONSIDERATION OF AMENDMENTS

REP. DOTZENROD MOVED that the amendments to SB 2065 as recommended by the Committee on Political Subdivisions as printed on page 649 of the House Journal be adopted.

#### REQUEST

REP. KINGSBURY REQUESTED a recorded roll call vote on the motion to adopt the proposed amendments to SB 2065, which request was granted.

#### MOTION

REP. E. POMEROY MOVED the previous question, which motion prevailed.

#### ROLL CALL

The question being on the motion to adopt the amendments to SB 2065, the roll was called and there were 32 YEAS, 72 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Aubol; Black; Conmy; DeMers; Gates; Gerl; Hamerlik; Hanson, L.; Haugland; Hausauer; Hoffner, S. F.; Horgan; Hughes; Kloubec; Koehn; Kretschmar; Kuchera; Lang; Lardy; Larson, R.; Martin, G.; Martinson; Moore; Nalewaja; Peterson; Rice; Riley; Schneider; Strinden; Swiontek; Unhjem; Wentz

NAYS: Anderson, C.; Anderson, R.; Backes; Boyle; Brokaw; Dotzenrod; DuBord; Eagles; Erdman; Goetz; Gorder; Gullickson; Gunsch; Halmrast; Hanson, O.; Hill; Hjelle;

Hoffner, Serenus; Jacobson; Keller; Kent; Kingsbury; Knudson; Koski; Larson, B.; Laughlin; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, C.; Meier, A.; Meiers, R.; Melby; Mertens; Meyer, R.; Meyer, W.; Murphy; Mushik; Nicholas; Nowatzki; O'Connell; Olafson; Olsen, D.; Olson, A.; Opedahl; O'Shea; Peltier; Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Richard; Riehl; Rued; Sanstead; Schindler; Schoenwald; Shide; Shockman; Solberg; Stofferahn; Thompson; Vander Vorst; Vig; Watne; Whalen; Williams, A.; Williams, C.; Williams, W.; Wold; Madam Speaker

ABSENT AND NOT VOTING: Sinner; Timm

The motion to adopt the amendments to SB 2065 failed to pass.

\*\*\*\*\*

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 1054, HB 1078, HB 1153, HB 1238, HB 1278, HB 1288, HB 1307, HB 1325, HB 1344, HB 1356, HB 1546

REP. G. MARTIN, Chairman

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

MOTIONS

REP. W. MEYER MOVED that HCR 3024 be returned to the House from the Committee on Agriculture, which motion prevailed.

REP. BACKES MOVED that the rules be suspended and that HCR 3024 be placed on the calendar for second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

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.

Which has been read.

The question being on the final adoption of the resolution.

HCR 3024 was declared adopted on a voice vote.

MOTION

REP. BACKES MOVED that the rules be suspended and that HCR 3024 be messaged to the Senate immediately, which motion prevailed.

\*\*\*\*\*

**FIRST READING OF SENATE CONCURRENT RESOLUTION**

Sen. Lips introduced:

**SCR 4024:** A concurrent resolution expressing thanks and appreciation to the Levis family for its efforts in preserving a portion of the unique natural and cultural heritage of the Missouri River Valley.

Was read the first time.

**REP. BACKES MOVED** that the rules be suspended, that SCR 4024 not be printed, not be referred to committee, but be read in its entirety, printed in the Journal, and placed on the calendar for second reading and final passage, which motion prevailed.

Sen. Lips introduced:

**SENATE CONCURRENT RESOLUTION NO. 4024**

A concurrent resolution expressing thanks and appreciation to the Levis family for its efforts in preserving a portion of the unique natural and cultural heritage of the Missouri River Valley.

**WHEREAS**, Gladys and Robert H. Levis II, residents of Illinois, spent every summer from 1956 through 1981 ranching on the Cross Ranch in North Dakota; and

**WHEREAS**, Gladys and Robert Levis were exceptional stewards of the land who used outstanding land management and conservation practices to protect a large riparian forest, vast stretches of native prairie, and beautiful woody draws located on the Cross Ranch; and

**WHEREAS**, the North Dakota Wildlife Federation presented its 1982 Conservationist of the Year Award posthumously to Robert Levis II, who died in September 1982; and

**WHEREAS**, Gladys and Robert Levis supported archaeological research on the Cross Ranch by providing the site, free-living space, and donations; and

**WHEREAS**, Gladys and Robert Levis offered to sell the Cross Ranch to the state of North Dakota for use as a state park for considerably less than they could have received on the open market; and

**WHEREAS**, after the purchase was rejected by a vote of the people in 1980, the same offer was made to sell the land to the Nature Conservancy, a private national conservation organization; and

**WHEREAS**, after several years of effort the Cross Ranch was sold to the Nature Conservancy which used donations from every state in the Union except two and several foreign countries; and

WHEREAS, as a result of the purchase 5,000 acres of the Cross Ranch have been preserved as a natural area open to the public;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That the members of the Forty-eighth Legislative Assembly express thanks and appreciation to the Levis family for efforts in preserving a portion of the unique natural and cultural heritage of the Missouri River Valley for the enjoyment of this and future generations; and

BE IT FURTHER RESOLVED, that the Secretary of State forward an enrolled copy of this resolution to Gladys Levis.

**SECOND READING OF SENATE CONCURRENT RESOLUTION**

SCR 4024: A concurrent resolution expressing thanks and appreciation to the Levis family for its efforts in preserving a portion of the unique natural and cultural heritage of the Missouri River Valley.

Which has been read.

**ROLL CALL**

The question being on the final adoption of the resolution.

SCR 4024 was declared adopted on a voice vote.

\*\*\*\*\*

**MOTION**

REP. RICHARD MOVED that HB 1527 be returned to the House floor from the Committee on Finance and Taxation, which motion prevailed.

**REQUEST**

REP. RICHARD REQUESTED the unanimous consent of the House to withdraw HB 1527. There being no objection, it was so ordered by the Speaker.

**MOTION**

REP. RIEHL MOVED that HB 1562 be returned to the House floor from the Committee on Finance and Taxation, which motion prevailed.

**REQUEST**

REP. RIEHL REQUESTED the unanimous consent of the House to withdraw HB 1562. There being no objection, it was so ordered by the Speaker.

**MOTION**

REP. THOMPSON MOVED that HB 1663 be returned to the House floor from the Committee on Finance and Taxation, which motion prevailed.

## REQUEST

REP. THOMPSON REQUESTED the unanimous consent of the House to withdraw HB 1663. There being no objection, it was so ordered by the Speaker.

## MOTION

REP. WHALEN MOVED that HB 1565 be returned to the House floor from the Committee on Political Subdivisions, which motion prevailed.

## REQUEST

REP. WHALEN REQUESTED the unanimous consent of the House to withdraw HB 1565. There being no objection, it was so ordered by the Speaker.

## SECOND READING OF HOUSE BILLS

HB 1051: A BILL for an Act to amend and reenact sections 15-40.1-16 and 15-40.1-16.1 of the North Dakota Century Code, relating to the payment of state funds to school districts to fund bus transportation.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 9 YEAS, 92 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Anderson, R.; DuBord; Moore; Murphy; Nalewaja; Riley; Swiontek; Unhjem; Vander Vorst

NAYS: Anderson, C.; Aubol; Backes; Black; Boyle; Brokaw; Conmy; DeMers; Dotzenrod; 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.; Mushik; 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; Solberg; Stofferahn; Thompson; Vig; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Wold; Madam Speaker

ABSENT AND NOT VOTING: Kuchera; Peterson; Sinner; Strinden; Timm

HB 1051 was declared lost.

\*\*\*\*\*

## MOTION

REP. MUSHIK MOVED that the House waive the reading of the title to HB 1054, which motion prevailed.

