

JOURNAL OF THE HOUSE

Forty-eighth Legislative Assembly

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THIRTY-THIRD DAY

Bismarck, February 17, 1983

The House convened at 7:30 a.m., with Speaker Kelly presiding.

The prayer was offered by Pastor Jack Roth, Metro Evangelical Church, Bismarck.

ROLL CALL

The roll was called and all members were present, except Representatives Gerl, Gorder, and Lipsiea.

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 Thirty-second day and recommends that the same be corrected as follows and when so corrected, recommends that the same be approved:

On all odd-numbered pages, line 1, delete "Thursday" and insert in lieu thereof "Wednesday"

REP. LAUGHLIN, Chairman

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

MESSAGE TO THE SENATE
HOUSE CHAMBER

MR. PRESIDENT: I have the honor to transmit herewith the following which the House has passed and your favorable consideration is requested on:

HB 1018, HB 1034, HB 1057, HB 1143, HB 1246, HB 1250,
HB 1366, HB 1389, HB 1447, HB 1473, HB 1478, HB 1555,
HB 1575, HB 1616, HB 1643, HCR 3012, HCR 3018, HCR 3021,
HCR 3022, HCR 3025, HCR 3033, HCR 3034, HCR 3037

Very respectfully,

CHARLES FLEMING, Chief Clerk

REQUEST

REP. BACKES REQUESTED that the following statement be printed in the House Journal:

Monday, February 21, is an official state holiday in recognition of George Washington's birthday and Legislative Assembly employees will be paid for that day the same as other state employees. The Legislative Assembly will also

be in recess on Tuesday, February 22. In recognition of the uncompensated overtime which they have put in since the beginning of this session, legislative employees will also be paid for that day.

MOTION

REP. BACKES MOVED that HB 1266, HB 1495, and HB 1500 be placed at the foot of the calendar, which motion prevailed.

REPORT OF PROCEDURAL COMMITTEE

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

HB 1001, HB 1004, HB 1005, HB 1006, HB 1007, HB 1009,
 HB 1010, HB 1016, HB 1017, HB 1023, HB 1024, HB 1025,
 HB 1028, HB 1029, HB 1030, HB 1031, HB 1033, HB 1037,
 HB 1038, HB 1079, HB 1084, HB 1133, HB 1201, HB 1249,
 HB 1286, HB 1370, HB 1400, HB 1402, HB 1404, HB 1408,
 HB 1440, HB 1460, HB 1462, HB 1476, HB 1482, HB 1494,
 HB 1499, HB 1516, HB 1519, HB 1520, HB 1569, HB 1570,
 HB 1582, HB 1619, HB 1627, HB 1639, HB 1644, HB 1652,
 HB 1656, HB 1667, HB 1668, HB 1670, HB 1693, HB 1695,
 HB 1701, HB 1706, HB 1709, HB 1710, HB 1711, HB 1712,
 HB 1715, HB 1723

REP. G. MARTIN, Chairman

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

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

HB 1534, HB 1686

REP. G. MARTIN, Chairman

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

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

HB 1369

REP. G. MARTIN, Chairman

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

SECOND READING OF HOUSE BILLS

HB 1496: A BILL for an Act to amend and reenact sections 4-10.2-03, 4-10.2-06, 4-10.2-08, and 4-10.2-11 of the North Dakota Century Code, relating to legislative policy.

sunflower council membership, sunflower assessments and refunds, and records; and to provide an appropriation.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 31 YEAS, 72 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Dotzenrod; Hamerlik; Hanson, L.; Hanson, O.; Hoffner, Serenus; Horgan; Hughes; Kent; Knudson; Kretschmar; Lang; Laughlin; Lloyd; Martin, C.; Melby; Meyer, W.; Nalewaja; Nicholas; Olafson; Pomeroy, E.; Retzer; Rued; Schindler; Schoenwald; Slide; Strinden; Timm; Unhjem; Vander Vorst; Whalen; Williams, W.

NAYS: Anderson, C.; Anderson, R.; Aubol; Backes; Black; Boyle; Brokaw; Conmy; DeMers; DuBord; Eagles; Erdman; Gates; Gerl; Goetz; Gullickson; Gunsch; Halmrast; Hausauer; Hill; Hjelle; Hoffner, S. F.; Jacobson; Keller; Kingsbury; Kloubec; Koehn; Koski; Kuchera; Lardy; Larson, B.; Larson, R.; Lautenschlager; Linderman; Martin, G.; Martinson; Meier, A.; Meiers, R.; Mertens; Meyer, R.; Moore; Murphy; Mushik; Nowatzki; O'Connell; Olsen, D.; Olson, A.; Opedahl; O'Shea; Peltier; Peterson; Pomeroy, G.; Rayl; Rice; Richard; Riehl; Riley; Sanstead; Schneider; Shockman; Sinner; Solberg; Stofferahn; Swiontek; Thompson; Vig; Watne; Wentz; Williams, A.; Williams, C.; Wold; Speaker Kelly

ABSENT AND NOT VOTING: Gorder; Haugland; Lipsiea

HB 1496 was declared lost.

HB 1511: A BILL for an Act to amend and reenact section 57-38-40 of the North Dakota Century Code, relating to claims for refund of tax paid; and to repeal section 57-01-12 of the North Dakota Century Code, relating to approval of refunds.

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, 0 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, O.; Hausauer; Hjelle; Hoffner, S. F.; Horgan; Hughes; Jacobson; Keller; Kingsbury; Kloubec; Knudson; Koehn; Koski; Kretschmar;

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

NAYS: None

ABSENT AND NOT VOTING: Gorder; Hanson, L.; Haugland; Hill; Hoffner, Serenus; Lipsiea

HB 1511 passed and the title was agreed to.

HB 1518: A BILL for an Act to create and enact a new subsection to section 57-39.2-04 and a new chapter to title 57 of the North Dakota Century Code, relating to a sales tax exemption for the gross receipts from sales of aircraft and to creation of an aircraft excise tax; to amend and reenact section 2-05-03 of the North Dakota Century Code, authorizing the director of aeronautics to act as the agent of the state tax commissioner for purposes of enforcement of the aircraft excise tax; to provide a penalty; to provide an appropriation; 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 100 YEAS, 2 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Aubol; Backes; Black; Boyle; Brokaw; Conmy; DeMers; Dotzenrod; DuBord; Eagles; Erdman; Gates; Gerl; Goetz; Gorder; Gullickson; Gunsch; Halmrast; Hamerlik; Hanson, O.; Haugland; Hausauer; Hill; Hjelle; Hoffner, S. F.; Horgan; Hughes; Jacobson; Keller; Kent; Kingsbury; Kloubec; Knudson; Koehn; Koski; Kretschmar; Kuchera; Lang; Lardy; Larson, B.; Larson, R.; 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; 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;
 Speaker Kelly

NAYS: Laughlin; Murphy

ABSENT AND NOT VOTING: Hanson, L.; Hoffner, Serenus;
 Lipsiea; Peltier

HB 1518 passed and the title was agreed to.

HB 1523: A BILL for an Act to create and enact a new subsection to section 38-08-09.13 of the North Dakota Century Code, relating to statutory unitization of oil and gas under the control and regulation of the industrial commission; and to amend and reenact sections 38-08-09.4 and 38-08-09.5 of the North Dakota Century Code.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended on page 1072 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; Black;
 Boyle; Brokaw; Conmy; DeMers; Dotzenrod; DuBord;
 Eagles; Erdman; Gates; Gerl; Goetz; Gorder; Gullickson;
 Halmrast; Hamerlik; Hanson, O.; Haugland; Hausauer;
 Hill; Hjelle; Hoffner, S. F.; Horgan; Hughes; Jacobson;
 Keller; Kent; Kingsbury; Kloubec; Knudson; Koehn;
 Koski; Kretschmar; Kuchera; Lang; Lardy; Larson, B.;
 Larson, R.; Laughlin; Lautenschlager; Linderman;
 Lipsiea; Lloyd; Martin, C.; Martin, G.; Martinson;
 Meier, A.; Meiers, R.; Melby; Mertens; Meyer, R.;
 Meyer, W.; Moore; Murphy; Mushik; Nalewaja; Nicholas;
 Nowatzki; O'Connell; Olafson; Olsen, D.; Olson, A.;
 Opedahl; O'Shea; Peterson; Pomeroy, E.; Pomeroy, G.;
 Rayl; Retzer; Rice; Richard; Riehl; Riley; Rued;
 Sanstead; Schindler; Schneider; Schoenwald; Shide;
 Shockman; Sinner; Solberg; Stofferahn; Strinden;
 Swiontek; Thompson; Timm; Unhjem; Vander Vorst; Vig;
 Watne; Wentz; Whalen; Williams, A.; Williams, C.;
 Williams, W.; Wold; Speaker Kelly

NAYS: None

ABSENT AND NOT VOTING: Gunsch; Hanson, L.;
 Hoffner, Serenus; Peltier

HB 1523 passed and the title was agreed to.

HB 1526: A BILL for an Act to amend and reenact subsections 1 and 11 of section 25-03.1-02, and sections 25-03.1-17, 25-03.1-25, and 25-03.1-26 of the North Dakota Century Code, relating to the definitions of an "alcoholic individual" and a "person requiring treatment", involuntary treatment commitment procedures and requirements, and emergency detentions or hospitalizations procedures.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended on pages 1072 and 1073 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; 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, S. E.; 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; 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; Speaker Kelly

NAYS: None

ABSENT AND NOT VOTING: Gunsch; Hoffner, Serenus; Peltier; Peterson

HB 1526 passed and the title was agreed to.

HB 1535: A BILL for an Act to amend and reenact sections 43-25-02, 43-25-03, 43-25-04, 43-25-05, 43-25-06, 43-25-07, 43-25-08, 43-25-09, 43-25-10, 43-25-11, 43-25-12, and 43-26-12 of the North Dakota Century Code, relating to massage registration and defining "massage therapist", exemption from registration, nonapplication of physical

therapist registration provisions, and replacing masseur and masseuse with massage therapist.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended on page 1075 of the House Journal, the roll was called and there were 81 YEAS, 17 NAYS, 8 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Aubol; Boyle; Brokaw; Conmy; DeMers; Dotzenrod; DuBord; Eagles; Erdman; Gates; Gerl; Goetz; Gorder; Gullickson; Gunsch; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer; Hill; Hjelle; Hoffner, S. F.; Jacobson; Keller; Kent; Knudson; Koehn; Koski; Kretschmar; Lang; Lardy; Larson, B.; Larson, R.; Laughlin; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, C.; Martin, G.; Martinson; Meier, A.; Meiers, R.; Mertens; Meyer, R.; Meyer, W.; Mushik; Nalewaja; Nicholas; Nowatzki; O'Connell; Opedahl; O'Shea; Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Richard; Riehl; Sanstead; Schindler; Schneider; Schoenwald; Shide; Shockman; Sinner; Stofferahn; Swiontek; Thompson; Timm; Unhjem; Vander Vorst; Vig; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Speaker Kelly

NAYS: Anderson, R.; Black; Hanson, O.; Hughes; Kingsbury; Kloubec; Kuchera; Melby; Moore; Murphy; Olafson; Olsen, D.; Olson, A.; Rice; Rued; Solberg; Wold

ABSENT AND NOT VOTING: Backes; Hoffner, Serenus; Horgan; Peltier; Peterson; Riley; Strinden; Whalen

HB 1535 passed and the title was agreed to.

HB 1538: A BILL for an Act to amend and reenact section 37-18.1-01 of the North Dakota Century Code, relating to the membership on the administrative committee on veterans' affairs.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended on pages 1075 and 1076 of the House Journal, the roll was called and there were 98 YEAS, 4 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Aubol; Backes; Black; Boyle; Brokaw; Conmy; DeMers; Dotzenrod; DuBord; Eagles; Erdman; Gates; Gerl; Goetz; Gorder; Gullickson; Gunsch; Halmrast; Hamerlik; Hanson, L.; Haugland;

Hausauer; Hill; Hjelle; Hoffner, Serenus;
 Hoffner, S. F.; Hughes; Jacobson; Keller; Kent;
 Kingsbury; Kloubec; Knudson; Koehn; Koski; Kretschmar;
 Lang; Lardy; Larson, B.; Larson, R.; Laughlin;
 Lautenschlager; Linderman; Lipsiea; 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; Rice; Richard; Riehl;
 Riley; 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.; Wold; Speaker Kelly

NAYS: Hanson, O.; Kuchera; Lloyd; Whalen

ABSENT AND NOT VOTING: Horgan; Peterson; Retzer;
 Thompson

HB 1538 passed and the title was agreed to.

HB 1544: A BILL for an Act to create and enact a new section to chapter 23-10 of the North Dakota Century Code, relating to subleasing of lots in mobile home parks.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended on page 1076 of the House Journal, the roll was called and there were 100 YEAS, 4 NAYS, 2 ABSENT AND NOT VOTING.

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

Wentz; Whalen; Williams, A.; Williams, C.;
Williams, W.; Wold; Speaker Kelly

NAYS: Hanson, O.; Hughes; Moore; Peltier

ABSENT AND NOT VOTING: Peterson; Thompson

HB 1544 passed and the title was agreed to.

HB 1568: A BILL for an Act to create and enact a new section to chapter 60-06 of the North Dakota Century Code, relating to arbitration; and to amend and reenact sections 32-29-01, 60-06-01, 60-06-02, 60-06-03, 60-06-04, 60-06-05, 60-06-07, 60-06-08, 60-06-09, 60-06-10, 60-06-11, 60-06-12, 60-06-13, and 60-06-14 of the North Dakota Century Code, relating to the authorization of arbitration and establishment of commercial enterprises on railroad right of way.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended on pages 1077 and 1078 of the House Journal, the roll was called and there were 74 YEAS, 26 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Anderson, R.; Aubol; Backes; Black; Boyle; Brokaw; Conny; DeMers; Dotzenrod; DuBord; Erdman; Gerl; Gorder; Gullickson; Gunsch; Halmrast; Hanson, L.; Haugland; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Jacobson; Keller; Kingsbury; Knudson; Koski; Lang; Lardy; Larson, B.; Larson, R.; Laughlin; Lautenschlager; Linderman; Lloyd; Martin, C.; Martin, G.; Martinson; Meier, A.; Mertens; Meyer, R.; Meyer, W.; Mushik; Nalewaja; Nicholas; Nowatzki; O'Connell; Olafson; Opedahl; O'Shea; Peltier; Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Richard; Riehl; Sanstead; Schindler; Schneider; Schoenwald; Shockman; Sinner; Solberg; Stofferahn; Strinden; Swiontek; Thompson; Watne; Williams, A.; Williams, C.; Williams, W.; Speaker Kelly

NAYS: Anderson, C.; Eagles; Gates; Hamerlik; Hanson, O.; Hughes; Kent; Kloubec; Koehn; Kretschmar; Kuchera; Lipsiea; Melby; Moore; Murphy; Olsen, D.; Olson, A.; Rice; Riley; Slide; Timm; Unhjem; Vander Vorst; Wentz; Whalen; Wold

ABSENT AND NOT VOTING: Goetz; Hausauer; Meiers, R.; Peterson; Rued; Vig

HB 1568 passed and the title was agreed to.

