

## JOURNAL OF THE HOUSE

## Forty-eighth Legislative Assembly

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## THIRTY-FOURTH DAY

Bismarck, February 18, 1983

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

The prayer was offered by Captain Richard Rubottom, Salvation Army, Bismarck.

## ROLL CALL

The roll was called and all members were present, except Representatives Eagles, Gerl, Vig, and Wentz.

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-third day and finds the same to be correct.

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

On page 1185, line 32, after the word "DO" insert the word "NOT"

REP. LAUGHLIN, Chairman

REP. KOEHN 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 1036, HB 1236, HB 1253, HB 1333, HB 1369, HB 1373,  
HB 1374, HB 1384, HB 1397, HB 1415, HB 1421, HB 1479,  
HB 1493, HB 1528, HB 1531, HB 1543, HB 1566, HB 1579,  
HB 1586, HB 1596, HB 1601, HB 1617, HB 1648, HB 1649,  
HB 1653, HB 1662, HB 1686, HB 1687, HB 1691, HB 1718,  
HB 1724, HCR 3031, HCR 3032, HCR 3040, HCR 3050

Very respectfully,  
CHARLES FLEMING, Chief Clerk

## REPORTS OF PROCEDURAL COMMITTEES

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

HB 1482

REP. G. MARTIN, Chairman

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

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

HMR 1

REP. G. MARTIN, Chairman

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

## SECOND READING OF HOUSE BILLS

HB 1516: A BILL for an Act to create and enact a new section to chapter 15-47 of the North Dakota Century Code, relating to school district evaluation, renewal, or discharge of superintendents or chief administrators of school districts.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill as amended on pages 1175 and 1176 of the House Journal, the roll was called and there were 84 YEAS, 15 NAYS, 7 ABSENT AND NOT VOTING.

YEAS: Aubol; Black; Boyle; Brokaw; 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; Kent; Kloubec; Knudson; Koehn; Koski; Kretschmar; Kuchera; Lardy; Larson, R.; Laughlin; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, C.; Martin, G.; Martinson; Meier, A.; Meiers, R.; Mertens; Meyer, W.; Moore; Mushik; Nicholas; Nowatzki; O'Connell; Olafson; Olsen, D.; Olson, A.; Opedahl; O'Shea; Peterson; Pomeroy, E.; Pomeroy, G.; Retzer; Rice; Richard; Riehl; Riley; Sanstead; Schneider; Schoenwald; Shide; Shockman; Sinner; Solberg; Stofferahn; Swiontek; Timm; Unhjem; Vander Vorst; Wentz; Williams, A.; Williams, C.; Williams, W.; Wold; Speaker Kelly

NAYS: Anderson, C.; Anderson, R.; Gunsch; Hanson, O.;  
Hughes; Kingsbury; Lang; Larson, B.; Melby; Peltier;  
Rayl; Rued; Schindler; Thompson; Watne

ABSENT AND NOT VOTING: Backes; Meyer, R.; Murphy;  
Nalewaja; Strinden; Vig; Whalen

HB 1516 passed and the title was agreed to.

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HB 1519: A BILL for an Act to amend and reenact section  
57-38-35.1 of the North Dakota Century Code, relating to  
refunds, collection and application of refunds.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill as amended on  
pages 1176 and 1177 of the House Journal, the roll was called and  
there were 97 YEAS, 0 NAYS, 9 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, W.; Moore; Mushik; Nalewaja; Nicholas;  
Nowatzki; O'Connell; Olafson; Olson, A.; Opedahl;  
O'Shea; Peltier; Peterson; Pomeroy, E.; Pomeroy, G.;  
Rayl; Richard; Riehl; Riley; Rued; Sanstead; Schindler;  
Schneider; Schoenwald; Shide; Shockman; Sinner;  
Solberg; Stofferahn; Swiontek; Thompson; Timm; Unhjem;  
Vander Vorst; Watne; Wentz; Williams, A.; Williams, C.;  
Williams, W.; Wold; Speaker Kelly

NAYS: None

ABSENT AND NOT VOTING: Backes; Meyer, R.; Murphy;  
Olsen, D.; Retzer; Rice; Strinden; Vig; Whalen

HB 1519 passed and the title was agreed to.

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HB 1520: A BILL for an Act to amend and reenact subsection 9 of  
section 57-40.3-04 of the North Dakota Century Code,  
relating to motor vehicle excise tax on the manufacture or  
assembly of a motor vehicle.

Which has been read.

### ROLL CALL

The question being on the final passage of the bill as amended on page 1177 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; 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; Linderman; Lipsiea; Lloyd; Martin, C.; Martin, G.; Martinson; Meier, A.; Meiers, R.; Melby; Mertens; Meyer, W.; Moore; Murphy; Mushik; Nalewaja; Nicholas; Nowatzki; O'Connell; Olafson; Olsen, D.; Olson, A.; Opedahl; O'Shea; Peltier; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Rice; Richard; Riehl; Riley; Rued; Sanstead; Schindler; Schneider; Schoenwald; Shide; Shockman; Sinner; Solberg; Stofferahn; Swiontek; Thompson; Timm; Unhjem; Vander Vorst; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Wold; Speaker Kelly

NAYS: Black

ABSENT AND NOT VOTING: Backes; Lautenschlager; Meyer, R.; Strinden; Vig

HB 1520 passed and the title was agreed to.

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HB 1534: A BILL for an Act to amend and reenact section 38-08.1-04.1 of the North Dakota Century Code, relating to the requirements to obtain a geophysical exploration permit.

Which has been read.

### ROLL CALL

The question being on the final passage of the bill as amended on page 1177 of the House Journal, the roll was called and there were 101 YEAS, 1 NAY, 4 ABSENT AND NOT VOTING.

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

NAYS: Rued

ABSENT AND NOT VOTING: Lipsiea; Meyer, R.; Strinden; Unhjem

HB 1534 passed and the title was agreed to.

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HB 1569: A BILL for an Act to create and enact a new paragraph to subdivision b of subsection 3 of section 57-62-02 of the North Dakota Century Code, relating to the allocation of money from the coal development fund to non-coal-producing counties in which there is located an electrical generating plant.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill as amended on page 1178 of the House Journal, the roll was called and there were 47 YEAS, 55 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Dotzenrod; Erdman; Goetz; Gunsch; Hamerlik; Hanson, O.; Hill; Hjelle; Hughes; Keller; Kent; Kingsbury; Knudson; Kretschmar; Kuchera; Lang; Lardy; Larson, R.; Laughlin; Linderman; Lipsiea; Lloyd; Martin, C.; Meier, A.; Melby; O'Connell; Olafson; Olsen, D.; Olson, A.; O'Shea; Retzer; Rice; Rued; Sanstead; Shide; Sinner; Thompson; Timm; Unhjem; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Wold

NAYS: Aubol; Backes; Black; Boyle; Brokaw; Conmy; DeMers; DuBord; Eagles; Gates; Gerl; Gorder; Gullickson; Halmrast; Hanson, L.; Haugland; Hausauer; Hoffner, Serenus; Hoffner, S. F.; Horgan; Jacobson; Kloubec; Koehn; Koski; Larson, B.; Lautenschlager; Martin, G.; Martinson; Meiers, R.; Mertens; Meyer, W.; Moore; Mushik; Nalewaja; Nicholas; Nowatzki; Opedahl;

Peltier; Pomeroy, E.; Pomeroy, G.; Rayl; Richard;  
 Riehl; Riley; Schindler; Schneider; Schoenwald;  
 Shockman; Solberg; Stofferahn; Swiontek; Vander Vorst;  
 Vig; Williams, W.; Speaker Kelly

ABSENT AND NOT VOTING: Meyer, R.; Murphy; Peterson;  
 Strinden

HB 1569 was declared lost.

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#### MOTION

REP. KRETSCHMAR MOVED that the House reconsider its action whereby HB 1249 failed to pass for want of a Constitutional majority, which motion prevailed on a verification vote.