HB 1054: A BILL for an Act to create and enact chapters 26.1-01, 26.1-02, 26.1-03, 26.1-04, 26.1-05, 26.1-06, 26.1-07, 26.1-08, 26.1-09, 26.1-10, 26.1-11, 26.1-12, 26.1-13, 26.1-14, 26.1-15, 26.1-16, 26.1-17, 26.1-18, 26.1-19, 26.1-20, 26.1-21, 26.1-22, 26.1-23, 26.1-24, and 26.1-25 of the North Dakota Century Code, relating to the commissioner of insurance; insurance company general provisions, examinations and reports and the premium tax, prohibited practices, organization and operation, takeover bids, and consolidation, reinsurance, and dissolution; comprehensive health association; reciprocal or interinsurance exchanges; insurance holding company systems; foreign insurance companies; incorporated mutual companies; county mutual insurance companies; medical malpractice mutual insurance company; fraternal benefit societies; benevolent societies; nonprofit health service corporations; health maintenance organizations; prepaid legal service organizations; title insurance companies; state bonding fund; state fire and tornado fund; state unsatisfied judgment fund; the insurance premium; and fire, property, and casualty insurance rates; to repeal sections 6-05-19, 6-05-20, 6-05-21, 6-05-22, 6-05-23, 6-05-24, 6-05-30, 6-05-31, 6-05-32, 6-05-33, chapters 26-01 and 26-04, section 26-05-03, chapters 26-07, 26-08, 26-09, 26-09.1, sections 26-10-02, 26-10-03, 26-10-04, 26-10-05, 26-10-09, 26-10-10, 26-10-11, 26-10-13.1, 26-10-14, 26-10-15, 26-10-16, chapters 26-11, 26-12, 26-14, 26-15, 26-16, 26-16.1, sections 26-17.1-50, 26-17.1-51, 26-17.1-52, 26-17.1-53, 26-18-01, 26-18-02, 26-18-12, chapters 26-20, 26-21, 26-21.1, 26-21.2, 26-23, 26-24, 26-25, 26-26, 26-27, 26-27.1, 26-27.2, 26-27.3, 26-28, 26-29, 26-30, 26-32, 26-37, 26-38, 26-40, and 39-17 of the North Dakota Century Code, relating to insurance; to provide penalties; and to provide an effective date and for transition.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill as amended on pages 603 and 604 of the House Journal, the roll was called and there were 102 YEAS, 2 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.; Opedahl; O'Shea; Peltier; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Rice; Riehl; Riley; Rued; Sanstead; Schindler; Schneider; Schoenwald; Shide; Shockman; Stofferahn; Strinden; Swiontek; Thompson; Timm; Unhjem; Vander Vorst; Vig; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Wold; Madam Speaker

**NAYS:** Olson, A.; Richard

**ABSENT AND NOT VOTING:** Sinner; Solberg

HB 1054 passed and the title was agreed to.

\*\*\*\*\*

#### MOTION

**REP. MUSHIK MOVED** that the House waive the reading of the title to HB 1055, which motion prevailed.

**HB 1055:** A BILL for an Act to create and enact section 26-18-13 of the North Dakota Century Code, relating to termination of fire and casualty insurance agency contracts; and to amend and reenact sections 4-36-26, 6-03-48, 6-05-01, 6-05-04, 6-05-08, 6-09.2-10, 6-09.4-15, 7-04-09, 10-30-14, subsection 14 of section 15-10-17, section 15-55-08, subsection 1 of section 23-17.2-03, sections 26-02-46, 26-03-39.3, 26-03-42, 26-03-48.1, subsection 2 of section 26-03.5-02, sections 26-09.2-06, 26-17.1-13, 26-17.1-16, 26-17.1-22, 26-39-02, 26-39-05, 37-03-13, 40-24-19, 40-33.2-10, 40-38.1-07, 40-58-11, 40-61-13, 43-13-31, 54-52-09, subsection 5 of section 54-52.1-01, and sections 54-52.1-10, 61-02-68.13, and 61-02-72 of the North Dakota Century Code, relating to references to insurance, insurance companies, and insurance laws.

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, 2 NAYS, 3 ABSENT AND NOT VOTING.

**YEAS:** Anderson, C.; Anderson, R.; Aubol; Backes; Black; Boyle; Brokaw; DeMers; 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; Stofferahn; Strinden;  
 Swiontek; Thompson; Timm; Unhjem; Vander Vorst; Vig;  
 Watne; Wentz; Whalen; Williams, A.; Williams, C.;  
 Williams, W.; Wold; Madam Speaker

**NAYS:** Conmy; Richard

**ABSENT AND NOT VOTING:** Dotzenrod; Sinner; Solberg

HB 1055 passed and the title was agreed to.

\*\*\*\*\*

HB 1078: A BILL for an Act to amend and reenact sections 49-09-04.2 and 49-09-04.3 of the North Dakota Century Code, relating to abandonment of railway lines and right of way, trust agreements, sales, and removal of abandoned materials; 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 605 of the House Journal, the roll was called and there were 24 YEAS, 78 NAYS, 4 ABSENT AND NOT VOTING.

**YEAS:** Anderson, C.; Black; Brokaw; Gerl; Gorder;  
 Hanson, O.; Kingsbury; Kretschmar; Kuchera; Lardy;  
 Laughlin; Lipsiea; Melby; Murphy; Olafson; Olsen, D.;  
 Olson, A.; Rice; Rued; Shide; Thompson; Vander Vorst;  
 Vig; Whalen

**NAYS:** Anderson, R.; Aubol; Boyle; Conmy; DeMers;  
 Dotzenrod; DuBord; Eagles; Erdman; Gates; Goetz;  
 Gullickson; Gunsch; Halmrast; Hamerlik; Hanson, L.;  
 Haugland; Hausauer; Hill; Hjelle; Hoffner, Serenus;  
 Hoffner, S. F.; Horgan; Hughes; Jacobson; Keller; Kent;  
 Kloubec; Knudson; Koehn; Koski; Larson, B.; Larson, R.;  
 Lautenschlager; Linderman; Lloyd; Martin, C.;  
 Martin, G.; Martinson; Meier, A.; Meiers, R.; Mertens;  
 Meyer, R.; Meyer, W.; Moore; Mushik; Nalewaja;  
 Nicholas; Nowatzki; O'Connell; Opedahl; O'Shea;  
 Peltier; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl;  
 Richard; Riehl; Riley; Sanstead; Schindler; Schneider;  
 Schoenwald; Shockman; Solberg; Stofferahn; Strinden;

Swiontek; Timm; Unhjem; Watne; Wentz; Williams, A.;  
Williams, C.; Williams, W.; Wold; Madam Speaker

ABSENT AND NOT VOTING: Backes; Lang; Retzer; Sinner

HB 1078 was declared lost.

\*\*\*\*\*

HB 1153: A BILL for an Act to amend and reenact section 27-07.1-02 of the North Dakota Century Code, relating to multicounty agreements to share the services of a county judge.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill as amended on pages 605 and 606 of the House Journal, the roll was called and there were 105 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Sinner

HB 1153 passed and the title was agreed to.

\*\*\*\*\*

HB 1165: A BILL for an Act to create and enact a new section to chapter 51-04 of the North Dakota Century Code, relating to transient merchants.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 103 YEAS, 1 NAY, 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; 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; Solberg; Stofferahn; Strinden; Swiontek; Thompson; Timm; Unhjem; Vander Vorst; Vig; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Wold; Madam Speaker

**NAYS:** Murphy

**ABSENT AND NOT VOTING:** Richard; Sinner

HB 1165 passed and the title was agreed to.

