

JOURNAL OF THE HOUSE

Forty-eighth Legislative Assembly

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THIRTY-SEVENTH DAY

Bismarck, February 25, 1983

The House convened at 1:30 p.m., with Speaker Kelly presiding.

The prayer was offered by Rev. Douglas Roberts, United Church of Christ, Bismarck.

ROLL CALL

The roll was called and all members were present, except Representatives Boyle, Serenus Hoffner, Jacobson, Kuchera, and Retzer.

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-sixth day and finds the same to be correct.

REP. LAUGHLIN, Chairman

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

MESSAGES TO THE SENATE

HOUSE CHAMBER

MR. PRESIDENT: I have the honor to return herewith the following which the House has passed unchanged:

SB 2132, SB 2143

Very respectfully,
CHARLES FLEMING, Chief Clerk

HOUSE CHAMBER

MR. PRESIDENT: I have the honor to return herewith SB 2081, SB 2141, and SB 2170 which the House has amended as follows:

HOUSE AMENDMENTS TO SB 2081

On page 1, line 2, delete the word "and" and after the word "penalty" insert the words "; and to provide an effective date"

On page 1, after line 14, insert the following new section:

"SECTION 2. EFFECTIVE DATE. This Act is effective on January 1, 1984."

And renumber the lines and sections accordingly

HOUSE AMENDMENTS TO SB 2141

On page 3, line 7, delete the word "each" and insert in lieu thereof the words "the initial"

On page 4, line 17, remove the overstrike over the word "~~ten~~"

On page 4, line 18, delete the word "twenty-five"

And renumber the lines and pages accordingly

HOUSE AMENDMENTS TO SB 2170

On page 4, line 11, remove the overstrike over the words "~~twenty-five~~"

On page 4, line 12, delete the words "one hundred"

And renumber the lines and pages accordingly

Very respectfully,
CHARLES FLEMING, Chief Clerk

MESSAGES FROM THE SENATE
SENATE CHAMBER

MADAM SPEAKER: I have the honor to return herewith HB 1002, HB 1049, HB 1058, HB 1114, HB 1121, HB 1129, HB 1142, and HB 1188 which the Senate has amended as follows:

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1002

On page 2 of the engrossed bill, line 3, delete the numerals "1,465,000" and insert in lieu thereof the numerals "1,003,016"

On page 2 of the engrossed bill, delete line 4 and insert in lieu thereof the following lines:

"Total special fund appropriation from \$1,003,016
fire and tornado fund"

On page 2 of the engrossed bill, line 5, delete the numerals "1,525,000" and insert in lieu thereof the numerals "60,000"

On page 2 of the engrossed bill, line 6, delete the numerals "1,772,116" and insert in lieu thereof the numerals "2,775,132"

On page 2 of the engrossed bill, line 7, delete the numerals "3,297,116" and insert in lieu thereof the numerals "2,835,132"

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

The amount appropriated for payments to fire departments is reduced to \$1,003,016. This amount allows a level of payment for fiscal year 1983 to fire departments equal to that paid for the year ended June 30, 1982. The moneys for this deficiency payment are to come from the fire and tornado fund since the accumulation of fund earnings is adequate to make this payment.

SENATE AMENDMENTS TO ENGROSSED HB 1049

- On page 1 of the engrossed bill, line 14, delete the numeral "\$60.00" and insert in lieu thereof the numeral "\$75.00"
- On page 1 of the engrossed bill, line 18, delete the numeral "25.00" and insert in lieu thereof the numeral "35.00"
- On page 1 of the engrossed bill, line 22, delete the numeral "60.00" and insert in lieu thereof the numeral "75.00"
- On page 1 of the engrossed bill, line 27, delete the numeral "60.00" and insert in lieu thereof the numeral "75.00"
- On page 2 of the engrossed bill, line 12, delete the numeral "40.00" and insert in lieu thereof the numeral "45.00"
- On page 2 of the engrossed bill, line 17, delete the numeral "60.00" and insert in lieu thereof the numeral "75.00"
- On page 2 of the engrossed bill, line 27, delete the numeral "20.00" and insert in lieu thereof the numeral "35.00"
- On page 2 of the engrossed bill, line 34, delete the numeral "10.00" and insert in lieu thereof the numeral "20.00"
- On page 4 of the engrossed bill, line 8, delete the numeral "25.00" and insert in lieu thereof the numeral "30.00"
- On page 5 of the engrossed bill, line 5, delete the word "fifty" and overstrike the word "cents" and insert immediately thereafter the words "one dollar"
- On page 5 of the engrossed bill, line 11, delete the word "twenty-five" and insert in lieu thereof the word "fifty"
- And renumber the lines accordingly

SENATE AMENDMENTS TO HB 1058

- On page 1 of the engrossed bill, line 22, after the second comma insert the words "subsection 6 of section 40-58-18, subsection 4 of section 41-09-35,"
- On page 1 of the engrossed bill, line 19, delete the numeral "34-05-01.2,"
- On page 2 of the engrossed bill, line 5, after the third comma insert the words "subsection 11 of section 55-08-03"
- On page 2 of the engrossed bill, line 19, delete the words "; and to provide an effective date"
- On page 50 of the engrossed bill, delete lines 1 through 14
- On page 64 of the engrossed bill, after line 24, insert the following new sections:

"SECTION 85. AMENDMENT. Subsection 6 of section 40-58-18 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

6. An ordinance adopted by the governing body of the municipality may authorize the public officer to exercise such powers as may be necessary or convenient to carry out and effectuate the purposes and provisions of this ~~article~~ chapter, including the following power in addition to others herein granted:
 - a. To investigate the dwelling conditions in the municipality in order to determine which dwellings therein are unfit for human habitation;
 - b. To administer oaths, affirmations, examine witnesses and receive evidence;
 - c. To enter upon premises for the purpose of making examinations, provided that such entries shall be made in such manner as to cause the least possible inconvenience to the persons in possession, and to obtain an order for this purpose from a court of competent jurisdiction in the event entry is denied or resisted;
 - d. To appoint and fix the duties of such officers, agents and employees as he

deems necessary to carry out the purposes of such ordinance; and

- e. To delegate any of his functions and powers under such ordinance to such officers, agents and employees as he may designate.

SECTION 86. AMENDMENT. Subsection 4 of section 41-09-35 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

4. When under subsections 1 ~~or~~ 2 and 3 or subsections 2 and 3, a secured party has an interest in accessions which has priority over the claims of all persons who have interests in the whole, he may on default subject to the provisions of part 5 remove his collateral from the whole but he must reimburse any encumbrancer or owner of the whole who is not the debtor and who has not otherwise agreed for the cost of repair of any physical injury but not for any diminution in value of the whole caused by the absence of the goods removed or by any necessity for replacing them. A person entitled to reimbursement may refuse permission to remove until the secured party gives adequate security for the performance of this obligation."

On page 106 of the engrossed bill, after line 35, insert the following new section:

"SECTION 141. AMENDMENT. Subsection 11 of section 55-08-03 of the 1981 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

11. The director may provide for marking and posting of park and highway signs which shall indicate metric measures within all state parks, state campgrounds, state recreation areas, or reserves. Such park and highway signs shall be marked and posted in a manner which shall conform as far as possible with such metric highway signs as the state highway commissioner shall approve pursuant to section ~~24-01-08~~ 39-13-06."

On page 117 of the engrossed bill, delete lines 1 and 2

And renumber the lines, sections, and pages accordingly

SENATE AMENDMENTS TO HB 1114

- On page 1 of the engrossed bill, line 4, after the word "sections" insert the numerals "43-06-02,"
- On page 1 of the engrossed bill, line 7, delete "; and to declare an emergency"
- On page 1 of the engrossed bill, after line 9, insert the following new section:

"SECTION 1. AMENDMENT. Section 43-06-02 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

43-06-02. Who exempt from the provisions of this chapter. This chapter shall not apply to chiropractors;

1. Chiropractors from the District of Columbia, or other states, territories, or countries who are in actual consultation in this state.
2. Students duly enrolled in an approved and accredited college of chiropractic who have completed chiropractic studies of at least nine quarters or the equivalent if the school is on some other basis other than quarters and who are continuing their training under a preceptorship program and performing the duties of an intern under the supervision of a chiropractor licensed in the state of North Dakota who has received approval to supervise such internship by the board and said students having received approval to participate in such internship by the board.
3. A graduate of any approved and accredited college of chiropractic who has for the first time made application for license by examination to practice chiropractic in the state of North Dakota, may, under the supervision of a North Dakota licensed chiropractor, perform the duties of an intern, provided that a supervising chiropractor has certified to the state board of chiropractic examiners that the graduate is of good character and competent chiropractic ability. The authorization granted by the board shall terminate on the day of issuance of a chiropractic license after the North Dakota chiropractic examination for which application is made,

except such authorization granted shall terminate when the results of that North Dakota chiropractic examination are announced for those graduates who do not receive a passing grade on that examination."

On page 5 of the engrossed bill, delete lines 12 through 14

And renumber the lines, sections, and pages accordingly

SENATE AMENDMENTS TO HB 1121

On page 1 of the engrossed bill, line 15, delete the words
"The attorney general and the state's"

On page 1 of the engrossed bill, delete lines 16 through 20

And renumber the lines and pages accordingly

SENATE AMENDMENTS TO HB 1129

On page 2 of the engrossed bill, line 5, delete the word
"adopted" and insert in lieu thereof the word
"adoptive"

On page 2 of the engrossed bill, line 7, after the word
"adult" insert a " , "

And renumber the lines and pages accordingly

SENATE AMENDMENTS TO HB 1142

On page 1, line 23, delete the word "ten" and insert in
lieu thereof the word "twenty"

On page 2, line 5, delete the word "ten" and insert in lieu
thereof the word "twenty"

And renumber the lines accordingly

SENATE AMENDMENT TO HB 1188

On page 6 of the engrossed bill, line 2, after the word
"blood" insert the words " , breath, saliva, or urine"