#### SECOND READING OF HOUSE BILLS

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, the roll was called and there were 55 YEAS, 48 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Aubol; Conmy; Eagles;  
 Erdman; Goetz; Gunsch; Hamerlik; Hanson, O.; Hausauer;  
 Hill; Hjelle; Hughes; Jacobson; Keller; Kent;  
 Kingsbury; Kloube; Knudson; Koehn; Kretschmar; Lang;  
 Lardy; Larson, R.; Lipsiea; Martin, C.; Martinson;  
 Meiers, R.; Moore; Nalewaja; Nicholas; O'Connell;  
 Olafson; Olsen, D.; Olson, A.; Opedahl; O'Shea;  
 Peltier; Rayl; Retzer; Rice; Riley; Rued; Schindler;  
 Shide; Sinner; Strinden; Swiontek; Thompson; Timm;  
 Unhjem; Vander Vorst; Whalen; Wold

NAYS: Backes; Black; Boyle; Brokaw; DeMers; Dotzenrod;  
 DuBord; Gates; Gerl; Gorder; Gullickson; Halmrast;  
 Hanson, L.; Haugland; Hoffner, Serenus; Hoffner, S. F.;  
 Horgan; Koski; Kuchera; Larson, B.; Laughlin;  
 Lautenschlager; Linderman; Lloyd; Martin, G.;  
 Meier, A.; Melby; Mertens; Meyer, W.; Mushik; Nowatzki;  
 Pomeroy, E.; Pomeroy, G.; Richard; Riehl; Sanstead;  
 Schneider; Schoenwald; Shockman; Solberg; Stofferahn;

Vig; Watne; Wentz; Williams, A.; Williams, C.;  
Williams, W.; Speaker Kelly

ABSENT AND NOT VOTING: Meyer, R.; Murphy; Peterson

HB 1249 passed and the title was agreed to.

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HB 1570: A BILL for an Act to amend and reenact section 15-40.2-08 of the North Dakota Century Code, relating to tuition payments for students placed outside district of residence.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill as amended on page 1179 of the House Journal, the roll was called and there were 87 YEAS, 13 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Aubol; Black; Brokaw; Conmy; DeMers; Dotzenrodt; DuBord; Erdman; Gerl; Goetz; Gorder; Gullickson; 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.; Melby; Mertens; Meyer, W.; Moore; Mushik; Nicholas; Nowatzki; O'Connell; Olafson; Olsen, D.; Olson, A.; Opedahl; O'Shea; Pomeroy, E.; Pomeroy, G.; Rayl; Rice; Richard; Riehl; Rued; Sanstead; Schindler; Schneider; Schoenwald; Shide; Shockman; Sinner; Solberg; Stofferahn; Strinden; Timm; Unhjem; Vig; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Speaker Kelly

NAYS: Boyle; Eagles; Gates; Gunsch; Hanson, O.; Lipsiea; Nalewaja; Peltier; Riley; Swiontek; Vander Vorst; Whalen; Wold

ABSENT AND NOT VOTING: Backes; Meyer, R.; Murphy; Peterson; Retzer; Thompson

HB 1570 passed and the title was agreed to.

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HB 1582: A BILL for an Act to provide for a set off of debts owed to the state of North Dakota by debtors who are due to receive income tax refunds.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill as amended on page 1179 of the House Journal, the roll was called and there were 63 YEAS, 39 NAYS, 4 ABSENT AND NOT VOTING.

**YEAS:** Anderson, R.; Aubol; Boyle; Brokaw; Dotzenrod; DuBord; Eagles; Erdman; Gates; Gorder; Gullickson; Hamerlik; Hanson, L.; Haugland; Hausauer; Hill; Hoffner, S. F.; Hughes; Jacobson; Kent; Koehn; Kretschmar; Kuchera; Lardy; Larson, B.; Larson, R.; Laughlin; Lautenschlager; Lloyd; Martin, C.; Martin, G.; Meiers, R.; Melby; Mertens; Meyer, W.; Moore; Nalewaja; Nowatzki; O'Connell; Olson, A.; Opedahl; O'Shea; Peterson; Pomeroy, G.; Rice; Riehl; Riley; Rued; Sanstead; Schneider; Schoenwald; Shockman; Sinner; Solberg; Stofferahn; Swiontek; Timm; Vander Vorst; Vig; Wentz; Williams, A.; Williams, C.; Wold

**NAYS:** Anderson, C.; Backes; Black; Conmy; DeMers; Gerl; Goetz; Gunsch; Halmrast; Hanson, O.; Hjelle; Hoffner; Serenus; Horgan; Keller; Kingsbury; Kloubec; Knudson; Koski; Lang; Linderman; Lipsiea; Martinson; Meier, A.; Mushik; Nicholas; Olafson; Olsen, D.; Peltier; Pomeroy, E.; Rayl; Retzer; Schindler; Shide; Thompson; Unhjem; Watne; Whalen; Williams, W.; Speaker Kelly

**ABSENT AND NOT VOTING:** Meyer, R.; Murphy; Richard; Strinden

HB 1582 passed and the title was agreed to.

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HB 1619: A BILL for an Act to amend and reenact subsection 2 of section 15-38.1-13 of the North Dakota Century Code, relating to the resolution of impasses in professional negotiations in the public schools; 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 1179 and 1180 of the House Journal, the roll was called and there were 66 YEAS, 36 NAYS, 4 ABSENT AND NOT VOTING.

**YEAS:** Aubol; Black; Boyle; Conmy; DeMers; Dotzenrod; DuBord; Eagles; Erdman; Gates; Gerl; Gullickson; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer; Hill; Hjelle; Hoffner, S. F.; Horgan; Jacobson; Keller; Kingsbury; Koski; Kretschmar; Kuchera; Lardy; Lautenschlager; Linderman; Lloyd;



Martin, G.; Martinson; Meier, A.; Meiers, R.; Mertens; Moore; Mushik; Nicholas; Nowatzki; O'Connell; O'Shea; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Richard; Riley; Rued; Sanstead; Schneider; Schoenwald; Shockman; Sinner; Solberg; Stofferahn; Swiontek; Unhjem; Vig; Wentz; Williams, A.; Williams, C.; Williams, W.; Wold; Speaker Kelly

NAYS: Anderson, C.; Anderson, R.; Backes; Brokaw; Goetz; Gorder; Gunsch; Hanson, O.; Hughes; Kent; Kloubec; Knudson; Koehn; Lang; Larson, B.; Larson, R.; Laughlin; Lipsiea; Martin, C.; Melby; Meyer, W.; Nalewaja; Olafson; Olsen, D.; Opedahl; Peltier; Retzer; Rice; Riehl; Schindler; Shide; Thompson; Timm; Vander Vorst; Watne; Whalen

ABSENT AND NOT VOTING: Meyer, R.; Murphy; Olson, A.; Strinden

HB 1619 passed and the title was agreed to.

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HB 1627: A BILL for an Act to amend and reenact section 28-01.1-02 of the North Dakota Century Code, relating to the statute of limitations for products liability actions.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill as amended on pages 1180-1182 of the House Journal, the roll was called and there were 88 YEAS, 10 NAYS, 8 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Aubol; Backes; Black; Boyle; Brokaw; 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; Lang; Lardy; Larson, B.; Larson, R.; Laughlin; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, C.; Martin, G.; Martinson; Meier, A.; Meiers, R.; Melby; Mertens; Meyer, W.; Moore; Mushik; Nalewaja; Nicholas; Nowatzki; O'Connell; Olafson; Olsen, D.; Opedahl; Peltier; Peterson; Richard; Riehl; Riley; Rued; Schindler; Schneider; Schoenwald; Shide; Shockman; Sinner; Stofferahn; Strinden; Swiontek; Timm; Unhjem; Vander Vorst; Vig; Wentz; Williams, A.; Williams, C.; Williams, W.; Wold; Speaker Kelly

NAYS: DeMers; Hanson, O.; Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Rice; Thompson; Watne; Whalen

ABSENT AND NOT VOTING: Conmy; Kuchera; Meyer, R.;  
Murphy; Olson, A.; O'Shea; Sanstead; Solberg

HB 1627 passed and the title was agreed to.