\*\*\*\*\*

**HB 1238:** A BILL for an Act to create and enact subsections 4 and 5 to section 26-02-32, sections 26-02-38.1, 26-02-38.2, 26-02-38.3, 26-02-47, 26-02-48, 26-02-49, 26-02-50, 26-02-51, 26-02-52, 26-02-53, 26-02-54, 26-02-55, 26-02-56, 26-02-57, 26-02-58, 26-02-59, and 26-02-60 of the North Dakota Century Code, relating to the declination, termination, and cancellation of property and casualty insurance policies; and to amend and reenact sections 26-02-33, 26-02-34, 26-02-35, 26-02-36, and 26-02-38 of the North Dakota Century Code, relating to the declination, termination, and cancellation of automobile insurance policies; and to provide a penalty.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill as amended on pages 606 and 607 of the House Journal, the roll was called and there were 104 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson, C.; Anderson, R.; Aubol; Backes; Black; Boyle; Brokaw; Conmy; DeMers; Dotzenrod; 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; Solberg; Stofferahn; Strinden; Swiontek; Thompson; Timm; Unhjem; Vander Vorst; Vig; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Wold; Madam Speaker

**NAYS:** None

**ABSENT AND NOT VOTING:** Richard; Sinner

HB 1238 passed and the title was agreed to.

\*\*\*\*\*

HB 1242: A BILL for an Act to amend and reenact sections 16.1-11-10, 16.1-11-18, 16.1-11-19, 16.1-12-02, 16.1-12-09, and 16.1-13-17 of the North Dakota Century Code, relating to a written statement required of a candidate affirming the candidate meets all constitutional and statutory qualifications for the office sought.

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:** Hamerlik; Olson, A.; Rayl; Stofferahn; Unhjem

**NAYS:** Anderson, C.; Anderson, R.; Aubol; Backes; Black; Boyle; Brokaw; Conny; DeMers; Dotzenrod; DuBord; Eagles; Erdman; Gates; Gerl; Goetz; Gorder; Gullickson; Gunsch; Halmrast; 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.; Opedahl; O'Shea; Peltier; Peterson;

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

ABSENT AND NOT VOTING: Richard; Sinner

HB 1242 was declared lost.

\*\*\*\*\*

HB 1260: A BILL for an Act to amend and reenact section 15-53.1-06 of the North Dakota Century Code, relating to annexation hearings, equalization, and notice of hearings.

Which has been read.

#### ROLL CALL

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

YEAS: Aubol; Dotzenrod; DuBord; Gerl; Hanson, L.;  
 Hanson, O.; Hjelle; Hoffner, Serenus; Hoffner, S. F.;  
 Horgan; Hughes; Lardy; Larson, B.; Larson, R.;  
 Laughlin; Lipsiea; Lloyd; Meier, A.; Meiers, R.;  
 Mertens; Mushik; Opedahl; Pomeroy, E.; Richard;  
 Schneider; Solberg; Stofferahn; Thompson; Vig; Whalen;  
 Williams, A.; Williams, W.; Madam Speaker

NAYS: Anderson, C.; Anderson, R.; Backes; Black; Boyle;  
 Brokaw; Conmy; DeMers; Eagles; Erdman; Gates; Goetz;  
 Gorder; Gullickson; Gunsch; Halmrast; Hamerlik;  
 Haugland; Hausauer; Hill; Jacobson; Keller; Kent;  
 Kingsbury; Kloubec; Knudson; Koehn; Koski; Kretschmar;  
 Kuchera; Lang; Lautenschlager; Linderman; Martin, C.;  
 Martin, G.; Martinson; Melby; Meyer, R.; Meyer, W.;  
 Moore; Murphy; Nalewaja; Nicholas; Nowatzki; O'Connell;  
 Olafson; Olsen, D.; Olson, A.; O'Shea; Peltier;  
 Peterson; Pomeroy, G.; Rayl; Retzer; Rice; Riehl;  
 Riley; Rued; Sanstead; Schindler; Schoenwald; Shide;  
 Shockman; Strinden; Swiontek; Timm; Unhjem;  
 Vander Vorst; Watne; Wentz; Williams, C.

ABSENT AND NOT VOTING: Sinner; Wold

HB 1260 was declared lost.

\*\*\*\*\*

HB 1278: A BILL for an Act to amend and reenact sections 12.1-20-04 and 12.1-20-05 of the North Dakota Century Code, relating to the penalty for sex crimes involving a minor.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill as amended on pages 607 and 608 of the House Journal, the roll was called and there were 104 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Sinner; Strinden

HB 1278 passed and the title was agreed to.

\*\*\*\*\*

HB 1288: A BILL for an Act to provide a referendum on the dairy products promotion assessment; and to amend and reenact section 4-27-01, subsection 4 of section 4-27-02, subsection 1 of section 4-27-03, section 4-27-04, subsections 3 and 7 of section 4-27-05, sections 4-27-06, 4-27-07, 4-27-08, 4-27-09, and 4-27-11 of the North Dakota Century Code, relating to the promotion and sale of state dairy products, the state dairy promotion commission, the commission's purposes, the collection and disbursement of commission funds, the assessments on milk and a referendum regarding that assessment, and administration.

Which has been read.

#### MOTION

REP. STOFFERAHN MOVED the previous question, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill as amended on page 608 of the House Journal, the roll was called and there were 82 YEAS, 21 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Aubol; Backes; Black; Boyle; Conmy; Dotzenrod; Eagles; Erdman; Gates; Gerl; Gorder; Gullickson; Gunsch; Halmrast; Hamerlik; Hanson, O.; Haugland; Hausauer; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Hughes; Jacobson; Keller; Kent; Kingsbury; Kloubec; Knudson; Koehn; Koski; Kretschmar; Kuchera; Lang; Larson, B.; Larson, R.; Laughlin; Lautenschlager; 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; Peterson; Retzer; Rice; Riley; Rued; Sanstead; Schindler; Schneider; Schoenwald; Shide; Stofferahn; Swiontek; Thompson; Unhjem; Vander Vorst; Vig; Wentz; Whalen; Williams, W.; Wold; Madam Speaker

NAYS: Brokaw; DeMers; DuBord; Hanson, L.; Lardy; Linderman; Lipsiea; Meier, A.; Olafson; Olson, A.; Pomeroy, E.; Pomeroy, G.; Rayl; Richard; Riehl; Shockman; Solberg; Timm; Watne; Williams, A.; Williams, C.

ABSENT AND NOT VOTING: Goetz; Sinner; Strinden

HB 1288 passed and the title was agreed to.

\*\*\*\*\*

HB 1302: A BILL for an Act to amend and reenact section 65-01-08 of the North Dakota Century Code, relating to the liability of an employer under the workmen's compensation law.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 41 YEAS, 63 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Black; Boyle; Brokaw; Conmy; DeMers; DuBord; Gerl; Gullickson; Halmrast; Hamerlik; Hanson, L.; Haugland; Hill; Hoffner, Serenus; Hoffner, S. F.; Horgan; Jacobson; Keller; Koski; Lardy; Lautenschlager; Linderman; Lloyd; Martin, G.; Meier, A.; Meiers, R.; Meyer, W.; Opedahl; O'Shea; Pomeroy, E.; Pomeroy, G.; Richard; Riehl; Sanstead; Schneider; Schoenwald; Shockman; Stofferahn; Vig; Wentz; Madam Speaker

**NAYS:** Anderson, C.; Anderson, R.; Aubol; Backes; Dotzenrod; Eagles; Erdman; Gates; Goetz; Gorder; Gunsch; Hanson, O.; Hausauer; Hjelle; Hughes; Kent; Kingsbury; Kloubec; Knudson; Koehn; Kretschmar; Kuchera; Lang; Larson, B.; Larson, R.; Laughlin; Lipsiea; Martin, C.; Martinson; Melby; Mertens; Meyer, R.; Moore; Murphy; Mushik; Nalewaja; Nicholas; Nowatzki; O'Connell; Olafson; Olsen, D.; Olson, A.; Peltier; Peterson; Rayl; Retzer; Rice; Riley; Rued; Schindler; Shide; Solberg; Swiontek; Thompson; Timm; Unhjem; Vander Vorst; Watne; Whalen; Williams, A.; Williams, C.; Williams, W.; Wold

**ABSENT AND NOT VOTING:** Sinner; Strinden

HB 1302 was declared lost.

