

JOURNAL OF THE HOUSE

Forty-eighth Legislative Assembly

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TWENTY-SIXTH DAY

Bismarck, February 8, 1983

The House convened at 1:15 p.m., with Speaker Kelly presiding.

The prayer was offered by Rev. Kenrad Pederson, Arthur United Methodist Church, Arthur.

ROLL CALL

The roll was called and all members were present.

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-fifth day and finds the same to be correct.

REP. LAUGHLIN, Chairman

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

SIGNING OF BILLS AND RESOLUTIONS

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following:

SB 2017, SB 2103

CHARLES FLEMING, Chief Clerk

MESSAGES TO THE SENATE

HOUSE CHAMBER

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

SB 2017, SB 2103

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 1380, HB 1418, HB 1424

Very respectfully,
CHARLES FLEMING, Chief Clerk

**MESSAGES FROM THE SENATE
SENATE CHAMBER**

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

SB 2146, SB 2216, SB 2226, SB 2270, SB 2311, SB 2316,
SB 2386, SB 2387, SB 2399, SB 2404, SB 2405, SB 2419,
SB 2422, SB 2438, SB 2445, SB 2446, SB 2456, SB 2474,
SB 2482

Very respectfully,
LEO LEIDHOLM, Secretary

SENATE CHAMBER

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

SCR 4024

Very respectfully,
LEO LEIDHOLM, Secretary

SIXTH ORDER OF BUSINESS

REP. R. MEIERS MOVED that the amendments to HB 1057 as recommended by the Committee on Social Services and Veterans Affairs as printed on pages 810-812 of the House Journal be adopted and when so adopted, recommends that HB 1057 be referred to the Committee on Appropriations, which motion prevailed.

SPEAKER KELLY ANNOUNCED that HB 1057 was rereferred to the Committee on Appropriations.

REP. HJELLE MOVED that the amendments to HB 1189 as recommended by the Committee on Transportation as printed on page 812 of the House Journal be adopted, which motion prevailed.

REP. MERTENS MOVED that the amendments to HB 1367 as recommended by the Committee on Appropriations as printed on page 813 of the House Journal be adopted, which motion prevailed.

REP. DOTZENROD MOVED that the amendments to HB 1391 as recommended by the Committee on Political Subdivisions as printed on page 813 of the House Journal be adopted, which motion prevailed.

REP. DOTZENROD MOVED that the amendments to HB 1425 as recommended by the Committee on Political Subdivisions as printed on pages 813 and 814 of the House Journal be adopted, which motion prevailed.

REP. L. HANSON MOVED that the amendments to HB 1448 as recommended by the Committee on State and Federal Government as printed on page 814 of the House Journal be adopted, which motion prevailed.

REP. JACOBSON MOVED that the amendments to HB 1458 as recommended by the Committee on Education as printed on pages 814-817 of the House Journal be adopted, which motion prevailed.

REP. HJELLE MOVED that the amendments to HB 1539 as recommended by the Committee on Transportation as printed on page 817 of the House Journal be adopted.

MOTION

REP. UNHJEM MOVED that the amendments to HB 1539 be laid on the table.

ROLL CALL

The question being on the motion to lay the amendments to HB 1539 on the table, the roll was called and there were 40 YEAS, 66 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Black; Conmy; Eagles; Gates; Goetz; Gunsch; Hamerlik; Hanson, O.; Hausauer; Kent; Kingsbury; Kloubec; Knudson; Koehn; Kretschmar; Kuchera; Lang; Martin, C.; Martinson; Melby; Moore; Murphy; Nalewaja; Peltier; Retzer; Rice; Riley; Rued; Sanstead; Schindler; Strinden; Swiontek; Thompson; Timm; Unhjem; Vander Vorst; Whalen; Wold

NAYS: Aubol; Backes; Boyle; Brokaw; DeMers; Dotzenrod; DuBord; Erdman; Gerl; Gorder; Gullickson; Halmrast; Hanson, L.; Haugland; Hill; Hjelle; Hoffner; Serenus; Hoffner, S. F.; Horgan; Hughes; Jacobson; Keller; Koski; Lardy; Larson, B.; Larson, R.; Laughlin; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, G.; Meier, A.; Meiers, R.; Mertens; Meyer, R.; Meyer, W.; Mushik; Nicholas; Nowatzki; O'Connell; Olafson; Olsen, D.; Olson, A.; Opedahl; O'Shea; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Richard; Riehl; Schneider; Schoenwald; Shide; Shockman; Sinner; Solberg; Stofferahn; Vig; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Madam Speaker

ABSENT AND NOT VOTING: None

So the motion to lay the amendments to HB 1539 on the table failed to pass.

MOTION

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

So the amendments to HB 1539 were declared adopted on a verification vote.

SIXTH ORDER OF BUSINESS

REP. HJELLE MOVED that the amendments to HB 1630 as recommended by the Committee on Transportation as printed on page 818 of the House Journal be adopted, which motion prevailed.

REP. BROKAW MOVED that the amendments to HB 1631 as recommended by the Committee on Natural Resources as printed on page 819 of the House Journal be adopted, which motion prevailed.

REP. W. MEYER MOVED that the amendments to HB 1637 as recommended by the Committee on Agriculture as printed on page 819 of the House Journal be adopted, which motion prevailed.

REP. BROKAW MOVED that the amendments to HB 1650 as recommended by the Committee on Natural Resources as printed on page 819 of the House Journal be adopted, which motion prevailed.

REP. W. MEYER MOVED that the amendments to HB 1718 as recommended by the Committee on Agriculture as printed on page 820 of the House Journal be adopted and when so adopted, recommends that HB 1718 be referred to the Committee on Appropriations, which motion prevailed.

SPEAKER KELLY ANNOUNCED that HB 1718 was rereferred to the Committee on Appropriations.

REPORTS OF PROCEDURAL COMMITTEE

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

HB 1060, HB 1218, HB 1226, HB 1237, HB 1417, HB 1465,
HB 1480, HB 1498, HB 1504, HB 1530, HB 1583, HB 1599

REP. G. MARTIN, Chairman

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

MADAM SPEAKER: Your procedural Committee on Delayed Bills, by a vote of 4 to 1, concludes that the introduction of HB 1726 should be allowed.

REP. BACKES, CHAIRMAN

FIRST READING OF A HOUSE BILL

Reps. R. Anderson, Hughes introduced:

HB 1726: A BILL for an Act to provide a two-year exemption from the oil extraction tax for newly drilled wells; and to provide an expiration date.

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

MOTION

REP. KENT MOVED that HB 1550 be returned to the House floor from the Committee on Judiciary, which motion prevailed.

REQUEST

REP. KENT REQUESTED the unanimous consent of the House to withdraw HB 1550. There being no objection, it was so ordered by the Speaker.

MOTION

REP. HALMRAST MOVED that HB 1651 be returned to the House floor from the Committee on Natural Resources, which motion prevailed.

REQUEST

REP. HALMRAST REQUESTED the unanimous consent of the House to withdraw HB 1651. There being no objection, it was so ordered by the Speaker.