HB 1589: A BILL for an Act to create and enact a new section to chapter 11-33.1 of the North Dakota Century Code, relating to levy of special assessments for rural improvements; to amend and reenact subsection 1 of section 21-03-06 and subsection 2 of section 21-03-07 of the North Dakota Century Code, relating to county authority for and financing of special improvements in rural subdivisions; and to repeal sections 11-33.1-01, 11-33.1-02, 11-33.1-03, and 11-33.1-04 of the North Dakota Century Code, relating to special assessments for rural subdivision improvements.

Which has been read.

MOTION

REP. STRINDEN MOVED that the House waive the reading of the title to HB 1589, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill as amended on page 1078 of the House Journal, the roll was called and there were 94 YEAS, 11 NAYS, 1 ABSENT AND NOT VOTING.

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

NAYS: Anderson, C.; Erdman; Hanson, O.; Kingsbury; Lardy; Murphy; O'Connell; Rued; Shide; Strinden; Thompson

ABSENT AND NOT VOTING: Olsen, D.

HB 1589 passed and the title was agreed to.

HB 1591: A BILL for an Act to amend and reenact section 23-06-30 of the North Dakota Century Code, relating to the identification and maintenance of abandoned cemeteries.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended on page 1079 of the House Journal, the roll was called and there were 105 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Aubol; Backes; Black; Boyle; Brokaw; Conmy; DeMers; Dotzenrod; DuBord; Eagles; Erdman; Gates; Gerl; Coetz; 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.; Larsen, 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; 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; Speaker Kelly

NAYS: None

ABSENT AND NOT VOTING: Olsen, D.

HB 1591 passed and the title was agreed to.

HB 1594: A BILL for an Act to create a grain producer's lien which is automatically perfected and preferred as to other liens or certain security interests in favor of another creditor; and to provide a penalty.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended on page 1079 of the House Journal, the roll was called and there were 8 YEAS, 94 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Brokaw; Kent; Lardy; Lipsiea; Meier, A.; O'Shea; Retzer; Shockman

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

ABSENT AND NOT VOTING: Hoffner, Serenus; Kuchera; Murphy; Solberg

HB 1594 was declared lost.

HB 1597: A BILL for an Act to provide for a college work-study program to financially assist students attending institutions of postsecondary education in this state; and to provide an appropriation.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 42 YEAS, 60 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Aubol; Black; Brokaw; DeMers; Dotzenrod; DuBord; Gerl; Halmrast; Hamerlik; Haugland; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Jacobson; Koski; Laughlin; Lautenschlager; Lloyd; Martin, G.; Meier, A.; Meiers, R.; Nalewaja; Nicholas; Nowatzki; O'Connell; Olsen, D.; Peterson; Pomeroy, E.; Pomeroy, G.; Retzer; Rice; Sanstead; Schneider; Schoenwald; Shockman; Swiontek; Vander Vorst; Vig; Williams, A.; Williams, C.; Wold

NAYS: Anderson, C.; Anderson, R.; Backes; Boyle; Conmy; Eagles; Erdman; Gates; Goetz; Gorder; Gullickson; Gunsch; Hanson, L.; Hanson, O.; Hausauer; Horgan; Hughes; Keller; Kent; Kingsbury; Kloubec; Knudson; Koehn; Kretschmar; Lang; Lardy; Larson, B.; Larson, R.; Linderman; Lipsiea; Martin, C.; Martinson; Melby; Mertens; Meyer, R.; Meyer, W.; Moore; Mushik; Olafson;

Olson, A.; Opedahl; O'Shea; Peltier; Rayl; Richard; Riehl; Riley; Rued; Schindler; Shide; Stofferahn; Strinden; Thompson; Timm; Unhjem; Watne; Wentz; Whalen; Williams, W.; Speaker Kelly

ABSENT AND NOT VOTING: Kuchera; Murphy; Sinner; Solberg

HB 1597 was declared lost.

HB 1602: A BILL for an Act to create and enact a new section to chapter 26-30 of the North Dakota Century Code, or in the alternative to create and enact a new section to chapter 26.1-04 of the North Dakota Century Code as created by House Bill No. 1054, as approved by the forty-eighth legislative assembly, relating to the use of age, sex, or marital status as a factor in setting motor vehicle insurance rates.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended on page 1080 of the House Journal, the roll was called and there were 58 YEAS, 46 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Aubol; Backes; Black; Bcyle; Brokaw; DeMers; DuBord; Erdman; Gerl; Gorder; Gullickson; Hamerlik; Hanson, L.; Haugland; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Jacobson; Keller; Kingsbury; Koski; Lardy; Larson, B.; Laughlin; Lautenschlager; Lloyd; Martin, G.; Meier, A.; Meiers, R.; Mertens; Meyer, W.; Murphy; Mushik; O'Connell; Opedahl; O'Shea; Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Richard; Riehl; Sanstead; Schindler; Schneider; Schoenwald; Shockman; Sinner; Solberg; Stofferahn; Vig; Wentz; Williams, A.; Williams, C.; Williams, W.; Speaker Kelly

NAYS: Anderson, C.; Anderson, R.; Conmy; Dotzenrod; Eagles; Gates; Goetz; Gunsch; Halmrast; Hanson, O.; Hausauer; Hughes; Kent; Klucbec; Knudson; Koehn; Kretschmar; Lang; Larson, R.; Linderman; Lipsiea; Martin, C.; Martinson; Melby; Meyer, R.; Moore; Nalewaja; Nicholas; Nowatzki; Olafson; Olsen, D.; Peltier; Peterson; Rice; Riley; Rued; Shide; Strinden; Swiontek; Thompson; Timm; Unhjem; Vander Vorst; Watne; Whalen; Wold

ABSENT AND NOT VOTING: Kuchera; Olson, A.

HB 1602 passed and the title was agreed to.

MOTION

REP. BACKES MOVED that the House stand in recess until 9:45 a.m., which motion prevailed.

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

SECOND READING OF HOUSE BILLS

HB 1615: A BILL for an Act to create and enact a new section to chapter 26-30 of the North Dakota Century Code, or in the alternative to create and enact a new section to chapter 26.1-04 of the North Dakota Century Code as created by House Bill No. 1054, as approved by the forty-eighth legislative assembly, relating to the use of visual acuity as a factor in issuing, rejecting, and rating policies or contracts of life or health protection.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended on page 1080 of the House Journal, the roll was called and there were 99 YEAS, 1 NAY, 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; Kingsbury; Kloubec; Knudson; Koehn; Koski; Kretschmar; Kuchera; Lang; Lardy; Larson, B.; Larson, R.; Laughlin; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, C.; Martin, G.; Martinson; Meier, A.; Meiers, R.; Melby; Mertens; Meyer, R.; Meyer, W.; Moore; Mushik; Nalewaja; Nowatzki; O'Connell; Olafson; Olsen, D.; Olson, A.; Opedahl; O'Shea; Peltier; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Rice; Richard; Riley; Sanstead; Schindler; Schneider; Schoenwald; Shide; Shockman; Sinner; Solberg; Stofferahn; Swiontek; Thompson; Timm; Unhjem; Vander Vorst; Vig; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Wold; Speaker Kelly

NAYS: Rued

ABSENT AND NOT VOTING: Gorder; Murphy; Nicholas; Riehl; Strinden; Whalen

HB 1615 passed and the title was agreed to.

HB 1618: A BILL for an Act to amend and reenact section 57-38-01.4 of the North Dakota Century Code, relating to income tax; to repeal section 57-38-01.12 of the North Dakota Century Code, relating to reporting of investment credit carryback for prior taxable years; 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 77 YEAS, 22 NAYS, 7 ABSENT AND NOT VOTING.

YEAS: Aubol; Black; Boyle; Conmy; DeMers; Dotzenrod; DuBord; Eagles; Erdman; Gates; Gerl; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Jacobson; Keller; Knudson; Koehn; Koski; Lardy; Larson, B.; Laughlin; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, C.; Martin, G.; Martinson; Meier, A.; Meiers, R.; Melby; Mertens; Meyer, R.; Mushik; Nalewaja; Nowatzki; O'Connell; Opedahl; O'Shea; Peltier; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Rice; Richard; Riehl; Riley; Sanstead; Schindler; Schneider; Schoenwald; Shockman; Sinner; Solberg; Stofferahn; Swiontek; Thompson; Unhjem; Vander Vorst; Vig; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Speaker Kelly

NAYS: Anderson, C.; Anderson, R.; Brokaw; Goetz; Gunsch; Hughes; Kent; Kingsbury; Kloubec; Kretschmar; Kuchera; Lang; Larson, R.; Moore; Olafson; Olsen, D.; Olson, A.; Retzer; Rued; Shide; Timm; Wold

ABSENT AND NOT VOTING: Backes; Gorder; Gullickson; Meyer, W.; Murphy; Nicholas; Strinden

HB 1618 passed and the title was agreed to.

HB 1635: A BILL for an Act to establish the North Dakota building authority and to set out its powers and duties; and to declare an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 31 YEAS, 74 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Aubol; Boyle; Conmy; DeMers; Dotzenrod; DuBord; Gerl; Halmrast; Hjelle; Horgan; Jacobson; Koski; Lardy; Larson, B.; Laughlin; Lloyd; Martin, G.; Meiers, R.;

Mertens; Mushik; Nowatzki; Peltier; Pomeroy, G.; Rayl; Rice; Schneider; Schoenwald; Sinner; Stofferahn; Vig; Wold

NAYS: Anderson, C.; Anderson, R.; Backes; Black; Brokaw; Eagles; Erdman; Gates; Goetz; Gorder; Gullickson; Gunsch; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer; Hill; Hoffner, Serenus; Hoffner, S. F.; Hughes; Keller; Kent; Kingsbury; Kloubec; Knudson; Koehn; Kretschmar; Kuchera; Lang; Larson, R.; Lautenschlager; Linderman; Lipsiea; Martin, C.; Martinson; Meier, A.; Melby; Meyer, R.; Meyer, W.; Moore; Nalewaja; Nicholas; O'Connell; Olafson; Olsen, D.; Olson, A.; Opedahl; O'Shea; Peterson; Pomeroy, E.; Retzer; Richard; Riehl; Riley; Rued; Sanstead; Schindler; Shide; Shockman; Solberg; Strinden; Swiontek; Thompson; Timm; Unhjem; Vander Vorst; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Speaker Kelly

ABSENT AND NOT VOTING: Murphy

HB 1635 was declared lost.

MOTION

REP. SINNER MOVED that HB 1727 be rereferred to the Committee on Finance and Taxation, which motion prevailed.

SPEAKER KELLY ANNOUNCED that HB 1727 was rereferred to the Committee on Finance and Taxation.

REQUEST

REP. MERTENS REQUESTED that members of the Committee on Appropriations be excused, which request was granted.

SECOND READING OF HOUSE BILLS

HB 1638: A BILL for an Act to amend and reenact section 57-02-27 of the North Dakota Century Code, relating to the level of assessment on centrally assessed property.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 19 YEAS, 66 NAYS, 21 ABSENT AND NOT VOTING.

YEAS: Aubol; DeMers; Hanson, L.; Hjelle; Hoffner, Serenus; Larson, B.; Laughlin; Martin, G.; Meiers, R.; Meyer, R.; Meyer, W.; Pomeroy, E.; Pomeroy, G.; Richard; Riehl; Sinner; Stofferahn; Vig; Williams, W.

NAYS: Anderson, C.; Anderson, R.; Backes; Black; Brokaw; Conmy; Dotzenrod; DuBord; Gates; Gerl; Goetz; Gorder; Gullickson; Halmrast; Hamerlik; Haugland; Hill; Hoffner, S. F.; Hughes; Jacobson; Keller; Kent; Kloubec; Knudson; Koehn; Koski; Kretschmar; Lang; Larson, R.; Lautenschlager; Linderman; Lloyd; Martin, C.; Martinson; Meier, A.; Melby; Moore; Murphy; Nalewaja; Nicholas; Nowatzki; O'Connell; Olafson; Olsen, D.; Olson, A.; O'Shea; Peltier; Retzer; Rice; Riley; Schindler; Schneider; Schoenwald; Shide; Shockman; Strinden; Swiontek; Timm; Vander Vorst; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Wold; Speaker Kelly

ABSENT AND NOT VOTING: Boyle; Eagles; Erdman; Gunsch; Hanson, O.; Hausauer; Horgan; Kingsbury; Kuchera; Lardy; Lipsiea; Mertens; Mushik; Opedahl; Peterson; Rayl; Rued; Sanstead; Solberg; Thompson; Unhjem

HB 1638 was declared lost.

HB 1640: A BILL for an Act to amend and reenact section 20.1-03-17 of the North Dakota Century Code, relating to the compensation received by county auditors for the issuance of game and fish licenses; 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 1081 of the House Journal, the roll was called and there were 76 YEAS, 9 NAYS, 21 ABSENT AND NOT VOTING.

YEAS: Aubol; Backes; Black; Brokaw; Conmy; DeMers; Dotzenrod; DuBord; Gates; Gerl; Goetz; Gorder; Gullickson; Halmrast; Hamerlik; Haugland; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Hughes; Jacobson; Keller; Kent; Kloubec; Knudson; Koehn; Koski; Kretschmar; Lang; Larson, B.; Larson, R.; Laughlin; Lautenschlager; Linderman; Lloyd; Martin, C.; Martin, G.; Martinson; Meiers, R.; Melby; Meyer, R.; Meyer, W.; Moore; Nalewaja; Nicholas; Nowatzki; O'Connell; Olafson; Olsen, D.; Olson, A.; Pomeroy, E.; Pomeroy, G.; Retzer; Rice; Richard; Riehl; Riley; Schindler; Schneider; Schoenwald; Shide; Shockman; Sinner; Stofferahn; Strinden; Swiontek; Vander Vorst; Vig; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Wold; Speaker Kelly

NAYS: Anderson, C.; Anderson, R.; Hanson, L.; Meier, A.; Murphy; O'Shea; Rued; Timm; Williams, W.

ABSENT AND NOT VOTING: Boyle; Eagles; Erdman; Gunsch;
Hanson, O.; Hausauer; Horgan; Kingsbury; Kuchera;
Lardy; Lipsiea; Mertens; Mushik; Opedahl; Peltier;
Peterson; Rayl; Sanstead; Solberg; Thompson; Unhjem

HB 1640 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 Mike Olienyk, and Representative Olienyk was thereupon introduced to the House.