\*\*\*\*\*

**MESSAGE FROM THE SENATE  
SENATE CHAMBER**

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

SB 2361, SCMR 1

Very respectfully,  
LEO LEIDHOLM, Secretary

**SECOND READING OF HOUSE BILLS**

**HB 1307:** A BILL for an Act to require that certain information be provided with any payment made to a royalty owner for the purchase of oil or gas produced from a royalty owner's interest in land in this state; to provide a penalty; and to declare an emergency.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill as amended on pages 608 and 609 of the House Journal, the roll was called and there were 103 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING.

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

Nalewaja; Nicholas; Nowatzki; O'Connell; Olafson; Olsen, D.; Olson, A.; Opedahl; O'Shea; Peltier; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Rice; Richard; Riehl; Riley; Sanstead; Schindler; Schneider; Schoenwald; Shide; Shockman; 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: Rued; Sinner; Strinden

HB 1307 passed, the title was agreed to, and the emergency clause carried.

\*\*\*\*\*

HB 1318: A BILL for an Act to create and enact a new subsection to section 57-40.2-04 of the North Dakota Century Code, relating to exemptions from the use tax.

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; Hausauer; 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; 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; Solberg; Stofferahn; Swiontek; Thompson; Timm; Unhjem; Vander Vorst; Vig; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Wold; Madam Speaker

NAYS: None

ABSENT AND NOT VOTING: Kingsbury; Rued; Sinner; Strinden; Watne

HB 1318 passed and the title was agreed to.

\*\*\*\*\*

HB 1325: A BILL for an Act to amend and reenact sections 6-06-04, 6-06-11, 6-06-15, 6-06-19, 6-06-21, and 6-06-27 of the North Dakota Century Code, relating to approval of bylaws by directors or members, supervisory and credit committees for credit unions, borrowing by a corporate central credit union, risk assets of credit unions and expulsion of members of credit unions.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill as amended on page 609 of the House Journal, the roll was called and there were 93 YEAS, 8 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Aubol; Backes; Black; Boyle; Brokaw; DeMers; Dotzenrod; DuBord; Eagles; Erdman; Gates; Gerl; Goetz; Gorder; Gullickson; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Hughes; Jacobson; Keller; Kent; Kloubec; Knudson; 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; 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; Schneider; Schoenwald; Shide; Shockman; Solberg; Stofferahn; Strinden; Swiontek; Thompson; Timm; Unhjem; Vander Vorst; Vig; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Madam Speaker

NAYS: Anderson, R.; Gunsch; Kuchera; Murphy; Peltier; Schindler; Whalen; Wold

ABSENT AND NOT VOTING: Conmy; Hanson, O.; Kingsbury; Lang; Sinner

HB 1325 passed and the title was agreed to.

\*\*\*\*\*

HB 1344: A BILL for an Act to amend and reenact section 11-18-19 of the North Dakota Century Code, providing for reasonable attorney fees and costs in suits for damages to buried transmission facilities.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill as amended on page 609 of the House Journal, the roll was called and there were 99 YEAS, 4 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.; Haugland; Hill; Hjelle; Hoffner, Serenus; Horgan; Hughes; Jacobson; Keller; Kent; Kloubec; Knudson; 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; Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Rice; Richard; Riehl; Riley; Rued; Sanstead; Schindler; Schneider; Schoenwald; Shide; Shockman; Solberg; Stofferahn; Strinden; Swiontek; Thompson; Timm; Unhjem; Vander Vorst; Vig; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Wold; Madam Speaker

NAYS: Hanson, O.; Hausauer; Kingsbury; Peterson

ABSENT AND NOT VOTING: Hoffner, S. F.; Lang; Sinner

HB 1344 passed and the title was agreed to.

\*\*\*\*\*

HB 1349: A BILL for an Act to repeal section 57-38-36 of the North Dakota Century Code, relating to payment of tax in quarterly installments; 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 85 YEAS, 18 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Aubol; Backes; Black; Boyle; Brokaw; DeMers; Dotzenrod; DuBord; Eagles; Erdman; Gates; Gerl; Gorder; Gullickson; Gunsch; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Jacobson; Keller; Kent; Kingsbury; Koski; Kretschmar; Kuchera; Lardy; Larson, B.; Laughlin; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, G.; Martinson; Meier, A.; Meiers, R.; Melby; Mertens; Meyer, R.; Meyer, W.; Mushik; Nalewaja; Nicholas; Nowatzki; O'Connell; Olafson; Olson, A.; Opedahl; Peterson;

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

**NAYS:** Anderson, R.; Conmy; Goetz; Hanson, O.; Hughes; Kloubec; Knudson; Koehn; Larson, R.; Martin, C.; Moore; Murphy; Olsen, D.; Peltier; Rice; Thompson; Timm; Wentz

**ABSENT AND NOT VOTING:** Lang; Sinner; Stofferahn

HB 1349 passed and the title was agreed to.

\*\*\*\*\*

**HB 1356:** A BILL for an Act to amend and reenact section 16.1-10-04.1 of the North Dakota Century Code, relating to disclosing the name of a sponsor on certain political advertisements.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill as amended on page 610 of the House Journal, the roll was called and there were 78 YEAS, 25 NAYS, 3 ABSENT AND NOT VOTING.

**YEAS:** Aubol; Backes; Black; Boyle; Brokaw; Conmy; DeMers; Dotzenrod; DuBord; Eagles; Erdman; Gerl; Goetz; Gorder; Gullickson; Halmrast; Hamerlik; Hanson, L.; Haugland; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Jacobson; Keller; 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.; Mushik; Nicholas; Nowatzki; O'Connell; Olson, A.; Opedahl; O'Shea; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Richard; Riehl; Sanstead; Schindler; Schneider; Schoenwald; Shockman; Solberg; Stofferahn; Swiontek; Unhjem; Vander Vorst; Vig; Watne; Williams, A.; Williams, C.; Williams, W.; Wold; Madam Speaker

**NAYS:** Anderson, C.; Anderson, R.; Gates; Gunsch; Hanson, O.; Hausauer; Hughes; Kent; Kingsbury; Kloubec; Moore; Murphy; Nalewaja; Olafson; Olsen, D.; Peltier; Retzer; Rice; Riley; Rued; Shide; Strinden; Thompson; Timm; Wentz

**ABSENT AND NOT VOTING:** Meyer, W.; Sinner; Whalen

HB 1356 passed and the title was agreed to.

\*\*\*\*\*

HB 1401: A BILL for an Act to amend and reenact subdivision a of subsection 3 of section 54-52-17 of the North Dakota Century Code, relating to the calculation of early retirement benefits under the public employees retirement system.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 15 YEAS, 90 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Aubol; DuBord; Gerl; Hanson, O.; Hausauer; Hoffner, Serenus; Lloyd; Martin, G.; Meier, A.; Peterson; Retzer; Schneider; Schoenwald; Unhjem; Williams, C.

