

## JOURNAL OF THE HOUSE

## Forty-eighth Legislative Assembly

\* \* \* \* \*

## TWENTY-FOURTH DAY

Bismarck, February 4, 1983

The House convened at 3:00 p.m., with Speaker Kelly presiding.

The prayer was offered by Pastor Wilbur O. Fisher, Our Savior's Lutheran Church, Larimore.

## ROLL CALL

The roll was called and all members were present, except Representatives Gorder, Horgan, O'Shea, Peterson, and C. Williams.

A quorum was declared by the Speaker.

## REVISION AND CORRECTION OF THE JOURNAL

MADAM SPEAKER: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Twenty-third day and recommends that the same be corrected as follows and when so corrected, recommends that the same be approved:

On page 712, line 23, after the word "adopted" delete "and when so adopted," delete line 24 and on line 25, delete the word "Appropriations," delete lines 26 and 27 and renumber the lines accordingly

We have reexamined the Journal of the Twenty-second day and recommend that the same be corrected as follows and when so corrected, recommends that the same be approved:

On page 701, line 16, after the word "DO" insert the word "NOT"

REP. LAUGHLIN, Chairman

REP. GULLICKSON 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 1171

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 1171

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:

SCR 4024

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 1054, HB 1055, HB 1153, HB 1165, HB 1238, HB 1278,  
HB 1288, HB 1307, HB 1318, HB 1325, HB 1344, HB 1349,  
HB 1356, HB 1422, HB 1433, HB 1484, HB 1505, HB 1547,  
HB 1580, HB 1595, HB 1610, HB 1660, HB 1722

Very respectfully,  
CHARLES FLEMING, Chief Clerk

MESSAGE FROM THE SENATE  
SENATE CHAMBER

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

SB 2032, SB 2068, SB 2088, SB 2185, SB 2206, SB 2212,  
SB 2213, SB 2222, SB 2245, SB 2247, SB 2251, SB 2267,  
SB 2295, SB 2306, SB 2331, SB 2339, SB 2342

Very respectfully,  
LEO LEIDHOLM, Secretary

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 1070, HB 1224, HB 1421, HB 1429, HB 1435, HB 1449,  
HB 1496, HB 1507, HB 1518, HB 1597, HB 1675, HB 1678,  
HB 1725

REP. G. MARTIN, Chairman

REP. O'CONNELL MOVED that the report be adopted, which motion prevailed.

## SIXTH ORDER OF BUSINESS

REP. S. F. HOFFNER MOVED that HB 1068 be returned to the Committee on Industry, Business, and Labor, which motion prevailed.

SPEAKER KELLY ANNOUNCED that HB 1068 was rereferred to the Committee on Industry, Business, and Labor.

REP. S. F. HOFFNER MOVED that the amendments to HB 1319 as recommended by the Committee on Industry, Business, and Labor as printed on page 737 of the House Journal be adopted, which motion prevailed.

REP. E. POMEROY MOVED that the amendments to HB 1364 as recommended by the Committee on Judiciary as printed on page 737 of the House Journal be adopted, which motion prevailed.

REP. E. POMEROY MOVED that the amendments to HB 1420 as recommended by the Committee on Judiciary as printed on page 738 of the House Journal be adopted, which motion prevailed.

REP. S. F. HOFFNER MOVED that the amendments to HB 1437 as recommended by the Committee on Industry, Business, and Labor as printed on pages 738 and 739 of the House Journal be adopted, which motion prevailed.

REP. S. F. HOFFNER MOVED that the amendments to HB 1455 as recommended by the Committee on Industry, Business, and Labor as printed on page 740 of the House Journal be adopted and when so adopted, recommends that HB 1455 be referred to the Committee on Appropriations, which motion prevailed.

REP. S. F. HOFFNER MOVED that the amendments to HB 1470 as recommended by the Committee on Industry, Business, and Labor as printed on page 741 of the House Journal be adopted, which motion prevailed.

## MOTION

REP. L. HANSON MOVED that HB 1598 be laid over one legislative day, which motion prevailed.

## SIXTH ORDER OF BUSINESS

REP. E. POMEROY MOVED that the amendments to HB 1633 as recommended by the Committee on Judiciary as printed on pages 741 and 742 of the House Journal be adopted, which motion prevailed.

REP. L. HANSON MOVED that the amendments to HB 1645 as recommended by the Committee on State and Federal Government as printed on page 742 of the House Journal be adopted, which motion prevailed.

REP. E. POMEROY MOVED that the amendments to HB 1658 as recommended by the Committee on Judiciary as printed on page 743 of the House Journal be adopted, which motion prevailed.

REP. MERTENS MOVED that the amendments to HB 1672 as recommended by the Committee on Appropriations as printed on page 743 of the House Journal be adopted, which motion prevailed.

REP. E. POMEROY MOVED that the amendments to HB 1674 as recommended by the Committee on Judiciary as printed on pages 743 and 744 of the House Journal be adopted, which motion prevailed.

REP. E. POMEROY MOVED that the amendments to HB 1688 as recommended by the Committee on Judiciary as printed on page 745 of the House Journal be adopted, which motion prevailed.

#### MOTION

REP. SWIONTEK MOVED that HB 1405 be returned to the House floor from the Committee on Social Services and Veterans Affairs, which motion prevailed.

#### REQUEST

REP. SWIONTEK REQUESTED the unanimous consent of the House to withdraw HB 1405. There being no objection, it was so ordered by the Speaker.

#### MOTION

REP. R. MEYER MOVED that HB 1540 be returned to the House floor from the Committee on Natural Resources, which motion prevailed.

#### REQUEST

REP. R. MEYER REQUESTED the unanimous consent of the House to withdraw HB 1540. There being no objection, it was so ordered by the Speaker.