And renumber the lines accordingly

Very respectfully,
LEO LEIDHOLM, Secretary

SENATE CHAMBER

MADAM SPEAKER: I have the honor to return herewith the following which the Senate has passed unchanged:

HB 1026, HB 1040, HB 1043, HB 1046, HB 1048, HB 1050,
HB 1066, HB 1069, HB 1074, HB 1076, HB 1107, HB 1108,
HB 1111, HB 1112, HB 1113, HB 1115, HB 1122, HB 1123,
HB 1131, HB 1136, HB 1140, HB 1145, HB 1154, HB 1155,

HB 1156, HB 1160, HB 1164, HB 1175, HB 1179, HB 1180,
HB 1181, HB 1183

Very respectfully,
LEO LEIDHOLM, Secretary

SENATE CHAMBER

MADAM SPEAKER: I have the honor to return herewith the following which the Senate has passed unchanged:

HB 1185, HB 1186, HB 1190, HB 1192, HB 1193, HB 1194,
HB 1195, HB 1204, HB 1205, HB 1207, HB 1213, HB 1214,
HB 1215

Very respectfully,
LEO LEIDHOLM, Secretary

SENATE CHAMBER

MADAM SPEAKER: I have the honor to return herewith the following which the Senate has failed to pass:

HB 1100, HB 1118, HB 1119, HB 1202

Very respectfully,
LEO LEIDHOLM, Secretary

SIXTH ORDER OF BUSINESS

REP. JACOBSON MOVED that the amendments to HCR 3076 as recommended by the Committee on Education as printed on page 1449 of the House Journal be adopted, which motion prevailed.

REP. S. F. HOFFNER MOVED that the amendments to HCR 3078 as recommended by the Committee on Industry, Business, and Labor as printed on page 1449 of the House Journal be adopted, which motion prevailed.

REP. E. POMEROY MOVED that the amendments to SB 2058 as recommended by the Committee on Judiciary as printed on page 1449 of the House Journal be adopted, which motion prevailed.

REP. S. F. HOFFNER MOVED that the amendments to SB 2102 as recommended by the Committee on Industry, Business, and Labor as printed on page 1450 of the House Journal be adopted, 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 enrolled:

HB 1045, HB 1090, HB 1137, HB 1139, HB 1141, HB 1196,
HB 1261, HB 1268, HB 1273, HB 1281, HB 1298, HB 1375,
HB 1472, HB 1578

REP. G. MARTIN, Chairman

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

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

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

Which has been read.

The question being on the final adoption of the resolution.

HCR 3049 was declared adopted on a voice vote.

HCR 3058: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of establishing a state scenic river system.

Which has been read.

REQUEST

REP. HALMRAST REQUESTED a recorded roll call vote, which request was granted.

ROLL CALL

The question being on the final adoption of the resolution, the roll was called and there were 56 YEAS, 45 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Aubol; Backes; Black; DeMers; Dotzenrod; DuBord; Eagles; Erdman; Gates; Gerl; Gorder; Halmrast; Hanson, L.; Hausauer; Hoffner, S. F.; Horgan; Knudson; Koski; Kuchera; Lardy; Larson, B.; Laughlin; Lautenschlager; Linderman; Lloyd; Martin, G.; Meier, A.; Meiers, R.; Mertens; Mushik; Nalewaja; Nowatzki; O'Connell; Olson, A.; Opedahl; Peltier; Pomeroy, E.; Pomeroy, G.; Richard; Riehl; Sanstead; Schneider; Schoenwald; Shockman; Sinner; Solberg; Stofferahn; Swiontek; Vig; Wentz; Williams, A.; Williams, C.; Williams, W.; Wold; Speaker Kelly

NAYS: Anderson, R.; Brokaw; Conmy; Goetz; Gullickson; Gunsch; Hamerlik; Hanson, O.; Haugland; Hill; Hjelle; Hughes; Keller; Kent; Kingsbury; Kloubec; Koehn; Kretschmar; Lang; Larson, R.; Lipsiea; Martin, C.; Martinson; Melby; Meyer, R.; Meyer, W.; Moore; Murphy; Nicholas; Olafson; Olsen, D.; O'Shea; Peterson; Rayl; Rice; Riley; Rued; Schindler; Shide; Strinden; Thompson; Timm; Unhjem; Vander Vorst; Watne

ABSENT AND NOT VOTING: Boyle; Hoffner, Serenus; Jacobson; Retzer; Whalen

HCR 3058 was declared adopted.

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.

Which has been read.

The question being on the final adoption of the resolution.

HCR 3079 was declared adopted on a voice vote.

MOTIONS

REP. MERTENS MOVED that SB 2220 be rereferred to the Committee on Appropriations, which motion prevailed.

SPEAKER KELLY ANNOUNCED that SB 2220 was rereferred to the Committee on Appropriations.

REP. KOSKI MOVED that SB 2282 be rereferred to the Committee on Political Subdivisions, which motion prevailed.

SPEAKER KELLY ANNOUNCED that SB 2282 was rereferred to the Committee on Political Subdivisions.