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#### MOTION

REP. BACKES MOVED that HB 1710 be moved to the head of the calendar, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

HB 1710: A BILL for an Act to amend and reenact section 57-38-29.1 and subsection 2 of section 57-38-30.3 of the North Dakota Century Code, relating to the rate of income tax on individuals and the energy cost relief credit allowed to individual income tax filers; and to provide an effective date.

Which has been read.

#### MOTION

REP. C. ANDERSON MOVED the previous question, which motion prevailed.

#### ROLL CALL

The question being on the final passage of the bill as amended on page 1197 of the House Journal, the roll was called and there were 52 YEAS, 51 NAYS, 3 ABSENT AND NOT VOTING.

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

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

ABSENT AND NOT VOTING: Meyer, R.; Murphy; Whalen

HB 1710 was declared lost for want of a Constitutional majority.

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HB 1639: A BILL for an Act to amend and reenact section 57-38-29 and subsection 2 of section 57-38-30.3 of the North Dakota Century Code, relating to individual income tax rates; and to provide an effective date.

Which has been read.

## MOTION

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

## ROLL CALL

The question being on the final passage of the bill as amended on pages 1182 and 1183 of the House Journal, the roll was called and there were 52 YEAS, 52 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Aubol; Backes; Boyle; Brokaw; DeMers; Dotzenrod; DuBord; Erdman; Gerl; Gullickson; Hanson, L.; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Jacobson; Keller; Koski; Larson, E.; Laughlin; Lautenschlager; Linderman; Lloyd; Martin, G.; Meier, A.; Meiers, R.; Mertens; 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; Eagles; Gates; Goetz; Gorder; Gunsch; Halmrast; Hamerlik; Hanson, O.; Haugland; Hausauer; Hughes; Kent; Kingsbury; Kloubec; Knudson; Koehn; Kretschmar; Kuchera; Lardy; Larson, R.; Lipsiea; Martin, C.; Martinson; Melby; Moore; Murphy; Nalewaja; Nicholas; Olafson; Olsen, D.; Olson, A.; Peltier; Peterson; Retzer; Rice; Riley; Rued; Schindler; Shide; Strinden; Swiontek; Thompson; Timm; Unhjem; Vander Vorst; Wentz; Whalen; Wold

ABSENT AND NOT VOTING: Lang; Meyer, R.

HB 1639 was declared lost for want of a Constitutional majority.

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## SIGNING OF BILLS AND RESOLUTIONS

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following:

HMR 1

CHARLES FLEMING, Chief Clerk

## MOTION

REP. BACKES MOVED that the House stand in recess until 10:00 a.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 2001, SB 2002, SB 2006, SB 2016, SB 2019, SB 2020,  
SB 2023, SB 2031, SB 2038, SB 2039, SB 2062, SB 2227,  
SB 2239, SB 2276, SB 2354, SB 2355, SB 2447

Very respectfully,  
LEO LEIDHOLM, Secretary

## SECOND READING OF HOUSE BILL

HB 1644: A BILL for an Act to amend and reenact section 50-01-09.2 of the North Dakota Century Code, relating to reimbursement by the state to the counties for costs of general assistance.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill as amended on page 1184 of the House Journal, the roll was called and there were 101 YEAS, 0 NAYS, 5 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Kent; Meyer, R.; Mushik; Richard;  
Vig

HB 1644 passed and the title was agreed to.

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#### MOTION

REP. GERL MOVED that the House reconsider its action whereby HB 1079 failed to pass, which motion prevailed on a verification vote.

#### SECOND READING OF HOUSE BILLS

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

Which has been read.

#### MOTION

REP. L. HANSON MOVED the previous question, which motion prevailed.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 55 YEAS, 50 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Anderson, R.; Backes; Black; Boyle; DeMers;  
Dotzenrod; Eagles; Erdman; Gates; Gerl; Coetz;  
Hamerlik; Hanson, O.; Haugland; Hausauer; Hjelle;  
Horgan; Hughes; Jacobson; Kent; Kingsbury; Koehn;  
Kretschmar; Kuchera; Lang; Lautenschlager; Lloyd;  
Martin, G.; Mertens; Moore; Nalewaja; Nicholas;  
Nowatzki; O'Connell; Opedahl; Peltier; Peterson;  
Pomeroy, G.; Rice; Rued; Sanstead; Schindler;  
Schneider; Schoenwald; Solberg; Stofferahn; Strinden;  
Swiontek; Timm; Unhjem; Vander Vorst; Wentz;  
Williams, A.; Williams, C.; Speaker Kelly

NAYS: Anderson, C.; Aubol; Brokaw; Conmy; DuBord; Gorder;  
Gullickson; Gunsch; Halmrast; Hanson, L.; Hill;  
Hoffner; Serenus; Hoffner, S. E.; Keller; Kloubec;  
Knudson; Koski; Lardy; Larson, B.; Larson, R.;  
Laughlin; Linderman; Lipsiea; Martin, C.; Martinson;  
Meier, A.; Meiers, R.; Melby; Meyer, W.; Murphy;  
Mushik; Olafson; Olsen, D.; Olson, A.; O'Shea;  
Pomeroy, E.; Rayl; Retzer; Richard; Riehl; Riley;  
Shide; Shockman; Sinner; Thompson; Vig; Watne; Whalen;  
Williams, W.; Wold

ABSENT AND NOT VOTING: Meyer, R.

HB 1079 passed and the title was agreed to.

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HB 1652: A BILL for an Act to amend and reenact subsection 15 of section 57-02-08 of the North Dakota Century Code, relating to a property tax exemption for farm residences, structures, and improvements.

Which has been read.

#### MOTION

REP. W. WILLIAMS MOVED the previous question, which motion prevailed.

#### ROLL CALL

The question being on the final passage of the bill as amended on pages 1185-1187 of the House Journal, the roll was called and there were 23 YEAS, 81 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Black; Conmy; DeMers; Eagles; Gates; Halmrast; Hamerlik; Hanson, L.; Hughes; Kloubec; Kuchera; Larson, R.; Moore; Nalewaja; Pomeroy, G.; Rayl; Riley; Schneider; Swiontek; Timm; Wentz; Wold; Speaker Kelly

NAYS: Anderson, C.; Anderson, R.; Aubol; Backes; Boyle; Brokaw; Dotzenrodt; DuBord; Erdman; Gerl; Goetz; Gorder; Gullickson; Gunsch; Hanson, O.; Haugland; Hausauer; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Jacobson; Keller; Kent; Kingsbury; Knudson; Koehn; Koski; Kretschmar; Lang; Lardy; Larson, B.; Laughlin; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, C.; Martin, G.; Meier, A.; Meiers, R.; Melby; Mertens; Meyer, W.; Murphy; Mushik; Nicholas; Nowatzki; O'Connell; Olafson; Olsen, D.; Olson, A.; Opedahl; O'Shea; Peltier; Peterson; Pomeroy, E.; Retzer; Rice; Richard; Riehl; Rued; Sanstead; Schindler; Schoenwald; Shide; Shockman; Sinner; Solberg; Stofferahn; Strinden; Thompson; Unhjem; Vander Vorst; Vig; Watne; Whalen; Williams, A.; Williams, C.; Williams, W.

ABSENT AND NOT VOTING: Martinson; Meyer, R.

HB 1652 was declared lost.

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#### REPORT OF PROCEDURAL COMMITTEE

MADAM SPEAKER: Your Committee on Enrollment and Engrossment respectfully report that the following bill was delivered to the Secretary of State at the hour of 9:34 a.m., February 18, 1983:

HMR 1

REP. G. MARTIN, Chairman

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

## SECOND READING OF HOUSE BILLS

HB 1656: A BILL for an Act to create and enact new subdivisions to subsections 17 and 18 of section 52-01-01 of the North Dakota Century Code, relating to eligibility for unemployment compensation.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill as amended on pages 1187 and 1188 of the House Journal, the roll was called and there were 97 YEAS, 2 NAYS, 7 ABSENT AND NOT VOTING.