#### MOTION

REP. G. POMEROY MOVED that HB 1487 be returned to the House floor from the Committee on Judiciary, which motion prevailed.

#### REQUEST

REP. G. POMEROY REQUESTED the unanimous consent of the House to withdraw HB 1487. There being no objection, it was so ordered by the Speaker.

#### MOTION

REP. GULLICKSON MOVED that HB 1673 be returned to the House floor from the Committee on Natural Resources, which motion prevailed.

#### REQUEST

REP. GULLICKSON REQUESTED the unanimous consent of the House to withdraw HB 1673. There being no objection, it was so ordered by the Speaker.

#### MOTION

REP. RUED MOVED that HB 1590 be returned to the House floor from the Committee on Political Subdivisions, which motion prevailed.

## REQUEST

REP. RUED REQUESTED the unanimous consent of the House to withdraw HB 1590. There being no objection, it was so ordered by the Speaker.

## MOTION

REP. LAUGHLIN MOVED that HB 1592 be returned to the House floor from the Committee on Finance and Taxation, which motion prevailed.

## REQUEST

REP. LAUGHLIN REQUESTED the unanimous consent of the House to withdraw HB 1592. There being no objection, it was so ordered by the Speaker.

## MOTION

REP. O. HANSON MOVED that HB 1371 be returned to the House floor from the Committee on Political Subdivisions, which motion prevailed.

## REQUEST

REP. O. HANSON REQUESTED the unanimous consent of the House to withdraw HB 1371. There being no objection, it was so ordered by the Speaker.

## SECOND READING OF HOUSE BILLS

HB 1070: A BILL for an Act to create and enact a new subsection to section 23-17.3-01 and a new section to chapter 23-17.3 of the North Dakota Century Code, relating to a definition of director and a sliding scale payment program for home health care and requiring the department of human services to adopt rules to implement the program.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill as amended on page 710 of the House Journal, the roll was called and there were 16 YEAS, 81 NAYS, 9 ABSENT AND NOT VOTING.

YEAS: Black; DeMers; Hamerlik; Jacobson; Kingsbury; Koehn; Kuchera; Lardy; Melby; Olson, A.; Rayl; Rued; Sanstead; Schneider; Sinner; Unhjem

NAYS: Anderson, C.; Aubol; Backes; Boyle; Brokaw; Conmy; Dotzenrod; DuBord; Eagles; Erdman; Gates; Gerl; Goetz; Gorder; Gullickson; Gunsch; Halmrast; Hanson, L.; Hanson, O.; Haugland; Hausauer; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Keller; Kent; Kloubec; Knudson; Kretschmar; Lang; Larson, B.; Larson, R.; Laughlin; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, C.; Martin, G.; Martinson; Meier, A.; Meiers, R.; Mertens; Meyer, R.; Meyer, W.; Moore; Murphy; Mushik; Nalewaja; Nicholas; Nowatzki; O'Connell; Olafson; Olsen, D.; Opedahl; Peltier; Pomeroy, E.; Pomeroy, G.; Rice; Richard; Riehl; Riley;

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

ABSENT AND NOT VOTING: Anderson, R.; Horgan; Hughes;  
 Koski; O'Shea; Peterson; Retzer; Strinden; Whalen

HB 1070 was declared lost.

\*\*\*\*\*

HB 1187: A BILL for an Act making an appropriation for defraying  
 the expenses of the state crime laboratory in the office of the  
 the attorney general.

Which has been read.

#### ROLL CALL

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

YEAS: Hamerlik; Lipsiea; Sanstead

NAYS: Anderson, C.; Anderson, R.; Aubol; Backes; Black;  
 Boyle; Brokaw; Conmy; 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.; Hughes; Jacobson; Keller; Kent;  
 Kingsbury; Kloubec; Knudson; Koehn; Kretschmar;  
 Kuchera; Lang; Lardy; Larson, B.; Larson, R.; Laughlin;  
 Lautenschlager; Linderman; Lloyd; Martin, C.;  
 Martin, G.; Martinson; Meier, A.; Meiers, R.; Melby;  
 Mertens; Meyer, R.; Meyer, W.; Moore; Murphy; Mushik;  
 Nalewaja; Nicholas; Nowatzki; O'Connell; Olafson;  
 Olsen, D.; Olson, A.; Opedahl; Peltier; Pomeroy, E.;  
 Pomeroy, G.; Rayl; Rice; Richard; Riehl; Riley; Rued;  
 Schindler; Schneider; Schoenwald; Shide; Shockman;  
 Sinner; Solberg; Stofferahn; Strinden; Swiontek;  
 Thompson; Timm; Unhjem; Vander Vorst; Vig; Watne;  
 Wentz; Whalen; Williams, A.; Williams, C.;  
 Williams, W.; Wold; Madam Speaker

ABSENT AND NOT VOTING: Horgan; Koski; O'Shea; Peterson;  
 Retzer

HB 1187 was declared lost.

\*\*\*\*\*

#### MOTIONS

REP. BACKES MOVED that HB 1224 be laid over one legislative day,  
 which motion prevailed.

REP. SCHNEIDER MOVED that the House reconsider its action whereby SB 2186 failed to pass, which motion prevailed.

REP. BACKES MOVED that SB 2186 be laid over one legislative day, which motion prevailed.

REP. LLOYD MOVED that the House reconsider its action whereby HB 1664 failed to pass.

#### REQUEST

REP. MARTINSON REQUESTED a recorded roll call vote on the motion to reconsider HB 1664, which request was granted.

#### MOTION

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

#### ROLL CALL

The question being on the motion to reconsider HB 1664, the roll was called and there were 45 YEAS, 57 NAYS, and 4 ABSENT AND NOT VOTING.