SECOND READING OF HOUSE BILLS

HB 1468: A BILL for an Act to provide the board of county commissioners the authority upon petition and after a hearing to restrict the running of dogs in a county subdivision.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 7 YEAS, 98 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: DuBord; Gates; Lardy; Nalewaja; Rayl; Stofferahn; Timm

NAYS: Anderson, C.; Anderson, R.; Aubol; Backes; Black; Boyle; Brokaw; Conmy; DeMers; Dotzenrod; Eagles; Erdman; 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; 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; Nicholas; Nowatzki; O'Connell; Olafson; Olsen, D.; Olson, A.; Opedahl; O'Shea; Peltier; Peterson; Pomeroy, E.; Pomeroy, G.; Retzer; Rice; Richard; Riehl; Riley; Rued; Sanstead; Schindler; Schneider; Schoenwald; Shide; Shockman; Sinner; Solberg; Swiontek; Thompson; Unhjem; Vander Vorst; Vig; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Wold; Madam Speaker

ABSENT AND NOT VOTING: Strinden

HB 1468 was declared lost.

HB 1470: A BILL for an Act to amend and reenact section 65-12-06 of the North Dakota Century Code, relating to testing of steam boilers and the time periods for certification and inspection requirements.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended on page 741 of the House Journal, the roll was called and there were 101 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Aubol; Backes; Black; 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.; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, C.; Martin, G.; Martinson; Meier, A.; Meiers, R.; Melby; Mertens; Meyer, W.; Moore; Murphy; Mushik; Nalewaja; Nicholas; Nowatzki; O'Connell; Olafson; Olsen, D.; Olson, A.; Opedahl; O'Shea; Peltier; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Rice; Richard; Riehl; Riley; Sanstead; Schindler; Schneider; Schoenwald; Shide; Shockman; Sinner; Solberg; Stofferahn; Swiontek; Thompson; Timm; Unhjem; Vander Vorst; Vig; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Wold; Madam Speaker

NAYS: Boyle; Laughlin; Meyer, R.; Rued

ABSENT AND NOT VOTING: Strinden

HB 1470 passed and the title was agreed to.

RECOGNITION

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

SECOND READING OF HOUSE BILLS

HB 1522: A BILL for an Act to amend and reenact section 51-13-06.2 of the North Dakota Century Code, relating to applicability of a retail installment sale of personal property.

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, 0 NAYS, 3 ABSENT AND NOT VOTING.

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

HB 1522 passed and the title was agreed to.

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

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 16 YEAS, 86 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Anderson, R.; Dotzenrod; Gates; Hill; Hoffner, Serenus; Hughes; Koski; Lardy; Melby; Rayl; Rued; Sanstead; Solberg; Thompson; Williams, A.; Williams, C.

NAYS: Anderson, C.; Aubol; Black; Boyle; Brokaw; Conmy; DeMers; DuBord; Eagles; Erdman; Goetz; Gorder; Gullickson; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer; Hjelle; Hoffner, S. F.; Horgan; Jacobson; Keller; Kent; Kingsbury; Kloubec; Knudson; Koehn; Kretschmar; Kuchera; Lang; Larson, B.; Larson, R.; Laughlin; Lautenschlager; Linderman;

Lipsiea; Lloyd; Martin, C.; Martin, G.; Meier, A.;
 Meiers, R.; 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.;
 Retzer; Rice; Richard; Riehl; Riley; Schindler;
 Schneider; Schoenwald; Shide; Shockman; Sinner;
 Stofferahn; Strinden; Swiontek; Timm; Unhjem;
 Vander Vorst; Vig; Watne; Wentz; Whalen; Williams, W.;
 Wold; Madam Speaker

ABSENT AND NOT VOTING: Backes; Gerl; Gunsch; Martinson

HB 1567 was declared lost.

HB 1633: A BILL for an Act to amend and reenact section 29-15-21
 of the North Dakota Century Code, relating to demands for
 change of judge.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended on
 pages 741 and 742 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; Black; Brokaw;
 Conmy; DeMers; Dotzenrod; DuBord; Eagles; Erdman;
 Gates; Gerl; Goetz; Gorder; Gullickson; Halmrast;
 Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer;
 Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan;
 Hughes; Jacobson; Keller; Kent; Kingsbury; Kloubec;
 Knudson; Koehn; Koski; Kretschmar; Kuchera; Lang;
 Lardy; Larson, B.; Larson, R.; Laughlin;
 Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, C.;
 Martin, G.; Martinson; Meier, A.; Meiers, R.; Melby;
 Mertens; Meyer, R.; Meyer, W.; Moore; Murphy; Mushik;
 Nalewaja; Nicholas; Nowatzki; O'Connell; Olafson;
 Olsen, D.; Olson, A.; Opedahl; O'Shea; Peltier;
 Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Rice;
 Richard; Riehl; Riley; Rued; Sanstead; Schindler;
 Schneider; Schoenwald; Shide; Shockman; Sinner;
 Solberg; Stofferahn; Strinden; Swiontek; Thompson;
 Timm; Unhjem; Vander Vorst; Vig; Watne; Wentz; Whalen;
 Williams, A.; Williams, C.; Williams, W.; Wold;
 Madam Speaker

NAYS: None

ABSENT AND NOT VOTING: Backes; Boyle; Gunsch

HB 1633 passed and the title was agreed to.

HB 1646: A BILL for an Act to amend and reenact subsections 11 and 12 of section 4-18.1-01, subsection 1 of section 4-18.1-05, and section 4-18.1-10 of the North Dakota Century Code, relating to the authority of the Milk Stabilization Board; and to repeal subsections 2, 3, 4, 5, 6, 7, 8, 9, and 10 of section 4-18.1-07 of the North Dakota Century Code, relating to stabilization plans and minimum prices.

Which has been read.

MOTION

REP. PETERSON 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 16 YEAS, 88 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Aubol; Boyle; Conmy; Halmrast; Hoffner, Serenus; Lardy; Meier, A.; Murphy; Nalewaja; Olafson; Peltier; Rued; Schneider; Shockman; Madam Speaker

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

ABSENT AND NOT VOTING: Martinson; Richard

HB 1646 was declared lost.

MOTION

REP. MELBY MOVED that HB 1106 be returned to the House floor from the Committee on Judiciary, which motion prevailed.

REQUEST

REP. MELBY REQUESTED the unanimous consent of the House to withdraw HB 1106. There being no objection, it was so ordered by the Speaker.

MOTION

REP. SERENUS HOFFNER MOVED that HB 1134 be returned to the House floor from the Committee on Judiciary, which motion prevailed.

REQUEST

REP. SERENUS HOFFNER REQUESTED the unanimous consent of the House to withdraw HB 1134. There being no objection, it was so ordered by the Speaker.

SECOND READING OF HOUSE BILLS

HB 1658: A BILL for an Act to amend and reenact section 25-03.1-29 of the North Dakota Century Code, relating to appeals from orders of involuntary commitment.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended on page 743 of the House Journal, the roll was called and there were 37 YEAS, 69 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Brokaw; DeMers; DuBord; Eagles; Halmrast; Hamerlik; Hanson, L.; Haugland; Hill; Hoffner, Serenus; Horgan; Jacobson; Koski; Lardy; Laughlin; Lautenschlager; Linderman; Lloyd; Martin, G.; Meier, A.; Moore; Mushik; Nicholas; Nowatzki; Opedahl; O'Shea; Pomeroy, E.; Pomeroy, G.; Rayl; Riley; Sanstead; Schoenwald; Stofferahn; Vig; Wentz; Williams, A.; Williams, W.