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

NAYS: Kuchera; Peltier

ABSENT AND NOT VOTING: Hausauer; Martinson; Meyer, R.; Peterson; Retzer; Richard; Vig

HB 1656 passed and the title was agreed to.

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HB 1667: A BILL for an Act to create and enact a new subsection to section 15-65-03 of the North Dakota Century Code, authorizing the educational broadcasting council to contract for the construction and operation of public radio facilities; and to provide an appropriation.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill as amended on pages 1188 and 1189 of the House Journal, the roll was called and there were 80 YEAS, 18 NAYS, 8 ABSENT AND NOT VOTING.

**YEAS:** Anderson, R.; Aubol; Backes; Black; Boyle; Brokaw; DeMers; Dotzenrod; DuBord; Eagles; Erdman; Gates; Gerl; Goetz; Gorder; Halmrast; Hamerlik; Hanson, L.; Haugland; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Jacobson; Keller; Kent; Kloubec; Knudson; Koehn; Koski; Kretschmar; Kuchera; Lang; Lardy; Larson, B.; Larson, R.; Laughlin; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, C.; Martin, G.; Meiers, R.; Mertens; Meyer, W.; Moore; Mushik; Nalewaja; Nicholas; Nowatzki; O'Connell; Opedahl; O'Shea; Peltier; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Riehl; Rued; Sanstead; Schindler; Schneider; Schoenwald; Shockman; Sinner; Stoifferahn; Swiontek; Thompson; Unhjem; Vander Vorst; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Wold; Speaker Kelly

**NAYS:** Anderson, C.; Conmy; Gullickson; Hanson, O.; Hughes; Kingsbury; Meier, A.; Melby; Olafson; Olsen, D.; Olson, A.; Retzer; Rice; Riley; Shide; Solberg; Strinden; Timm

**ABSENT AND NOT VOTING:** Gunsch; Hausauer; Martinson; Meyer, R.; Murphy; Richard; Vig; Williams, W.

HB 1667 passed and the title was agreed to.

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#### MOTION

**REP. BACKES MOVED** that HB 1729 be moved to the head of the calendar, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

**HB 1729:** A BILL for an Act to provide an appropriation for additional compensation to North Dakota state employees, subject to maintaining an adequate general fund balance, for the period beginning July 1, 1984, and ending June 30, 1985.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 86 YEAS, 15 NAYS, 5 ABSENT AND NOT VOTING.

**YEAS:** Aubol; Backes; Black; Boyle; Brokaw; 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; Kent; Kingsbury; Knudson; Koehn; Koski; Kretschmar; Kuchera; Lardy; Larson, B.; Larson, R.; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, C.; Martin, G.; Meier, A.; Meiers, R.; Mertens; Meyer, W.; Mushik;



Nalewaja; Nicholas; Nowatzki; O'Connell; Olsen, D.;  
 Opedahl; O'Shea; Peltier; Peterson; Pomeroy, E.;  
 Pomeroy, G.; Rayl; Retzer; Rice; Riehl; Riley; Rued;  
 Sanstead; Schindler; Schneider; Schoenwald; Shide;  
 Shockman; Sinner; Solberg; Stofferahn; Strinden;  
 Swiontek; Timm; Unhjem; Watne; Wentz; Williams, A.;  
 Williams, C.; Williams, W.; Wold; Speaker Kelly

NAYS: Anderson, C.; Anderson, R.; Gunsch; Hanson, O.;  
 Hughes; Kloubec; Lang; Laughlin; Melby; Moore; Olafson;  
 Olson, A.; Thompson; Vander Vorst; Whalen

ABSENT AND NOT VOTING: Martinson; Meyer, R.; Murphy;  
 Richard; Vig

HB 1729 passed and the title was agreed to.

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HB 1668: A BILL for an Act making an appropriation to the industrial commission for a farm operating loan and small business operating loan guarantee fund; and declaring an emergency.

Which has been read.

#### MOTION

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

#### ROLL CALL

The question being on the final passage of the bill as amended on pages 1189 and 1190 of the House Journal, the roll was called and there were 77 YEAS, 23 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Aubol; Backes; Black;  
 Brokaw; Dotzenrod; DuBord; Erdman; Gates; Gerl; Goetz;  
 Gorder; Gullickson; Gunsch; Hamerlik; Hanson, L.;  
 Hanson, O.; Haugland; Hausauer; Hill; Hjelle;  
 Hoffner, Serenus; Hoffner, S. F.; Horgan; Hughes;  
 Jacobson; Keller; Kent; Kingsbury; Knudson; Kretschmar;  
 Lang; Larson, B.; Larson, R.; Laughlin; Linderman;  
 Lipsiea; Lloyd; Martin, C.; Meier, A.; Meiers, R.;  
 Melby; Meyer, W.; Nalewaja; Nicholas; Nowatzki;  
 O'Connell; Olafson; Olsen, D.; Olson, A.; Opedahl;  
 O'Shea; Peterson; Pomeroy, E.; Retzer; Rice; Richard;  
 Riehl; Rued; Sanstead; Schindler; Shide; Shockman;  
 Sinner; Solberg; Stofferahn; Swiontek; Timm; Unhjem;  
 Vander Vorst; Vig; Watne; Williams, A.; Williams, C.;  
 Williams, W.; Wold

NAYS: Boyle; DeMers; Eagles; Halmrast; Kloubec; Koski;  
 Kuchera; Lardy; Lautenschlager; Martin, G.; Mertens;  
 Moore; Murphy; Mushik; Peltier; Pomeroy, G.; Rayl;

Schneider; Schoenwald; Strinden; Thompson; Wentz;  
Speaker Kelly

ABSENT AND NOT VOTING: Conmy; Koehn; Martinson;  
Meyer, R.; Riley; Whalen

HB 1668 passed, the title was agreed to, and the emergency clause carried.

#### REQUEST

REP. KOEHN REQUESTED that the record show that he intended to vote "yea" on the final passage of HB 1668, which request was granted.

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HB 1670: A BILL for an Act to amend and reenact subsection 5 of section 15-47-38 of the North Dakota Century Code, relating to the nonrenewal of a teachers' contract.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill as amended on pages 1191 and 1192 of the House Journal, the roll was called and there were 84 YEAS, 14 NAYS, 8 ABSENT AND NOT VOTING.

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

NAYS: Anderson, C.; Anderson, R.; Gunsch; Hanson, O.;  
Hughes; Knudson; Laughlin; Melby; Murphy; Olafson;  
Olson, A.; Rayl; Thompson; Vander Vorst

ABSENT AND NOT VOTING: Backes; Haugland; Horgan;  
Kingsbury; Koehn; Martinson; Meyer, R.; Whalen

HB 1670 passed and the title was agreed to.

## REQUEST

REP. KOEHN REQUESTED that the record show that he intended to vote "yea" on the final passage of HB 1670, which request was granted.

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HB 1693: A BILL for an Act to amend and reenact subsection 1 of section 52-06-02 of the North Dakota Century Code, relating to disqualification for unemployment compensation benefits.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill as amended on page 1193 of the House Journal, the roll was called and there were 70 YEAS, 33 NAYS, 3 ABSENT AND NOT VOTING.

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

NAYS: Anderson, C.; Anderson, R.; Goetz; Gorder; Gunsch; Hanson, O.; Hausauer; Hughes; Kent; Kingsbury; Knudson; Kretschmar; Kuchera; Lang; Larson, R.; Lipsiea; Melby; Moore; Murphy; Nalewaja; Olafson; Olsen, D.; Olson, A.; Peltier; Peterson; Retzer; Rice; Riley; Rued; Shide; Strinden; Timm; Vander Vorst

ABSENT AND NOT VOTING: Meyer, R.; Thompson; Whalen

HB 1693 passed and the title was agreed to.