YEAS: Aubol; Backes; Boyle; Brokaw; Dotzenrod; DuBord; Erdman; Gerl; Gorder; Gullickson; Halmrast; Hanson, L.; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Keller; Koski; Lardy; Larson, B.; Laughlin; Lautenschlager; Linderman; Lloyd; Martin, C.; Martin, G.; Meier, A.; Mushik; Nowatzki; Pomeroy, G.; Retzer; Richard; Sanstead; Schneider; Schoenwald; Shockman; Sinner; Solberg; Stofferahn; Vig; Watne; Williams, A.; Williams, C.; Williams, W.; Madam Speaker

NAYS: Anderson, C.; Anderson, R.; Black; Conmy; DeMers; Eagles; Gates; Goetz; Gunsch; Hamerlik; Hanson, O.; Haugland; Hausauer; Hughes; Kent; Kingsbury; Kloubec; Knudson; Koehn; Kretschmar; Kuchera; Lang; Larson, R.; Lipsiea; Martinson; Meiers, R.; Melby; Mertens; Meyer, R.; Meyer, W.; Moore; Murphy; Nalewaja; Nicholas; O'Connell; Olafson; Olsen, D.; Olson, A.; Opedahl; Peltier; Pomeroy, E.; Rayl; Rice; Riehl; Riley; Rued; Schindler; Shide; Strinden; Swiontek; Thompson; Timm; Unhjem; Vander Vorst; Wentz; Whalen; Wold

ABSENT AND NOT VOTING: Horgan; Jacobson; O'Shea; Peterson

So the motion to reconsider HB 1664 failed to pass.

#### SECOND READING OF HOUSE BILLS

HB 1251: A BILL for an Act to create and enact two new sections to chapter 54-42 of the North Dakota Century Code, relating to the organization, meetings, and compensation of the merit system council and federal grant-in-aid programs; and to amend and reenact subdivision a of subsection 1 of

section 28-32-01 and section 54-42-01 of the North Dakota Century Code, relating to agencies not included in the definition of administrative agencies and the composition of the North Dakota merit system council; and to repeal chapter 54-44.3 of the North Dakota Century Code, relating to the central personnel system.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 20 YEAS, 81 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Boyle; DeMers; DuBord; Gerl; Halmrast; Hanson, L.; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Koski; Lardy; Lloyd; Martin, G.; Meier, A.; Sanstead; Schneider; Schoenwald; Sinner; Stofferahn; Williams, W.

NAYS: Anderson, C.; Anderson, R.; Aubol; Backes; Black; Brokaw; Conmy; Dotzenrod; Eagles; Erdman; Gates; Goetz; Gorder; Gullickson; Gunsch; Hamerlik; Hanson, O.; Haugland; Hausauer; Hill; Hughes; Jacobson; Keller; Kent; Kingsbury; Kloubec; Knudson; Koehn; Kretschmar; Kuchera; Lang; Larson, B.; Larson, R.; Laughlin; Lautenschlager; Linderman; Lipsiea; Martin, C.; Martinson; Meiers, R.; Melby; Mertens; Meyer, R.; Meyer, W.; Moore; Murphy; Mushik; Nalewaja; O'Connell; Olafson; Olsen, D.; Olson, A.; Opedahl; Peltier; Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Rice; Richard; Riehl; Riley; Rued; Schindler; Shide; Shockman; Solberg; Strinden; Swiontek; Thompson; Timm; Unhjem; Vander Vorst; Vig; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Wold; Madam Speaker

ABSENT AND NOT VOTING: Horgan; Nicholas; Nowatzki; O'Shea; Peterson

HB 1251 was declared lost.

\*\*\*\*\*

HB 1256: A BILL for an Act to create and enact a new chapter to title 61 of the North Dakota Century Code, relating to the designation of the Missouri River as scenic, recreational, and free-flowing.

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, 60 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Aubol; Backes; Black; Boyle; Brokaw; DeMers; Dotzenrod; DuBord; Gates; Gerl; Halmrast; Hanson, L.;

Hoffner, S. F.; Jacobson; Knudson; Kuchera; Lardy; Laughlin; Lautenschlager; Linderman; Lipsiea; Martin, C.; Martin, G.; Meier, A.; Meiers, R.; Mushik; Pomeroy, E.; Pomeroy, G.; Richard; Sanstead; Schneider; Schoenwald; Shockman; Solberg; Stofferahn; Thompson; Vig; Wentz; Williams, A.; Williams, C.; Madam Speaker

**NAYS:** Anderson, C.; Anderson, R.; Conmy; Eagles; Erdman; Goetz; Gorder; Gullickson; Gunsch; Hamerlik; Hanson, O.; Haugland; Hausauer; Hill; Hjelle; Hoffner, Serenus; Hughes; Keller; Kent; Kingsbury; Kloubec; Koehn; Koski; Kretschmar; Lang; Larson, B.; Larson, R.; Lloyd; Martinson; Melby; Mertens; Meyer, R.; Meyer, W.; Moore; Murphy; Nalewaja; Nicholas; Nowatzki; O'Connell; Olafson; Olsen, D.; Olson, A.; Opedahl; Peltier; Rayl; Rice; Riley; Rued; Schindler; Shide; Sinner; Strinden; Swiontek; Timm; Unhjem; Vander Vorst; Watne; Whalen; Williams, W.; Wold

**ABSENT AND NOT VOTING:** Horgan; O'Shea; Peterson; Retzer; Riehl

HB 1256 was declared lost.

\*\*\*\*\*

HB 1324: A BILL for an Act to create and enact a new subsection to section 57-02-01 of the North Dakota Century Code, relating to the definition of platted land for assessment purposes; to amend and reenact subsection 11 of section 57-02-01 and section 57-02-27 of the North Dakota Century Code, relating to the definition of agricultural property and property classification for assessment purposes; and to provide an effective date.