NAYS: Anderson, C.; Anderson, R.; Backes; Black; Boyle; Brokaw; Conny; DeMers; Dotzenrod; Eagles; Erdman; Gates; Goetz; Gorder; Gullickson; Gunsch; Halmrast; Hamerlik; Hanson, L.; Haugland; Hill; Hjelle; 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; 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; Pomeroy, E.; Pomeroy, G.; Rayl; Rice; Richard; Riehl; Riley; Rued; Sanstead; Schindler; Shide; Shockman; Solberg; Stofferahn; Strinden; Swiontek; Thompson; Timm; Vander Vorst; Vig; Watne; Wentz; Whalen; Williams, A.; Williams, W.; Wold; Madam Speaker

ABSENT AND NOT VOTING: Sinner

HB 1401 was declared lost.

\*\*\*\*\*

HB 1422: A BILL for an Act to amend and reenact sections 28-24-02, 28-24-03, 28-24-06, 28-24-07, and 28-24-10 of the North Dakota Century Code, relating to redemption of real estate by the judgment debtor or redemptioner during the period of redemption, protection of the purchaser, and notice of additional lien during the period of redemption.

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.; 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; 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; 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: Anderson, R.; Murphy; Riley; Sinner

HB 1422 passed and the title was agreed to.

\*\*\*\*\*

HB 1433: A BILL for an Act to amend and reenact section 65-05.2-02 of the North Dakota Century Code, relating to supplementary workmen's compensation benefits.

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

NAYS: None

ABSENT AND NOT VOTING: Backes; Kent; Richard; Riley; Sinner

HB 1433 passed and the title was agreed to.

\*\*\*\*\*

HB 1459: A BILL for an Act to create and enact a new subsection to section 15-38.1-14 of the North Dakota Century Code, relating to executive sessions under the Teacher's Representation and Negotiation Act; to amend and reenact section 15-28-11 of the North Dakota Century Code, relating to executive sessions under the Teacher's Representation and Negotiation Act; 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 38 YEAS, 67 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Backes; Brokaw; Dotzenrod; Gates; Goetz; Gorder; Gunsch; Hanson, O.; Hughes; Kent; Kingsbury; Knudson; Lang; Larson, B.; Larson, R.; Lipsiea; Lloyd; Martin, C.; Melby; Meyer, R.; Meyer, W.; Murphy; Olafson; Olsen, D.; Olson, A.; Opedahl; O'Shea; Peltier; Rice; Schindler; Shide; Strinden; Thompson; Timm; Vander Vorst; Whalen

NAYS: Aubol; Black; Boyle; Conmy; DeMers; DuBord; Eagles; Erdman; Gerl; Gullickson; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer; Hill; Hjelle; Hoffner; Serenus; Hoffner, S. F.; Horgan; Jacobson; Keller; Kloubec; Koehn; Koski; Kretschmar; Kuchera; Lardy; Laughlin; Lautenschlager; Linderman; Martin, G.; Martinson; Meier, A.; Mellers, R.; Mertens; Moore; Mushik; Nalewaja; Nicholas; Nowatzki; O'Connell; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Richard; Riehl; Riley; Rued; Sanstead; Schneider; Schoenwald; Shockman; Solberg; Stofferahn; Swiontek; Unhjem; Vig; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Wold; Madam Speaker

**ABSENT AND NOT VOTING: Sinner**

HB 1459 was declared lost.

\*\*\*\*\*

HB 1463: A BILL for an Act to provide for conversion of accumulated sick leave to annual leave for state employees.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were 30 YEAS, 74 NAYS, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson, R.; Black; Conmy; DeMers; Gerl; Gullickson; Halmrast; Hamerlik; Hanson, L.; Hjelle; Hoffner, Serenus; Hughes; Jacobson; Koski; Lautenschlager; Lipsiea; Lloyd; Martinson; Meier, A.; Meiers, R.; Pomeroy, G.; Rice; Sanstead; Schneider; Schoenwald; Stofferahn; Unhjem; Watne; Williams, C.; Williams, W.

**NAYS:** Anderson, C.; Aubol; Backes; Boyle; Brokaw; Dotzenrod; DuBord; Eagles; Erdman; Gates; Coetz; Gorder; Gunsch; Hanson, O.; Haugland; Hausauer; Hill; Hoffner, S. F.; Horgan; Keller; Kent; Kingsbury; Kloubec; Knudson; Koehn; Kretschmar; Kuchera; Lang; Lardy; Larson, B.; Larson, R.; Laughlin; Linderman; Martin, C.; Martin, G.; Melby; Mertens; Meyer, R.; Meyer, W.; Moore; Murphy; Nalewaja; Nicholas; Nowatzki; O'Connell; Olafson; Olsen, D.; Olson, A.; Opedahl; O'Shea; Peltier; Peterson; Pomeroy, E.; Rayl; Retzer; Richard; Riehl; Riley; Rued; Schindler; Shide; Shockman; Solberg; Strinden; Swiontek; Thompson; Timm; Vander Vorst; Vig; Wentz; Whalen; Williams, A.; Wold; Madam Speaker

**ABSENT AND NOT VOTING: Mushik; Sinner**

HB 1463 was declared lost.

\*\*\*\*\*

HB 1484: A BILL for an Act to amend and reenact section 65-12-11 of the North Dakota Century Code, relating to boiler inspection fees.

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

**NAYS:** None

**ABSENT AND NOT VOTING:** Kingsbury; Sinner

HB 1484 passed and the title was agreed to.

\*\*\*\*\*

**HB 1505:** A BILL for an Act to amend and reenact subsection 3 of section 6-08-16 and subsection 4 of section 6-08-16.2 of the North Dakota Century Code, relating to time limitations for prosecution for issuance of checks without sufficient funds.

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, 12 NAYS, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson, C.; Anderson, R.; Aubol; Backes; Black; Boyle; Brokaw; 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; Kloubec; Knudson; Koehn; 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; Olafson; Olsen, D.; Olson, A.; Opedahl; O'Shea; Peltier; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Rice; Richard; Riehl; Riley; Rued; Sanstead; Schindler; Schoenwald;

Shide; Strinden; Swiontek; Thompson; Timm; Unhjem; Vig;  
 Watne; Wentz; Whalen; Williams, A.; Williams, C.;  
 Williams, W.; Wold; Madam Speaker

NAYS: Conmy; Gerl; Hanson, O.; Koski; Kretschmar;  
 Kuchera; Meier, A.; Schneider; Shockman; Solberg;  
 Stofferahn; Vander Vorst

ABSENT AND NOT VOTING: Kingsbury; Sinner

HB 1505 passed and the title was agreed to.

\*\*\*\*\*

HB 1541: A BILL for an Act to provide for the operation of a state lottery, establish a state lottery commission and a state lottery fund, provide for a full-time director of state lotteries, provide for rules to be adopted by the state lottery commission, and provide for deposit of the entire net proceeds from operation of the state lottery in the state lottery fund; 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 23 YEAS, 81 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Aubol; Backes; Black; DeMers; Dotzenrod; DuBord;  
 Gerl; Hausauer; Lardy; Lloyd; Martin, G.; Meier, A.;  
 Mushik; Nicholas; Peterson; Pomeroy, G.; Richard; Rued;  
 Sanstead; Schneider; Schoenwald; Whalen; Madam Speaker

NAYS: Anderson, C.; Anderson, R.; Boyle; Brokaw; Conmy;  
 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; Martin, C.; Martinson; Meiers, R.;  
 Melby; Mertens; Meyer, R.; Meyer, W.; Moore; Murphy;  
 Nalewaja; Nowatzki; O'Connell; Olafson; Olsen, D.;  
 Olson, A.; Opedahl; O'Shea; Peltier; Pomeroy, E.; Rayl;  
 Retzer; Rice; Riehl; Riley; Schindler; Shide; Shockman;  
 Solberg; Stofferahn; Strinden; Swiontek; Thompson;  
 Timm; Unhjem; Vander Vorst; Vig; Watne; Wentz;  
 Williams, A.; Williams, C.; Williams, W.; Wold

ABSENT AND NOT VOTING: Kingsbury; Sinner

HB 1541 was declared lost.