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HB 1695: A BILL for an Act to authorize the governor or highway commissioner to make agreements with the state of Montana and relevant federal agencies for renewal of certain Amtrak rail passenger service; and to provide an appropriation.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill as amended on page 1193 of the House Journal, the roll was called and there were 85 YEAS, 17 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Aubol; Backes; Black; Boyle; Brokaw; Conmy; DeMers; Dotzenrod; DuBord; Eagles; Erdman; Gates; Gerl; Goetz; Gorder; Gullickson; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Jacobson; Kent; 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, W.; Moore; Mushik; Malewaja; Nicholas; Nowatzki; O'Connell; Opedahl; O'Shea; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Richard; Riehl; Riley; Rued; Sanstead; Schindler; Schneider; Schoenwald; Shockman; Sinner; Solberg; Stofferahn; Swiontek; Unhjem; Vig; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Wold; Speaker Kelly

NAYS: Anderson, R.; Gunsch; Hughes; Keller; Kingsbury; Lipsiea; Melby; Murphy; Olafson; Olsen, D.; Olson, A.; Peltier; Rice; Shide; Thompson; Timm; Whalen

ABSENT AND NOT VOTING: Meyer, R.; Retzer; Strinden; Vander Vorst

HB 1695 passed and the title was agreed to.

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HB 1701: A BILL for an Act to create a new paragraph to subdivision e of subsection 3 of section 39-12-04 of the North Dakota Century Code, relating to exemption from motor vehicle length limits; and to amend and reenact subsection 2 of section 39-12-04 of the North Dakota Century Code, relating to height limit for vehicles.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill as amended on page 1194 of the House Journal, the roll was called and there were 96 YEAS, 2 NAYS, 8 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Aubol; Backes; Boyle; Conmy; DeMers; Dotzenrod; DuBord; Eagles; Erdman; Gates; Gerl; Goetz; Gorder; 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; Larson, B.;  
 Larson, R.; Laughlin; Lautenschlager; Linderman;  
 Lipsiea; Lloyd; Martin, C.; Martin, G.; Martinson;  
 Meier, A.; Meiers, R.; Melby; Mertens; Meyer, W.;  
 Moore; Murphy; Mushik; Nalewaja; 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; Swiontek; Timm; Unhjem;  
 Vander Vorst; Vig; Watne; Wentz; Whalen; Williams, A.;  
 Williams, C.; Williams, W.; Wold; Speaker Kelly

NAYS: Lardy; Thompson

ABSENT AND NOT VOTING: Black; Brokaw; Gullickson;  
 Kuchera; Meyer, R.; Nicholas; Retzer; Strinden

HB 1701 passed and the title was agreed to.

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HB 1706: A BILL for an Act to create and enact a new section to chapter 57-60 and a new section to chapter 61-04 of the North Dakota Century Code, relating to a coal conversion privilege tax credit and to the establishment of an industrial use fee for use of water from the Missouri River.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill as amended on pages 1194 and 1195 of the House Journal, the roll was called and there were 54 YEAS, 50 NAYS, 2 ABSENT AND NOT VOTING.

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

NAYS: Anderson, R.; Black; Conmy; Gates; Goetz;  
 Gullickson; Gunsch; Hamerlik; Hanson, O.; Haugland;  
 Hausauer; Hill; Hughes; Keller; Kent; Kingsbury;  
 Kloubec; Koehn; Kretschmar; Kuchera; Larson, R.;  
 Lipsiea; Martinson; Melby; Meyer, W.; Moore; Murphy;  
 Nalewaja; Nowatzki; Olafson; Olsen, D.; Olson, A.;

Opedahl; O'Shea; Peltier; Peterson; Retzer; Rice;  
 Riley; Rued; Schindler; Shide; Strinden; Swiontek;  
 Timm; Unhjem; Vander Vorst; Wentz; Whalen; Wold

ABSENT AND NOT VOTING: Meyer, R.; Nicholas

HB 1706 passed and the title was agreed to.

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HB 1708: A BILL for an Act to create and enact a new section to chapter 57-38 of the North Dakota Century Code, relating to a surtax on incomes, and to provide for administration and collection of the tax and deposit of revenues in the state general fund; and to provide an effective date.

Which has been read.

#### MOTION

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

#### ROLL CALL

The question being on the final passage of the bill as amended on page 1196 of the House Journal, the roll was called and there were 47 YEAS, 56 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Black; Conmy;  
 Dotzenrod; Gates; Goetz; Gorder; Gunsch; Hamerlik;  
 Hanson, O.; Hausauer; Hughes; Kent; Kingsbury; Kloubec;  
 Knudson; Koehn; Kuchera; Lang; Larson, R.; Lipsiea;  
 Martin, C.; Martin, G.; Martinson; Melby; Murphy;  
 Nalewaja; Nicholas; Olafson; Olson, A.; Opedahl;  
 Peltier; Peterson; Retzer; Rice; Riley; Rued;  
 Schindler; Shide; Solberg; Strinden; Thompson; Timm;  
 Unhjem; Vander Vorst; Whalen

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

ABSENT AND NOT VOTING: Meyer, R.; Olsen, D.; Sanstead

HB 1708 was declared lost.

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## 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.

## SECOND READING OF HOUSE BILLS

HB 1709: A BILL for an Act to amend and reenact section 26-01-11 of the North Dakota Century Code, or in the alternative to amend and reenact section 26.1-03-17 of the North Dakota Century Code as created by House Bill No. 1054, as approved by the forty-eighth legislative assembly, relating to quarterly payment of the insurance premiums tax; to provide for a penalty and interest; 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 1196 of the House Journal, the roll was called and there were 24 YEAS, 79 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Anderson, R.; Aubol; Black; Gerl; Hanson, O.; Hoffner, Serenus; Jacobson; Kretschmar; Kuchera; Lardy; Lipsiea; Meiers, R.; Melby; Olafson; Olsen, D.; Olson, A.; Pomeroy, G.; Sanstead; Schneider; Schoenwald; Shockman; Strinden; Unhjem; Vander Vorst

NAYS: Anderson, C.; Backes; Boyle; Conmy; DeMers; Dotzenrod; DuBord; Eagles; Erdman; Gates; Goetz; Gorder; Gullickson; Gunsch; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer; Hill; Hjelle; Hoffner, S. F.; Horgan; Hughes; Keller; Kent; Kingsbury; Kloubec; Knudson; Koehn; Koski; Lang; Larson, B.; Larson, R.; Laughlin; Lautenschlager; Linderman; Lloyd; Martin, C.; Martin, G.; Martinson; Meier, A.; Mertens; Meyer, R.; Meyer, W.; Moore; Murphy; Mushik; Nalewaja; Nicholas; Nowatzki; O'Connell; Opedahl; O'Shea; Peltier; Pomeroy, E.; Rayl; Retzer; Rice; Richard; Riehl; Riley; Rued; Schindler; Shide; Sinner; Solberg; Stofferahn; Swiontek; Thompson; Timm; Vig; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Wold; Speaker Kelly

ABSENT AND NOT VOTING: Brokaw; Peterson; Whalen

HB 1709 was declared lost.

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HB 1711: A BILL for an Act to amend and reenact sections 57-39.2-03.2 and 57-40.2-03.2 of the North Dakota Century Code, relating to the rate of sales and use tax on alcoholic beverages; to provide an effective date; and to declare an emergency.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill as amended on page 1197 of the House Journal, the roll was called and there were 101 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Peterson

HB 1711 passed, the title was agreed to, and the emergency clause carried.

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HB 1712: A BILL for an Act to amend and reenact section 57-36-32 of the North Dakota Century Code, relating to taxes on sales of cigarettes; to provide an effective date; and to declare an emergency.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill as amended on page 1198 of the House Journal, the roll was called and there were 94 YEAS, 10 NAYS, 2 ABSENT AND NOT VOTING.