Which has been read.

#### REQUEST

REP. MERTENS REQUESTED that he be excused from voting on HB 1324 because of a conflict of interest.

#### MOTION

REP. BACKES MOVED that Rep. Mertens be allowed to vote on HB 1324, which motion prevailed.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 38 YEAS, 63 NAYS, 5 ABSENT AND NOT VOTING.

**YEAS:** Backes; Boyle; Brokaw; Conmy; DeMers; Dotzenrod; DuBord; Erdman; Halmrast; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Jacobson; Kent; Kingsbury; Koehn; Lardy; Larson, B.; Laughlin; Lipsiea; Martin, G.; Meier, A.; Meiers, R.; Mertens; Meyer, W.;

Mushik; Nicholas; Nowatzki; O'Connell; Opedahl;  
Pomeroy, E.; Rayl; Solberg; Stofferahn; Vig;  
Williams, C.; Madam Speaker

**NAYS:** Anderson, C.; Anderson, R.; Aubol; Black; Eagles;  
Gates; Gerl; Goetz; Gorder; Gullickson; Gunsch;  
Hamerlik; Hanson, O.; Haugland; Hausauer; Hughes;  
Keller; Kloubec; Knudson; Koski; Kretschmar; Kuchera;  
Lang; Larson, R.; Lautenschlager; Linderman; Lloyd;  
Martin, C.; Martinson; Melby; Meyer, R.; Moore; Murphy;  
Nalewaja; Olafson; Olsen, D.; Olson, A.; Peltier;  
Pomeroy, G.; Retzer; Rice; Richard; Riehl; Riley; Rued;  
Sanstead; Schindler; Schneider; Schoenwald; Shide;  
Shockman; Sinner; Swiontek; Thompson; Timm; Unhjem;  
Vander Vorst; Watne; Wentz; Whalen; Williams, A.;  
Williams, W.; Wold

**ABSENT AND NOT VOTING:** Hanson, L.; Horgan; O'Shea;  
Peterson; Strinden

HB 1324 was declared lost.

\*\*\*\*\*

**HB 1329:** A BILL for an Act to repeal subsection 12 of section 57-39.2-04 of the North Dakota Century Code, relating to sales tax exemption on sales to residents of adjoining states and Canada.

Which has been read.

#### MOTION

**REP. SERENUS HOFFNER 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 24 YEAS, 77 NAYS, 5 ABSENT AND NOT VOTING.

**YEAS:** Brokaw; Gerl; Gullickson; Halmrast;  
Hoffner, Serenus; Hoffner, S. F.; Koski; Kuchera;  
Larson, B.; Lloyd; Meier, A.; Meiers, R.; Mertens;  
Meyer, R.; Mushik; Peltier; Pomeroy, E.; Rayl; Riehl;  
Schoenwald; Swiontek; Williams, A.; Williams, W.;  
Madam Speaker

**NAYS:** Anderson, C.; Anderson, R.; Aubol; Backes; Black;  
Boyle; Conmy; DeMers; Dotzenrod; DuBord; Eagles;  
Erdman; Gates; Goetz; Gorder; Gunsch; Hamerlik;  
Hanson, O.; Haugland; Hausauer; Hill; Hjelle; Hughes;  
Jacobson; Keller; Kent; Kingsbury; Kloubec; Knudson;  
Koehn; Kretschmar; Lang; Lardy; Larson, R.; Laughlin;  
Lautenschlager; Linderman; Lipsiea; Martin, C.;  
Martin, G.; Martinson; Melby; Meyer, W.; Moore; Murphy;

Nalewaja; Nicholas; Nowatzki; O'Connell; Olafson; Olsen, D.; Olson, A.; Opedahl; Pomeroy, G.; Rice; Richard; Riley; Rued; Sanstead; Schindler; Schneider; Shide; Shockman; Sinner; Solberg; Stofferahn; Strinden; Thompson; Timm; Unhjem; Vander Vorst; Vig; Watne; Wentz; Whalen; Williams, C.; Wold

ABSENT AND NOT VOTING: Hanson, L.; Horgan; O'Shea; Peterson; Retzer

HB 1329 was declared lost.

\*\*\*\*\*

HB 1330: A BILL for an Act to amend and reenact subsection 1 of section 57-38-01.8 of the North Dakota Century Code, relating to the income tax credit for installation of geothermal, solar, or wind energy devices; 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 38 YEAS, 62 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Aubol; Black; Boyle; Brokaw; DeMers; DuBord; Gates; Gerl; Gullickson; Halmrast; Hamerlik; Hill; Hoffner, Serenus; Jacobson; Koski; Lardy; Laughlin; Lautenschlager; Lloyd; Martin, G.; Meier, A.; Meiers, R.; Melby; Mushik; Nowatzki; Olafson; Opedahl; Pomeroy, E.; Pomeroy, G.; Rayl; Sanstead; Schindler; Schneider; Schoenwald; Stofferahn; Unhjem; Vander Vorst; Madam Speaker

NAYS: Anderson, C.; Anderson, R.; Backes; Conmy; Dotzenrod; Eagles; Erdman; Goetz; Gorder; Gunsch; Hanson, O.; Haugland; Hausauer; Hjelle; Hoffner, S. F.; Hughes; Keller; Kent; Kingsbury; Kloubec; Knudson; Koehn; Kretschmar; Kuchera; Lang; Larson, B.; Larson, R.; Linderman; Lipsiea; Martin, C.; Martinson; Mertens; Meyer, R.; Meyer, W.; Moore; Murphy; Nalewaja; Nicholas; O'Connell; Olsen, D.; Olson, A.; Peltier; Rice; Richard; Riehl; Riley; Rued; Shide; Shockman; Sinner; Solberg; Strinden; Swiontek; Timm; Vig; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Wold

ABSENT AND NOT VOTING: Hanson, L.; Horgan; O'Shea; Peterson; Retzer; Thompson

HB 1330 was declared lost.