SECOND READING OF HOUSE BILLS

HB 1647: A BILL for an Act to amend and reenact section 39-10-01 of the North Dakota Century Code, relating to the places where laws governing the operation of vehicles apply.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended on page 1081 of the House Journal, the roll was called and there were 84 YEAS, 0 NAYS, 22 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Boyle; Eagles; Erdman; Gunsch;
Hanson, O.; Hausauer; Horgan; Kingsbury; Kuchera;
Lardy; Lipsiea; Mertens; Mushik; Opedahl; Peltier;
Peterson; Rayl; Sanstead; Shockman; Solberg; Thompson;
Unhjem

HB 1647 passed and the title was agreed to.

HB 1657: A BILL for an Act to create and enact a new subsection to section 11-11-14 of the North Dakota Century Code, to provide boards of county commissioners with licensing authority over businesses or activities conducted within the county if not governed by city ordinance.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended on pages 1081 and 1082 of the House Journal, the roll was called and there were 84 YEAS, 0 NAYS, 22 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Boyle; Eagles; Erdman; Gunsch; Hanson, O.; Hausauer; Horgan; Kingsbury; Kuchera; Lardy; Lipsiea; Martin, C.; Mertens; Mushik; Opedahl; Peterson; Rayl; Sanstead; Shockman; Solberg; Thompson; Unhjem

HB 1657 passed and the title was agreed to.

MOTION

REP. BACKES MOVED that HB 1681 be placed at the foot of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILLS

HB 1683: A BILL for an Act to amend and reenact section 57-15-44 of the North Dakota Century Code, or in the alternative to amend and reenact subsection 22 of section 57-15-10 and section 57-15-44 of the North Dakota Century Code as amended by Senate Bill No. 2065, as approved by the

forty-eighth legislative assembly, relating to a city tax levy for acquiring real estate for public buildings.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended on page 1082 of the House Journal, the roll was called and there were 60 YEAS, 23 NAYS, 23 ABSENT AND NOT VOTING.

YEAS: Aubol; Black; Brokaw; Conmy; DeMers; Dotzenrod; Gates; Gerl; Gorder; Gullickson; Halmrast; Hamerlik; Hanson, L.; Haugland; Hill; Hjelle; Hoffner; Serenus; Hoffner, S. F.; Jacobson; Keller; Kloubec; Knudson; Koehn; Koski; Kretschmar; Lang; Larson, B.; Laughlin; Lautenschlager; Linderman; Lloyd; Martin, C.; Martinson; Meier, A.; Meiers, R.; Meyer, R.; Meyer, W.; Moore; Nicholas; Olson, A.; O'Shea; Pomeroy, E.; Pomeroy, G.; Rice; Riehl; Riley; Schneider; Schoenwald; Sinner; Stofferahn; Strinden; Swiontek; Vander Vorst; Vig; Wentz; Williams, A.; Williams, C.; Williams, W.; Wold; Speaker Kelly

NAYS: Anderson, C.; Anderson, R.; Backes; DuBord; Goetz; Hughes; Kent; Larson, R.; Melby; Murphy; Nalewaja; Nowatzki; O'Connell; Olafson; Olsen, D.; Retzer; Richard; Rued; Schindler; Shide; Timm; Watne; Whalen

ABSENT AND NOT VOTING: Boyle; Eagles; Erdman; Gunsch; Hanson, O.; Hausauer; Horgan; Kingsbury; Kuchera; Lardy; Lipsiea; Martin, G.; Mertens; Mushik; Opedahl; Peltier; Peterson; Rayl; Sanstead; Shockman; Solberg; Thompson; Unhjem

HB 1683 passed and the title was agreed to.

HB 1696: A BILL for an Act to create and enact a new subsection to section 11-11-14 of the North Dakota Century Code, relating to powers of boards of county commissioners to appoint temporary replacements for elected officials.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended on page 1083 of the House Journal, the roll was called and there were 81 YEAS, 0 NAYS, 25 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Aubol; Black; Brokaw; Conmy; DeMers; Dotzenrod; DuBord; Gates; Gerl; Goetz; Gorder; Gullickson; Halmrast; Hamerlik; Hanson, L.; Haugland; Hill; Hjelle; Hoffner; Serenus;

Hoffner, S. F.; Hughes; Jacobson; Keller; Kent; Kloubec; Knudson; Koehn; Koski; Kretschmar; Lang; Larson, B.; Larson, R.; Laughlin; Lautenschlager; Linderman; Lloyd; Martin, C.; Martinson; Meier, A.; Meiers, R.; Melby; Meyer, R.; Meyer, W.; Moore; Murphy; Nalewaja; Nicholas; Nowatzki; O'Connell; Olafson; Olsen, D.; Olson, A.; O'Shea; Pomeroy, E.; Pomeroy, G.; Retzer; Rice; Richard; Riehl; Riley; Rued; Schindler; Schneider; Schoenwald; Shide; Sinner; Strinden; Swiontek; Timm; Vander Vorst; Vig; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Wold; Speaker Kelly

NAYS: None

ABSENT AND NOT VOTING: Eackes; Boyle; Eagles; Erdman; Gunsch; Hanson, O.; Hausauer; Horgan; Kingsbury; Kuchera; Lardy; Lipsiea; Martin, G.; Mertens; Mushik; Opedahl; Peltier; Peterson; Rayl; Sanstead; Shockman; Solberg; Stofferahn; Thompson; Unhjem

HB 1696 passed and the title was agreed to.

HB 1716: A BILL for an Act to prohibit the use of a heating device which uses any form of liquefied petroleum gas in certain structures which are not properly vented; and to provide a penalty.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended on page 1083 of the House Journal, the roll was called and there were 79 YEAS, 2 NAYS, 25 ABSENT AND NOT VOTING.

YEAS: Anderson, R.; Aubol; Black; Brokaw; Conmy; DeMers; Dotzenrod; DuBord; Gates; Gerl; Goetz; Gorder; Gullickson; Halmrast; Hamerlik; Hanson, L.; Haugland; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Hughes; Jacobson; Keller; Kent; Kingsbury; Kloubec; Knudson; Koehn; Koski; Kretschmar; Lang; Larson, B.; Larson, R.; Laughlin; Lautenschlager; Linderman; Lloyd; Martin, C.; Martinson; Meier, A.; Meiers, R.; Melby; Meyer, R.; Meyer, W.; Moore; Nalewaja; Nicholas; Nowatzki; O'Connell; Olafson; Olsen, D.; Olson, A.; O'Shea; Pomeroy, E.; Pomeroy, G.; Rice; Riehl; Riley; Rued; Schindler; Schneider; Schoenwald; Shide; Sinner; Stofferahn; Strinden; Swiontek; Timm; Vander Vorst; Vig; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Wold; Speaker Kelly

NAYS: Murphy; Retzer

ABSENT AND NOT VOTING: Anderson, C.; Backes; Boyle; Eagles; Erdman; Gunsch; Hanson, O.; Hausauer; Horgan; Kuchera; Lardy; Lipsiea; Martin, G.; Mertens; Mushik; Opedahl; Peltier; Peterson; Rayl; Richard; Sanstead; Shockman; Solberg; Thompson; Unhjem

HB 1716 passed and the title was agreed to.

MOTIONS

REP. STRINDEN MOVED that HB 1720 and HB 1725 be placed at the foot of the calendar, which motion prevailed.

REP. BACKES MOVED that HCR 3048, HB 1348, and HB 1481 be placed at the foot of the calendar, which motion prevailed.

SPEAKER KELLY ANNOUNCED that the House would stand at ease to wait for the members of the Committee on Appropriations to return.

MOTION

REP. BACKES MOVED that HCR 3048, HB 1348, and HB 1481 be moved to the head of the calendar, which motion prevailed.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3048: A concurrent resolution directing a Legislative Council study of financial assistance provided by alumni associations and private foundations to the state colleges and universities.

Which has been read.

The question being on the final adoption of the resolution.

HCR 3048 was declared lost on a voice vote.

SECOND READING OF HOUSE BILLS

HB 1348: A BILL for an Act to amend and reenact section 57-50-01 of the North Dakota Century Code, or in the alternative if House Bill No. 1073 is approved by the forty-eighth legislative assembly and becomes effective, section 57-43.1-03 of the North Dakota Century Code, relating to reduction of the refunds of the motor vehicle fuel and special fuel taxes and distribution of the revenue to township road and bridge funds.

Which has been read.

MOTION

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

ROLL CALL

The question being on the final passage of the bill as amended on page 1069 of the House Journal, the roll was called and there were 40 YEAS, 64 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Aubol; Dotzenrod; Eagles; Goetz; Gorder; Gunsch; Hamerlik; Hanson, O.; Haugland; Horgan; Hughes; Keller; Kent; Kingsbury; Kloubec; Knudson; Koehn; Kretschmar; Kuchera; Lang; Larson, R.; Melby; Moore; Murphy; O'Connell; Olafson; Olsen, D.; Olson, A.; Peltier; Retzer; Rice; Rued; Schindler; Shide; Timm; Wentz; Whalen; Wold

NAYS: Backes; Black; Boyle; Brokaw; Conmy; DeMers; DuBord; Erdman; Gates; Gerl; Gullickson; Halmrast; Hanson, L.; Hausauer; Hill; Hjelle; Hoffner; Serenus; Hoffner, S. F.; Jacobson; Koski; Lardy; Larson, B.; Laughlin; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, C.; Martin, G.; Martinson; Meier, A.; Meiers, R.; Mertens; Meyer, R.; Meyer, W.; Mushik; Nalewaja; Nicholas; Nowatzki; Opedah; O'Shea; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Richard; Richl; Riley; Sanstead; Schneider; Schoenwald; Shockman; Sinner; Solberg; Stofferahn; Swiontek; Thompson; Vander Vorst; Vig; Watne; Williams, A.; Williams, C.; Williams, W.; Speaker Kelly

ABSENT AND NOT VOTING: Strinden; Unhjem

HB 1348 was declared lost.

HB 1481: A BILL for an Act to amend and reenact sections 49-22-08 and 49-22-13 of the North Dakota Century Code, relating to application for certificate and public hearings under the energy conversion and transmission facility siting laws.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended on pages 1007-1009 of the House Journal, the roll was called and there were 57 YEAS, 49 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Aubol; Backes; Black; Boyle; Brokaw; DeMers; Dotzenrod; Gerl; Gorder; Gullickson; Halmrast; Hamerlik; Hanson, L.; Hill; Hjelle; Hoffner; Serenus; Hoffner, S. F.; Horgan; Jacobson; Knudson; Koski; Kuchera; Lang; Lardy; Larson, B.; Laughlin; Lautenschlager; Lloyd; Martin, G.; Meier, A.; Meiers, R.; Melby; Meyer, W.; Mushik; Nowatzki; Olafson; Olsen, D.; Olson, A.; O'Shea; Pomeroy, E.;

Pomeroy, G.; Rayl; Retzer; Richard; Sanstead;
Schindler; Schneider; Schoenwald; Shide; Shockman;
Sinner; Stofferahn; Thompson; Vig; Williams, C.;
Williams, W.; Speaker Kelly

NAYS: Anderson, C.; Anderson, R.; Conmy; DuBord; Eagles;
Erdman; Gates; Goetz; Gunsch; Hanson, O.; Haugland;
Hausauer; Hughes; Keller; Kent; Kingsbury; Kloubec;
Koehn; Kretschmar; Larson, R.; Linderman; Lipsiea;
Martin, C.; Martinson; Mertens; Meyer, R.; Moore;
Murphy; Nalewaja; Nicholas; O'Connell; Opedahl;
Feltier; Peterson; Rice; Riehl; Riley; Rued; Solberg;
Strinden; Swiontek; Timm; Unhjem; Vander Vorst; Watne;
Wentz; Whalen; Williams, A.; Wold

ABSENT AND NOT VOTING: None

HB 1481 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 Kenneth Gronhovd, and Representative Gronhovd was thereupon introduced to the House.

SECOND READING OF HOUSE BILLS

HB 1001: A BILL for an Act to appropriate money for the expenses of the legislative branch of government; and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended on pages 1115 and 1116 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; Black;
Boyle; Brokaw; Conmy; DeMers; Dotzenrod; DuBord;
Eagles; Erdman; Gates; Gerl; Goetz; Gorder; Gullickson;
Gunsch; Halmarast; Hamerlik; Hanson, L.; Hanson, O.;
Haugland; Hausauer; Hill; Hjelle; Hoffner, Serenus;
Hoffner, S. F.; Horgan; Hughes; Jacobson; Keller; Kent;
Kingsbury; Kloubec; Knudson; Koehn; 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.; 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; Speaker Kelly

NAYS: None

ABSENT AND NOT VOTING: Lipsiea; Moore; Murphy; Riley

HB 1001 passed, the title was agreed to, and the emergency clause carried.

HB 1004: A BILL for an Act to amend and reenact section 4 of chapter 208 of the 1979 Session Laws of North Dakota as amended by section 1 of chapter 175 of the 1981 Session Laws of North Dakota, authorizing the board of university and school lands to invest in property development related to the Dickinson experiment station land transfers; and making an appropriation for defraying the expenses of the board of higher education and various divisions thereof of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended on pages 1117-1119 of the House Journal, the roll was called and there were 96 YEAS, 6 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Backes; Black; Boyle; Brokaw; Conmy; DeMers; Dotzenrod; DuBord; Eagles; Erdman; Gates; Gerl; Goetz; Gorder; Gullickson; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer; Hill; Hjelle; Hoffner, S. F.; Horgan; 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.; Melby; Mertens; Meyer, R.; Mushik; Nalewaja; Nicholas; Nowatzki; O'Connell; Olafson; Olsen, D.; Olson, A.; Opedahl; O'Shea; Peltier; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Rice; Riehl; Riley; Rued; Sanstead; Schindler; Schneider; Schoenwald; Shide; Sinner; Solberg; Stofferahn; Swiontek; Thompson; Timm; Unhjem; Vander Vorst; Vig; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Wold; Speaker Kelly

NAYS: Aubol; Hoffner, Serenus; Hughes; Meiers, R.; Meyer, W.; Shockman

ABSENT AND NOT VOTING: Moore; Murphy; Richard; Strinden

HB 1004 passed and the title was agreed to.

HB 1005: A BILL for an Act making an appropriation for defraying the expenses of the various institutions under the supervision of the board of higher education of the state of North Dakota.

Which has been read.

REQUEST

REP. DEMERS REQUESTED that she be excused from voting on HB 1005, because of a conflict of interest.

MOTION

REP. BACKES MOVED that Rep. Demers be allowed to vote, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill as amended on pages 1119-1126 of the House Journal, the roll was called and there were 94 YEAS, 9 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Aubol; Backes; Black; Boyle; Brokaw; Conmy; DeMers; Dotzenrod; DuBord; Eagles; Erdman; Gates; Gerl; Goetz; Gorder; Gullickson; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Jacobson; Keller; 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.; Mertens; Meyer, R.; Meyer, W.; Moore; Mushik; Nalewaja; Nicholas; Nowatzki; O'Connell; Olsen, D.; Opedahl; O'Shea; Peltier; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Rice; Richard; Riehl; Riley; Sanstead; Schindler; Schneider; Schoenwald; Shide; Sinner; Solberg; Stofferahn; Swiontek; Thompson; Timm; Unhjem; Vander Vorst; Vig; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Wold; Speaker Kelly

NAYS: Anderson, C.; Anderson, R.; Hughes; Melby; Murphy; Olafson; Olson, A.; Shockman; Whalen

ABSENT AND NOT VOTING: Kent; Rued; Strinden

HB 1005 passed and the title was agreed to.