NAYS: Anderson, C.; Anderson, R.; Aubol; Backes; Black; Boyle; Conmy; Dotzenrod; Erdman; Gates; Gerl; Goetz; Gorder; Gullickson; Gunsch; Hanson, O.; Hausauer; Hjelle; Hoffner, S. F.; Hughes; Keller; Kent; Kingsbury; Kloubec; Knudson; Koehn; Kretschmar; Kuchera; Lang; Larson, B.; Larson, R.; Lipsiea; Martin, C.; Martinson; Meiers, R.; Melby; Mertens; Meyer, R.; Meyer, W.; Murphy; Nalewaja; O'Connell; Olafson; Olsen, D.; Olson, A.; Peltier; Peterson; Retzer; Rice; Richard; Riehl; Rued; Schindler; Schneider; Shide; Shockman; Sinner; Solberg; Strinden; Swiontek; Thompson; Timm; Unhjem; Vander Vorst; Watne; Whalen; Williams, C.; Wold; Madam Speaker

ABSENT AND NOT VOTING: None

HB 1658 was declared lost.

HB 1672: A BILL for an Act to amend and reenact section 4-08-10.1 of the North Dakota Century Code, relating to the premiums received by county agents for achievement days programs.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended on page 743 of the House Journal, the roll was called and there were 88 YEAS, 14 NAYS, 4 ABSENT AND NOT VOTING.

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

NAYS: Boyle; Conmy; Eagles; Gates; Hughes; Larson, R.; Murphy; Mushik; Rayl; Rice; Riley; Thompson; Wold; Madam Speaker

ABSENT AND NOT VOTING: Gunsch; Kent; Kuchera; Whalen

HB 1672 passed and the title was agreed to.

HB 1674: A BILL for an Act to amend and reenact section 40-05-17 of the North Dakota Century Code, relating to a definition of preponderance; 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 743 and 744 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;

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

NAYS: None

ABSENT AND NOT VOTING: Gunsch; Nowatzki; Whalen

HB 1674 passed, the title was agreed to, and the emergency clause carried.

HB 1688: A BILL for an Act to amend and reenact section 28-01-25 of the North Dakota Century Code, relating to disabilities extending the limitations on actions.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended on page 745 of the House Journal, the roll was called and there were 93 YEAS, 11 NAYS, 2 ABSENT AND NOT VOTING.

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

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

NAYS: Aubol; Kingsbury; Kretschmar; Kuchera; Lipsiea;
Meier, A.; Meiers, R.; Peltier; Schneider; Vig; Wentz

ABSENT AND NOT VOTING: Gorder; Gunsch

HB 1688 passed and the title was agreed to.

HB 1719: A BILL for an Act to amend and reenact section 24-02-27 of the North Dakota Century Code, relating to the selection of arbitrators in highway construction contract disputes.

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

NAYS: Aubol; Gerl; Schneider; Schoenwald

ABSENT AND NOT VOTING: Brokaw; Gorder

HB 1719 passed and the title was agreed to.

HB 1060: A BILL for an Act to create and enact a new subsection to section 54-11-01 and four new subsections to section 54-44-04 of the North Dakota Century Code, relating to duties of the state treasurer and the director of the

office of management and budget and implementation and operation of an accrual fund accounting system; and to amend and reenact sections 15-10-12, 54-27-08, 54-27-11, and 54-44.1-11 of the North Dakota Century Code, relating to an accrual fund accounting system.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended on pages 765 and 766 of the House Journal, the roll was called and there were 100 YEAS, 0 NAYS, 6 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Brokaw; Gorder; Hill; Kent; Kingsbury; Peterson

HB 1060 passed and the title was agreed to.

MOTION

REP. GERL MOVED that HB 1218 be placed at the foot of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILLS

HB 1226: A BILL for an Act to create and enact chapter 26-17.2 of the North Dakota Century Code, relating to administrators of life or health insurance coverage or annuities; 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 766 and 767 of the House Journal, the roll was called and there were 98 YEAS, 0 NAYS, 8 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Gerl; Gorder; Kent; Kingsbury; Kuchera; Lardy; Peterson; Rued

HB 1226 passed and the title was agreed to.

HB 1237: A BILL for an Act to amend and reenact sections 65-05-09, 65-06-01, 65-06-02, 65-06-03, 65-06-04, 65-06-05, 65-07-01, 65-07-03, 65-07-04, 65-07.1-01, 65-07.1-02, and 65-07.1-03 of the North Dakota Century Code, relating to workmen's compensation coverage of volunteers and participants in vocational training, special education, or work evaluation programs.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended on page 767 of the House Journal, the roll was called and there were 54 YEAS, 47 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Aubol; Backes; Black; Boyle; Brokaw; Conmy; DeMers; DuBord; Erdman; Gerl; Gullickson; Halmrast; Hamerlik; Hanson, L.; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Jacobson; Keller; Koski; Lardy; Larson, B.; Laughlin; Lautenschlager;

Linderman; Lloyd; Martin, G.; Meiers, R.; Mertens;
 Mushik; Nowatzki; O'Connell; Opedahl; O'Shea;
 Pomeroy, E.; Pomeroy, G.; Rayl; Richard; Sanstead;
 Schneider; Schoenwald; Shockman; Sinner; Solberg;
 Stofferahn; Swiontek; Vig; Watne; Williams, A.;
 Williams, C.; Williams, W.; Madam Speaker

NAYS: Anderson, R.; Dotzenrod; Eagles; Gates; Goetz;
 Gunsch; Hanson, O.; Haugland; Hausauer; Hughes; Kent;
 Kingsbury; Kloubec; Knudson; Koehn; Kretschmar; Lang;
 Larson, R.; Lipsiea; Martin, C.; Martinson; Melby;
 Meyer, R.; Meyer, W.; Moore; Murphy; Nalewaja;
 Nicholas; Olafson; Olson, A.; Peltier; Peterson;
 Retzer; Rice; Riehl; Riley; Rued; Schindler; Shide;
 Strinden; Thompson; Timm; Unhjem; Vander Vorst; Wentz;
 Whalen; Wold

ABSENT AND NOT VOTING: Gorder; Horgan; Kuchera;
 Meier, A.; Olsen, D.

HB 1237 passed and the title was agreed to.

MOTION

REP. BACKES MOVED that the House stand in recess until
 3:25 p.m., which motion prevailed.

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

REPORT OF PROCEDURAL COMMITTEE

MADAM SPEAKER: Your Committee on Enrollment and Engrossment
 respectfully reports that the following bills were delivered to
 the Governor for his approval at the hour of 3:09 p.m.,
 February 8, 1983:

HB 1099, HB 1171

REP. G. MARTIN, Chairman

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

POINT OF PERSONAL PRIVILEGE

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

Madam Speaker, earlier today, House Bill 1539 was on the
 Sixth order for consideration. It was a division on the
 question of accepting or not accepting the amendments.