REP. MERTENS MOVED that SB 2345 be rereferred to the Committee on Appropriations, which motion prevailed.

SPEAKER KELLY ANNOUNCED that SB 2345 was rereferred to the Committee on Appropriations.

REP. B. LARSON MOVED that SB 2347 be rereferred to the Committee on Agriculture, which motion prevailed.

SPEAKER KELLY ANNOUNCED that SB 2347 was rereferred to the Committee on Agriculture.

SECOND READING OF SENATE BILLS

SB 2042: A BILL for an Act to create and enact chapter 4-12.2 of the North Dakota Century Code, relating to the keeping of bees; to amend and reenact section 4-12.1-02 of the North Dakota Century Code, relating to honey assessment fees; and to repeal chapter 4-12 of the North Dakota Century Code, relating to the keeping of bees; and to provide a penalty.

Which has been read.

ROLL CALL

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

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

NAYS: Backes; Conmy; Kingsbury; Koski; Melby; Murphy; Opedahl; Solberg

ABSENT AND NOT VOTING: Boyle; Hoffner, Serenus; Hoffner, S. F.; Jacobson; Retzer

SB 2042 passed and the title was agreed to.

SB 2153: A BILL for an Act to amend and reenact sections 49-18-19 and 49-18-25 of the North Dakota Century Code, relating to regulation of contract motor carriers.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 91 YEAS, 7 NAYS, 8 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Aubol; Backes; Black; Brokaw; Conmy; DeMers; Dotzenrod; DuBord; Eagles; Erdman; Gates; Goetz; Gorder; Gullickson; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Hill; Hjelle; Horgan; Hughes; 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; Murphy; Mushik; Nalewaja; Nowatzki; O'Connell; Olsen, D.; Opedahl; O'Shea; Peltier; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Rice; Richard; Riehl; Riley; Rued; Sanstead; Schindler; Shide; Shockman; Sinner; Solberg; Stofferahn; Strinden; Swiontek; Thompson; Unhjem;

Vander Vorst; Vig; Watne; Wentz; Whalen; Williams, A.;
Williams, C.; Williams, W.; Wold; Speaker Kelly

NAYS: Gerl; Koski; Olafson; Olson, A.; Schneider;
Schoenwald; Timm

ABSENT AND NOT VOTING: Boyle; Haugland; Hausauer;
Hoffner, Serenus; Hoffner, S. F.; Jacobson; Nicholas;
Retzer

SB 2153 passed and the title was agreed to.

SB 2166: A BILL for an Act to amend and reenact section 39-21-44
of the North Dakota Century Code, relating to the
transportation of explosives or hazardous materials.

Which has been read.

ROLL CALL

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

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

NAYS: Dotzenrod; Gerl; Hill; Koski; Lardy; O'Shea; Rayl;
Schneider; Speaker Kelly

ABSENT AND NOT VOTING: Boyle; Erdman; Hausauer;
Hoffner, Serenus; Hoffner, S. F.; Jacobson; Knudson;
Retzer

SB 2166 passed and the title was agreed to.

SB 2194: A BILL for an Act to amend and reenact sections 39-04-08 and 39-04-11 of the North Dakota Century Code, relating to the issuance of numbered plates and the display of numbered plates on motor vehicles.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 49 YEAS, 49 NAYS, 8 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Conmy; Eagles; Goetz; Gullickson; Gunsch; Hanson, O.; Hjelle; Hughes; Kent; Kingsbury; Kloubec; Koehn; Larson, B.; Larson, R.; Laughlin; Lipsiea; Martinson; Meier, A.; Melby; Meyer, R.; Meyer, W.; Moore; Murphy; Nalewaja; Nicholas; Nowatzki; Olafson; Olsen, D.; Olson, A.; Peltier; Rayl; Riehl; Riley; Rued; Schindler; Shide; Shockman; Sinner; Strinden; Swiontek; Thompson; Timm; Unhjem; Vander Vorst; Wentz; Whalen; Wold

NAYS: Aubol; Backes; Black; Brokaw; DeMers; Dotzenrod; DuBord; Erdman; Gates; Gerl; Gorder; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer; Hill; Horgan; Keller; Koski; Kretschmar; Kuchera; Lang; Lardy; Lautenschlager; Linderman; Lloyd; Martin, C.; Martin, G.; Meiers, R.; Mushik; O'Connell; Opedahl; O'Shea; Peterson; Pomeroy, E.; Pomeroy, G.; Rice; Richard; Schneider; Schoenwald; Solberg; Stofferahn; Vig; Watne; Williams, A.; Williams, C.; Williams, W.; Speaker Kelly

ABSENT AND NOT VOTING: Boyle; Hoffner, Serenus; Hoffner, S. F.; Jacobson; Knudson; Mertens; Retzer; Sanstead

SB 2194 was declared lost.

SB 2203: A BILL for an Act to amend and reenact subsection 3 of section 11-11-53 of the North Dakota Century Code, relating to county historical societies.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 9 YEAS, 87 NAYS, 10 ABSENT AND NOT VOTING.