\*\*\*\*\*

MESSAGE FROM THE SENATE  
SENATE CHAMBER

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

SCR 4017

Very respectfully,  
LEO LEIDHOLM, Secretary

SECOND READING OF HOUSE BILLS

HB 1351: A BILL for an Act to create and enact four new sections to chapter 10-06 of the North Dakota Century Code, relating to property ownership limitations of certain corporations engaged in farming and ranching; and to repeal sections 10-06-07, 10-06-08, 10-06-09, 10-06-10, 10-06-11, 10-06-12, 10-06-13, 10-06-14, and 10-06-15 of the North Dakota Century Code, authorizing certain family type corporations to engage in farming and ranching, and providing for reports and enforcement.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 27 YEAS, 73 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Aubol; Boyle; DuBord; Gerl; Gullickson; Halmrast; Haugland; Hill; Hjelle; Hoffner, Serenus; Jacobson; Knudson; Lardy; Laughlin; Lautenschlager; Linderman; Meier, A.; Meiers, R.; Mushik; Richard; Riehl; Shockman; Vig; Watne; Williams, A.; Williams, C.; Williams, W.

NAYS: Anderson, C.; Anderson, R.; Backes; Brokaw; Conmy; DeMers; Dotzenrod; Eagles; Erdman; Gates; Goetz; Gorder; Gunsch; Hamerlik; Hanson, O.; Hausauer; Hoffner, S. F.; Hughes; Keller; Kent; Kingsbury; Kloubec; Koehn; Kretschmar; Kuchera; Lang; Larson, B.; Larson, R.; Lipsiea; Lloyd; Martin, C.; Martin, G.; Martinson; Melby; Mertens; Meyer, R.; Meyer, W.; Moore; Murphy; Nalewaja; Nicholas; Nowatzki; O'Connell; Olafson; Olsen, D.; Olson, A.; Opedahl; Peltier; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Rice; Riley; Rued; Sanstead; Schindler; Schneider; Schoenwald; Shide; Sinner; Solberg; Stofferahn; Strinden; Swiontek; Thompson; Timm; Unhjem; Vander Vorst; Wentz; Whalen; Wold; Madam Speaker

ABSENT AND NOT VOTING: Black; Hanson, L.; Horgan; Koski; O'Shea; Retzer

HB 1351 was declared lost.

\*\*\*\*\*

HB 1380: A BILL for an Act to amend and reenact section 43-33-11 of the North Dakota Century Code, relating to fees and continuing education requirements for annual renewals of license for hearing aid dealers and fitters and the effect of failure to renew in a timely manner.

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, 7 NAYS, 7 ABSENT AND NOT VOTING.

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

NAYS: Aubol; DeMers; Hill; Meier, A.; Melby; Murphy; Solberg

ABSENT AND NOT VOTING: Hanson, L.; Horgan; Koski; O'Shea; Retzer; Sanstead; Strinden

HB 1380 passed and the title was agreed to.

\*\*\*\*\*

HB 1418: A BILL for an Act to create and enact a new section to chapter 57-40.3 of the North Dakota Century Code, relating to liens for failure to pay motor vehicle excise tax.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 89 YEAS, 9 NAYS, 8 ABSENT AND NOT VOTING.

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

**NAYS:** Black; Conmy; Gunsch; Hanson, O.; Kingsbury; Lardy; Murphy; Rued; Shide

**ABSENT AND NOT VOTING:** Hanson, L.; Horgan; Koski; O'Shea; Retzer; Richard; Sanstead; Strinden

HB 1418 passed and the title was agreed to.

\*\*\*\*\*

**HB 1424:** A BILL for an Act to create and enact a new subsection to section 57-39.2-04 and a new subsection to section 57-40.2-04 of the North Dakota Century Code, relating to exemption of receipts from sales of gold and silver bullion from the sales and 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 55 YEAS, 44 NAYS, 7 ABSENT AND NOT VOTING.

**YEAS:** Anderson, R.; Backes; Black; Boyle; Conmy; Dotzenrod; Eagles; Gates; Goetz; Gorder; Gullickson; Halmrast; Hamerlik; Haugland; Hausauer; Hjelle; Hughes; Jacobson; Keller; Kent; Kloubec; Knudson; Koehn; Lang; Larson, R.; Lipsiea; Lloyd; Martin, C.; Martinson; Meier, A.; Mertens; Meyer, W.; Moore; Murphy; Mushik; Nalewaja; Nicholas; Nowatzki; Olafson; Olson, A.; Opedahl; Peterson; Rice; Riley; Rued; Schindler; Schneider; Sinner; Swiontek; Thompson; Timm; Unhjem; Watne; Wentz; Wold

**NAYS:** Anderson, C.; Aubol; Brokaw; DeMers; DuBord; Erdman; Gerl; Gunsch; Hanson, O.; Hill; Hoffner, Serenus; Hoffner, S. F.; Kingsbury;

Kretschmar; Kuchera; Lardy; Larson, B.; Laughlin;  
 Lautenschlager; Linderman; Martin, G.; Meiers, R.;  
 Melby; Meyer, R.; O'Connell; Olsen, D.; Peltier;  
 Pomeroy, E.; Pomeroy, G.; Rayl; Riehl; Sanstead;  
 Schoenwald; Shide; Shockman; Solberg; Stofferahn;  
 Strinden; Vander Vorst; Vig; Williams, A.;  
 Williams, C.; Williams, W.; Madam Speaker

ABSENT AND NOT VOTING: Hanson, L.; Horgan; Koski;  
 O'Shea; Retzer; Richard; Whalen

HB 1424 passed and the title was agreed to.