MOTION

REP. BACKES MOVED that the House be on the Sixth order of business, which motion prevailed.

SIXTH ORDER OF BUSINESS

REP. SINNER MOVED that the amendments to HB 1605 as recommended by the Committee on Finance and Taxation as printed on page 1255 of the House Journal be adopted, which motion prevailed.

REP. SINNER MOVED that the amendments to HB 1726 as recommended by the Committee on Finance and Taxation as printed on page 1255 of the House Journal be adopted, which motion prevailed.

REP. SINNER MOVED that the amendments to HB 1728 as recommended by the majority of your Committee on Finance and Taxation as printed on page 1257 of the House Journal be adopted.

MOTION

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

REQUEST

REP. BACKES REQUESTED a recorded roll call vote on the motion to adopt the proposed majority amendments to HB 1728, which request was granted.

ROLL CALL

The question being on the final adoption of the proposed majority amendments to HB 1728, the roll was called and there were 30 YEAS, 76 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Aubol; Backes; DeMers; Erdman; Horgan; Jacobson; Lardy; Larson, B.; Linderman; Martin, G.; Meiers, R.; Mertens; Mushik; Nalewaja; Peltier; Pomeroy, E.; Pomeroy, G.; Rayl; Richard; Riehl; Schneider; Shockman; Sinner; Stofferahn; Strinden; Swiontek; Thompson; Williams, A.; Williams, C.; Speaker Kelly

NAYS: Anderson, C.; Anderson, R.; Black; Boyle; Brokaw; Conny; Dotzenrod; DuBord; Eagles; Gates; Gerl; Goetz; Gorder; Cullickson; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Hughes; Keller; Kent; Kingsbury; Kloubec; Knudson; Koehn; Koski; Kretschmar; Kuchera; Lang; Larson, R.; Laughlin; Lautenschlager; Lipsiea; Lloyd; Martin, C.; Martinson; Meier, A.; Melby; Meyer, R.; Meyer, W.; Moore; Murphy; Nicholas; Nowatzki; O'Connell; Olafson; Olsen, D.; Olson, A.; Opedahl; O'Shea; Peterson; Retzer; Rice; Riley; Rued; Sanstead; Schindler; Schoenwald; Shide; Solberg; Timm; Unhjem; Vander Vorst; Vig; Watne; Wentz; Whalen; Williams, W.; Wold

ABSENT AND NOT VOTING: None

The amendments to HB 1728, as recommended by the majority of the Committee on Finance and Taxation, were declared lost.

MOTION

REP. R. ANDERSON MOVED that the amendments to HB 1728 as recommended by the minority of your Committee on Finance and Taxation as printed on pages 1257 and 1258 of the House Journal be adopted.

REQUEST

REP. BACKES REQUESTED a recorded roll call vote on the motion to adopt the proposed minority amendments to HB 1728, which request was granted.

ROLL CALL

The question being on the final adoption of the proposed minority amendments to HB 1728, the roll was called and there were 52 YEAS, 54 NAYS, and 0 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Black; Conmy; Dotzenrod; DuBord; Eagles; Gates; Gerl; Goetz; Gorder; Gunsch; Hamerlik; Hanson, O.; Hausauer; Hill; Hughes; Kent; Kingsbury; Kloubec; Knudson; Koehn; Kretschmar; Kuchera; Lang; Larson, R.; Lipsiea; Lloyd; Martin, C.; Melby; Moore; Murphy; Nalewaja; O'Connell; Olafson; Olsen, D.; Olson, A.; Peltier; Retzer; Rice; Riley; Schindler; Shide; Sinner; Strinden; Swiontek; Thompson; Timm; Unhjem; Vander Vorst; Wentz; Wold

NAYS: Aubol; Backes; Boyle; Brokaw; DeMers; Erdman; Gullickson; Halmrast; Hanson, L.; Haugland; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Jacobson; Keller; Koski; Lardy; Larson, B.; Laughlin; Lautenschlager; Linderman; Martin, G.; Martinson; Meier, A.; Meiers, R.; Mertens; Meyer, R.; Meyer, W.; Mushik; Nicholas; Nowatzki; Opedahl; O'Shea; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Richard; Riehl; Rued; Sanstead; Schneider; Schoenwald; Shockman; Solberg; Stofferahn; Vig; Watne; Whalen; Williams, A.; Williams, C.; Williams, W.; Speaker Kelly

ABSENT AND NOT VOTING: None

The amendments to HB 1728, as recommended by the minority of the Committee on Finance and Taxation, were declared lost.

MOTION

REP. BACKES MOVED that HB 1728 be moved to the head of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILLS

HB 1728: A BILL for an Act to create and enact a new section to chapter 57-60 of the North Dakota Century Code, providing a minimum tax payable by electrical generating plants; and to

amend and reenact subsection 2 of section 57-33.1-02 and sections 57-60-02, 57-60-04, 57-60-05, and 57-60-14 of the North Dakota Century Code, imposing an additional tax on electrical generating plants and providing for deposit of funds from the additional tax in the state general fund.

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, 68 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Aubol; Backes; Black; Boyle; Brokaw; DeMers; Eagles; Erdman; Hjelle; Horgan; Jacobson; Kloubec; Kuchera; Lardy; Larson, B.; Linderman; Meiers, R.; Mertens; Mushik; Nalewaja; O'Connell; Peltier; Pomeroy, E.; Pomeroy, G.; Rayl; Richard; Riehl; Shockman; Sinner; Stofferahn; Strinden; Swiontek; Thompson; Williams, A.; Williams, C.; Williams, W.; Wold; Speaker Kelly

NAYS: Anderson, C.; Anderson, R.; Conmy; Dotzenrod; DuBord; Gates; Gerl; Goetz; Gorder; Gullickson; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Housauer; Hill; Hoffner, Serenus; Hoffner, S. F.; Hughes; Keller; Kent; Kingsbury; Knudson; Koehn; Koski; Kretschmar; Lang; Larson, R.; Laughlin; Lautenschlager; Lipsia; Lloyd; Martin, C.; Martin, G.; Martinson; Meier, A.; Melby; Meyer, R.; Meyer, W.; Moore; Murphy; Nicholas; Nowatzki; Olafson; Olsen, D.; Olson, A.; Opedahl; O'Shea; Peterson; Retzer; Rice; Riley; Rued; Sanstead; Schindler; Schneider; Schoenwald; Shide; Solberg; Timm; Unhjem; Vander Vorst; Vig; Watne; Wentz; Whalen

ABSENT AND NOT VOTING: None

HB 1728 was declared lost.

MOTION

REP. BACKES MOVED that the House stand in recess until 1:15 p.m., which motion prevailed.

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

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 2003, SB 2021, SB 2027, SB 2033, SB 2037, SB 2040,
SB 2067, SB 2299, SB 2333, SB 2350, SB 2464

Very respectfully,
LEO LEIDHOLM, Secretary

REPORTS OF STANDING COMMITTEES

MADAM SPEAKER: Your Committee on Finance and Taxation to which was referred HB 1727 has had the same under consideration and recommends by a vote of 10 YEAS, 7 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

- On page 2, line 30, delete the word "four" and insert in lieu thereof the word "ten"
- On page 3, line 15, delete the word "or" and insert in lieu thereof an underscored comma
- On page 3, line 16, after the word "return" insert the words "or failure to pay the tax due"
- On page 6, line 33, after the underscored period insert the following sentence: "After the quarterly return is due, penalty and interest for failure to file a return or corrected return or to pay the tax imposed shall be that prescribed in section 57-40.2-15."
- On page 7, overstrike lines 34 and 35
- On page 8, overstrike lines 1 through 4
- On page 8, line 5, overstrike the word "provided." and insert immediately thereafter the following: "The tax on oil shall be due and payable on the twenty-fifth day of the month succeeding the month of production. The tax on gas shall be due and payable on the fifteenth day of the second month succeeding the month of production. If the tax is not paid as required by this section, it shall become delinquent and shall be collected as provided in this chapter."
- On page 8, line 31, overstrike the word "or"
- On page 8, line 32, overstrike the word "gas," and delete the word "twentieth" and insert in lieu thereof the word "twenty-fifth", and overstrike the words "following the"
- On page 8, line 33, overstrike the word "preceding" and after the overstruck word "peried" insert the words "of the next succeeding" and after the word "month" insert the words "after production, and any person engaged in the production of gas within this state"

shall, on or before the fifteenth of the second succeeding month after production,"

On page 10, line 21, overstrike the word "quarter" and insert immediately thereafter the word "month"

On page 10, line 23, delete the word "twentieth" and overstrike the words "day following the preceding", and delete the word "monthly", and overstrike the word "period" and insert immediately thereafter the following: "twenty-fifth day of the next succeeding month after production for oil and the fifteenth day of the second succeeding month after production for gas as provided in subsection 1 of section 57-51-05"

On page 11, line 26, delete the word "twenty" and insert in lieu thereof the word "twenty-five"

On page 11, line 27, delete the word "twentieth" and insert in lieu thereof the word "twenty-fifth"

On page 13, line 5, delete the word "twenty" and insert in lieu thereof the word "twenty-five"

On page 13, line 16, delete the word "twenty" and insert in lieu thereof the word "twenty-five"

On page 13, line 18, delete the word "twentieth" and insert in lieu thereof the word "twenty-fifth"

On page 14, line 7, delete the word "twenty" and insert in lieu thereof the word "twenty-five"

And renumber the lines and pages accordingly

REP. SINNER, Chairman

HB 1727 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 1729 has had the same under consideration and recommends by a vote of 19 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

REP. MERTENS, Chairman

HB 1729 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MOTIONS

REP. BACKES MOVED that the amendments to HB 1727 be considered at this time, which motion prevailed.

REP. SINNER MOVED that the amendments to HB 1727 as recommended by the Committee on Finance and Taxation be adopted, which motion prevailed.

REPORT OF PROCEDURAL COMMITTEE

MADAM SPEAKER: Your procedural Committee on Delayed Bills, by a vote of 5 to 0, concludes that the introduction of HMR 1 should be allowed.

REP. BACKES, Chairman

FIRST READING OF HOUSE MEMORIAL RESOLUTION

Reps. Halmrast, Schneider, DuBord, A. Meier, Moore, Kloubec, Kelly introduced:

(Approved by the Committee on Delayed Bills)

HMR 1: A memorial resolution commemorating U.S. Marshal Kenneth Muir and Deputy U.S. Marshal Robert S. Cheshire, Jr., whose lives were taken while in the line of duty.

MOTION

REP. BACKES MOVED that the rules be suspended, that HMR 1 not be printed, not be referred to committee, but be read in its entirety, be printed in the Journal, and placed on the calendar for second reading and final passage, which motion prevailed.

Reps. Halmrast, Schneider, DuBord, A. Meier, Moore, Kloubec, Kelly introduced:

HOUSE MEMORIAL RESOLUTION NO. 1

A memorial resolution commemorating U.S. Marshal Kenneth Muir and Deputy U.S. Marshal Robert S. Cheshire, Jr., whose lives were taken while in the line of duty.

WHEREAS, Kenneth Muir served in the U.S. Marshal's office since 1959 and as U.S. Marshal for the state of North Dakota since December 1981; and

WHEREAS, Robert S. Cheshire, Jr. served as Deputy U.S. Marshal since 1978; and

WHEREAS, U.S. Marshal Kenneth Muir and Deputy U.S. Marshal Robert S. Cheshire, Jr., died on February 13, 1983, from gunshot wounds received while in the line of duty; and

WHEREAS, it is the intention of the Forty-eighth Legislative Assembly, as representative of all North Dakota citizens, to commemorate U.S. Marshal Kenneth Muir and Deputy U.S. Marshal Robert S. Cheshire, Jr., for their dedicated service to the people of this state in the U.S. Marshal's office;

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

That the Forty-eighth Legislative Assembly commemorates U.S. Marshal Kenneth Muir and Deputy U.S. Marshal Robert S.

Cheshire, Jr., and for their dedicated service to the people of this state in the United States Marshal's office; and

BE IT FURTHER RESOLVED, that all North Dakota citizens extend their sorrow and deepest sympathy to the spouses and families of these brave men, and express their firm belief that they did not die in vain; and

BE IT FURTHER RESOLVED, that the Secretary of State send enrolled copies of this resolution to Mrs. Kenneth Muir and Mrs. Robert S. Cheshire, Jr., and to the U.S. Marshal's offices in Bismarck and Fargo, North Dakota.

SECOND READING OF HOUSE MEMORIAL RESOLUTION

HMR 1: A memorial resolution commemorating U.S. Marshal Kenneth Muir and Deputy U.S. Marshal Robert S. Cheshire, Jr., whose lives were taken while in the line of duty.

Which has been read.

The question being on the final adoption of the resolution.

HMR 1 was declared adopted on a voice vote.

MOTION

REP. STRINDEN MOVED that Rep. Moore's remarks be printed in the House Journal, which motion prevailed.

REMARKS OF REP. MOORE

Madam Speaker and members of the assembly: Last Sunday evening as many of us were on our way back to Bismarck, an inexcusable act of violence was unfolding in our state--an action that we do not accept as possible in our state. My first reaction was disbelief--then I was appalled.

Robert Cheshire and Kenneth Muir, as officers, as men, as husbands, as fathers, as friends to many of us, died in that burst of violence.

Kenneth Muir and Robert Cheshire spent their adult lives as law officers, placing themselves between society and those who feel violence is justified by their cause.

We so often take our freedoms and the safety of our homes for granted. They gave their lives to protect those freedoms. I would hope that this resolution would in some small way convey to their families our appreciation for their service. I would also hope that it will impart that we will not and cannot accept these violent acts for whatever the cause.

Madam Speaker, I would ask that the assembly stand for a moment of silence to their memory.

THE HOUSE STOOD in a moment of silence in memory of U.S. Marshal Kenneth Muir and Deputy U.S. Marshal Robert S. Cheshire, Jr.

SECOND READING OF HOUSE BILLS

HB 1006: A BILL for an Act making an appropriation for defraying the expenses of the state board of vocational education of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended on pages 1126 and 1127 of the House Journal, the roll was called and there were 104 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Aubol; Backes; Black; Boyle; Brokaw; Conmy; DeMers; Dotzenrod; DuBord; Eagles; Erdman; Gates; Gerl; Goetz; Gordier; Cullickson; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. E.; Horgan; Hughes; Jacobson; Keller; Kent; Kingsbury; Kloubec; Knudson; Koehn; Koski; Kretschmar; Kuchera; Lang; Lardy; Larson, B.; Larson, R.; Laughlin; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, C.; Martin, G.; Martinson; Meier, A.; Meiers, R.; Melby; Mertens; Meyer, R.; Meyer, W.; Moore; Mushik; Nalewaja; Nicholas; Nowatzki; O'Connell; Olafson; Olsen, D.; Olson, A.; Opedahl; O'Shea; Peltier; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; 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; Speaker Kelly

NAYS: Murphy

ABSENT AND NOT VOTING: Retzer

HB 1006 passed and the title was agreed to.