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

NAYS: Aubol; Gerl; Hoffner, S. F.; Horgan; Hughes; Lardy; Meyer, R.; Murphy; Rued; Vander Vorst

ABSENT AND NOT VOTING: Peterson; Riehl

HB 1712 passed, the title was agreed to, and the emergency clause carried.

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#### RECOGNITION

SPEAKER KELLY ANNOUNCED that a former Senator was in the chambers, and requested that the House recognize former Senator Ernie Pyle, and Senator Pyle was thereupon introduced to the House.

#### SECOND READING OF HOUSE BILLS

HB 1715: A BILL for an Act to amend and reenact section 57-38-30 of the North Dakota Century Code, relating to corporate income tax rates; 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 65 YEAS, 38 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Aubol; Backes; Black; Boyle; Brokaw; DeMers; Dotzenrod; DuBord; Erdman; Gerl; Gorder; Gullickson; Gunsch; Halmrast; Hanson, L.; Haugland; Hill; Hjelle; Hoffner, Serenus; Horgan; Jacobson; Keller; Koski; Kretschmar; Kuchera; Lang; Larson, B.; Laughlin; Lautenschlager; Linderman; Lloyd; Martin, C.; Martin, G.; Meier, A.; Meiers, R.; Mertens; Meyer, R.; Meyer, W.; Mushik; Nicholas; Nowatzki; O'Connell;

Opedahl; O'Shea; Pomeroy, E.; Pomeroy, G.; Rayl; Richard; Sanstead; Schindler; Schneider; Schoenwald; Shockman; Sinner; Solberg; Stofferahn; Strinden; Thompson; Vander Vorst; Vig; Watne; Williams, A.; Williams, C.; Williams, W.; Speaker Kelly

NAYS: Anderson, C.; Anderson, R.; Conmy; Eagles; Gates; Goetz; Hamerlik; Hanson, O.; Hoffner, S. F.; Hughes; Kent; Kingsbury; Kloubec; Knudson; Koehn; Lardy; Larson, R.; Lipsiea; Martinson; Melby; Moore; Murphy; Nalewaja; Olafson; Olsen, D.; Olson, A.; Peltier; Retzer; Rice; Riley; Rued; Shide; Swiontek; Timm; Unhjem; Wentz; Whalen; Wold

ABSENT AND NOT VOTING: Hausauer; Peterson; Riehl

HB 1715 was declared lost.

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HB 1723: A BILL for an Act making an appropriation to the industrial commission to defray the expenses of the North Dakota agricultural products export subsidy marketing functions of the industrial commission; and declaring an emergency.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill as amended on page 1200 of the House Journal, the roll was called and there were 67 YEAS, 38 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Aubol; Dotzenrod; DuBord; Gates; Goetz; Gorder; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Hughes; Jacobson; Keller; Kent; Kingsbury; Knudson; Koehn; Kretschmar; Kuchera; Lang; Larson, R.; Laughlin; Lloyd; Martin, C.; Meier, A.; Meiers, R.; Melby; Meyer, R.; Meyer, W.; Nalewaja; Nicholas; Nowatzki; O'Connell; Olafson; Olsen, D.; Olson, A.; Opedahl; Peltier; Peterson; Pomeroy, E.; Pomeroy, G.; Retzer; Rice; Riehl; Rued; Sanstead; Schindler; Schoenwald; Shide; Sinner; Timm; Unhjem; Vander Vorst; Watne; Williams, A.; Williams, C.; Williams, W.

NAYS: Backes; Black; Boyle; Brokaw; Conmy; DeMers; Eagles; Erdman; Gerl; Gullickson; Kloubec; Koski; Lardy; Larson, B.; Lautenschlager; Linderman; Lipsiea; Martin, G.; Martinson; Mertens; Moore; Murphy; Mushik; O'Shea; Rayl; Richard; Riley; Schneider; Shockman; Solberg; Stofferahn; Swiontek; Thompson; Vig; Wentz; Whalen; Wold; Speaker Kelly

## ABSENT AND NOT VOTING: Strinden

HB 1723 passed, the title was agreed to, but the emergency clause was declared lost.

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HB 1266: A BILL for an Act to create and enact a new subsection to section 57-39.2-01 and a new subsection to section 57-39.2-04 of the North Dakota Century Code, relating to a definition of natural gas and exemption of sales of natural gas for residential uses from sales tax.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill as amended on page 1068 of the House Journal, the roll was called and there were 46 YEAS, 60 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Black; Boyle; Conmy; DeMers; Dotzenrod; DuBord; Eagles; Erdman; Gates; Gerl; Gullickson; Halmrast; Hamerlik; Hanson, L.; Horgan; Hughes; Jacobson; Keller; Kingsbury; Kloubec; Koski; Kuchera; Lardy; Larson, R.; Lloyd; Martin, G.; Martinson; Meier, A.; Meyer, W.; Moore; Mushik; Nalewaja; O'Connell; Opedahl; Pomeroy, G.; Rayl; Riley; Sanstead; Schneider; Schoenwald; Stofferahn; Swiontek; Unhjem; Watne; Williams, A.; Speaker Kelly

NAYS: Anderson, C.; Anderson, R.; Aubol; Backes; Brokaw; Goetz; Gorder; Gunsch; Hanson, O.; Haugland; Hausauer; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Kent; Knudson; Koehn; Kretschmar; Lang; Larson, B.; Laughlin; Lautenschlager; Linderman; Lipsiea; Martin, C.; Meiers, R.; Melby; Mertens; Meyer, R.; Murphy; Nicholas; Nowatzki; Olafson; Olsen, D.; Olson, A.; O'Shea; Peltier; Peterson; Pomeroy, E.; Retzer; Rice; Richard; Riehl; Rued; Schindler; Shide; Shockman; Sinner; Solberg; Strinden; Thompson; Timm; Vander Vorst; Vig; Wentz; Whalen; Williams, C.; Williams, W.; Wold

## ABSENT AND NOT VOTING: None

HB 1266 was declared lost.

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HB 1495: A BILL for an Act to create and enact a new section to chapter 24-17 of the North Dakota Century Code, relating to administrative hearings; and to amend and reenact sections 24-17-05 and 24-17-11 of the North Dakota Century Code,

relating to compensation for removal of signs and unlawful advertising.

Which has been read.

#### MOTION

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

#### ROLL CALL

The question being on the final passage of the bill as amended on page 1071 of the House Journal, the roll was called and there were 41 YEAS, 65 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Black; Eagles; Gates; Goetz; Gorder; Hamerlik; Hanson, L.; Hausauer; Hughes; Kent; Kingsbury; Kloubec; Koehn; Kretschmar; Kuchera; Lang; Larson, R.; Lautenschlager; Lipsiea; Martinson; Meier, A.; Moore; Nalewaja; Nicholas; Olson, A.; Peterson; Retzer; Rice; Riley; Rued; Sanstead; Schindler; Schneider; Strinden; Swiontek; Timm; Unhjem; Vander Vorst; Williams, W.; Wold

NAYS: Anderson, R.; Aubol; Backes; Boyle; Brokaw; Conmy; DeMers; Dotzenrod; DuBord; Erdman; Gerl; Gullickson; Gunsch; Halmrast; Hanson, O.; Haugland; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Jacobson; Keller; Knudson; Koski; Lardy; Larson, B.; Laughlin; Linderman; Lloyd; Martin, C.; Martin, G.; Meiers, R.; Melby; Mertens; Meyer, R.; Meyer, W.; Murphy; Mushik; Nowatzki; O'Connell; Olafson; Olsen, D.; Opedahl; O'Shea; Peltier; Pomeroy, E.; Pomeroy, G.; Rayl; Richard; Riehl; Schoenwald; Shide; Shockman; Sinner; Solberg; Stofferahn; Thompson; Vig; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Speaker Kelly

ABSENT AND NOT VOTING: None

HB 1495 was declared lost.