The Speaker, as presiding officer, kept the board open, the
 tally board for an unusually long time. This is my ninth

session, I believe. I have never witnessed this type of unacceptable practice at any prior sessions. I truly believe the members of this assembly are supposed to vote on the merits of the amendments of the bills before us, not according to how they observed the tally board.

I would suggest, Madam Speaker, that if this practice should be continued, that we exercise the options available to the House of not having the board lighted, if that option is available, until the board is closed and the vote is to be announced.

It was obvious to everyone here that the Speaker was waiting until votes changed and the directions were being given to the Speaker by the Chief Clerk.

If we're going to keep the board open, allowing for this kind of charade to go on, I would suggest then that the people at the Speaker's desk learn to count in twos or fours or a good deal faster than what we observed today.

Earlier today the Executive Director of the Democrat Party was seated at the desk listening to the tapes which are kept by the desk reporter.

I object, and object strenuously to the interjection of partisan politics to the front desk operation of this assembly.

The equipment that is there is for the use of the House and for the employees of the House. The idea that an executive director of a political party would be using that equipment or listening to those tapes for whatever purpose, is not only unacceptable, I consider it unprecedented; I've never known it to happen before.

There are some things that we should not allow to happen for the good of this assembly. The two things I have mentioned fall into that category. I would trust they won't happen again.

REP. BACKES: Madam Speaker, members of the House:

I've been here; and this is my twelfth session. Never, never, in those twelve sessions, have I seen so many times, and this is the height of them, where the integrity of the employees, and now the integrity of the Speaker, is challenged.

That is something we do not do. We do not challenge the integrity of each other, or the Speaker of this assembly whom we elected as our Speaker. Whatever the reason that the Speaker kept the key open, it was not to count the votes, and was not for me to count the votes, or for anyone

else. I never asked her what the reason was, but it was not a case of playing games, as Earl Strinden says.

I would hope that this assembly would at least recognize our individual right to differ in politics, without challenging one's integrity.

As far as complaining, he has his facts wrong again. He says that the executive secretary was sitting at the desk. The person that was at the desk, whom he is referring to, is an employee of mine who was asked to get my remarks from the debate of yesterday from the tape. That is how simple it is.

All he would have had to do was come and ask me before he made such a charge on the floor.

He can not find anything wrong with the way the House is run. I believe it is nothing more than petty charges.

I do not like it.

I never did it as a minority leader, to the majority, and I would hope it stops soon.

REP. STRINDEN: Madam Speaker: First let me say, if I am wrong on the situation at the front desk, I will gladly admit it. I will make sure one way or another and will publicly admit it.

The idea that is the first time that such a thing has happened, that someone would arise on the floor and take exception. Goodness sakes, in the years that I've served as majority leader and on a Friday afternoon I'd be driving home and I'd be listening to the radio--on the hour I'd hear that Representative Strinden did this wrong, ran roughshod on this, was a dictator on this. No, ladies and gentlemen, this is far from the first time.

When I get up on the floor in a situation like this, pointing out that the board was kept open, and kept open, and kept open, and kept open, it's because I think it's a serious matter. It's not nitpicking. All I'm saying is, if the shoe fits, wear it, and if it doesn't, okay.

I dare say for the people who serve here and I've served here for a good long time, they have not seen that type of a situation in any prior sessions, and neither have I.

MOTIONS

REP. MUSHIK MOVED that the remarks of Rep. Backes in response to Rep. Strinden also be printed in the Journal, which motion prevailed.

REP. S. F. HOFFNER MOVED that the further remarks of Rep. Strinden be printed in the Journal, which motion prevailed.

REP. MERTENS MOVED that the House reconsider its action whereby HB 1649 failed to pass, which motion prevailed.

REP. MERTENS MOVED that HB 1649 be rereferred to the Committee on Political Subdivisions, which motion prevailed.

SPEAKER KELLY ANNOUNCED that HB 1649 was referred to the Committee on Political Subdivisions.

SECOND READING OF HOUSE BILLS

HB 1317: A BILL for an Act to amend and reenact section 57-01-13 of the North Dakota Century Code, relating to the collection of delinquent sales, use, income, and business and corporation privilege taxes from taxpayers not residing in North Dakota.

Which has been read.

ROLL CALL

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

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

NAYS: Kingsbury; Murphy

ABSENT AND NOT VOTING: Gorder; Kretschmar; Kuchera; Nicholas; Peterson; Retzer

HB 1317 passed and the title was agreed to.

HB 1417: A BILL for an Act to create and enact a new section to chapter 57-40.2 of the North Dakota Century Code, relating to the use tax upon contractors.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended on page 767 of the House Journal, the roll was called and there were 64 YEAS, 37 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Anderson, R.; Aubol; Backes; Black; Boyle; Brokaw; DeMers; DuBord; Eagles; Erdman; Gerl; Goetz; Gullickson; Halmrast; Hanson, L.; Haugland; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Hughes; Jacobson; Keller; Koski; Lardy; Larson, B.; Larson, R.; Laughlin; Lautenschlager; Linderman; Lloyd; Martin, C.; Martin, G.; Martinson; Meier, A.; Meiers, R.; Mertens; Meyer, R.; Meyer, W.; Mushik; Nowatzki; O'Connell; Opedahl; O'Shea; Pomeroy, E.; Pomeroy, G.; Rayl; Richard; Riehl; Sanstead; Schindler; Schneider; Schoenwald; Shockman; Sinner; Solberg; Stofferahn; Swiontek; Vig; Watne; Williams, A.; Williams, W.; Wold; Madam Speaker

NAYS: Anderson, C.; Conmy; Dotzenrod; Gates; Gunsch; Hamerlik; Hanson, O.; Hausauer; Horgan; Kent; Kingsbury; Kloubec; Knudson; Koehn; Kretschmar; Lang; Lipsiea; Melby; Moore; Murphy; Nalewaja; Olafson; Olsen, D.; Olson, A.; Peltier; Rice; Riley; Rued; Shide; Strinden; Thompson; Timm; Unhjem; Vander Vorst; Wentz; Whalen; Williams, C.

ABSENT AND NOT VOTING: Gorder; Kuchera; Nicholas; Peterson; Retzer

HB 1417 passed and the title was agreed to.

SECOND READING OF HOUSE BILLS

HB 1465: A BILL for an Act to amend and reenact section 36-09-15 of the North Dakota Century Code, relating to the records of branded cattle slaughtered by a butcher.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended on page 768 of the House Journal, the roll was called and there were 96 YEAS, 4 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Aubol; Backes; Brokaw; Conmy; DeMers; Dotzenrod; DuBord; Eagles; Erdman;

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

NAYS: Boyle; Mertens; Opedahl; Peltier

ABSENT AND NOT VOTING: Black; Gorder; Kuchera; Nicholas; Peterson; Retzer

HB 1465 passed and the title was agreed to.