\*\*\*\*\*

#### MOTIONS

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

REP. BACKES MOVED that the House be on the Fifth order of business, and at the conclusion of the Fifth order, the House be on the Ninth order of business, and at the conclusion of the Ninth order, the House be on the Thirteenth order of business, and at the conclusion of the Thirteenth order, the House stand adjourned until 1:00 p.m., Monday, February 7, 1983, which motion prevailed.

#### REPORTS OF STANDING COMMITTEES

MADAM SPEAKER: Your Committee on Appropriations to which was referred HB 1060 has had the same under consideration and recommends by a vote of 19 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

- On page 1, line 2, delete the word "three" and insert in lieu thereof the word "four"
- On page 4, line 16, delete the word "Three" and insert in lieu thereof the word "Four"
- On page 4, after line 29, insert the following new subsection:

"May, in anticipation of federal revenues to be received within fifteen days, prepare warrants to be signed by the state auditor in payment of duly authorized vouchers even though funds at such time do not exist to honor the warrants. Warrants so issued shall be payable by the state treasurer out of any funds in the treasurer's hands other than sinking funds or funds dedicated by the Constitution of North Dakota for other purposes."

And renumber the lines, sections, and pages accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

This amendment provides the flexibility for the state treasurer to honor checks drawn on the general fund until funds are received from the Federal Government. Under present law the Department of Human Services could be caught short of funds; this law is in anticipation of funds coming from the Federal Government.

REP. MERTENS, Chairman

HB 1060 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

**MADAM SPEAKER:** Your Committee on Industry, Business, and Labor to which was referred Engrossed HB 1218 has had the same under consideration and recommends by a vote of 13 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1 of the engrossed bill, line 6, delete the words  
"; and to"

On page 1 of the engrossed bill, delete line 7

On page 1 of the engrossed bill, line 8, delete the words  
"to compensation determined by courts"

On page 4 of the engrossed bill, delete lines 1 and 2

And renumber the lines and pages accordingly

REP. S. F. HOFFNER, Chairman

Engrossed HB 1218 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

**MADAM SPEAKER:** Your Committee on Industry, Business, and Labor to which was referred HB 1226 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 2, after line 27, insert the following new section:

"26-17.2-01.1. Insurer defined. Wherever the term "insurer" is used in this chapter, it shall be defined as any corporation, association, benefit society, partnership or individual, including self-insurers, engaged as principals in the business of annuities or life or health insurance."

On page 5, line 34, after the period insert the following sentence: "The administrator shall pay an annual

renewal fee of twenty-five dollars to maintain the certificate."

And renumber the lines and sections accordingly  
 REP. S. F. HOFFNER, Chairman

HB 1226 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Industry, Business, and Labor to which was referred HB 1237 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 NOT PASS:

On page 1, line 6, delete the words "; and to repeal chapter"

On page 1, delete line 7

On page 1, line 8, delete the words "compensation coverage of civil air patrol members"

On page 3, delete lines 18 through 20

On page 4, line 16, delete the words "civil air patrol member,"

On page 4, line 23, delete the words ", and any member of a volunteer"

On page 4, line 24, delete the word "organization"

On page 9, delete lines 17 and 18

And renumber the lines and subsections accordingly  
 REP. S. F. HOFFNER, Chairman

HB 1237 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 1417 has had the same under consideration and recommends by a vote of 11 YEAS, 3 NAYS, 3 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 11, after the word "contract" insert the following new language: "for the purpose of installing it as a fixture"

And renumber the lines accordingly  
 REP. SINNER, Chairman

HB 1417 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Agriculture to which was referred HB 1465 has had the same under consideration and recommends by a vote of 16 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 11, delete the words "on a custom basis or"

On page 1, line 12, after the overstruck word "be" insert the words "or who slaughters animals on a custom basis"

On page 1, line 17, after the word "purchased" and before the period insert the words "or for whom any custom slaughtering is performed"

On page 1, line 18, after the word "purchased" and before the period insert the words "or from where the animal came"

On page 2, line 3, after the word "livestock" insert the word "sanitary"

And renumber the lines and pages accordingly

REP. W. MEYER, Chairman

HB 1465 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 rereferred HB 1480 has had the same under consideration and recommends by a vote of 13 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 9, delete the word "plant" and in lieu thereof insert the word "facility"

On page 1, line 15, after the word "that" insert the word "could"

On page 1, line 19, delete the word "net"

On page 1, line 21, delete the word "net"

On page 1, line 23, delete the words "seventy-five percent of"

On page 1, line 24, delete the words "that customer by"

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

On page 2, line 12, delete the word "net"

On page 2, line 13, delete the word "net"

On page 2, line 16, delete the word "net"

On page 2, line 18, delete the word "net"

And renumber the lines accordingly

REP. L. HANSON, Chairman

HB 1480 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Political Subdivisions to which was referred HB 1498 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 10, overstrike the word "ten" and insert immediately thereafter the word "fifteen"

On page 1, line 11, overstrike the word "fifteen" and insert immediately thereafter the word "twenty"

And renumber the lines accordingly

REP. DOTZENROD, Chairman

HB 1498 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 1504 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same be placed on the calendar without recommendation.