\*\*\*\*\*

**HB 1546:** A BILL for an Act to amend and reenact subsection 7 of section 4-27-05 and section 4-27-06 of the North Dakota Century Code, relating to dairy products promotion commission assessments against milk and milk products.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill as amended on page 610 of the House Journal, the roll was called and there were 21 YEAS, 81 NAYS, 4 ABSENT AND NOT VOTING.

**YEAS:** Brokaw; Conmy; DeMers; DuBord; Gerl; Hoffner, Serenus; Lardy; Linderman; Meier, A.; Meiers, R.; Nalewaja; Olafson; Rayl; Richard; Riehl; Schneider; Schoenwald; Shockman; Solberg; Williams, A.; Williams, C.

**NAYS:** Anderson, C.; Anderson, R.; Aubol; Backes; Black; Boyle; Dotzenrod; Eagles; Erdman; Gates; Goetz; Gorder; Gullickson; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer; Hill; Hjelle; Hoffner, S. F.; Horgan; Hughes; Jacobson; Keller; Kent; Kloubec; Knudson; Koehn; Koski; Kretschmar; Kuchera; Lang; Larson, B.; Larson, R.; Laughlin; Lautenschlager; Lipsiea; Lloyd; Martin, C.; Martin, G.; Martinson; Melby; Mertens; Meyer, R.; Meyer, W.; Moore; Murphy; Mushik; Nicholas; Nowatzki; O'Connell; Olsen, D.; Olson, A.; Opedahl; O'Shea; Peltier; Pomeroy, E.; Pomeroy, G.; Retzer; Rice; Riley; Rued; Sanstead; Schindler; Shide; Stofferahn; Swiontek; Thompson; Timm; Unhjem; Vander Vorst; Vig; Watne; Wentz; Whalen; Williams, W.; Wold; Madam Speaker

**ABSENT AND NOT VOTING:** Kingsbury; Peterson; Sinner; Strinden

HB 1546 was declared lost.

\*\*\*\*\*

**HB 1547:** A BILL for an Act to amend and reenact section 27-20-10 of the North Dakota Century Code, relating to statements made during informal adjustment under the Uniform Juvenile Court Act.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 103 YEAS, 1 NAY, 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.; Hughes; Jacobson; Keller; Kent; Kingsbury; Kloubec; Knudson; Koehn; Koski; Kretschmar; Kuchera; Lang; Lardy; Larson, B.; Larson, R.; Laughlin; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, C.; Martin, G.; Martinson; Meier, A.; Meiers, R.; Melby; Mertens; Meyer, R.; Meyer, W.; Moore; Murphy; Mushik; Nalewaja; Nicholas; Nowatzki; O'Connell; Olafson; Olsen, D.; Olson, A.; Opedahl; O'Shea; Peltier; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Rice; Richard; Riehl; Riley; Rued; Sanstead; Schindler; 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:** Schneider

**ABSENT AND NOT VOTING:** Horgan; Sinner

HB 1547 passed and the title was agreed to.

\*\*\*\*\*

**HB 1580:** A BILL for an Act to amend and reenact section 15-28-03 of the North Dakota Century Code, relating to the date for school elections.

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

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

NAYS: None

ABSENT AND NOT VOTING: Backes; Horgan; Richard; Rued;  
Sinner

HB 1580 passed and the title was agreed to.

\*\*\*\*\*

HB 1595: A BILL for an Act to amend and reenact sections 43-04-22, 43-04-24, and 43-04-31 of the North Dakota Century Code, relating to the supervision of apprentice barbers, the hours and course of study of a barbering school, and the length of time an apprentice barber must serve under a registered barber.

Which has been read.

#### MOTION

REP. STOFFERAHN MOVED the previous question, which motion prevailed.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 69 YEAS, 34 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Boyle; Brokaw; Conmy;  
DeMers; Dotzenrod; Eagles; Erdman; Gates; Goetz;  
Gorder; Gunsch; Halmrast; Hamerlik; Hanson, L.;  
Hanson, O.; Hausauer; Hill; Hjelle; Hoffner, Serenus;  
Hughes; Jacobson; Keller; Kent; Kingsbury; Knudson;  
Koehn; Koski; Kretschmar; Lang; Lardy; Larson, B.;  
Laughlin; Linderman; Lloyd; Martin, C.; Martin, G.;  
Meier, A.; Meiers, R.; Melby; Mertens; Meyer, R.;  
Murphy; O'Connell; Olafson; Olsen, D.; Olson, A.;  
O'Shea; Peltier; Peterson; Pomeroy, G.; Retzer; Rice;  
Richard; Rued; Schindler; Shide; Shockman; Solberg;  
Stofferahn; Strinden; Thompson; Timm; Unhjem;  
Vander Vorst; Vig; Whalen; Williams, A.

NAYS: Backes; Black; DuBord; Gerl; Gullickson; Haugland;  
Hoffner, S. F.; Kloubec; Kuchera; Larson, R.;  
Lautenschlager; Lipsiea; Martinson; Meyer, W.; Moore;  
Mushik; Nalewaja; Nicholas; Nowatzki; Opedahl;  
Pomeroy, E.; Rayl; Riehl; Riley; Sanstead; Schneider;  
Schoenwald; Swiontek; Watne; Wentz; Williams, C.;  
Williams, W.; Wold; Madam Speaker

ABSENT AND NOT VOTING: Aubol; Horgan; Sinner

HB 1595 passed and the title was agreed to.

\*\*\*\*\*

HB 1610: A BILL for an Act to provide for cooperative agreements between state agencies and institutions and political subdivisions; and to provide a continuing appropriation of any moneys collected for a political subdivision.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 96 YEAS, 6 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Aubol; Backes; Black; Boyle; Brokaw; Conmy; DeMers; Dotzenrod; DuBord; Eagles; Erdman; Gates; Goetz; Gorder; Gullickson; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Hughes; Jacobson; Keller; Kent; 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; Nowatzki; O'Connell; Opedahl; O'Shea; Peltier; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Rice; Richard; Riehl; Riley; Rued; Sanstead; Schindler; Schneider; Schoenwald; Shockman; Solberg; Stofferahn; Strinden; Swiontek; Thompson; Timm; Unhjem; Vander Vorst; Vig; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Wold; Madam Speaker

NAYS: Kingsbury; Kloubec; Olafson; Olsen, D.; Olson, A.; Shide

ABSENT AND NOT VOTING: Gerl; Horgan; Nicholas; Sinner

HB 1610 passed and the title was agreed to.

\*\*\*\*\*

HB 1660: A BILL for an Act to create and enact a new section to chapter 15-04 of the North Dakota Century Code, relating to the liability of lessees of public land when the lease allows public access.

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, 7 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Aubol; Backes; Black; Boyle; Brokaw; Dotzenrod; Eagles; Erdman; Gates; Gerl; Goetz; Gorder; Gullickson; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Hughes; Jacobson; Keller; 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.; 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; Schoenwald; Shide; Shockman; Solberg; Stofferahn; Strinden; Swiontek; Thompson; Timm; Vander Vorst; Vig; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Wold; Madam Speaker

NAYS: Conmy; DeMers; DuBord; Kent; Meiers, R.; Schneider; Unhjem

ABSENT AND NOT VOTING: Horgan; Sinner

HB 1660 passed and the title was agreed to.