YEAS: Eagles; Gorder; Hamerlik; Hughes; Kent; Lardy; Rayl; Stofferahn; Unhjem

NAYS: Anderson, C.; Anderson, R.; Aubol; Backes; Black; Brokaw; Conmy; DeMers; Dotzenrod; DuBord; Erdman; Gates; Gerl; Goetz; Gullickson; Gunsch; Halmrast; Hanson, L.; Hanson, O.; Haugland; Hausauer; Hill; Hjelle; Horgan; Keller; Kingsbury; Kloubec; Koehn; Koski; Kretschmar; Kuchera; Lang; Larson, B.; Larson, R.; Laughlin; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, C.; Martin, G.; Martinson; Meier, A.; Meiers, R.; Melby; Mertens; Meyer, R.; Meyer, W.; Moore; Murphy; Mushik; Nicholas; Nowatzki; O'Connell; Olafson; Olsen, D.; Olson, A.; Opedahl; O'Shea; Peltier; Peterson; Pomeroy, E.; Pomeroy, G.; Rice; Richard; Riehl; Rued; Schindler; Schneider; Schoenwald; Shide; Shockman; Sinner; Solberg; Strinden; Swiontek; Thompson; Timm; Vander Vorst; Vig; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Wold; Speaker Kelly

ABSENT AND NOT VOTING: Boyle; Hoffner, Serenus; Hoffner, S. F.; Jacobson; Knudson; Nalewaja; Retzer; Riley; Sanstead; Whalen

SB 2203 was declared lost.

SB 2208: A BILL for an Act to repeal chapter 39-23 of the North Dakota Century Code, relating to the vehicle equipment safety compact.

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, 12 NAYS, 8 ABSENT AND NOT VOTING.

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

NAYS: Aubol; DuBord; Gerl; Lardy; Meier, A.; Meiers, R.;
O'Shea; Pomeroy, G.; Rice; Schoenwald; Stofferahn;
Williams, W.

ABSENT AND NOT VOTING: Boyle; Hoffner, Serenus;
Hoffner, S. F.; Jacobson; Knudson; Larson, B.; Retzer;
Sanstead

SB 2208 passed and the title was agreed to.

SB 2211: A BILL for an Act to amend and reenact sections
11-25-05 and 15-29-14 of the North Dakota Century Code,
relating to the cancellation of county and school warrants.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was
called and there were 95 YEAS, 2 NAYS, 9 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Aubol; Backes; Black;
Brokaw; Conmy; DeMers; Dotzenrod; DuBord; Eagles;
Erdman; Gates; Gerl; Goetz; Gorder; Gullickson; Gunsch;
Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland;
Hausauer; Hill; Hjelle; Horgan; Hughes; Keller; Kent;
Kingsbury; Kloubec; 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.;
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; Schindler;
Schneider; Schoenwald; Shide; Shockman; Sinner;
Solberg; Strinden; Swiontek; Thompson; Timm; Unhjem;
Vander Vorst; Vig; Watne; Wentz; Whalen; Williams, A.;
Williams, C.; Williams, W.; Wold; Speaker Kelly

NAYS: Lardy; Murphy

ABSENT AND NOT VOTING: Boyle; Hoffner, Serenus;
Hoffner, S. F.; Jacobson; Knudson; Larson, B.; Retzer;
Sanstead; Stofferahn

SB 2211 passed and the title was agreed to.

SB 2254: A BILL for an Act to create and enact two new sections
to chapter 10-19 and a new subsection to section 10-24-05
of the North Dakota Century Code, relating to establishing
foreign trade zones; 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 98 YEAS, 0 NAYS, 8 ABSENT AND NOT VOTING.

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

SB 2254 passed, the title was agreed to, and the emergency clause carried.

SB 2290: A BILL for an Act to designate the city of Valley City as the official site for the North Dakota winter show, and to prevent any other exhibition in the state from calling itself the North Dakota winter show or any similar name.

Which has been read.

POINT OF PERSONAL PRIVILEGE

REP. KOEHN: 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: Forty-six years ago the North Dakota Winter Show was founded in Valley City. The North Dakota Winter Show from the beginning has been a people-serving-people affair that generates interest across the nation as well as our state.

It has grown every year since its inception. Last year alone over seventy thousand people attended the North Dakota Winter Show. The North Dakota Winter Show serves a broad spectrum of people through providing the latest information from both hands on educational, scientific and cultural experiences to help broaden our knowledge and expand our standard of living.

Valley City has been the home of the North Dakota Winter Show since its inception. No state tax dollars have been expended to support the show nor does this bill ask for them. The bill simply asks that Valley City be declared the permanent home of the North Dakota Winter Show.

Valley City is not only the finest lighted city in North Dakota but it is one of the friendliest and one of the most public-spirited communities in North Dakota, as evidenced by the community effort put forth by its people to be hosts to you and me each year during the North Dakota Winter Show.

The people of Valley City have invested thousands of dollars each year to make the North Dakota Winter Show bigger and better for you and me.