HB 1480: A BILL for an Act to provide for rates and conditions of service for cogenerators and small power producers; 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 768 and 769 of the House Journal, the roll was called and there were 47 YEAS, 54 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Aubol; Boyle; Brokaw; DeMers; Dotzenrod; Eagles; Halmrast; Hamerlik; Hanson, L.; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Keller; Kent; Kloubec; Koski; Lang; Lardy; Larson, B.; Lipsiea; Lloyd; Martin, G.; Martinson; Meier, A.; Moore; Nalewaja; Olafson; O'Shea; Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Richard; Riley; Sanstead; Schindler; Schoenwald; Shockman; Solberg; Stofferahn; Swiontek; Watne; Williams, A.; Williams, C.; Williams, W.; Wold

NAYS: Anderson, C.; Anderson, R.; Backes; Conmy; DuBord; Erdman; Gates; Gerl; Goetz; Gullickson; Hanson, O.; Haugland; Hausauer; Horgan; Hughes; Jacobson; Kingsbury; Knudson; Koehn; Kretschmar; Larson, R.; Laughlin; Lautenschlager; Linderman; Martin, C.; Meiers, R.; Melby; Mertens; Meyer, R.; Meyer, W.; Murphy; Mushik; Nicholas; Nowatzki; O'Connell;

Olsen, D.; Olson, A.; Opedahl; Peltier; Peterson; Rice;
 Riehl; Rued; Schneider; Shide; Strinden; Thompson;
 Timm; Unhjem; Vander Vorst; Vig; Wentz; Whalen;
 Madam Speaker

ABSENT AND NOT VOTING: Black; Gorder; Gunsch; Kuchera;
 Sinner

HB 1480 was declared lost.

HB 1486: A BILL for an Act to amend and reenact section 57-38-01.7 and subsection 8 of section 57-38-30.3 of the North Dakota Century Code, relating to deductions for contributions to nonprofit private institutions of elementary education; 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 46 YEAS, 57 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Backes; Boyle; Conmy; Dotzenrod;
 DuBord; Gates; Halmrast; Hanson, L.; Hill;
 Hoffner, Serenus; Horgan; Jacobson; Koehn; Koski;
 Kretschmar; Laughlin; Lautenschlager; Lloyd;
 Martin, C.; Martinson; Melby; Mertens; Meyer, W.;
 Nicholas; Nowatzki; Olafson; Olsen, D.; Opedahl;
 O'Shea; Rayl; Retzer; Riehl; Riley; Rued; Sanstead;
 Schneider; Schoenwald; Shide; Stofferahn; Strinden;
 Unhjem; Vander Vorst; Watne; Williams, W.; Wold

NAYS: Anderson, R.; Aubol; Brokaw; DeMers; Eagles;
 Erdman; Gerl; Goetz; Gullickson; Gunsch; Hamerlik;
 Hanson, O.; Haugland; Hausauer; Hjelle; Hoffner, S. F.;
 Hughes; Keller; Kent; Kingsbury; Kloubec; Knudson;
 Lang; Lardy; Larson, B.; Larson, R.; Linderman;
 Lipsiea; Martin, G.; Meier, A.; Meiers, R.; Meyer, R.;
 Moore; Murphy; Mushik; Nalewaja; O'Connell; Olson, A.;
 Peltier; Peterson; Pomeroy, E.; Pomeroy, G.; Rice;
 Richard; Schindler; Shockman; Sinner; Solberg;
 Swiontek; Thompson; Timm; Vig; Wentz; Whalen;
 Williams, A.; Williams, C.; Madam Speaker

ABSENT AND NOT VOTING: Black; Gorder; Kuchera

HB 1486 was declared lost.

HB 1498: A BILL for an Act to amend and reenact section 58-08-01 of the North Dakota Century Code, relating to compensation of township treasurers.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended on page 769 of the House Journal, the roll was called and there were 102 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Black; Gorder; Knudson; Kuchera

HB 1498 passed and the title was agreed to.

HB 1504: A BILL for an Act to amend and reenact subsection 1 of section 39-03-04 of the North Dakota Century Code, relating to the age qualifications for highway patrolmen.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended on page 769 of the House Journal, the roll was called and there were 12 YEAS, 91 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: DeMers; Hamerlik; Koski; Meier, A.; Olafson; O'Shea; Pomeroy, G.; Sinner; Stofferahn; Strinden; Unhjem; Wold

NAYS: Anderson, C.; Anderson, R.; Aubol; Backes; Boyle; Brokaw; Conmy; Dotzenrod; DuBord; Eagles; Erdman; Gates; Gerl; Goetz; 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; Kretschmar; Lang; Lardy; Larson, B.; Larson, R.; Laughlin; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, C.; Martin, G.; Martinson; Meiers, R.; Melby; Mertens; Meyer, R.; Meyer, W.; Moore; Murphy; Mushik; Nalewaja; Nicholas; Nowatzki; O'Connell; Olsen, D.; Olson, A.; Opedahl; Peltier; Peterson; Pomeroy, E.; Rayl; Retzer; Rice; Richard; Riehl; Riley; Rued; Sanstead; Schindler; Schneider; Schoenwald; Shide; Shockman; Solberg; Swiontek; Thompson; Timm; Vander Vorst; Vig; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Madam Speaker

ABSENT AND NOT VOTING: Black; Gorder; Kuchera

HB 1504 was declared lost.

HB 1530: A BILL for an Act making an appropriation for defraying the expense of the purchase of certain land for agricultural research purposes by the main experiment station of North Dakota state university and by the Carrington experiment station; and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended on page 770 of the House Journal, the roll was called and there were 94 YEAS, 8 NAYS, 4 ABSENT AND NOT VOTING.

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

Vander Vorst; Vig; Watne; Wentz; Williams, A.;
Williams, C.; Wold; Madam Speaker

NAYS: Brokaw; Kent; Kingsbury; Lipsiea; Murphy; Retzer;
Riley; Williams, W.

ABSENT AND NOT VOTING: Black; Gorder; Shockman; Whalen

HB 1530 passed, the title was agreed to, and the emergency clause carried.

HB 1554: A BILL for an Act to amend and reenact subsection 3 of section 57-40.3-10 of the North Dakota Century Code, relating to distribution of motor vehicle excise tax proceeds.

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, 84 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Anderson, R.; Aubol; Brokaw; Gerl; Halmrast;
Hanson, L.; Horgan; Jacobson; Meier, A.; Meiers, R.;
Olafson; Pomeroy, E.; Pomeroy, G.; Richard; Shockman;
Stofferahn; Timm; Vander Vorst; Williams, A.;
Williams, W.

NAYS: Anderson, C.; Backes; Boyle; Conmy; DeMers;
Dotzenrod; DuBord; Eagles; Erdman; Gates; Goetz;
Gullickson; Gunsch; Hamerlik; Hanson, O.; Haugland;
Hausauer; Hill; Hjelle; Hoffner; Serenus;
Hoffner, S. F.; Hughes; 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; Melby; Mertens; Meyer, R.;
Meyer, W.; Moore; Murphy; Mushik; Nalewaja; Nicholas;
Nowatzki; O'Connell; Olsen, D.; Olson, A.; Opedahl;
O'Shea; Peltier; Peterson; Rayl; Retzer; Rice; Riehl;
Riley; Rued; Sanstead; Schindler; Schneider;
Schoenwald; Shide; Sinner; Solberg; Strinden; Swiontek;
Thompson; Unhjem; Vig; Watne; Wentz; Whalen;
Williams, C.; Wold; Madam Speaker

ABSENT AND NOT VOTING: Black; Gorder

HB 1554 was declared lost.