\*\*\*\*\*

HB 1694: A BILL for an Act to eliminate the statement of damages in certain pleadings.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 14 YEAS, 90 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Anderson, R.; Dotzenrod; Gates; Kent; Kloubec; Lipsiea; Melby; Moore; Nalewaja; Riley; Rued; Timm; Unhjem; Wold

NAYS: Anderson, C.; Aubol; Backes; Black; Boyle; Brokaw; Conmy; DeMers; DuBord; Eagles; Erdman; Gerl; Goetz; Gorder; Gullickson; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Hughes; Jacobson; Keller; Kingsbury; Knudson; Koehn; Koski; Kretschmar; Kuchera; Lang; Lardy; Larson, B.; Larson, R.; Laughlin; Lautenschlager; Linderman; Lloyd; Martin, C.; Martin, G.; Martinson; Meier, A.; Meiers, R.; Mertens; Meyer, R.; Meyer, W.; Murphy; Mushik; Nicholas; Nowatzki; O'Connell; Olafson; Olsen, D.; Olson, A.; Opedahl; O'Shea; Peltier;

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

ABSENT AND NOT VOTING: Horgan; Sinner

HB 1694 was declared lost.

\*\*\*\*\*

HB 1722: A BILL for an Act authorizing the state board of higher education to accept a multipurpose regional facility for the operation and maintenance of the multipurpose regional facility at Dickinson state college.

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, 4 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Aubol; Backes; Black;  
 Brokaw; Conny; DeMers; Dotzenrod; DuBord; Eagles;  
 Erdman; Gates; Gerl; Goetz; Gorder; Gullickson; Gunsch;  
 Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland;  
 Hausauer; Hill; Hjelle; Hoffner, Serenus;  
 Hoffner, S. F.; Hughes; Jacobson; Keller; Kent;  
 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; Olsen, D.;  
 Olson, A.; Opedahl; O'Shea; Peltier; Peterson;  
 Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Rice; Richard;  
 Riehl; Riley; Rued; Sanstead; Schindler; Schneider;  
 Schoenwald; Shide; Shockman; Solberg; Stofferahn;  
 Strinden; Swiontek; Thompson; Timm; Unhjem;  
 Vander Vorst; Vig; Watne; Wentz; Whalen; Williams, A.;  
 Williams, C.; Williams, W.; Wold

NAYS: Boyle; Kingsbury; Olafson; Madam Speaker

ABSENT AND NOT VOTING: Horgan; Sinner

HB 1722 passed and the title was agreed to.

\*\*\*\*\*

## SIGNING OF BILLS AND RESOLUTIONS

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following:

SB 2361

CHARLES FLEMING, Chief Clerk

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:

HCR 3024

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 2361

Very respectfully,  
CHARLES FLEMING, Chief Clerk

MOTIONS

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

REP. BACKES MOVED that the House be on the Fifth order of business, and at the conclusion of the Fifth order, the House be on the Ninth order of business, and at the conclusion of the Ninth order, the House be on the Thirteenth order of business, and at the conclusion of the Thirteenth order, the House stand adjourned until 3:00 p.m., Thursday, February 3, 1983, which motion prevailed.

REPORTS OF STANDING COMMITTEES

MADAM SPEAKER: Your Committee on Education to which was referred HB 1224 has had the same under consideration and recommends by a vote of 9 YEAS, 7 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 13, delete the words "six hundred sixty-seven" and insert in lieu thereof the words "five hundred seventy"

On page 1, line 15, delete the words "seven hundred"

On page 1, line 16, delete the words "eighty-nine" and insert in lieu thereof the words "six hundred twenty-one"

- On page 2, line 21, after the word "schoolbuses" insert the words "and other vehicles"
- On page 2, line 24, delete the words "thirty-eight" and insert in lieu thereof the words "thirty-six" and remove the overstrike over the word "the"
- On page 2, line 25, remove the overstrike over the word "first" and delete the word "each" and remove the overstrike over the word "and"
- On page 2, line 26, remove the overstrike over the words "thirty-eight cents during the second year of the" and immediately following the overstruck numerals "1981-83" insert the numerals "1983-85"
- On page 2, line 27, remove the overstrike over the word "biennium", overstrike the word "schoolbuses" and insert immediately thereafter the word "vehicles", overstrike the word "sixteen" and insert immediately thereafter the word "nine"
- On page 2, line 28, delete the words "seventy-six" and insert in lieu thereof the words "seventy-three and one-half"
- On page 2, line 29, remove the overstrike over the words "the first" and delete the word "each"
- On page 2, line 30, remove the overstrike over the words "and seventy-six cents per mile"
- On page 2, line 31, remove the overstrike over the words "41-61 kilometers, the second year of the" and immediately following the overstruck numerals "1981-83" insert the numerals "1983-85" and remove the overstrike over the word "biennium"
- On page 2, line 32, overstrike the word "seventeen" and insert immediately thereafter the word "ten"
- On page 2, line 34, overstrike the word "seventeen" and insert immediately thereafter the word "ten"

And renumber the lines and pages accordingly

REP. JACOBSON, Chairman

HB 1224 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on State and Federal Government to which was referred HB 1421 has had the same under consideration and recommends by a vote of 10 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended,

recommends the same DO PASS and be rereferred to the Committee on Appropriations:

On page 1, line 4, after the word "commission" insert the words "; and to provide an appropriation"

On page 2, after line 18, insert the following new section:

"SECTION 10. APPROPRIATION. There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$75,560, or so much thereof as may be necessary, to the North Dakota centennial commission for the purpose of funding the commission for the biennium beginning July 1, 1983, and ending June 30, 1985."

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

HB 1421 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on State and Federal Government to which was referred HB 1429 has had the same under consideration and recommends by a vote of 10 YEAS, 5 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 2, after the first comma insert the numeral "44-08-04.3,"

On page 1, line 3, after the word "allowances" insert the words "and moving expenses"

On page 3, after line 27, insert the following new section:

"SECTION 3. AMENDMENT. Section 44-08-04.3 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

44-08-04.3. Moving expense - Allowances - Verification. The head of any department, institution, or agency may authorize the payment of moving expenses incurred by a permanent employee who has been employed in that department, institution, or agency not less than one year when that employee is transferred from one city in the state to another for the purpose of assuming a new duty assignment of a permanent nature within that department, institution, or agency. Relocation costs payable ~~will be as follows~~ are:

1. All actual costs of moving personal household goods and furnishings, not to

exceed ~~six~~ eleven thousand pounds [2721-55 4989.60 kilograms] net weight.

2. Mileage at the current rate for one personal vehicle to a new duty station. The expenses of transportation to the new residence quarters, limited to one round trip, and actual meal and lodging costs for the employee and spouse, for three days.
3. Actual meals and lodging costs for employee and immediate family, not to exceed three days. The expenses of transportation, lodging, and meals incurred by the employee and the immediate family while enroute to the new duty station.
4. In-state travel expenses for the employee at the new duty station for actual time needed to accomplish the relocation, not to exceed thirty days. The expenses for the employee and immediate family while occupying temporary living quarters within the state, not to exceed thirty days.

Provided, however, that payment of the expenses itemized in subsections 1 through 4 shall not exceed seven hundred fifty five thousand dollars. Verification for expenses under subsection 1 shall be a paid receipt from a licensed moving agency, licensed trailer transportation company, trailer rental agent, or other licensed moving company; verification for expenses under subsection 2 shall be highway mileage between the location sites and meal and lodging receipts; verification for expenses under subsection 3 shall be receipts for meals and lodging plus highway mileage for one motor vehicle between the duty stations; and verification for expenses under subsection 4 shall be according to section 44-08-04. An employee, for the purpose of this section, ~~shall be~~ is one who has served at least one year, including a probationary period, and whose retention is approved after such probationary period."