President Ronald Reagan has asked all of us to become involved in our communities, state and nation, during these tough times. In Valley City for forty-six years the people have been uniting together to provide you and me with the finest winter show in the nation. I was born and raised in Valley City and I personally was involved in the North Dakota Winter Show, although I now live in Devils Lake.

The late Herman Stern of Valley City was one of the early supporters of the North Dakota Winter Show. He personally got me involved as well as many others. That spirit of Herman Stern still motivates Valley City people today. Herman Stern's statement still is written upon my mind - "Kenny, always leave the woodpile a little higher at the end of the day".

I submit the people of Valley City have added to the woodpile for forty-six years and they should be proud of the North Dakota Winter Show.

You and I now, as members of this Legislative Body, have before us Senate Bill No. 2290 designating Valley City the permanent home of the North Dakota Winter Show. It is only fitting and proper that such long and dedicated service to the public be rewarded with this designation.

I urge your support of Senate Bill No. 2290.

ROLL CALL

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

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

NAYS: Conmy; Keller; Koski; Richard

ABSENT AND NOT VOTING: Boyle; Hoffner, Serenus; Hoffner, S. F.; Jacobson; Retzer; Sanstead

SB 2290 passed and the title was agreed to.

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS ON CONSENT CALENDAR

HCR 3035: A concurrent resolution directing a Legislative Council study and revision of statutes relating to local health boards.

HCR 3036: A concurrent resolution directing the Legislative Council to conduct a study of the allocation of proceeds from the privilege tax on coal gasification plants.

HCR 3038: A concurrent resolution directing the Legislative Council to study the problems associated with litter.

HCR 3043: A concurrent resolution directing the Legislative Council to study all state veterans benefit programs to determine the feasibility, desirability, and fiscal impact of extending those benefits to all honorably discharged military personnel.

HCR 3044: A concurrent resolution to direct the Legislative Council to conduct a study of the desirability and feasibility of the construction of a pipeline to carry

excess natural gas production from western North Dakota to eastern North Dakota.

- HCR 3045: A concurrent resolution to direct the Legislative Council to conduct a study of the oil and gas laws.
- HCR 3051: A concurrent resolution directing the Legislative Council to study methods and practices which would promote the preservation and restoration of wetlands in the state.
- HCR 3052: A concurrent resolution to direct the Legislative Council to conduct a study of the desirability of adopting uniform laws in the areas of arbitration, eminent domain, consumer sales practices, common interest ownership, transboundary pollution, and to study the existing Articles VIII and IX of the Uniform Commercial Code.
- HCR 3053: A concurrent resolution directing the Legislative Council to study the feasibility and efficiency of placing all state laboratories in a central laboratory facility; to determine methods which reduce costs and better utilize laboratory space and equipment; and to analyze the building and other costs of such a consolidation.
- HCR 3054: A concurrent resolution directing the Legislative Council to study methods to monitor or verify amounts of money exchanged in the conduct of games of chance in the state.
- HCR 3055: A concurrent resolution directing the Legislative Council to study statutes relating to petition requirements.
- HCR 3056: A concurrent resolution directing the Legislative Council to study the laws and actuarial soundness of the plans involving firemen's retirement, Vehicle Equipment Safety Commission employees' retirement, municipal employees' retirement, and National Guard retirement.
- HCR 3061: A concurrent resolution directing the Legislative Council to study the penalty provisions in the game and fish laws of this state.
- HCR 3062: A concurrent resolution directing the Legislative Council to study the effect of state laws and administrative rules on mobile homes and mobile home ownership, particularly with respect to laws and regulations affecting mobile home taxation, safety, and mobile home parks.
- HCR 3063: A concurrent resolution directing the Legislative Council to study the impacts and problems associated with business closings in this state.

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

Which have been read.

ROLL CALL

The question being on the final adoption of the resolutions, the roll was called and there were 98 YEAS, 0 NAYS, 8 ABSENT AND NOT VOTING.

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

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

NAYS: None

ABSENT AND NOT VOTING: Boyle; Hoffner, Serenus; Hoffner, S. F.; Jacobson; Kent; Retzer; Sanstead; Wold

So the resolutions were adopted.

REPORT OF PROCEDURAL COMMITTEE

MADAM SPEAKER: Your procedural Committee on Delayed Bills, by a vote of 5 to 0, concludes that the introduction of HCR 3086 should be allowed.

REP. BACKES, Chairman

FIRST READING OF A HOUSE CONCURRENT RESOLUTION

Reps. Retzer, S. F. Hoffner, Schoenwald and Sens. Matchie, Christensen, Kilander introduced:

(Approved by Committee on Delayed Bills)

HCR 3086: A concurrent resolution urging the President of the United States and the Congress to propose and enact legislation amending the Employee Retirement Income Security Act (ERISA) to eliminate the federal preemption and to permit the respective states to regulate employee health benefit plans.

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

MOTIONS

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

REP. BACKES MOVED that the House be on the Fifth order of business, and at the conclusion of the Fifth order, the House be on the Thirteenth order of business, and at the conclusion of the Thirteenth order, the House stand adjourned until 1:00 p.m., Monday, February 28, 1983, which motion prevailed.