MOTION

REP. BACKES MOVED that HB 1500 be moved to the head of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILLS

HB 1500: A BILL for an Act to amend and reenact sections 15-10-01, 15-13-01, and 15-47-02 of the North Dakota Century Code to provide a change in the name of "Minot state college" to the Dakota northwestern university.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended on pages 1071 and 1072 of the House Journal, the roll was called and there were 77 YEAS, 29 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Aubol; Backes; Black; Brockaw; Conmy; Dotzenrod; DuBord; Eagles; Erdman; Gates; Gerl; Gullickson; Halmrast; Hanson, L.; Hanson, O.; Haugland; Hausauer; Hill; Hjelle; Hoffner, Selenus; Horgan; Hughes; Jacobson; Keller; Kingsbury; Koehn; Kretschmar; Lang; Larson, B.; Larson, R.; Laughlin; Lautenschlager; Lloyd; Meier, A.; Meiers, R.; Mertens; Meyer, R.; Meyer, W.; Moore; Murphy; Mushnik; Nalewaja; Nicholas; Nowatzki; O'Connell; Olson, A.; Opedahl; O'Shea; Feltier; Peterson; Pomeroy, E.; Rice; Richard; Riehl; Riley; Rued; Sanstead; Schindler; Schneider; Schoenwald; Shockman; Sinner; Solberg; Stofferahn; Swiontek; Timm; Unhjem; Vander Vorst; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Speaker Kelly

NAYS: Boyle; DeMers; Goetz; Gorder; Gunsch; Hamerlik; Hoffner, S. F.; Kent; Kloubec; Knudson; Koski; Kuchera; Lardy; Linderman; Lipsiea; Martin, C.; Martin, G.; Martinson; Melby; Olafson; Olsen, D.; Pomeroy, G.; Rayl; Retzer; Shide; Strinden; Thompson; Vig; Wold

ABSENT AND NOT VOTING: None

HB 1500 passed and the title was agreed to.

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 and members of the Assembly: I would like to speak briefly to the issue which just passed and to explain, I think, why some members voted no, including myself.

This was in no way a reflection against a very fine institution of higher learning, nor was it in any way a reflection against the individuals who sponsored and worked very hard for this name change and for the passage of this bill.

I think that we in North Dakota need to have an overview of all of higher education. I would have preferred, and I think others would have preferred, if the Board of Higher Education had brought in a report which would tell us what they think we should have in the state of North Dakota, not

only for 1983, but for ten years from now and maybe even twenty years from now.

We are a small state. I tend to think that we are at the crossroads with regard to higher education. We have other institutions and they also are fine institutions, at Dickinson, at Valley City, and at Mayville. We have junior colleges and we have only about 650,000 people.

I do believe that a number of individuals who voted no did so because they want to know what the plan is for the future and what the program is for the future and where all of the institutions and all of the curriculums come together in some type of a comprehensive plan for the people of North Dakota.

I have great respect for the administration of Minot college and I certainly, as always, stand strongly to support education.

HB 1007: A BILL for an Act making an appropriation for defraying the expenses of community or junior colleges.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended on pages 1127 and 1128 of the House Journal, the roll was called and there were 86 YEAS, 18 NAYS, 2 ABSENT AND NOT VOTING.

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

NAYS: Anderson, C.; Anderson, R.; DeMers; Gerl; Gunsch; Hanson, L.; Kloubec; Kuchera; Melby; Murphy; Olafson; Olsen, D.; Olson, A.; Retzer; Schneider; Shide; Thompson; Whalen

ABSENT AND NOT VOTING: Backes; Strinden

HB 1007 passed and the title was agreed to.

HB 1009: A BILL for an Act making an appropriation for defraying the expenses of the extension division and the experiment stations of North Dakota state university of agriculture and applied science; providing for a transfer of funds from the agriculturally derived alcohol motor fuel tax fund; and providing for a transfer of funds from the coal development impact fund.

Which has been read.

POINT OF PERSONAL PRIVILEGE

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

There is about a million dollars that we are taking out of the general fund and putting in above the budget. The total amount of money spent for agricultural research and experimentation here in the state of North Dakota, which includes the extension service and Northern Crop Institute, totals about sixty million dollars.

This morning we passed a higher education bill out of here, amounting to over two hundred million dollars. We will, before we finish here, spend about two hundred and twenty-five million for elementary and secondary education, and better than two hundred million for human and social service. The money has to come from somewhere to pay the taxes to support these bills.

It has been stated on the floor many times that from fifty-five to sixty-five percent of all revenue in the state of North Dakota comes out of agriculture, and in return about four percent goes back.

If you go out of here and talk to the farmers in the rural areas you will find that the first thing they want you to do is cut the budget. If you can't do that, then you will have to raise the taxes, but at least give us something tangible for what we have.

The farmers have felt for many, many years that they are getting the short end of it relative to the rest of the budget. All you have to do is take a look at the Appropriations Committee and see how it is overloaded with city legislators as versus rural legislators. They don't mind paying these taxes. They'll pay that extra cent in sales tax and they will pay that gas tax. They'll pay that

extra income tax, if you give them something in return and they can see it.

For example: They can see it in the research stations in North Central at Minot, the cleaning plant, one of the biggest providers of pure seed we have in the state of North Dakota which is an antiquated cleaning plant.

The farmers can see the results of that. They can see the results at Hettinger and the new agronomist and technician, also better grades of sheep and better grades of winter wheat at Dickinson, the cowboys can see it in their cattle and the statistics and better grasses that come out of the Central Grasslands at Streeter. Langdon is the same way. This is the way it is all down the line.

They can see all this but if you will give them that, they aren't going to be so apt to grow when they have to pay the taxes to foot all the rest of that bill. I'd certainly encourage you to agree on this bill.

ROLL CALL

The question being on the final passage of the bill as amended on pages 1128-1138 of the House Journal, the roll was called and there were 93 YEAS, 12 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Aubol; Backes; Black; Boyle; Conmy; Dotzenrod; DuBord; Eagles; Erdman; Gates; Gerl; Goetz; Gorder; Gullickson; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Jacobson; Keller; Kingsbury; Kloubec; Knudson; Koehn; Kretschmar; Kuchera; Lang; Lardy; Larson, B.; 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; 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; Sinner; Stofferahn; Swiontek; Thompson; Timm; Unhjem; Vander Vorst; Vig; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Wold

NAYS: Brokaw; DeMers; Hughes; Kent; Koski; Larson, R.; Lipsiea; Murphy; Olafson; Shockman; Strinden; Speaker Kelly

ABSENT AND NOT VOTING: Solberg

HB 1009 passed and the title was agreed to.

HB 1010: A BILL for an Act making an appropriation for defraying the expenses of the department of health of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended on pages 1138 and 1139 of the House Journal, the roll was called and there were 86 YEAS, 13 NAYS, 7 ABSENT AND NOT VOTING.

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

NAYS: Anderson, C.; Anderson, R.; Gunsch; Hanson, O.; Hughes; Kent; Kuchera; Lipsiea; Melby; Murphy; Olafson; Shockman; Whalen

ABSENT AND NOT VOTING: Backes; Brokaw; Opedahl; Peterson; Sinner; Solberg; Strinden

HB 1010 passed and the title was agreed to.

HB 1016: A BILL for an Act making an appropriation for defraying the expenses of the aeronautics commission of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended on pages 1139 and 1140 of the House Journal, the roll was called and there were 89 YEAS, 10 NAYS, 7 ABSENT AND NOT VOTING.

YEAS: Anderson, R.; Aubol; Backes; Black; Boyle; Conmy; DeMers; Dotzenrod; DuBord; Eagles; Erdman; Gates; Gerl; Goetz; Gorder; Gullickson; Gunsch; Halmrast; Hamerlik;

Hanson, L.; Hanson, O.; Haugland; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Hughes; Jacobson; Keller; Kingsbury; Kloubec; Knudson; Koehn; Koski; Kretschmar; Kuchera; Lardy; Larson, B.; Larson, R.; Laughlin; Lautenschlager; Linderman; Lloyd; Martin, C.; Martin, G.; Martinson; Meier, A.; Meiers, R.; Melby; Mertens; Meyer, W.; Moore; Mushik; Nalewaja; Nicholas; Nowatzki; O'Connell; Olafson; Olsen, D.; Olson, A.; Opedahl; O'Shea; Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Rice; Richard; Riley; Sanstead; Schindler; Schneider; Schoenwald; Shide; Sinner; Solberg; Stofferahn; Swiontek; Timm; Unhjem; Vander Vorst; Vig; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Speaker Kelly

NAYS: Anderson, C.; Brockaw; Lang; Meyer, R.; Murphy; Riehl; Shockman; Thompson; Williams, W.; Wold

ABSENT AND NOT VOTING: Hausauer; Kent; Lipsiea; Peltier; Peterson; Rued; Strinden

HB 1016 passed and the title was agreed to.

HB 1017: A BILL for an Act making an appropriation for defraying the expenses of the weather modification board of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended on pages 1140 and 1141 of the House Journal, the roll was called and there were 69 YEAS, 36 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Anderson, R.; Aubol; Backes; Black; Conmy; Gates; Goetz; Gorder; Gunsch; Halmrast; Hamerlik; Hanson, O.; Haugland; Hausauer; Hill; Hjelle; Hoffner, Serenus; Horgan; Hughes; Jacobson; Kingsbury; Knudson; Koehn; Koski; Kretschmar; Kuchera; Lang; Larson, B.; Laughlin; Lautenschlager; Martin, C.; Martin, G.; Martinson; Meier, A.; Meiers, R.; Meyer, R.; Meyer, W.; Moore; Murphy; Nalewaja; Nicholas; Nowatzki; O'Connell; Olafson; Olsen, D.; Opedahl; O'Shea; Peterson; Pomeroy, E.; Pomeroy, G.; Rice; Riehl; Riley; Rued; Sanstead; Schindler; Schneider; Schoenwald; Shide; Strinden; Swiontek; Timm; Unhjem; Vig; Watne; Wentz; Whalen; Williams, C.; Wold

NAYS: Anderson, C.; Boyle; Brockaw; DeMers; Dotzenrod; DuBord; Eagles; Erdman; Gerl; Gullickson; Hanson, L.; Keller; Kent; Kloubec; Lardy; Larson, R.; Linderman; Lipsiea; Lloyd; Melby; Mertens; Mushik; Olson, A.;

Feltier; Rayl; Retzer; Richard; Shockman; Sinner;
 Solberg; Stofferahn; Thompson; Vander Vorst;
 Williams, A.; Williams, W.; Speaker Kelly

ABSENT AND NOT VOTING: Hoffner, S. F.

HB 1017 passed and the title was agreed to.

REQUEST

REP. S. F. HOFFNER REQUESTED that the record show that he intended to vote "yea" on HB 1017, which request was granted.

HB 1023: A BILL for an Act making an appropriation for defraying the expenses of various agricultural councils and commissions of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended on pages 1141 and 1142 of the House Journal, the roll was called and there were 102 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING.

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

NAYS: Brokaw; Koski; Murphy

ABSENT AND NOT VOTING: Whalen

HB 1023 passed and the title was agreed to.

MOTION

REP. PELTIER MOVED that the House reconsider its action whereby HB 1641 failed to pass, which motion prevailed.

SECOND READING OF HOUSE BILLS

HB 1641: A BILL for an Act to create and enact a new subsection to section 54-09-02 of the North Dakota Century Code, relating to the secretary of state furnishing information on financing statement filed when the collateral is on crops or cattle; and to amend and reenact subsection 1 of section 41-09-40 of the North Dakota Century Code, relating to the place of filing such a security interest.

Which has been read.

REQUEST

REP. STRINDEN REQUESTED that the record show that the motion to reconsider passage of HB 1641 was done to accommodate an agreement which evidently has been reached between the banking interests and the grain dealers. The reason I ask this, Madam Speaker, is that we did, by a rather resounding vote, defeat this bill on February 14th.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 91 YEAS, 15 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Aubol; Backes; Black; Boyle; Conmy; DeMers; Dotzenrod; DuFord; Eagles; Erdman; Gates; Gerl; Goetz; Gorder; Gullickson; Gunsch; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Hughes; Jacobson; Keller; Kent; Kingsbury; Kloubec; Koehn; Koski; Kretschmar; Kuchera; Lang; Lardy; Larson, B.; Larson, R.; Laughlin; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, G.; Meier, A.; Meiers, R.; Melby; Mertens; 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; Stofferahn; Strinden; Swiontek; Timm; Uuhjem; Vig; Wentz; Williams, A.; Williams, C.; Williams, W.; Wold; Speaker Kelly

NAYS: Brokaw; Hanson, O.; Knudson; Martin, C.; Martinson; Meyer, R.; Murphy; Retzer; Riley; Shockman; Solberg; Thompson; Vander Vorst; Watne; Whalen

ABSENT AND NOT VOTING: None

HB 1641 passed and the title was agreed to.

HB 1024: A BILL for an Act making an appropriation for defraying the expenses of the state fair association of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended on page 1142 of the House Journal, the roll was called and there were 76 YEAS, 26 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Backes; Black; DeMers; Dotzenrod; Eagles; Erdman; Gates; Gerl; Goetz; Gorder; Gullickson; Gunsch; Halmrast; Hamerlik; Hanson, O.; Haugland; Hausauer; Hjelle; Hoffner, Sereenus; Hoffner, S. F.; Horgan; Jacobson; Keller; Kingsbury; Koehn; Koski; Kretschmar; Kuchera; Lang; Larson, B.; Laughlin; Lautenschlager; Linderman; Lloyd; Martin, G.; Martinson; Meier, A.; Meiers, R.; Meyer, R.; Meyer, W.; Moore; Nalewaja; Nicholas; Nowatzki; O'Connell; Olsen, D.; Olson, A.; Opedahl; Peltier; Peterson; Pomeroy, E.; Pomeroy, G.; Retzer; Rice; Richard; Riehl; Riley; Rued; Sanstead; Schneider; Schoenwald; Sinner; Solberg; Stofferahn; Strinden; Swiontek; Timm; Unhjem; Vander Vorst; Vig; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Speaker Kelly

NAYS: Anderson, C.; Boyle; Brokaw; Conmy; DuBord; Hanson, L.; Hill; Hughes; Kent; Kloubec; Knudson; Lardy; Larson, R.; Lipsiea; Melby; Murphy; Mushik; Olafson; O'Shea; Rayl; Schindler; Shide; Shockman; Thompson; Whalen; Wold

ABSENT AND NOT VOTING: Anderson, R.; Aubol; Martin, C.; Mertens

HB 1024 passed and the title was agreed to.