On page 1, line 10, delete the word "ten" and insert in lieu thereof the word "one"

And renumber the lines accordingly

REP. L. HANSON, Chairman

HB 1504 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 1530 has had the same under consideration and recommends by a vote of 18 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING

that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 3, after the word "university" insert the words "and by the Carrington experiment station"

On page 1, after line 15, insert the following new section:

"SECTION 2. APPROPRIATION. There is hereby appropriated out of any moneys in the operating fund of the Carrington experiment station, not otherwise appropriated, the sum of \$45,000, or so much thereof as may be necessary, to the Carrington experiment station for the purpose of defraying the expense of purchasing for agricultural research purposes a tract of land not to exceed fifty-six acres located in the north half of section six, township one hundred forty-six north, range sixty-six west, Foster County, North Dakota. The tract of land to be purchased is contiguous to the south boundary of the existing Carrington experiment station."

And renumber the lines, sections, and pages accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

This amendment is to allow the purchase of another tract of land requested by the Carrington Experiment Station. This land was previously rented by this Station, and recently went on the market for sale.

REP. MERTENS, Chairman

HB 1530 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 1583 has had the same under consideration and recommends by a vote of 15 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 14, delete lines 33 and 34

On page 15, delete lines 1 and 2, and insert in lieu thereof the words "elect a conversion policy. The member electing a conversion policy shall notify the carrier of such election and pay the required premium within thirty-one days of the termination of the continued coverage under the group contract."

And renumber the lines and pages accordingly

REP. L. HANSON, Chairman

HB 1583 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 1599 has had the same under consideration and recommends by a vote of 11 YEAS, 5 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 9, after the word "taxpayer" insert the words "who is the final user of agriculturally derived fuel in an internal combustion engine and who is"

On page 1, line 12, after the word "chapter" insert the words "for each gallon of agriculturally derived fuel used,"

And renumber the lines accordingly

REP. SINNER, Chairman

HB 1599 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

**MADAM SPEAKER:** Your Committee on Political Subdivisions to which was referred HB 1097 has had the same under consideration and recommends by a vote of 12 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

REP. DOTZENROD, Chairman

HB 1097 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

**MADAM SPEAKER:** Your Committee on Agriculture to which was referred HB 1101 has had the same under consideration and recommends by a vote of 16 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. W. MEYER, Chairman

HB 1101 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

**MADAM SPEAKER:** Your Committee on Transportation to which was referred HB 1312 has had the same under consideration and recommends by a vote of 12 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING that the same DO PASS.

REP. HJELLE, Chairman

HB 1312 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

**MADAM SPEAKER:** Your Committee on Transportation to which was referred HB 1315 has had the same under consideration and

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

REP. HJELLE, Chairman

HB 1315 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Political Subdivisions to which was referred HB 1332 has had the same under consideration and recommends by a vote of 12 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING that the same DO PASS.

REP. DOTZENROD, Chairman

HB 1332 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Agriculture to which was referred HB 1334 has had the same under consideration and recommends by a vote of 16 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. W. MEYER, Chairman

HB 1334 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Transportation to which was referred HB 1335 has had the same under consideration and recommends by a vote of 13 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. HJELLE, Chairman

HB 1335 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Political Subdivisions to which was referred HB 1358 has had the same under consideration and recommends by a vote of 12 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. DOTZENROD, Chairman

HB 1358 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Transportation to which was referred HB 1395 has had the same under consideration and recommends by a vote of 12 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. HJELLE, Chairman

HB 1395 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Political Subdivisions to which was referred HB 1434 has had the same under consideration and

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

REP. DOTZENROD, Chairman

HB 1434 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Social Services and Veterans Affairs to which was referred HB 1444 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. R. MEIERS, Chairman

HB 1444 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Political Subdivisions to which was referred HB 1445 has had the same under consideration and recommends by a vote of 8 YEAS, 4 NAYS, 4 ABSENT AND NOT VOTING that the same DO PASS.

REP. DOTZENROD, Chairman

HB 1445 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Political Subdivisions to which was referred HB 1446 has had the same under consideration and recommends by a vote of 13 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same DO PASS.

REP. DOTZENROD, Chairman

HB 1446 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Agriculture to which was referred HB 1456 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same DO PASS.

REP. W. MEYER, Chairman

HB 1456 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Political Subdivisions to which was referred HB 1468 has had the same under consideration and recommends by a vote of 9 YEAS, 3 NAYS, 4 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. DOTZENROD, Chairman

HB 1468 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Political Subdivisions to which was referred HB 1509 has had the same under consideration and

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

REP. DOTZENROD, Chairman

HB 1509 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Agriculture to which was rereferred HB 1522 has had the same under consideration and recommends by a vote of 16 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

REP. W. MEYER, Chairman

HB 1522 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Transportation to which was referred HB 1559 has had the same under consideration and recommends by a vote of 12 YEAS, 1 NAY, 3 ABSENT AND NOT VOTING that the same DO PASS.

REP. HJELLE, Chairman

HB 1559 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Transportation to which was referred HB 1567 has had the same under consideration and recommends by a vote of 10 YEAS, 4 NAYS, 2 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. HJELLE, Chairman

HB 1567 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Agriculture to which was referred HB 1646 has had the same under consideration and recommends by a vote of 16 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. W. MEYER, Chairman

HB 1646 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Political Subdivisions to which was referred HB 1649 has had the same under consideration and recommends by a vote of 13 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same DO PASS.

REP. DOTZENROD, Chairman

HB 1649 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Transportation to which was referred HB 1719 has had the same under consideration and

recommends by a vote of 8 YEAS, 4 NAYS, 4 ABSENT AND NOT VOTING that the same DO PASS.

REP. HJELLE, Chairman

HB 1719 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 SCR 4013 has had the same under consideration and recommends by a vote of 19 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

REP. MERTENS, Chairman

SCR 4013 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

#### FIRST READING OF HOUSE CONCURRENT RESOLUTION

Reps. Aubol, Gorder, W. Williams, Knudson, Lipsiea introduced:

HCR 3047: A concurrent resolution to direct the Legislative Council to study state water development alternatives to the Garrison Diversion Project, including municipal, industrial, and rural water supplies, irrigation near the source of water, and barge transportation on the Missouri River.