REPORTS OF STANDING COMMITTEES

MADAM SPEAKER: Your Committee on Social Services and Veterans Affairs to which was referred HCR 3046 has had the same under consideration and recommends by a vote of 15 YEAS, 0 NAYS,

1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 5, after the word "Compact" and before the period insert the words "; and to study the handling, storage, use, transport, and processing of toxic or hazardous substances which may endanger the health, welfare, and safety of persons who live and work in this state"

On page 1, line 29, after the semicolon insert the word "and"

On page 1, after line 29, insert the following:

"WHEREAS, the handling, storage, use, transport, and processing of toxic or hazardous substances may endanger the health, welfare, and safety of those who live and work within the state; and

WHEREAS, individuals who live and work within the state are entitled to know the identities of the toxic or hazardous substances to which they may be exposed, and these same individuals as well as local fire departments are entitled to know the health hazards associated with the substances to which they may be exposed; and

WHEREAS, it may be desirable for the law in North Dakota to more completely and effectively protect and warn the general public with respect to the handling, storage, use, transport, and processing of toxic or hazardous substances;"

On page 2, after line 13, insert the following:

"BE IT FURTHER RESOLVED, that the Legislative Council study the handling, storage, use, transport, and processing of toxic or hazardous substances which may endanger the health, welfare, and safety of persons who live and work in this state; and"

On page 2, line 16, after the word "waste" insert the words "and the handling, storage, use, transport, and processing of toxic or hazardous substances"

And renumber the lines accordingly

REP. R. MEIERS, Chairman

HCR 3046 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on State and Federal Government to which was referred HCR 3057 has had the same under consideration and recommends by a vote of 15 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, after line 10, insert the following new language:

"WHEREAS, the Forty-eighth Legislative Assembly has transferred the duties of the state highway commissioner regarding enforcement of the laws relating to size, weight and load limitations, and other matters to the highway patrol which has the effect of dissolving the truck regulatory division of the state highway department; and

WHEREAS, many members of the truck regulatory division will be transferred to the state highway patrol; and

WHEREAS, the state highway patrol has a retirement system different from that of the truck regulatory division and it is incumbent upon the Legislative Assembly to insure that the state employees are treated fairly concerning retirement benefits; and"

On page 2, line 10, after the word "personnel" insert the words "and members of the highway patrol transferred from the truck regulatory division"

And renumber the lines and pages accordingly

REP. L. HANSON, Chairman

HCR 3057 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Agriculture to which was referred HCR 3060 has had the same under consideration and recommends by a vote of 16 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 5, after the comma insert the word "commissioner of agriculture, northern crops institute,"

On page 1, line 12, delete the word "surplus" and insert in lieu thereof the word "supply"

On page 2, line 11, after the comma insert the words "commissioner of agriculture, northern crops institute,"

And renumber the lines and pages accordingly

REP. W. MEYER, Chairman

HCR 3060 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Finance and Taxation to which was referred HCR 3069 has had the same under consideration and recommends by a vote of 13 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 18, after the semicolon insert the word "and"

On page 1, after line 18, insert the following:

"WHEREAS, House Bill No. 1264 has proposed one approach to imposition of an income tax on a school district level, and if enacted by the Forty-eighth Legislative Assembly the effectiveness and impact of this school district income tax scheme should be studied thoroughly;"

On page 1, line 25, after the word "responsibility" and before the semicolon insert the words "or if House Bill No. 1264 is enacted, that the Legislative Council study the effectiveness and impact of the school district income tax scheme provided for in that bill"

And renumber the lines and pages accordingly

REP. SINNER, Chairman

HCR 3069 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Finance and Taxation to which was referred HCR 3073 has had the same under consideration and recommends by a vote of 12 YEAS, 1 NAY, 4 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 18, delete the word "such", and after the word "taxes" insert the words "affecting the energy industry"

On page 2, delete lines 1 through 4

And renumber the lines and pages accordingly

REP. SINNER, Chairman

HCR 3073 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Social Services and Veterans Affairs to which was referred HCR 3075 has had the same under consideration and recommends by a vote of 8 YEAS, 6 NAYS, 2 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 5, delete the words "to study human services personnel classifications;"

On page 1, delete lines 28 and 29

On page 2, line 12, delete the words "to study the"

On page 2, line 13, delete the words "department's personnel classifications;"

And renumber the lines accordingly

REP. R. MEIERS, Chairman

HCR 3075 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Education to which was referred HCR 3077 has had the same under consideration and recommends by a vote of 16 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 3, after the word "activities" insert the words "and absenteeism"

On page 1, line 7, delete the words "academic qualifications"

On page 1, line 8, delete the words "for entering universities and colleges in North Dakota;"

On page 1, line 16, delete the word "such" and insert in lieu thereof the word "all"

On page 2, delete lines 8 through 11

On page 2, line 23, after the word "activities" insert the words "and absenteeism"

On page 2, line 27, delete the words "academic qualifications"

On page 2, line 28, delete the words "for entering public universities and colleges in North Dakota;"