HB 1025: A BILL for an Act making an appropriation for defraying the expenses of the economic development commission of the state of North Dakota; and providing for a transfer.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended on page 1143 of the House Journal, the roll was called and there were 81 YEAS, 13 NAYS, 12 ABSENT AND NOT VOTING.

YEAS: Anderson, R.; Aubol; Black; Boyle; Conmy; DeMers; Dotzenrod; Eagles; Erdman; Gates; Gunsch; Halmrast;

Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Hughes; Jacobson; Kingsbury; Kloubec; Knudson; Koski; Kretschmar; Kuchera; Lang; Lardy; Larson, B.; Larson, R.; Laughlin; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, C.; Martin, G.; Martinson; Melby; Meyer, R.; Moore; Mushik; Nalewaja; Nicholas; Nowatzki; O'Connell; Olafson; Olsen, D.; Olson, A.; Opedahl; O'Shea; Feltier; Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Rice; Riehl; Riley; Rued; Sanstead; Schindler; Schneider; Schoenwald; Shide; Solberg; Stofferahn; Swiontek; Timm; Vander Vorst; Vig; Wentz; Whalen; Williams, A.; Williams, C.; Wold; Speaker Kelly

NAYS: Brokaw; DuBord; Gerl; Gorder; Gullickson; Keller; Meier, A.; Meyer, W.; Murphy; Richard; Shockman; Watne; Williams, W.

ABSENT AND NOT VOTING: Anderson, C.; Backes; Goetz; Kent; Koehn; Meiers, R.; Mertens; Peterson; Sinner; Strinden; Thompson; Unhjem

HB 1025 passed and the title was agreed to.

MOTION

REP. A. WILLIAMS MOVED that the House reconsider its action whereby HB 1622 was defeated for want of a Constitutional majority.

REQUEST

REP. KLOUBEC REQUESTED a division, which request was granted.

So the motion to reconsider HB 1622 passed on a division vote.

SECOND READING OF HOUSE BILL

HB 1622: A BILL for an Act to establish a self-sustaining bus insurance fund.

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, 49 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Aubol; Backes; Black; 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; Lautenschlager; Linderman; Lloyd; Martin, C.; Martin, G.; Meier, A.; Meiers, R.; Mertens; Meyer, R.; Meyer, W.; Mushik; Nowatzki; O'Connell; Opedahl; O'Shea; Pomeroy, E.; Pomeroy, G.; Rayl; Richard; Riehl;

Sanstead; Schneider; Schoenwald; Shockman; Solberg;
Stofferahn; Vig; Watne; Williams, A.; Williams, C.;
Williams, W.; Speaker Kelly

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

ABSENT AND NOT VOTING: Riley; Sinner

HB 1622 passed and the title was agreed to.

REQUEST

REP. SINNER REQUESTED that the record show that he intended to vote "yea" on the final passage of HB 1622, which request was granted.

MOTIONS

REP. BACKES MOVED that HB 1004, HB 1005, and HB 1009 be reprinted, which motion prevailed.

REP. BACKES MOVED that the House stand in recess until 3:20 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 it has examined the following bills and finds the same correctly engrossed:

HB 1605, HB 1726, HB 1727

REP. G. MARTIN, Chairman

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

SECOND READING OF HOUSE BILLS

HB 1028: A BILL for an Act making an appropriation for defraying the expenses of the highway patrol of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended on pages 1144 and 1145 of the House Journal, the roll was called and there were 100 YEAS, 2 NAYS, 4 ABSENT AND NOT VOTING.

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

NAYS: Meier, A.; Murphy

ABSENT AND NOT VOTING: Brokaw; Horgan; Nicholas; Nowatzki

HB 1028 passed and the title was agreed to.

HB 1029: A BILL for an Act making an appropriation for defraying the expenses of the highway department of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended on pages 1145 and 1146 of the House Journal, the roll was called and there were 99 YEAS, 5 NAYS, 2 ABSENT AND NOT VOTING.

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

Martin, G.; Martinson; Meier, A.; Meiers, R.; Melby; Mertens; Meyer, R.; Meyer, W.; Moore; Mushik; Nalewaja; Nowatzki; O'Connell; Olafson; Olsen, D.; Olson, A.; Opedahl; O'Shea; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Rice; Richard; Riehl; Riley; Rued; Sanstead; Schindler; Schneider; Schoenwald; Shide; Sinner; Solberg; Stofferahn; Strinden; Thompson; Timm; Vander Vorst; Vig; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Wold; Speaker Kelly

NAYS: Brokaw; Murphy; Peltier; Shockman; Swiontek

ABSENT AND NOT VOTING: Nicholas; Unhjem

HB 1029 passed and the title was agreed to.

HB 1030: A BILL for an Act making an appropriation for defraying the expenses of the upper great plains transportation institute of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended on pages 1146 and 1147 of the House Journal, the roll was called and there were 91 YEAS, 10 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Anderson, R.; Aubol; Black; Boyle; Brokaw; 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; Jacobson; Keller; Kent; Kingsbury; Kloubec; Knudson; Koehn; Koski; Kretschmar; Kuchera; Lang; Lardy; Larson, B.; Laughlin; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, C.; Martin, G.; Martinson; Meier, A.; Meiers, R.; Mertens; Meyer, R.; Meyer, W.; Moore; Mushik; Nalewaja; Nowatzki; O'Connell; Olsen, D.; Opedahl; O'Shea; Peltier; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Rice; Richard; Riehl; Riley; Rued; Sanstead; Schneider; Schoenwald; Shide; Shockman; Sinner; Solberg; Stofferahn; Strinden; Swiontek; Thompson; Timm; Vander Vorst; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Wold; Speaker Kelly

NAYS: Anderson, C.; Conmy; Gorder; Hughes; Larson, R.; Melby; Murphy; Olafson; Olson, A.; Schindler

ABSENT AND NOT VOTING: Backes; Gunsch; Nicholas; Unhjem; Vig

HB 1030 passed and the title was agreed to.

HB 1031: A BILL for an Act making an appropriation for defraying the expenses of the motor vehicle department of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended on pages 1147 and 1148 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; Black; Boyle; Brokaw; Conmy; DeMers; Dotzenrod; DuBord; Eagles; Erdman; Gates; Gerl; Goetz; Gorder; Gullickson; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Hughes; Jacobson; Keller; Kent; Kingsbury; Kloubec; Knudson; Koehn; Koski; Kretschmar; Kuchera; Lang; Lardy; Larson, B.; Larson, R.; Laughlin; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, C.; Martin, G.; Martinson; Meier, A.; Meiers, R.; Melby; Mertens; Meyer, R.; Meyer, W.; Moore; Mushik; Nalewaja; 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; Vander Vorst; Vig; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Wold; Speaker Kelly

NAYS: None

ABSENT AND NOT VOTING: Backes; Murphy; Nicholas; Unhjem

HB 1031 passed and the title was agreed to.

HB 1033: A BILL for an Act making an appropriation for defraying the expenses of the state industrial commission and the agencies under the management of the industrial commission of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended on pages 1148 and 1149 of the House Journal, the roll was called and there were 100 YEAS, 1 NAY, 5 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Aubol; Black; Boyle; Brokaw; Conmy; DeMers; Dotzenrod; DuBord; Eagles; Erdman; Gates; Gerl; Goetz; Gorder; Gullickson; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer; Hill; Hjelle; Hoffner, Serenus; 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.; Meier, A.; Meiers, R.; Melby; Mertens; Meyer, R.; Meyer, W.; Moore; Mushik; Nalewaja; Nicholas; Nowatzki; O'Connell; Olafson; Olsen, D.; Olson, A.; Opedahl; O'Shea; Peltier; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Rice; Richard; Riehl; Riley; Rued; Sanstead; Schindler; Schneider; Schoenwald; Shide; Shockman; Sinner; Solberg; Stofferahn; Swiontek; Timm; Unhjem; Vander Vorst; Vig; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Wold; Speaker Kelly

NAYS: Murphy

ABSENT AND NOT VOTING: Backes; Hoffner, S. F.; Martinson; Strinden; Thompson

HB 1033 passed and the title was agreed to.

HB 1037: A BILL for an Act making an appropriation for defraying the expenses of the workmen's compensation bureau of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended on page 1149 of the House Journal, the roll was called and there were 97 YEAS, 3 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: 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; Horgan; Hughes; Jacobson; Keller; Kent; Kingsbury; Kloubec; Knudson; Koehn; Koski; Kretschmar; Kuchera; Lang; Lardy; Larson, B.; Larson, R.; Laughlin; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, C.; Martin, G.; Martinson; Meier, A.; Meiers, R.; Melby; Mertens; Meyer, R.; Meyer, W.; Moore; Mushik; Nalewaja; Nicholas; Nowatzki; O'Connell; Olafson; Olsen, D.; Olson, A.; Opedahl; O'Shea; Peltier; Peterson; Rayl; Retzer; Rice; Richard; Riehl; Riley; Rued; Sanstead; Schindler; Schneider;

Schoenwald; Shide; Sinner; Solberg; Stofferahn;
Swiontek; Thompson; Timm; Unhjem; Vander Vorst; Vig;
Watne; Wentz; Whalen; Williams, A.; Williams, C.;
Williams, W.; Wold; Speaker Kelly

NAYS: Anderson, C.; Murphy; Shockman

ABSENT AND NOT VOTING: Backes; Gunsch; Hoffner, S. F.;
Pomeroy, E.; Pomeroy, G.; Strinden

HB 1037 passed and the title was agreed to.

HB 1038: A BILL for an Act making an appropriation for defraying the expenses of the Crime Victims Reparations Act under the supervision of the workmen's compensation bureau of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended on page 1150 of the House Journal, the roll was called and there were 88 YEAS, 12 NAYS, 6 ABSENT AND NOT VOTING.

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

NAYS: Anderson, C.; Anderson, R.; Hanson, O.; Hughes;
Lipsiea; Melby; Murphy; Riley; Schindler; Timm;
Vander Vorst; Whalen

ABSENT AND NOT VOTING: Backes; Laughlin; Pomeroy, E.;
Pomeroy, G.; Schneider; Strinden

HB 1038 passed and the title was agreed to.

HB 1079: A BILL for an Act relating to transfers to the state capital construction fund; and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended on pages 1150-1152 of the House Journal, the roll was called and there were 52 YEAS, 52 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Anderson, R.; Backes; Black; Boyle; DeMers; DuBord; Eagles; Erdman; Hamerlik; Hanson, O.; Haugland; Hausauer; Hjeile; Horgan; Jacobson; Kingsbury; Koehn; Kretschmar; Kuchera; Lang; Larson, R.; Laughlin; Lautenschlager; Martin, G.; Martinson; Mertens; Meyer, R.; Moore; Nalewaja; Nicholas; Nowatzki; O'Connell; Opedahl; Peltier; Peterson; Pomeroy, G.; Rice; Rued; Sanstead; Schneider; Schoenwald; Sinner; Solberg; Stofferahn; Strinden; Swiontek; Timm; Unhjem; Vander Vorst; Wentz; Williams, C.; Speaker Kelly

NAYS: Anderson, C.; Aubol; Brokaw; Conny; Dotzenrod; Gates; Gerl; Goetz; Gorder; Gullickson; Gunsch; Halmrast; Hanson, L.; Hill; Hoffner, Serenus; Hoffner, S. F.; Hughes; Keller; Kent; Kloubec; Knudson; Koski; Lardy; Larson, B.; Linderman; Lipsiea; Lloyd; Martin, C.; Meier, A.; Meiers, R.; Melby; Meyer, W.; Murphy; Mushik; Olafson; Olsen, D.; Olson, A.; O'Shea; Pomeroy, E.; Rayl; Richard; Riehl; Riley; Schindler; Shide; Shockman; Thompson; Vig; Watne; Williams, A.; Williams, W.; Wold

ABSENT AND NOT VOTING: Retzer; Whalen

HB 1079 was declared lost for want of a Constitutional majority.

HB 1084: A BILL for an Act to provide for the termination of mineral interest in land owned by persons other than the owners of the surface and for the vesting of title to dormant mineral interests in the surface owners in the absence of appropriate developmental activities or the filing of a notice of claim of interest within a specified period.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended on pages 1152-1155 of the House Journal, the roll was called and there were 100 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Aubol; Backes; Black; Boyle; Brokaw; 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; Lloyd; Martin, C.; Martin, G.; Meier, A.; Meiers, R.; Melby; Mertens; Meyer, R.; Meyer, W.; Moore; Murphy; Mushik; Nalewaja; Nicholas; Nowatzki; O'Connell; Olafson; Olsen, D.; Olson, A.; Opedahl; O'Shea; Peltier; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Rice; 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; Speaker Kelly

NAYS: Conmy; Gorder; Kuchera; Lipsiea; Martinson; Strinden

ABSENT AND NOT VOTING: None

HB 1084 passed and the title was agreed to.

HB 1133: A BILL for an Act to create and enact a new chapter to title 14 of the North Dakota Century Code, prohibiting discriminatory practices with respect to residential housing.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended on pages 1155 and 1156 of the House Journal, the roll was called and there were 62 YEAS, 41 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Aubol; Backes; Black; Boyle; Brokaw; Conmy; DeMers; DuBord; Eagles; Erdman; Gerl; Gullickson; Halmrast; Hanson, L.; Haugland; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Jacobson; Knudson; Koski; Lardy; Larson, B.; 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; Schneider; Schoenwald; Shockman; Sinner; Solberg; Stofferahn; Unhjem; Vig; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Speaker Kelly

NAYS: Anderson, C.; Anderson, R.; Dotzenrod; Gates; Goetz; Gorder; Gunsch; Hamerlik; Hanson, O.; Hughes; Keller; Kent; Kingsbury; Kloubec; Koehn; Kretschmar; Kuchera; Lang; Larson, R.; Lipsiea; Melby; Moore; Murphy; Nalewaja; Nicholas; Olafson; Olsen, D.; Olson, A.; Peltier; Peterson; Retzer; Rice; Riley; Schindler; Shide; Strinden; Swiontek; Timm; Vander Vorst; Whalen; Wold

ABSENT AND NOT VOTING: Hausauer; Rued; Thompson

HB 1133 passed and the title was agreed to.