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HB 1681: A BILL for an Act to create and enact a new section to chapter 26-41 of the North Dakota Century Code, relating to notice by basic no-fault insurers to the motor vehicle registrar.

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 54 YEAS, 48 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Aubol; Backes; Boyle; Brokaw; DeMers; Dotzenrod; Erdman; Gerl; Gorder; Halmrast; Hamerlik; Hanson, L.; Haugland; Hill; Hjelle; Horgan; Jacobson; Knudson; Koski; Lang; Lardy; Larson, B.; Laughlin; Lautenschlager; Linderman; Lloyd; Martin, C.; Martin, G.; Meier, A.; Meiers, R.; Mertens; Meyer, W.; Mushik; Nalewaja; Nowatzki; O'Connell; Opedahl; O'Shea; Pomeroy, E.; Pomeroy, G.; Rayl; Richard; Sanstead; Schneider; Schoenwald; Sinner; Solberg; Stofferahn; Swiontek; Vig; Watne; Williams, W.; Speaker Kelly

NAYS: Anderson, R.; Black; Conmy; DuBord; Eagles; Gates; Goetz; Gullickson; Gunsch; Hanson, O.; Hausauer; Hoffner, Serenus; Hoffner, S. E.; Hughes; Keller; Kent; Kingsbury; Kloubec; Koehn; Kretschmar; Kuchera; Larson, R.; Lipsiea; Martinson; Melby; Meyer, R.; Moore; Murphy; Nicholas; Olafson; Olsen, D.; Olson, A.; Peltier; Peterson; Rice; Riehl; Rued; Schindler; Shide; Shockman; Strinden; Timm; Vander Vorst; Wentz; Whalen; Williams, A.; Williams, C.; Wold

ABSENT AND NOT VOTING: Retzer; Riley; Thompson; Unhjem

HB 1681 passed and the title was agreed to.

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HB 1720: A BILL for an Act for a conditional transfer of funds to a state capital construction fund; and to provide an appropriation for construction, remodeling, and equipping of, or for additions to, buildings of state agencies, departments, and institutions.

Which has been read.

#### ROLL CALL

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

YEAS: Kuchera; Peterson; Rued

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

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

**ABSENT AND NOT VOTING:** Olafson; Retzer; Riley; Thompson;  
Unhjem

HB 1720 was declared lost.

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**HB 1725:** A BILL for an Act to provide for administration by the superintendent of public instruction of grants for the operation of teacher centers designed to develop curricula used in public schools in this state and to assist teachers from public and nonpublic schools; 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 70 YEAS, 34 NAYS, 2 ABSENT AND NOT VOTING.

**YEAS:** Backes; Black; Boyle; Brokaw; DeMers; DuBord;  
Eagles; Erdman; Gates; Gerl; Gullickson; Halmrast;  
Hamerlik; Hanson, L.; Haugland; Hausauer; Hill; Hjelle;  
Hoffner; Serenus; Hoffner, S. F.; Horgan; Jacobson;  
Keller; Kent; Knudson; Koehn; Koski; Kretschmar;  
Kuchera; Lardy; Laughlin; Lautenschlager; Linderman;  
Lipsiea; Lloyd; Martin, G.; Martinson; Meier, A.;  
Meiers, R.; Mertens; Mushik; Nalewaja; Nicholas;  
Nowatzki; O'Connell; Opedahl; O'Shea; Peltier;  
Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Richard;  
Riley; Rued; Sanstead; Schneider; Schoenwald; Sinner;  
Stofferahn; Swiontek; Timm; Unhjem; Vig; Watne; Wentz;  
Williams, A.; Williams, C.; Williams, W.; Speaker Kelly

**NAYS:** Anderson, C.; Anderson, R.; Aubol; Conmy;  
Dotzenrod; Goetz; Gorder; Gunsch; Hanson, O.; Hughes;  
Kingsbury; Kloubec; Lang; Larson, R.; Martin, C.;  
Melby; Meyer, R.; Meyer, W.; Moore; Murphy; Olafson;  
Olsen, D.; Olson, A.; Rice; Riehl; Schindler; Shide;  
Shockman; Solberg; Strinden; Thompson; Vander Vorst;  
Whalen; Wold

**ABSENT AND NOT VOTING:** Larson, B.; Retzer

HB 1725 passed and the title was agreed to.

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HB 1605: A BILL for an Act to amend and reenact subsection 21 of section 57-38-01 of the North Dakota Century Code, relating to updating federalizing of the income tax law; and to provide for an effective date.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill as amended on page 1255 of the House Journal, the roll was called and there were 102 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Larson, B.; Meyer, W.

HB 1605 passed and the title was agreed to.

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

Which has been read.

#### MOTION

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

#### ROLL CALL

The question being on the final passage of the bill as amended on page 1255 of the House Journal, the roll was called and there were 59 YEAS, 44 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Aubol; Black; Conmy; Dotzenrod; Eagles; Gates; Goetz; Gorder; Gunsch; Hamerlik; Hanson, O.; Haugland; Hausauer; Hjelle; Hoffner, Serenus; Hughes; Jacobson; Kent; Kingsbury; Kloubec; Knudson; Koehn; Kretschmar; Kuchera; Lang; Larson, R.; Lipsiea; Martin, C.; Martinson; Melby; Meyer, R.; Meyer, W.; Moore; Murphy; Nalewaja; Nicholas; Olafson; Olsen, D.; Olson, A.; Opedahl; Peltier; Peterson; Retzer; Rice; Riley; Rued; Schindler; Shide; Sinner; Strinden; Swiontek; Timm; Unhjem; Vander Vorst; Wentz; Whalen; Wold

NAYS: Backes; Boyle; Brokaw; DeMers; DuBord; Erdman; Gerl; Gullickson; Halmrast; Hanson, L.; Hill; Hoffner, S. F.; Horgan; Keller; Lardy; Laughlin; Lautenschlager; Linderman; Lloyd; Martin, G.; Meier, A.; Meiers, R.; Mertens; Mushik; Nowatzki; O'Connell; O'Shea; Pomeroy, G.; Rayl; Richard; Riehl; Sanstead; Schneider; Schoenwald; Shockman; Solberg; Stofferahn; Thompson; Vig; Watne; Williams, A.; Williams, C.; Williams, W.; Speaker Kelly

ABSENT AND NOT VOTING: Koski; Larson, B.; Pomeroy, E.

HB 1726 was declared lost for want of a Constitutional majority.

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HB 1727: A BILL for an Act to amend and reenact section 57-39.2-11, subsection 1 of section 57-39.2-12, section 57-40.2-07, subsection 1 of section 57-51-05, sections 57-51-06, 57-51-17, 57-60-02, 57-60-05, 57-61-01, 57-61-02, and 57-61-05 of the North Dakota Century Code, relating to monthly payment of sales and use taxes, gross production tax, privilege tax on coal facilities, and the coal severance tax; to repeal subsection 6 of section 57-51-01 and section 57-60-04 of the North Dakota Century Code; to provide an appropriation; and to declare an emergency.

Which has been read.

#### MOTION

REP. L. HANSON MOVED the previous question, which motion prevailed.