HB 1557: A BILL for an Act to provide a property tax credit for the installation of storm shelters by mobile home owners; 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 45 YEAS, 58 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Backes; Brokaw; DeMers; Dotzenrod; DuBord; Gerl; Gullickson; Halmrast; Hamerlik; Hanson, L.; Hill; Hjelle; Hoffner, Serenus; Horgan; Jacobson; Knudson; Koski; Lardy; Laughlin; Lautenschlager; Lloyd; Martin, C.; Martin, G.; Martinson; Meier, A.; Meiers, R.; Mertens; Meyer, W.; Mushik; Nalewaja; Nowatzki; O'Shea; Pomeroy, E.; Pomeroy, G.; Rayl; Richard; Sanstead; Schoenwald; Shockman; Stofferahn; Swiontek; Vig; Williams, A.; Williams, W.; Madam Speaker

NAYS: Anderson, C.; Anderson, R.; Aubol; Boyle; Conmy; Eagles; Erdman; Gates; Goetz; Gunsch; Hanson, O.; Haugland; Hausauer; Hoffner, S. F.; Hughes; Keller; Kent; Kingsbury; Kloubec; Koehn; Kretschmar; Kuchera; Lang; Larson, B.; Larson, R.; Linderman; Lipsiea; Melby; Meyer, R.; Moore; Murphy; Nicholas; O'Connell; Olafson; Olsen, D.; Olson, A.; Opedahl; Peltier; Retzer; Rice; Riehl; Riley; Rued; Schindler; Schneider; Shide; Sinner; Solberg; Strinden; Thompson; Timm; Unhjem; Vander Vorst; Watne; Wentz; Whalen; Williams, C.; Wold

ABSENT AND NOT VOTING: Black; Gorder; Peterson

HB 1557 was declared lost.

HB 1576: A BILL for an Act to create and enact a new section to chapter 54-12 of the North Dakota Century Code, relating to the office of attorney general; and to amend and reenact sections 16.1-11-08, 16.1-11-26, and 16.1-11-37 of the North Dakota Century Code, relating to offices on the no-party ballot.

Which has been read.

MOTION

REP. C. ANDERSON 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 37 YEAS, 66 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Aubol; Backes; Boyle; Dotzenrod; DuBord; Gerl; Gullickson; Halmrast; Hanson, L.; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Jacobson; Lardy; Larson, B.; Laughlin; Lautenschlager; Lloyd; Martin, G.; Meier, A.; Mertens; Meyer, W.; Opedahl; O'Shea; Rayl; Richard; Riehl; Schneider; Schoenwald; Solberg; Stofferahn; Vander Vorst; Vig; Watne; Williams, A.

NAYS: Anderson, C.; Anderson, R.; Brokaw; Conmy; DeMers; Eagles; Erdman; Gates; Goetz; Gunsch; Hamerlik; Hanson, O.; Haugland; Hausauer; Hughes; Keller; Kent; Kingsbury; Kloubec; Knudson; Koehn; Koski; Kretschmar; Kuchera; Lang; Larson, R.; Linderman; Lipsiea; Martin, C.; Martinson; Meiers, R.; Melby; Meyer, R.; Moore; Murphy; Mushik; Nalewaja; Nicholas; Nowatzki; O'Connell; Olafson; Olsen, D.; Olson, A.; Peltier; Pomeroy, E.; Pomeroy, G.; Retzer; Rice; Riley; Rued; Sanstead; Schindler; Shide; Shockman; Sinner; Strinden; Swiontek; Thompson; Timm; Unhjem; Wentz; Whalen; Williams, C.; Williams, W.; Wold; Madam Speaker

ABSENT AND NOT VOTING: Black; Gorder; Peterson

HB 1576 was declared lost.

POINT OF PERSONAL PRIVILEGE

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

Earlier today, in fact about 3:30 this afternoon I suggested that if I was wrong I would admit it and apologize for my error. I'm not going to have any kind of a lengthy investigation about this matter.

Representative Backes has assured me that the person who was at the desk was an employee of his, not the individual I had so indicated in my remarks. The information that came to me suggested otherwise, but without any qualification whatsoever I will accept the word of Representative Backes. He is an honorable individual.

Back a session or two ago I was charged with intercepting every telephone message that came into the legislature. I asked for a committee to investigate and report back, well I don't want to have any committee to investigate to report back.

I will without a qualification, without any reservation whatsoever, accept the word of Representative Backes as indeed fact and proof and will admit to my error and apologize for that error.

REP. BACKES: A simple thank you to Representative Strinden.

MOTION

REP. GUNSCH MOVED that HB 1702 be returned to the House floor from the Committee on Education, which motion prevailed.

REQUEST

REP. GUNSCH REQUESTED the unanimous consent of the House to withdraw HB 1702. There being no objection, it was so ordered by the Speaker.

MOTION

REP. RICHARD MOVED that HB 1506 be returned to the House floor from the Committee on Agriculture, which motion prevailed.

REQUEST

REP. RICHARD REQUESTED the unanimous consent of the House to withdraw HB 1506. There being no objection, it was so ordered by the Speaker.

MOTION

REP. RICHARD MOVED that HB 1529 be returned to the House floor from the Committee on Agriculture, which motion prevailed.

REQUEST

REP. RICHARD REQUESTED the unanimous consent of the House to withdraw HB 1529. There being no objection, it was so ordered by the Speaker.

SECOND READING OF HOUSE BILLS

HB 1583: A BILL for an Act to provide for standard policy provisions through life and health insurance.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended on page 770 of the House Journal, the roll was called and there were 98 YEAS, 2 NAYS, 6 ABSENT AND NOT VOTING.

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

NAYS: Murphy; Schoenwald

ABSENT AND NOT VOTING: Black; Gorder; Kent; Opedahl; Peterson; Richard

HB 1583 passed and the title was agreed to.

HB 1585: A BILL for an Act to amend and reenact section 57-38-14 of the North Dakota Century Code, relating to the allocation and apportionment of income by corporations.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 54 YEAS, 47 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Aubol; Backes; Boyle; Brokaw; DeMers; DuBord; Erdman; Gerl; Gullickson; Halmrast; Hanson, L.; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Jacobson; Keller; Koski; Lardy; Larson, B.; Laughlin; Linderman; Lloyd; Martin, C.; Martin, G.; Meier, A.; Meiers, R.; Mertens; Meyer, R.; Meyer, W.; Mushik; Nowatzki; O'Connell; O'Shea; Pomeroy, E.; Pomeroy, G.; Rayl; Richard; Riehl; Sanstead; Schneider; Schoenwald; Shockman; Sinner; Solberg; Stofferahn; Vig; Watne; Williams, A.; Williams, C.; Williams, W.; Wold; Madam Speaker

NAYS: Anderson, C.; Anderson, R.; Conmy; Dotzenrod; Eagles; Gates; Goetz; Gunsch; Hamerlik; Hanson, O.; Haugland; Hausauer; Hughes; Kingsbury; Kloubec; Knudson; Koehn; Kretschmar; Kuchera; Lang; Larson, R.; Lautenschlager; Lipsiea; Martinson; Melby; Moore; Murphy; Nalewaja; Nicholas; Olafson; Olsen, D.; Olson, A.; Peltier; Retzer; Rice; Riley; Rued; Schindler; Shide; Strinden; Swiontek; Thompson; Timm; Unhjem; Vander Vorst; Wentz; Whalen

ABSENT AND NOT VOTING: Black; Gorder; Kent; Opedahl; Peterson

HB 1585 passed and the title was agreed to.