HB 1201: A BILL for an Act to amend and reenact sections 57-52-04 and 57-54-08 of the North Dakota Century Code, relating to the tax imposed on motor vehicle fuels.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended on page 1159 of the House Journal, the roll was called and there were 39 YEAS, 67 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Anderson, R.; Black; Conmy; Eagles; Gates; Goetz; Gunsch; Hamerlik; Hanson, O.; Hausauer; Hughes; Kent; Kingsbury; Kloubec; Knudson; Koehn; Kretschmar; Kuchera; Lang; Larson, R.; Lipsiea; Martinson; Moore; Murphy; Nalewaja; Olafson; Olsen, D.; Olson, A.; Riley; Rued; Shide; Strinden; Swiontek; Timm; Unhjem; Vander Vorst; Wentz; Whalen; Wold

NAYS: Anderson, C.; Aubol; Backes; Boyle; Brokaw; DeMers; Dotzenrod; DuBord; Erdman; Gerl; Gorder; Gullickson; Halmrast; Hanson, L.; Haugland; Hill; Hjelle; Hoffner; Serenus; Hoffner, S. F.; Horgan; Jacobson; Keller; Koski; Lardy; Larson, B.; Laughlin; Lautenschlager; Linderman; Lloyd; Martin, C.; Martin, G.; Meier, A.; Meiers, R.; Melby; Mertens; Meyer, R.; Meyer, W.; Mushik; Nicholas; Nowatzki; O'Connell; Opedahl; O'Shea; Peltier; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Rice; Richard; Riehl; Sanstead; Schindler; Schneider; Schoenwald; Shockman; Sinner; Solberg; Stofferahn; Thompson; Vig; Watne; Williams, A.; Williams, C.; Williams, W.; Speaker Kelly

ABSENT AND NOT VOTING: None

HB 1201 was declared lost.

HB 1249: A BILL for an Act to create and enact a new section to chapter 57-62 of the North Dakota Century Code, providing for establishment and funding of an oil and gas development fund and an oil and gas impact grant fund, administration of the funds, and terms and conditions of loans and repayment through the oil and gas development fund; to repeal section 15-40.1-13 of the North Dakota Century Code, relating to dedication of funds received by the state through the Federal Mineral Leasing Act to the foundation aid program.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended on page 1159 of the House Journal, the roll was called and there were 53 YEAS, 51 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Aubol; Brokaw; Conmy; Goetz; Gullickson; Gunsch; Hanson, O.; Haugland; Hausauer; Hill; Hughes; Jacobson; Keller; Kent; Kingsbury; Knudson; Koehn; Lang; Lardy; Larson, B.; Larson, R.; Linderman; Lipsiea; Martin, C.; Martinson; Meiers, R.; Murphy; Nicholas; Nowatzki; Olafson; Olsen, D.; Olson, A.; Opedahl; O'Shea; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Rice; Rued; Schindler; Shide; Shockman; Stofferahn; Strinden; Thompson; Timm; Vander Vorst; Watne; Whalen

NAYS: Black; Boyle; DeMers; Dotzenrod; DuBord; Eagles; Erdman; Gates; Gerl; Gorder; Halmrast; Hamerlik; Hanson, L.; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Kloubec; Koski; Kretschmar; Kuchera; Laughlin; Lautenschlager; Lloyd; Martin, G.; Meier, A.; Melby; Mertens; Meyer, R.; Meyer, W.; Moore; Mushik; Nalewaja; O'Connell; Peltier; Richard; Riley; Sanstead; Schneider; Schoenwald; Sinner; Solberg; Swiontek; Unhjem; Vig; Wentz; Williams, A.; Williams, C.; Williams, W.; Wold; Speaker Kelly

ABSENT AND NOT VOTING: Backes; Riehl

HB 1249 was declared lost for want of a Constitutional majority.

HB 1286: A BILL for an Act to amend and reenact section 15-39.1-24 of the North Dakota Century Code, relating to when a teacher is entitled to additional credit for military service in the teachers' retirement fund.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended on page 1160 of the House Journal, the roll was called and there were 99 YEAS, 2 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; 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.; Mertens; Meyer, R.; Meyer, W.; Moore; Mushik; Nalewaja; Nicholas; Nowatzki; O'Connell; Olafson; Olsen, D.; Olson, A.; Opedah; O'Shea; Peltier; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Rice; Richard; Riley; Rued; Sanstead; Schindler; Schneider; Schoenwald; Shide; Shockman; Sinner; Solberg; Stofferahn; Strinden; Swiontek; Thompson; Timm; Unhjem; Vander Vorst; Vig; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Wold; Speaker Kelly

NAYS: Gunsch; Melby

ABSENT AND NOT VOTING: Anderson, R.; Backes; Boyle; Murphy; Riehl

HB 1286 passed and the title was agreed to.

HB 1370: A BILL for an Act to create and enact a new section to chapter 57-55 of the North Dakota Century Code, relating to full disclosure of the purchase price of mobile homes and a sales ratio study by the state tax commissioner; to amend and reenact sections 39-18-05, 57-55-01, 57-55-08, 57-55-10, 57-55-11, and 57-55-12 of the North Dakota Century Code, relating to permits for transporting mobile homes, and taxation of mobile homes; to provide a penalty; and to provide an effective date.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended on pages 1160-1163 of the House Journal, the roll was called and there were 96 YEAS, 5 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Aubol; Backes; Black; Brokaw; Conmy; Dotzenrod; DuBord; Eagles; Erdman; Gates; Gerl; Goetz; Gullickson; Gunsch; Halmrast;

Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer; Hill; Hjelle; Hoffner, Serenus; Horgan; Hughes; Jacobson; Keller; Kloubec; Knudson; Koehn; Koski; Kretschmar; Kuchera; Lang; Lardy; Larson, B.; Larson, R.; Laughlin; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, G.; Martinson; Meiers, R.; Melby; Mertens; Meyer, R.; Meyer, W.; Moore; Mushik; Nalewaja; Nicholas; Nowatzki; O'Connell; Olafson; Olsen, D.; Olson, A.; Opedahl; O'Shea; Feltier; Peterson; 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; Speaker Kelly

NAYS: DeMers; Gorder; Hoffner, S. F.; Meier, A.; Murphy

ABSENT AND NOT VOTING: Boyle; Kent; Kingsbury;
Martin, C.; Rued

HB 1370 passed and the title was agreed to.

HB 1400: A BILL for an Act to amend and reenact section 51-13-05 of the North Dakota Century Code, relating to prepayment of retail installment loans and computation of interest due at time of repayment.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended on pages 1164 and 1165 of the House Journal, the roll was called and there were 72 YEAS, 31 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Aubol; Backes; Black; Boyle; Brokaw; Conmy; DeMers; Dotzenrod; DuBord; Eagles; Erdman; Gerl; Gullickson; Gunsch; Halmrast; Hamerlik; Hanson, L.; Haugland; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Jacobson; Keller; Kingsbury; Koski; Lang; Lardy; Larson, B.; Laughlin; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, C.; Martin, G.; Meier, A.; Meiers, R.; Mertens; Meyer, W.; Murphy; Mushik; Nalewaja; Nowatzki; O'Connell; Opedahl; O'Shea; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Richard; Riehl; Sanstead; Schneider; Schoenwald; Shockman; Sinner; Solberg; Stofferahn; Swiontek; Unhjem; Vander Vorst; Vig; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Wold; Speaker Kelly

NAYS: Anderson, C.; Anderson, R.; Gates; Goetz; Gorder;
Hanson, O.; Hausauer; Hughes; Kloubec; Koehn;

Kretschmar; Larson, R.; Martinson; Melby; Meyer, R.;
 Moore; Nicholas; Olafson; Olsen, D.; Olson, A.;
 Peltier; Retzer; Rice; Riley; Rued; Schindler; Shide;
 Strinden; Thompson; Timm; Whalen

ABSENT AND NOT VOTING: Kent; Knudson; Kuchera

HB 1400 passed and the title was agreed to.

HB 1402: A BILL for an Act to create and enact a new section to chapter 34-01 of the North Dakota Century Code, relating to assessment by a labor union or labor organization of actual representation expenses from nonunion employees.

Which has been read.

MOTION

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

ROLL CALL

The question being on the final passage of the bill as amended on page 1165 of the House Journal, the roll was called and there were 59 YEAS, 45 NAYS, 2 ABSENT AND NOT VOTING.

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

NAYS: Anderson, C.; Anderson, R.; Eagles; Goetz; Gorder; Gunsch; Hanson, O.; Hausauer; Hughes; Keller; Kent; Kloubec; Knudson; Koehn; Kretschmar; Kuchera; Lang; Larson, R.; Lipsiea; Martin, C.; Martinson; Melby; Moore; Murphy; Nalewaja; Nicholas; Olafson; Olsen, D.; Olson, A.; Opedahl; O'Shea; Peltier; Peterson; Retzer; Rice; Riley; Rued; Schindler; Shide; Strinden; Swiontek; Timm; Vander Vorst; Whalen; Wold

ABSENT AND NOT VOTING: Meyer, W.; Thompson

HB 1402 passed and the title was agreed to.

HB 1404: A BILL for an Act to provide for the licensure of occupational therapists and occupational therapy assistants; and to provide a penalty.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended on page 1166 of the House Journal, the roll was called and there were 85 YEAS, 15 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Aubol; Boyle; Erokaw; Conmy; DeMers; Dotzenrod; DuBord; Eagles; Erdman; Gates; Goetz; Gorder; Gullickson; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Hughes; Jacobson; Keller; Kingsbury; Kloubec; Knudson; Koehn; Kuchera; Lang; Lardy; Larson, B.; Larson, R.; Laughlin; Lautenschlager; Linderman; Lloyd; Martin, C.; Martin, G.; Martinson; Meier, A.; Meiers, R.; Mertens; Meyer, R.; Meyer, W.; Moore; Mushik; Nalewaja; Nicholas; Nowatzki; O'Connell; Olsen, D.; Olson, A.; Opedahl; O'Shea; Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Rice; Riehl; Riley; Sanstead; Schneider; Schoenwald; Shockman; Sinner; Stofferahn; Strinden; Swiontek; Timm; Unhjem; Vig; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Speaker Kelly

NAYS: Gunsch; Kent; Kretschmar; Lipsiea; Melby; Murphy; Olafson; Peltier; Richard; Rued; Schindler; Shide; Solberg; Vander Vorst; Wold

ABSENT AND NOT VOTING: Backes; Black; Gerl; Koski; Peterson; Thompson

HB 1404 passed and the title was agreed to.

HB 1408: A BILL for an Act to create and enact a new subsection to section 43-17-31 of the North Dakota Century Code, relating to the grounds for revocation or suspension of a physician's license; and to amend and reenact section 25-02-04 of the North Dakota Century Code, relating to the licensure of physicians on the professional staff of the state hospital.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended on page 1167 of the House Journal, the roll was called and there were 96 YEAS, 1 NAY, 9 ABSENT AND NOT VOTING.

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

NAYS: Shockman

ABSENT AND NOT VOTING: Backes; Gerl; Hausauer; Keller; Koski; Larson, B.; Mertens; Peterson; Thompson

HB 1408 passed and the title was agreed to.

HB 1440: A BILL for an Act to provide a human rights act to declare a state policy against discrimination on the basis of race, color, religion, sex, national origin, age, the presence of any mental or physical disability, or status with respect to marriage or public assistance; to prevent and eliminate discrimination in employment relations, public accommodations, public services, and credit transactions.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended on pages 1167-1169 of the House Journal, the roll was called and there were 74 YEAS, 28 NAYS, 4 ABSENT AND NOT VOTING.

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

Peltier; Pomeroy, E.; Pomeroy, G.; Rayl; Richard; Riehl; Sanstead; Schneider; Schoenwald; Shockman; Sinner; Stofferahn; Swiontek; Unhjem; Vig; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Wold; Speaker Kelly

NAYS: Anderson, R.; DuBord; Goetz; Gorder; Gunsch; Hanson, O.; Hughes; Kent; Kloubec; Kretschmar; Lang; Melby; Meyer, W.; Moore; Murphy; Olafson; Olsen, D.; Olson, A.; Retzer; Rice; Riley; Rued; Schindler; Shide; Thompson; Timm; Vander Vorst; Whalen

ABSENT AND NOT VOTING: Martin, C.; Peterson; Solberg; Strinden

HB 1440 passed and the title was agreed to.

HB 1460: A BILL for an Act to amend and reenact sections 57-38-62 and 57-38-63 of the North Dakota Century Code, relating to payment of income tax; and to provide an effective date.

Which has been read.

REQUEST

REP. BACKES REQUESTED a call of the House, which request was granted.

MOTION

REP. BACKES MOVED that the House dispense with the call of the House, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill as amended on pages 1169 and 1170 of the House Journal, the roll was called and there were 55 YEAS, 50 NAYS, 1 ABSENT AND NOT VOTING.

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

NAYS: Anderson, C.; Anderson, R.; Black; Conmy; Dotzenrod; Eagles; Gates; Goetz; Gorder; Gunsch; Hamerlik; Hanson, O.; Hausauer; Hughes; Kent;

Kingsbury; Kloubec; Knudson; Koehn; Kretschmar; Kuchera; Lang; Larson, R.; Lipsiea; Martin, C.; 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; Wold

ABSENT AND NOT VOTING: Peterson

HB 1460 passed and the title was agreed to.

HB 1462: A BILL for an Act to amend and reenact section 15-10-02 of the North Dakota Century Code, relating to the selection process for a student representative to the state board of higher education.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended on page 1171 of the House Journal, the roll was called and there were 99 YEAS, 6 NAYS, 1 ABSENT AND NOT VOTING.

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

NAYS: Hanson, O.; Lipsiea; Melby; Riley; Wentz; Whalen

ABSENT AND NOT VOTING: Peterson

HB 1462 passed and the title was agreed to.

HB 1476: A BILL for an Act to amend and reenact subsection 21 of section 57-38-01 of the North Dakota Century Code, relating to the definition of "Federal Internal Revenue Code of 1954, as amended"; 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 1172 of the House Journal, the roll was called and there were 32 YEAS, 71 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Black; Conmy; Gates; Goetz; Hamerlik; Hanson, O.; Hausauer; Hughes; Kent; Kloubec; Koehn; Kretschmar; Lardy; Larson, R.; Lipsiea; Martinson; Moore; Olafson; Olsen, D.; Olson, A.; Retzer; Riley; Rued; Shide; Thompson; Timm; Unhjem; Vander Vorst; Wentz; Whalen

NAYS: Aubol; Backes; Boyle; Brokaw; Dotzenrod; DuBord; Eagles; Erdman; Gerl; Gorder; Gullickson; Gunsch; Halmrast; Hanson, L.; Haugland; Hill; Hjelle; Hoffner; Serenus; Hoffner, S. F.; Horgan; Jacobson; Keller; Kingsbury; Knudson; Koski; Kuchera; Lang; Laughlin; Lautenschlager; Linderman; Lloyd; Martin, C.; Martin, G.; Meier, A.; Meiers, R.; Melby; Mertens; Meyer, R.; Meyer, W.; Murphy; Mushik; Nalewaja; Nicholas; Nowatzki; O'Connell; Opedahl; O'Shea; Peltier; Pomeroy, E.; Pomeroy, G.; Rayl; Rice; Richard; Riehl; Sanstead; Schindler; Schneider; Schoenwald; Shockman; Sinner; Solberg; Stofferahn; Strinden; Swiontek; Vig; Watne; Williams, A.; Williams, C.; Williams, W.; Wold; Speaker Kelly

ABSENT AND NOT VOTING: DeMers; Larson, B.; Peterson

HB 1476 was declared lost.