And renumber the lines, sections, and pages accordingly

REP. L. HANSON, Chairman

HB 1429 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 1449 has had the same under consideration and recommends by a vote of 11 YEAS, 4 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 2, delete the words "and land acquisition"
- On page 1, line 3, delete the words "; to create and enact a new section to chapter"
- On page 1, delete lines 4 and 5
- On page 1, line 6, delete the word "appropriation"
- On page 1, line 13, delete the comma
- On page 1, line 14, delete the words "land acquisition," and after the word "and" insert the word "for"
- On page 2, line 1, delete the words "land acquisition and"
- On page 2, line 5, delete the word "land"
- On page 2, line 6, delete the words "acquisition and"
- On page 2, line 7, delete the words "land acquisition and"
- On page 2, line 10, delete the words "land acquisition and"
- On page 2, line 15, delete the words "land acquisition and"
- On page 2, delete lines 18 through 35
- And delete the remainder of the bill
- And renumber the lines and pages accordingly

REP. SINNER, Chairman

HB 1449 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 1507 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 and be rereferred to the Committee on Appropriations:

- On page 2, line 5, after the second word "is" insert the words "less than" and delete the words "or less"
- And renumber the lines accordingly

REP. JACOBSON, Chairman

HB 1507 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 1518 has had the same under consideration and recommends by a vote of 13 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS and be rereferred to the Committee on Appropriations:

- On page 1, line 4, delete the first word "to" and insert in lieu thereof the word "the"
  - On page 1, line 22, delete the word "may" and insert in lieu thereof the word "shall"
  - On page 2, line 11, after the period insert the following new sentence: "Purchase price" also means the fair market value when no current purchase is involved and the aircraft is moved by the owner or user from any other state into this state and on which no sales, use, or excise tax was paid by the owner or user to any other state, or on which a sales, use, or excise tax was paid by the owner or user to another state which does not have reciprocity with this state, and for which aircraft registration is required by section 2-05-11 or registration and licensing required is by section 2-05-18."
  - On page 3, line 27, after the word "aircraft" insert the words ", as determined by the director"
  - On page 4, line 6, delete the word "three" and insert in lieu thereof the word "four"
  - On page 4, line 14, delete the word "two" and insert in lieu thereof the word "three"
  - On page 5, delete lines 22 through 24
  - On page 7, line 17, after the word "who" insert the words "fails to submit a purchase certificate or who"
  - On page 7, line 25, after the first word "The" insert the words "director or the"
- And renumber the lines, subsections, and pages accordingly  
**REP. SINNER, Chairman**

HB 1518 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 1597 has had the same under consideration and recommends by a vote of 13 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS and be referred to the Committee on Appropriations:

On page 2, line 26, delete the words "at least a half-time"  
and insert in lieu thereof the words "a full-time"

On page 2, line 29, delete the words "at least a half-time"  
and insert in lieu thereof the words "a full-time"

On page 3, line 5, delete the numeral "1."

On page 3, delete lines 10 through 23

And renumber the lines and pages accordingly

REP. JACOBSON, Chairman

HB 1597 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 1675 has had the same under consideration and  
recommends by a vote of 13 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING  
that the same BE AMENDED AS FOLLOWS and when so amended,  
recommends the same DO NOT PASS:

On page 1, line 5, delete "; to amend and reenact section"

On page 1, delete lines 6 through 8

On page 1, line 9, delete the words "proration of  
appropriated moneys"

On page 1, delete lines 12 through 27

On page 2, lines 4 through 19, remove the underscore

On page 2, delete lines 20 through 35

And delete the remainder of the bill

And renumber the lines, sections, and pages accordingly

REP. SINNER, Chairman

HB 1675 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 1725 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 and be rereferred to the Committee on Appropriations:

On page 4, line 27, delete the words "and administering"

And renumber the lines accordingly

REP. JACOBSON, Chairman

HB 1725 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 1039 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 1039 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 1040 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 1040 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 1126 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.

REP. S. F. HOFFNER, Chairman

HB 1126 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 1143 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 NOT PASS.

REP. E. POMEROY, Chairman

HB 1143 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

**MADAM SPEAKER:** Your Committee on Judiciary to which was rereferred Engrossed HB 1208 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

REP. E. POMEROY, Chairman

Engrossed HB 1208 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 1326 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 NOT PASS.

REP. MERTENS, Chairman

HB 1326 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 1331 has had the same under consideration and recommends by a vote of 11 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

REP. JACOBSON, Chairman

HB 1331 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 1337 has had the same under consideration and recommends by a vote of 11 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

REP. S. F. HOFFNER, Chairman

HB 1337 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 1427 has had the same under consideration and recommends by a vote of 14 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING that the same DO PASS.

REP. S. F. HOFFNER, Chairman

HB 1427 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 1438 has had the same under consideration and recommends by a vote of 11 YEAS, 3 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

REP. E. POMEROY, Chairman

HB 1438 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 1461 has had the same under consideration and recommends by a vote of 11 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. JACOBSON, Chairman

HB 1461 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 1510 has had the same under consideration and recommends by a vote of 12 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. E. POMEROY, Chairman

HB 1510 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on State and Federal Government to which was referred HB 1574 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. L. HANSON, Chairman

HB 1574 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on State and Federal Government to which was referred HB 1578 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

REP. L. HANSON, Chairman

HB 1578 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on State and Federal Government to which was referred HB 1613 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 NOT PASS.

REP. L. HANSON, Chairman

HB 1613 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 1632 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 1632 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 1664 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. S. F. HOFFNER, Chairman

HB 1664 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 1669 has had the same under consideration and recommends by a vote of 16 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. MERTENS, Chairman

HB 1669 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 Engrossed SB 2186 has had the same under consideration and recommends by a vote of 9 YEAS, 7 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

REP. JACOBSON, Chairman

Engrossed SB 2186 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 SB 2281 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 2281 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

#### FIRST READING OF HOUSE CONCURRENT RESOLUTION

Reps. Kloubec, Moore, R. Anderson and Sen. Goodman introduced:

**HCR 3044:** A concurrent resolution to direct the Legislative Council to conduct a study of the desirability and feasibility of the construction of a pipeline to carry excess natural gas production from western North Dakota to eastern North Dakota.

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

#### FIRST READING OF SENATE BILLS

**SB 2044:** A BILL for an Act to amend and reenact sections 54-27-20.1 and 54-27-20.2 of the North Dakota Century Code, relating to state revenue sharing; to repeal chapter 35 of the 1981 Session Laws, relating to the appropriation for state revenue sharing; to provide an appropriation; to provide for a transfer of funds; and to declare an emergency.

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

**SB 2070:** A BILL for an Act to provide for the appointment of state and regional long-term care ombudsmen and prescribing the powers and duties of long-term care ombudsmen.

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

**SB 2229:** A BILL for an Act to provide immunity from civil and criminal liability in certain cases when food is donated for charitable purposes; and to provide a penalty.

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

SB 2310: A BILL for an Act to repeal chapter 39-22.2 of the North Dakota Century Code, relating to wholesale motor vehicle dealers.

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

SB 2330: A BILL for an Act to amend and reenact section 40-24-10 of the North Dakota Century Code, relating to the payment by general taxation of an improvement financed by special assessment.

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

SB 2353: A BILL for an Act to create and enact a new section to chapter 60-02 of the North Dakota Century Code, relating to provisions governing the storage of grain in facilities owned by persons other than the licensee.

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

SB 2377: A BILL for an Act to amend and reenact subsection 1 of section 39-06-03.1 of the North Dakota Century Code, relating to issuance of nondriver photo identification cards.

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

SB 2396: A BILL for an Act to amend and reenact section 23-06-03.1 of the North Dakota Century Code, relating to pre-need funeral contracts; and to provide a penalty.

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