#### ROLL CALL

The question being on the final passage of the bill as amended on pages 1292 and 1293 of the House Journal, the roll was called and there were 75 YEAS, 29 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Aubol; Backes; Black; Boyle; Brokaw; Conmy; DeMers; Dotzenrod; DuBord; Eagles; Erdman; Gates; Gerl; Gorder; Gullickson; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer; Hill; Hjelle; Hoffner, Serenus; Horgan;



Jacobson; Keller; Koski; Kretschmar; Kuchera; Lang;  
 Larson, B.; Larson, R.; Laughlin; Lautenschlager;  
 Linderman; Lloyd; Martin, G.; Meier, A.; Meiers, R.;  
 Mertens; Meyer, R.; Meyer, W.; Mushik; Nalewaja;  
 Nowatzki; O'Connell; Opedahl; O'Shea; Peltier;  
 Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Richard; Riehl;  
 Rued; Sanstead; Schindler; Schneider; Schoenwald;  
 Shockman; Sinner; Solberg; Stofferahn; Strinden;  
 Swiontek; Thompson; Unhjem; Vig; Watne; Williams, A.;  
 Williams, C.; Williams, W.; Wold; Speaker Kelly

NAYS: Anderson, C.; Anderson, R.; Goetz; Gunsch;  
 Hanson, O.; Hoffner, S. F.; Hughes; Kent; Kingsbury;  
 Kloubec; Knudson; Koehn; Lardy; Lipsiea; Martin, C.;  
 Martinson; Melby; Moore; Murphy; Nicholas; Olafson;  
 Olsen, D.; Olson, A.; Rice; Riley; Shide; Timm;  
 Vander Vorst; Wentz

ABSENT AND NOT VOTING: Peterson; Whalen

HB 1727 passed, the title was agreed to, and the emergency clause carried.

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#### REPORT OF PROCEDURAL COMMITTEE

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

HB 1723

REP. G. MARTIN, Chairman

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

#### MOTIONS

REP. BACKES MOVED that HB 1516, HB 1627, HB 1667, HB 1670, and HB 1695 be reprinted, which motion prevailed.

REP. BACKES MOVED that the rules be suspended and that the House reconsider all bills and resolutions which failed to pass, and such motion for reconsideration be laid on the table, which motion prevailed.

REP. BACKES MOVED that the rules be suspended and that all bills that have passed during the Thirty-third and Thirty-fourth Legislative Days be messaged to the Senate immediately, which motion prevailed.

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

REP. BACKES MOVED that the House be on the Thirteenth order of business, and at the conclusion of the Thirteenth order, the House stand adjourned until 1:00 p.m., Wednesday, February 23, 1983, which motion prevailed.

#### FIRST READING OF SENATE BILLS

SB 2001: A BILL for an Act making an appropriation for defraying the expenses of various elected and appointed officials of the state of North Dakota; providing for a transfer of funds from the coal development impact fund; to create and enact three new sections to chapter 38-14.1 and one new section to chapter 54-46 of the North Dakota Century Code, relating to a reclamation research advisory committee and a transfer of records management functions; to amend and reenact sections 4-01-21, 15-21-02, 26-01-03, 34-05-01.2, 49-01-05, 54-07-04, 54-08-03, 54-09-05, 54-10-10, 54-11-13, 54-12-11, and 57-01-04 of the North Dakota Century Code as amended by chapter 480 of the 1977 Session Laws of North Dakota, and section 26.1-01-09 of the North Dakota Century Code as created by House Bill No. 1054, as approved by the forty-eighth legislative assembly, relating to salaries of elected state officials; to repeal chapter 481 of the 1977 Session Laws of North Dakota and chapter 521 of the 1981 Session Laws of North Dakota, relating to salaries of elected state officials; providing an effective date; and declaring an emergency.

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

SB 2002: A BILL for an Act making an appropriation for defraying the expenses of the superintendent of public instruction of the state of North Dakota; and providing for a transfer of funds from the oil extraction tax development fund.

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

SB 2006: A BILL for an Act making an appropriation for defraying the expenses of various divisions under the supervision of the director of institutions of the state of North Dakota.

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

SB 2016: A BILL for an Act making an appropriation for defraying the expenses of the educational broadcasting council of the state of North Dakota.

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

SB 2019: A BILL for an Act to provide for the office of management and budget to alter statutory payment dates; to providing for cash flow financing; making an appropriation; and declaring an emergency.

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

SB 2020: A BILL for an Act making an appropriation for defraying the expenses of the human services department and providing for an appropriation and transfer from the Vietnam bonus sinking fund and national guard tuition trust fund.

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

SB 2023: A BILL for an Act making an appropriation for defraying the expenses of the adjutant general of the state of North Dakota; and providing for an appropriation and transfer of funds from the Vietnam bonus sinking fund and national guard tuition trust fund.

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

SB 2031: A BILL for an Act making an appropriation for defraying the expenses of the water commission of the state of North Dakota.

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

SB 2038: A BILL for an Act making an appropriation for defraying the expenses of the judicial branch of the government of the state of North Dakota.

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

SB 2039: A BILL for an Act making an appropriation for defraying the expenses of the energy development impact office of the state of North Dakota.

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

SB 2062: A BILL for an Act to create and enact a new section to chapter 24-02 and one new section to chapter 54-44 of the North Dakota Century Code, relating to the creation of a central management system for state motor vehicles, and the purchase of motor vehicles; and to amend and reenact section 39-01-02 of the North Dakota Century Code, relating to decals to be placed on state motor vehicles.

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

SB 2227: A BILL for an Act to amend and reenact section 6-09-15.1 of the North Dakota Century Code, relating to loans by the Bank of North Dakota to the state general fund; to provide a continuing appropriation; and to declare an emergency.

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

SB 2239: A BILL for an Act to create and enact section 10-06-07.1 of the North Dakota Century Code, relating to a public purpose and business purpose exception; and to amend

and reenact sections 10-06-01, 10-06-08, and 10-06-13 of the North Dakota Century Code, relating to prohibited farming practices, and to the required number of directors under the corporate farming law.

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

SB 2276: A BILL for an Act to amend and reenact section 15-40.1-06, and subsection 1 of section 15-40.1-16 of the North Dakota Century Code, relating to educational support per pupil and aid for transportation.

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

SB 2354: A BILL for an Act to amend and reenact sections 27-02-02 and 27-05-03 of the North Dakota Century Code, relating to salaries of the judges of the supreme and district courts.

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

SB 2355: A BILL for an Act to provide an appropriation to the state board for vocational education for the purpose of making payments to school districts participating in a multidistrict vocational center.

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

SB 2447: A BILL for an Act to amend and reenact sections 6-09.6-01, 6-09.6-02, 6-09.6-03, 6-09.6-04, and 6-09.6-05 of the North Dakota Century Code, relating to the developmentally disabled facility loan fund; and to declare an emergency.

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

#### MESSAGES TO THE SENATE

##### HOUSE CHAMBER

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

HB 1079, HB 1249, HB 1516, HB 1519, HB 1520, HB 1534,  
HB 1570, HB 1582, HB 1605, HB 1619, HB 1627, HB 1644,  
HB 1656, HB 1667, HB 1668, HB 1670, HB 1681, HB 1693,  
HB 1695, HB 1701, HB 1706, HB 1711, HB 1712, HB 1723,  
HB 1725, HB 1727, HB 1729

Very respectfully,  
CHARLES FLEMING, Chief Clerk

##### HOUSE CHAMBER

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

HB 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 1084, HB 1133, HB 1286, HB 1370, HB 1400,  
HB 1402, HB 1404, HB 1408, HB 1440, HB 1460, HB 1462,  
HB 1481, HB 1482, HB 1494, HB 1500, HB 1511, HB 1518,  
HB 1523, HB 1526, HB 1535, HB 1538, HB 1544, HB 1568,  
HB 1589, HB 1591, HB 1602, HB 1615, HB 1618, HB 1622,  
HB 1640, HB 1641, HB 1647, HB 1657, HB 1683, HB 1696,  
HB 1716

Very respectfully,  
CHARLES FLEMING, Chief Clerk

MESSAGES FROM THE SENATE  
HOUSE 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 2005, SB 2009, SB 2026, SB 2030, SB 2073, SB 2173,  
SB 2178, SB 2179, SB 2321, SB 2373, SB 2473, SB 2476,  
SB 2487, SCR 4029

Very respectfully,  
LEO LEIDHOLM, Secretary

HOUSE 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 2024, SB 2047, SB 2144, SB 2197, SB 2309, SB 2313,  
SB 2344, SB 2346, SB 2394, SB 2418, SB 2431, SB 2436,  
SCR 4031

Very respectfully,  
LEO LEIDHOLM, Secretary

The House stood adjourned pursuant to Representative Backes' motion.

CHARLES FLEMING, Chief Clerk