HB 1482: A BILL for an Act to amend and reenact section 15-20.1-09 of the North Dakota Century Code, relating to school board composition; to provide for a transition period; and to repeal section 15-28-02 of the North Dakota Century Code, relating to rural representation on school boards; and to declare an emergency.

Which has been read.

MOTION

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

ROLL CALL

The question being on the final passage of the bill as amended on page 1172 of the House Journal, the roll was called and there were 58 YEAS, 46 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Black; Boyle; Conmy; DeMers; Dotzenrod; DuBord; Eagles; Gates; Gullickson; Halmrast; Hamerlik; Hanson, L.; Haugland; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Jacobson; Keller; Kloubec; Koehn; Koski; Kretschmar; Kuchera; Lang; Lardy; Larson, R.; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, G.; Martinson; Meier, A.; Mooie; Malewaja; Opedahl; Feltner; Pomeroy, E.; Pomeroy, G.; Rayl; Rice; Riley; Sanstead; Schindler; Schneider; Schoenwald; Sinner; Stofferahn; Strinden; Swiontek; Unhjem; Vander Vorst; Watne; Wentz; Wold; Speaker Kelly

NAYS: Anderson, C.; Anderson, R.; Aubol; Backes; Brokaw; Erdman; Gerl; Goetz; Gorder; Gunsch; Hanson, O.; Hausauer; Hughes; Kent; Kingsbury; Knudson; Laughlin; Martin, C.; Meyers, R.; Melby; Meitens; Meyer, R.; Meyer, W.; Murphy; Mushik; Nicholas; Nowatzki; O'Connell; Olafson; Olsen, D.; Olson, A.; O'Shea; Retzer; Richard; Riehl; Rued; Shade; Shockman; Solberg; Thompson; Timm; Vig; Whalen; Williams, A.; Williams, C.; Williams, W.

ABSENT AND NOT VOTING: Laison, B.; Peterson

HB 1482 passed, the title was agreed to, and the emergency clause was declared lost.

HB 1494: A BILL for an Act to amend and reenact sections 43-37-01, 43-37-02, 43-37-03, 43-37-04, 43-37-05, 43-37-06, 43-37-08, 43-37-09, 43-37-13, and 43-37-18 of the North Dakota Century Code, relating to licensure of audiologists and speech-language pathologists; and to repeal sections 43-37-07, 43-37-10, 43-37-11, 43-37-12, 43-37-14, 43-37-15, 43-37-16, and 43-37-17 of the North Dakota Century Code, relating to the licensing and regulation of audiologists and speech pathologists.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended on pages 1172 and 1173 of the House Journal, the roll was called and there were 90 YEAS, 11 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Anderson, R.; Aubol; Backes; Black; Boyle; Conmy; DeMers; Dotzenrod; DuBord; Eagles; Erdman; Gates; Gerl; Goetz; Gullickson; Gunsch; Halmrast; Hamerlik;

Hanson, L.; Haugland; Hausauer; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Hughes; Jacobson; Keller; Kloubec; Knudson; Koehn; Koski; Kretschmar; Kuchera; Lang; Lardy; Larson, R.; Laughlin; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, C.; Martin, G.; Martinson; Meier, A.; Meiers, R.; Mertens; Meyer, R.; Meyer, W.; Moore; Mushik; Nalewaja; Nicholas; Nowatzki; O'Connell; Olafson; Olsen, D.; Olson, A.; Opedahl; O'Shea; Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Richard; Riehl; Riley; Rued; Sanstead; Schindler; Schneider; Schoenwald; Shide; Shockman; Sinner; Stofferahn; Strinden; Swiontek; Thompson; Timm; Vig; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Wold; Speaker Kelly

NAYS: Anderson, C.; Gorder; Hanson, O.; Kingsbury; Melby; Murphy; Peltier; Rice; Solberg; Vander Vorst; Whalen

ABSENT AND NOT VOTING: Brokaw; Kent; Larson, B.; Peterson; Unhjem

HB 1494 passed and the title was agreed to.

HB 1499: A BILL for an Act to provide for monthly tax deposits and transfer of motor vehicle fuel tax and special fuel tax collected by dealers; and to create and enact a new section to chapter 57-39.2 and a new section to chapter 57-40.2 of the North Dakota Century Code, relating to tax deposit and transfer of sales and use taxes.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended on page 1173 of the House Journal, the roll was called and there were 46 YEAS, 57 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Black; Dotzenrod; Eagles; Gates; Gerl; Goetz; Gullickson; Hamerlik; Hanson, O.; Haugland; Hausauer; Hughes; Kent; Kloubec; Kretschmar; Kuchera; Lang; Lardy; Larson, R.; Lautenschlager; Lipsiea; Lloyd; Moore; Nalewaja; Nicholas; Olafson; Olsen, D.; Olson, A.; Retzer; Rice; Riley; Sanstead; Schindler; Schneider; Schoenwald; Shide; Strinden; Swiontek; Timm; Vander Vorst; Wentz; Whalen; Wold; Speaker Kelly

NAYS: Aubol; Backes; Boyle; Brokaw; Conmy; DeMers; DuBord; Erdman; Gorder; Gunsch; Halmrast; Hanson, L.; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Jacobson; Keller; Kingsbury; Knudson; Koehn; Koski; Laughlin; Linderman; Martin, C.; Martin, G.; Martinson;

Meier, A.; Meiers, R.; Melby; Mertens; Meyer, R.;
 Meyer, W.; Murphy; Mushik; Nowatzki; O'Connell;
 Opedahl; O'Shea; Peltier; Pomeroy, E.; Pomeroy, G.;
 Rayl; Richard; Riehl; Rued; Shockman; Sinner; Solberg;
 Stofferahn; Thompson; Vig; Watne; Williams, A.;
 Williams, C.; Williams, W.

ABSENT AND NOT VOTING: Larson, B.; Peterson; Unhjem

HB 1499 was declared lost.

MOTIONS

REP. BACKES MOVED that HB 1079, HB 1236, and HB 1402 be reprinted, which motion prevailed.

REP. BACKES MOVED that that portion of Joint Rules No. 203 pertaining to all bills and resolutions being sent to the other house be suspended, and the Crossover date be designated as the Thirty-fourth Legislative Day, excluding those measures excepted in the rule, which motion prevailed.

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

REP. BACKES MOVED that 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 7:30 a.m., Friday, February 18, 1983, which motion prevailed.

FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

Reps. Sanstead, Gorder introduced:

HCR 3065: A concurrent resolution directing the Legislative Council to study state agency retention of private consulting firms and individuals.

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

Reps. Sanstead, Gorder introduced:

HCR 3066: A concurrent resolution directing the Legislative Council to study post-retirement employment of persons receiving retirement benefits from the state.

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

Reps. Strinden, Backes introduced:

HCR 3067: A concurrent resolution directing the Legislative Council to study the possible uses of existing state facilities and the needs of the state in order to establish the highest and best use of state facilities.

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

Rep. Strinden introduced:

HCR 3068: A concurrent resolution directing the Legislative Council to study methods and practices to provide for more efficient and prompt collection of taxes by the state with particular emphasis on a system for tax deposit by taxpayers and the transfer of tax revenues through financial institutions in this state.

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

Reps. G. Pomeroy, Murphy introduced:

HCR 3069: A concurrent resolution directing the Legislative Council to study the viability of a school district income tax as a means of either replacing or supplementing local property tax revenues.

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

Rep. Martinson introduced:

HCR 3070: A concurrent resolution directing the Legislative Council to conduct a study of the investment powers of the State Investment Board and the investment of funds of the Public Employees Retirement System.

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

Reps. Black, Hill, Halmrast introduced:

HCR 3071: A concurrent resolution directing the Legislative Council to study the problems of drug and alcohol abuse in public schools and the role the public schools should occupy in prevention efforts, counseling, and interagency cooperation which may be required to effectively address the problems of drug and alcohol abuse in the schools.

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

Reps. Koski, Unhjem, Lardy introduced:

HCR 3072: A concurrent resolution directing the Legislative Council to study the functions and purposes of revolving funds.

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

Reps. Sinner, R. Anderson, Hughes, Riehl introduced:

HCR 3073: A concurrent resolution directing the Legislative Council to study taxation of the energy industry and to obtain consulting services to aid in the study.

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

Reps. DeMers, Peltier, Gorder and Sens. Heigaard, Tennesfos introduced:

HCR 3074: A concurrent resolution directing the Legislative Council to study methods of increasing access to health

promotion, prevention, and primary care services and to study methods to contain the costs of those services.

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

Reps. S. E. Hoffner, DeMers, Retzer, R. Meiers, Swiontek introduced:

HCR 3075: A concurrent resolution directing the Legislative Council to study the consolidation of services provided by the Department of Human Services to clarify the relationship between the Department of Human Services, the county social service boards, and mental health services; to study human services personnel classifications; to review the services being provided by regional human service centers and to determine how responsive those centers are to referrals from the court system and other community agencies; and to examine alternatives for more efficient delivery of human services in North Dakota.

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

Reps. Nowatzki, Gorder, Serenus Hoffner introduced:

HCR 3076: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of using the existing facilities of public television to make available specialized instruction in elementary and secondary schools of the state.

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

Reps. Swiontek, Knudson, Jacobson and Sens. Peterson, Nelson introduced:

HCR 3077: A concurrent resolution directing the Legislative Council to study elementary and secondary school finance; the effects on students of nonacademic extracurricular activities; the position of county superintendent of schools; the reorganization, annexation, and dissolution of school districts; the minimum high school curriculum and the length of school terms; the duties and responsibilities of elementary and secondary school teachers; academic qualifications for entering universities and colleges in North Dakota; and the future provision of special education programs in this state.

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

Reps. Brokaw, Schoenwald, Shockman, W. Williams introduced:

HCR 3078: A concurrent resolution directing a Legislative Council study of usury limits and other regulation of loan transactions.

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

Reps. Brokaw, Shockman, W. Williams and Sens. Barth, Wogsland, Kusler introduced:

HCR 3079: A concurrent resolution directing a Legislative Council study of railroad abandonment and the possibility of the forfeiture of mineral interests on land grant holdings when rail lines are abandoned.

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

Reps. O'Connell, Richard, Boyle, Unhjem and Sens. Satrom, Barth introduced:

HCR 3080: A concurrent resolution directing the Legislative Council to conduct a study of the structure and administration of the Motor Vehicle Department, Highway Patrol, and Highway Department.

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

Rep. Stofferahn introduced:

HCR 3081: A concurrent resolution directing the Legislative Council to study the criteria used for issuance of water permits for irrigation, the effect of irrigation on ground water supplies, the effect of irrigation on the soil quality of the land to be irrigated, and the effect of irrigation on neighboring landowners.

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

Rep. Black introduced:

HCR 3082: A concurrent resolution directing the Legislative Council to study the entire subject of renewal and nonrenewal of employment contracts between teachers and public school districts in this state.

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

Reps. R. Meiers, Halmrast, Strinden, Kingsbury, D. Olsen introduced:

HCR 3083: A concurrent resolution directing the Legislative Council to study the feasibility of requiring the spouses, families, or guardians of developmentally disabled persons to make financial contributions toward the support of those persons who are placed in state and community facilities; to study other sources of revenue and financing techniques which may be available for the financing of those facilities; and to determine what fees and costs are currently being charged by other similar institutions providing medical, educational, and other services.

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

Reps. Boyle, Gorder, Nowatzki and Sen. Olson introduced:

HCR 3084: A concurrent resolution directing the Legislative Council to study the scope of authority of the Public Service Commission.

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

Reps. Hill, Serenus Hoffner introduced:

HCR 3085: A concurrent resolution directing the Legislative Council to conduct a study to determine services for which businesses or professional service providers charge third-party payors higher rates than those rates charged private paying persons receiving similar services and to study alternatives to limit this practice.

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

FIRST READING OF SENATE BILLS

SB 2003: A BILL for an Act making an appropriation for defraying the expenses of the various divisions under the supervision of the director of the office of management and budget of the state of North Dakota; providing for an exemption; providing for state employee salary limitations; and declaring an emergency.

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

SB 2021: A BILL for an Act making an appropriation for defraying the expenses of the pardon board and the parole and probation office of the state of North Dakota.

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

SB 2027: A BILL for an Act making an appropriation for defraying the expenses of the state historical board and international peace garden of the state of North Dakota.

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

SB 2033: A BILL for an Act making an appropriation for defraying the expenses of the parks and recreation department of the state of North Dakota.

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

SB 2037: A BILL for an Act making an appropriation for the distribution of state general fund revenue to local political subdivisions of the state of North Dakota.

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

SB 2040: A BILL for an Act making an appropriation for defraying the expenses of the game and fish department of the state of North Dakota; and declaring an emergency.

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

SB 2067: A BILL for an Act to create and enact a new subsection to section 15-20.4-02, nine new sections to chapter 53-06.1, a new subsection to section 53-06.1-01, a new subsection to section 53-06.1-06, and a new section to

chapter 54-12 of the North Dakota Century Code, relating to games of chance, regulatory power of the state board of vocational education, definitions, allocation of tax revenues, limitations on hours and participation in games of chance and regulation of the number of twenty-one tables per site and the number of sites per eligible organization, persons permitted to conduct games of chance, unlawful use of bogus chips, marked cards, cheating devices, and fraudulent schemes, powers and duties of the attorney general, license suspension or revocation, and work permits; to amend and reenact subsections 7 and 15 of section 53-06.1-01, subsection 3 of section 53-06.1-03, sections 53-06.1-04, 53-06.1-05, subsections 2 and 9 of section 53-06.1-06, sections 53-06.1-08, 53-06.1-10, subsection 3 of section 53-06.1-11, and sections 53-06.1-12 and 53-06.1-16 of the North Dakota Century Code, relating to definitions, permit fees for games of chance site approval, licensure, bingo and raffles conducted by educational organizations and college fraternities and sororities, allowable wagers in the game twenty-one, persons permitted to conduct games of chance and distribute equipment, maximum price per jar ticket, sports pools, twenty-one, tax on adjusted gross proceeds received by eligible organizations conducting games of chance, expenses which may be deducted by eligible organizations, and payment of a portion of the tax collected to the city or county granting approval of the site; and to provide penalties.

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

SB 2299: A BILL for an Act to establish a bill of rights for health care facility residents, to provide for implementation of those rights and to authorize adoption of rules.

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

SB 2333: A BILL for an Act to amend and reenact section 4-34-08 of the North Dakota Century Code, relating to the assessment of cattle for the beef commission.

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

SB 2350: A BILL for an Act to amend and reenact section 65-05.2-02 of the North Dakota Century Code, relating to the amount of supplementary workmen's compensation benefits.

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

SB 2464: A BILL for an Act to amend and reenact section 43-35-13 of the North Dakota Century Code, relating to the certification of water well drillers.

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

The House stood adjourned pursuant to Representative Backes' motion.

CHARLES FLEMING, Chief Clerk