HB 1599: A BILL for an Act to create and enact a new section to chapter 57-38 of the North Dakota Century Code, relating to an income tax credit for users of agriculturally derived fuels; and to provide an effective date.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended on page 771 of the House Journal, the roll was called and there were 59 YEAS, 44 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Aubol; Backes; Brokaw; DeMers; Dotzenrod; DuBord; Erdman; Gerl; Gullickson; Halmrast; Hamerlik; Hanson, L.; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Jacobson; Keller; Koehn; Koski; Kretschmar; Lang; Larson, B.; Laughlin; Lautenschlager; Lloyd; Meier, A.; Meiers, R.; Mertens; Meyer, W.; Mushik; Nicholas; Nowatzki; O'Connell; Olafson; Olsen, D.; Opedahl; O'Shea; Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Rice; Richard; Riehl; Sanstead; Schindler; Schoenwald; Shide; Shockman; Solberg; Stofferahn; Vander Vorst; Vig; Watne; Williams, A.; Williams, C.; Williams, W.

NAYS: Anderson, C.; Anderson, R.; Boyle; Conmy; Eagles; Gates; Goetz; Gunsch; Hanson, O.; Haugland; Hausauer; Hughes; Kent; Kingsbury; Kloubec; Knudson; Kuchera; Lardy; Larson, R.; Linderman; Lipsiea; Martin, C.; Martin, G.; Martinson; Melby; Meyer, R.; Moore; Murphy; Nalewaja; Olson, A.; Peltier; Riley; Rued; Schneider; Sinner; Strinden; Swiontek; Thompson; Timm; Unhjem; Wentz; Whalen; Wold; Madam Speaker

ABSENT AND NOT VOTING: Black; Gorder; Peterson

HB 1599 was declared lost for lack of a constitutional majority.

MOTION

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 1:15 p.m., Wednesday, February 9, 1983, which motion prevailed.

REPORTS OF STANDING COMMITTEES

MADAM SPEAKER: Your Committee on Appropriations to which was referred HB 1019 has had the same under consideration and recommends by a vote of 21 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 12, delete the numerals "448,351" and insert in lieu thereof the numerals "423,793"

On page 1, line 16, delete the numerals "506,341" and insert in lieu thereof the numerals "481,783"

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

The salaries and wages line item is reduced by \$24,558 from the general fund. Of the total, \$14,571 is a reduction that will allow funds for four percent salary increases the first year of the biennium and no salary increases in the second year. A contingent salary increase of two percent in the second year amounting to \$4,035 is to be provided in a separate appropriation bill. Funds are not provided for additional state contributions to retirement. The reduction to salaries and wages includes a \$10,315 decrease relating to the inclusion in the executive budget of a full-time salary for a .5 FTE position and a \$328 increase for other payroll changes.

REP. MERTENS, Chairman

HB 1019 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 1068 has had the same under consideration and recommends by a vote of 16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 25, delete the word "twenty-five" and insert in lieu thereof the word "thirty-five"

On page 3, line 3, after the word "premium" insert the words "and income"

On page 3, delete lines 18 through 20 and insert in lieu thereof the following paragraph:

"Any charge for organ transplants unless prior approval is received from the board of directors of the comprehensive health association."

On page 3, delete lines 25 through 27 and insert in lieu thereof the following paragraph:

"Any charge for organ transplants unless prior approval is received from the board of directors of the comprehensive health association."

On page 4, line 17, delete the word "twenty-five" and insert in lieu thereof the word "thirty-five"

On page 7, line 3, after the word "under" insert the words "an individual," and after the word "family" insert an underscored comma

On page 9, delete lines 22 through 24 and insert in lieu thereof the following paragraph:

"Any charge for organ transplants unless prior approval is received from the board of directors of the comprehensive health association."

On page 9, delete lines 29 through 31 and insert in lieu thereof the following paragraph:

"Any charge for organ transplants unless prior approval is received from the board of directors of the comprehensive health association."

On page 10, line 22, delete the word "twenty-five" and insert in lieu thereof the word "thirty-five"

On page 12, line 11, after the word "under" insert the words "an individual," and after the word "family" insert an underscored comma

And renumber the lines and pages accordingly

REP. S. F. HOFFNER, Chairman

HB 1068 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Natural Resources to which was referred HB 1343 has had the same under consideration and recommends by a vote of 14 YEAS, 0 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 15, after the word "contemplated" insert the words "unless waived by mutual agreement"

And renumber the lines accordingly

REP. BROKAW, Chairman

HB 1343 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Transportation to which was referred HB 1394 has had the same under consideration and recommends by a vote of 16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO NOT PASS:

On page 1, line 2, delete the word "one" and insert in lieu thereof the word "two"

On page 1, line 10, delete the words "identified one" and insert in lieu thereof the words "received a certificate of abandonment from the interstate commerce commission identifying two"

On page 1, line 15, delete the word "one" and insert in lieu thereof the word "two"

And renumber the lines accordingly

REP. HJELLE, Chairman

HB 1394 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Transportation to which was referred HB 1453 has had the same under consideration and recommends by a vote of 11 YEAS, 0 NAYS, 5 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 23, delete the word "working" and insert in lieu thereof the word "calendar"

And renumber the lines accordingly

REP. HJELLE, Chairman

HB 1453 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 rereferred HB 1471 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 11, remove the overstrike over the word "~~building~~", and delete the words "corporate city limits"

On page 1, line 13, after the period "." insert the following sentence: "However, that portion of the home office of a subsidiary trust company, which does not function as and is not held out as an on-premises direct customer contact center or business development office, may be located anywhere within the corporate city limits in which the main office of any affiliated bank is located."

And renumber the lines and pages accordingly

REP. DOTZENROD, Chairman

HB 1471 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 1665 has had the same under consideration and recommends by a vote of 9 YEAS, 6 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 9, delete the word "twenty-five" and insert in lieu thereof the word "forty-five"

On page 1, line 11, after the word "electors" insert the words ", whichever is greater"

On page 1, line 13, delete the word "he" and insert in lieu thereof the words "the auditor"

On page 1, line 17, delete the word "he" and insert in lieu thereof the words "the official"

On page 1, line 23, delete the word "he" and insert in lieu thereof the words "the official"

And renumber the lines accordingly

REP. DOTZENROD, Chairman

HB 1665 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 1680 has had the same under consideration and recommends by a vote of 10 YEAS, 4 NAYS, 2 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 14, after the second word "the" insert the word "total", and after the overstruck word "~~which~~" insert the words "of all work involved"

On page 1, line 15, after the word "dollars" insert the words "for the completed project"

And renumber the lines and pages accordingly
REP. DOTZENROD, Chairman

HB 1680 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 1707 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 PASS:

On page 2, after line 26, insert the following new subsection:

"3. In the case of a contract awarded for the construction of highways, roads, streets, bridges, and buildings prior to April 1, 1983, the contractor receiving the award shall be liable only for the sales or use tax at the rate of tax in effect on the date of contract."