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

#### FIRST READING OF SENATE BILLS

SB 2032: A BILL for an Act making an appropriation for defraying the expenses of the southwest water pipeline project of the state of North Dakota.

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

SB 2068: A BILL for an Act to amend and reenact sections 27-05-03.1, 54-52-06.1, and subsection 4 of section 54-52-17 of the North Dakota Century Code, relating to retirement benefits for supreme and district court judges; and to repeal section 27-17-01.1 of the North Dakota Century Code, relating to supplemental retirement benefits for judges under the public employees retirement system.

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

SB 2088: A BILL for an Act to amend and reenact subsections 4 and 6 of section 15-39.1-04, and sections 15-39.1-18, 15-39.1-19.1, 15-39.1-22, and 15-39.1-27 of the North Dakota Century Code, relating to the definitions of "interest" and "teacher", disability retirement, discontinuance of annuities on resumption of teaching, the annual report of the board of trustees, and computing service credit for members.

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

- SB 2185:** A BILL for an Act to amend and reenact sections 52-01-02 and 52-01-03 of the North Dakota Century Code, relating to records and reports of employing units, and disclosure of information.  
Was read the first time and referred to the Committee on Industry, Business, and Labor.
- SB 2206:** A BILL for an Act to amend and reenact subsection 18 of section 52-01-01 and subsection 13 of section 52-06-02 of the North Dakota Century Code, relating to unemployment compensation definitions and disqualification for unemployment compensation benefits.  
Was read the first time and referred to the Committee on Industry, Business, and Labor.
- SB 2212:** A BILL for an Act to amend and reenact sections 53-02-01 and 53-02-08 of the North Dakota Century Code, relating to definitions of dances, dancing places, and musical performances and requirements for an officer of law to be in attendance at a public dance; and to repeal sections 53-02-02, 53-02-03, 53-02-04, 53-02-05, 53-02-06, 53-02-07, and 53-02-09 of the North Dakota Century Code, relating to permits and restrictions on public dances.  
Was read the first time and referred to the Committee on Political Subdivisions.
- SB 2213:** A BILL for an Act to create and enact a new subsection to section 43-15-15 of the North Dakota Century Code, relating to applicants for registration as pharmacists who are graduates of a school or college of pharmacy located outside the United States.  
Was read the first time and referred to the Committee on Industry, Business, and Labor.
- SB 2222:** A BILL for an Act to amend and reenact subsection 9 of section 52-09-20 of the North Dakota Century Code, relating to the determination of the primary insurance benefit under the North Dakota old age and survivor insurance system.  
Was read the first time and referred to the Committee on Industry, Business, and Labor.
- SB 2245:** A BILL for an Act to create and enact a new subsection to section 5-01-01, section 5-02-09.1, and three new sections to chapter 5-02 of the North Dakota Century Code, relating to the definition of licensed premises, the attorney general adopting rules for retail alcoholic beverage licensing pursuant to the Administrative Agencies Practices Act, the registration of the sale of beer in kegs, and prohibiting the sale of alcoholic beverages at a drive-in window, gas stations, and grocery stores; and to amend and reenact sections 5-02-04 and 5-02-06 of the North Dakota Century Code, relating to the licensure of alcoholic beverage retailers and prohibitions as to persons under twenty-one years of age; and to provide a penalty.

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

SB 2247: A BILL for an Act to amend and reenact section 47-04.1-07 of the North Dakota Century Code, relating to bylaws of condominiums.

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

SB 2251: A BILL for an Act to confirm and approve the preliminary designs for the southwest pipeline project and to authorize the construction of the southwest pipeline project; to empower the state water commission to operate and maintain the southwest pipeline project and distribute water through the southwest pipeline project to water user entities, including municipalities, rural water associations, and other water user entities; to provide for the deposit of revenues from the sale of water from the southwest pipeline project; to create funds for operation and maintenance of the southwest pipeline project and replacement of the southwest pipeline project; and to provide an appropriation.

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

SB 2267: A BILL for an Act to amend and reenact sections 62-01-04 and 62-01-20 of the North Dakota Century Code, relating to persons prohibited from possessing pistols; and to provide a penalty.

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

SB 2295: A BILL for an Act to create and enact a new subsection to section 57-02-08 of the North Dakota Century Code, providing an exemption from property taxes for new single family residential property which meets certain qualifications; and to provide an effective date and an expiration date.

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

SB 2306: A BILL for an Act to create and enact two new sections to chapter 14-09 of the North Dakota Century Code, relating to child support.

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

SB 2331: A BILL for an Act to provide for discretionary tuition waivers to be granted by the presidents of specified institutions of higher education under the direction of the state board of higher education.

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

SB 2339: A BILL for an Act to require the director of the institute for regional studies of North Dakota state

university to compile, publish, and distribute four general volumes of history in the series "The Centennial Heritage Series"; an agricultural history, a social history, a literary history, and a history of North Dakota native Americans; and to provide an appropriation.

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

**SB 2342:** A BILL for an Act to provide for the issuance, sale, and delivery of water development bonds, southwest pipeline series; to create a sinking fund and other funds; to provide for the servicing and retirement of the bonds; to provide a continuing appropriation for the payment of the bonds; and to amend and reenact section 57-51.1-07 of the North Dakota Century Code, relating to the allocation of oil extraction tax revenues; and to provide an effective date.

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

The House stood adjourned pursuant to Representative Backes' motion.

**CHARLES FLEMING, Chief Clerk**