On page 4, after line 28, insert the following new subsection:

"3. In the case of a contract awarded for the construction of highways, roads, streets, bridges, and buildings prior to April 1, 1983, the contractor receiving the award shall be liable only for the sales or use tax at the rate of tax in effect on the date of contract."

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

HB 1707 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 1244 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. SINNER, Chairman

HB 1244 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 1323 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. S. F. HOFFNER, Chairman

HB 1323 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 1385 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. E. POMEROY, Chairman

HB 1385 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 1402 has had the same under consideration and recommends by a vote of 16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION.

REP. S. F. HOFFNER, Chairman

HB 1402 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 1430 has had the same under consideration and recommends by a vote of 15 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. R. MEIERS, Chairman

HB 1430 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 1450 has had the same under consideration and recommends by a vote of 15 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

REP. S. F. HOFFNER, Chairman

HB 1450 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 rereferred HB 1454 has had the same under consideration and recommends by a vote of 18 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same DO PASS.

REP. MERTENS, Chairman

HB 1454 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 1467 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 PASS.

REP. S. F. HOFFNER, Chairman

HB 1467 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 1474 has had the same under consideration and recommends by a vote of 8 YEAS, 7 NAYS, 1 ABSENT AND NOT VOTING that the same BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION.

REP. L. HANSON, Chairman

HB 1474 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 1492 has had the same under consideration and recommends by a vote of 9 YEAS, 6 NAYS, 1 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. E. POMEROY, Chairman

HB 1492 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 1514 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. S. F. HOFFNER, Chairman

HB 1514 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 rereferred HB 1525 has had the same under consideration and recommends by a vote of 8 YEAS, 7 NAYS, 1 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. L. HANSON, Chairman

HB 1525 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 1553 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

HB 1553 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 1611 has had the same under consideration and recommends by a vote of 8 YEAS, 7 NAYS, 1 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. L. HANSON, Chairman

HB 1611 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 1629 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 1629 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 1634 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. JACOBSON, Chairman

HB 1634 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 1654 has had the same under consideration and recommends by a vote of 12 YEAS, 1 NAY, 4 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. JACOBSON, Chairman

HB 1654 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 1689 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. S. F. HOFFNER, Chairman

HB 1689 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 1690 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 1690 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 1697 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. S. F. HOFFNER, Chairman

HB 1697 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 1644 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 and be rereferred to the Committee on Appropriations.

REP. R. MEIERS, Chairman

HB 1644 was rereferred to the Committee on Appropriations.

FIRST READING OF HOUSE CONCURRENT RESOLUTION

Rep. Erdman introduced:

HCR 3049: A concurrent resolution directing the Legislative Council to conduct a study of the methods for the provision of financial assistance to townships for the repair of township roads damaged by hunting and fishing activities.

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

FIRST READING OF SENATE BILLS

SB 2146: A BILL for an Act to authorize public agencies of North Dakota and Indian tribes to enter into mutual agreements to perform any administrative service, activity, or undertaking as authorized by law and to resolve any disputes.

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

SB 2216: A BILL for an Act to create and enact a new section to chapter 38-08 of the North Dakota Century Code, relating to purchasing and processing of gas; to amend and reenact section 49-19-19 of the North Dakota Century Code, relating to discrimination between shippers in transportation of oil and gas by common pipeline carriers; and to repeal section 49-19-21 of the North Dakota Century Code, relating to the preventing of waste of oil and gas; and to declare an emergency.

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

SB 2226: A BILL for an Act to amend and reenact section 15-40.1-05 of the North Dakota Century Code, relating to the schedule for distribution of foundation program payments to school districts; and to declare an emergency.

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

SB 2270: A BILL for an Act to amend and reenact subsection 11 of section 26-30-04 of the North Dakota Century Code, or in the alternative to amend and reenact subsection 11 of section 26.1-04-03 of the North Dakota Century Code, relating to the definition of unfair methods of competition

and unfair or deceptive acts or practices with respect to insurance; and to declare an emergency.

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

SB 2311: A BILL for an Act to amend and reenact sections 24-01-05 and 24-05-16 of the North Dakota Century Code, relating to the designation of a county highway system.

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

SB 2316: A BILL for an Act to amend and reenact section 12.1-23-08 of the North Dakota Century Code, relating to the penalties for selling mortgaged property.

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

SB 2386: A BILL for an Act to create and enact a new section to chapter 15-47 of the North Dakota Century Code, relating to modification of the traditional public school calendar following approval by the superintendent of public instruction.

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

SB 2387: A BILL for an Act to amend and reenact section 57-15-28 of the North Dakota Century Code, or in the alternative to amend and reenact subsection 22 of section 55 of Senate Bill No. 2065, as approved by the forty-eighth legislative assembly, relating to the county emergency fund mill levy.

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

SB 2399: A BILL for an Act to allow professional corporations to contribute corporate stock to a retirement plan trust for licensed and nonlicensed employees; and to amend and reenact sections 10-31-01, 10-31-02, 10-31-07, and 10-31-13 of the North Dakota Century Code, relating to ownership of stock in professional corporations.

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

SB 2404: A BILL for an Act to amend and reenact section 58-02-01 of the North Dakota Century Code, relating to organization of townships.

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

SB 2405: A BILL for an Act to amend and reenact subsection 5 of section 57-38-34, and section 57-38-45 of the North Dakota Century Code, relating to interest and penalty for failure to timely file income tax returns; and to provide an effective date.

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

SB 2419: A BILL for an Act to amend and reenact section 6-03-60 of the North Dakota Century Code, relating to loans to and purchases from directors, officers, and employees of any state banking association.

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

SB 2422: A BILL for an Act to amend and reenact subsection 1 of section 6-08-16 and subsections 2 and 5 of section 6-08-16.2 of the North Dakota Century Code, relating to civil penalties for issuing checks with insufficient funds or without an account.

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

SB 2438: A BILL for an Act to amend and reenact subsection 9 of section 6-09.2-03 and sections 6-09.2-05, 6-09.2-07, 40-57-02, 40-57-03, 40-57-04, 40-57-05, and 40-57-19 of the North Dakota Century Code, relating to authority of the economic development commission to issue revenue bonds for industrial development.

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

SB 2445: A BILL for an Act to repeal section 28-26-25 of the North Dakota Century Code, relating to the cost bond requirement of a nonresident plaintiff; and declaring an emergency.

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

SB 2446: A BILL for an Act to amend and reenact sections 11-17-08, 11-17-09, and 11-17-10 of the North Dakota Century Code, relating to retention and destruction of district court and county court records.

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

SB 2456: A BILL for an Act to amend and reenact section 43-17-34 of the North Dakota Century Code, relating to the practice of medicine without a license; and providing a penalty.

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

SB 2474: A BILL for an Act to amend and reenact sections 54-52.2-01, 54-52.2-05, and 54-52.2-07 of the North Dakota Century Code, relating to authorized investments of a deferred compensation program for public employees.

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

SB 2482: A BILL for an Act to amend and reenact section 40-57.1-08 of the North Dakota Century Code, relating to tax exemptions for new industries and exclusions from provisions of chapter.

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

The House stood adjourned pursuant to Representative Backes' motion.

CHARLES FLEMING, Chief Clerk