And renumber the lines accordingly

REP. JACOBSON, Chairman

HCR 3077 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Transportation to which was referred HCR 3080 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 15, after the word "uncertainties;" insert the word "and"

On page 1, after line 15, insert the following language:

"WHEREAS, mobile homes constitute 15% of all residences in North Dakota, and represent the only affordable and viable option for many families to own their own home, and while the Motor Vehicle Department currently regulates the licensing of mobile home dealers, there is no agency at the present time which desires to regulate mobile home salespersons, and with continuing improvements in the manufactured housing industry and increasing growth in manufactured homes in North Dakota, appropriate regulation of mobile home dealers and salespersons is necessary;"

On page 1, line 20, after the first word "the" insert the word "functions,"

And renumber the lines and pages accordingly

REP. HJELLE, Chairman

HCR 3080 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Social Services and Veterans Affairs to which was referred HCR 3083 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 1, after the word "resolution" delete the remainder of the bill and insert in lieu thereof the following: "directing the Legislative Council to study the feasibility of requiring the residents, spouses, or families of individuals receiving services 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; to study the financial responsibilities of persons at all state facilities under the auspices of the

Director of Institutions and the Jamestown State Hospital; and to determine what fees and costs are currently being charged by other similar institutions providing medical, educational, and other services.

WHEREAS, the Legislative Assembly recognizes the medical, educational, and other needs of individuals receiving services living in North Dakota; and

WHEREAS, North Dakota has assumed certain responsibilities for the care of individuals receiving services at both state and community facilities; and

WHEREAS, rapidly increasing health care, construction, and other costs make it increasingly difficult for the state to continue meeting the financial needs of those state and community facilities; and

WHEREAS, new construction and additional personnel is necessary for the continued care of individuals receiving services at state facilities and group homes or similar community facilities; and

WHEREAS, it may be necessary to require financial contributions toward the support of individuals receiving services placed in state and community facilities by the residents, spouses, or families of those persons; and

WHEREAS, fees and costs charged by similar facilities for services to individuals and other medical, educational, and other services should be reviewed; and

WHEREAS, other sources of revenue and financing techniques may be available to help meet the financial needs of these facilities; and

WHEREAS, the costs of all state institutions under the auspices of the Director of Institutions and of the Jamestown State Hospital have greatly increased; and

WHEREAS, there has been increased demand for community facilities for many who presently are or would otherwise be placed in a state facility under the auspices of the Director of Institutions or of the Jamestown State Hospital;

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

That the Legislative Council is directed to conduct a study of the feasibility of requiring the residents, spouses, or families of individuals receiving services to make financial contributions toward the support of those persons placed in state and community facilities, to study other sources of revenue and financing techniques which may be available to contribute toward the financing of those facilities, to study the financial responsibilities of persons at all state facilities under the auspices of the Director of Institutions and of the Jamestown State Hospital and community facilities serving the same clientele, and to determine what fees and costs are currently being charged by other similar institutions providing medical, educational, and other services; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Forty-ninth Legislative Assembly."

And renumber the lines and pages accordingly

REP. R. MEIERS, Chairman

HCR 3083 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 SB 2029 has had the same under consideration and recommends by a vote of 15 YEAS, 3 NAYS, 3 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 14, delete the numerals "425,909" and insert in lieu thereof the numerals "410,142"

On page 1, line 19, delete the numerals "1,152,209" and insert in lieu thereof the numerals "1,136,442"

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Soil Conservation Committee

The salaries and wages line item is reduced by \$15,767 from the general fund to allow funds for four percent salary increases the first year of the biennium and no salary

increases in the second year. A contingent salary increase of two percent in the second year amounting to \$3,810 is to be provided in a separate appropriation bill. Funds are not provided for additional state contributions to retirement.

REP. MERTENS, Chairman

SB 2029 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Political Subdivisions to which was referred SB 2210 has had the same under consideration and recommends by a vote of 15 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

- On page 1, line 15, delete the word "thereof" and insert in lieu thereof the words "in payment of principal"
- On page 1, line 26, delete the word "thereof" and insert in lieu thereof the words "in payment of principal"
- On page 2, line 9, delete the word "thereof" and insert in lieu thereof the words "in payment of principal"
- On page 2, line 19, delete the word "thereof" and insert in lieu thereof the words "in payment of principal"
- On page 2, line 30, delete the word "thereof" and insert in lieu thereof the words "in payment of principal"
- On page 3, line 17, overstrike the words "shall be" and insert immediately thereafter the word "is"
- On page 3, line 18, overstrike the word "such" and insert immediately thereafter the word "the"
- On page 3, line 28, delete the words "or improvement bonds", overstrike the words "shall constitute" and insert immediately thereafter the words "or improvement bonds constitutes"
- On page 4, line 14, delete the words "or temporary improvement bonds", overstrike the word "shall" and insert immediately thereafter the words "or temporary improvement bonds must"
- On page 4, line 15, overstrike the word "shall" and insert immediately thereafter the word "must"
- On page 5, line 1, overstrike the words "shall be" and insert immediately thereafter the word "are"

On page 5, line 3, overstrike the words "insurance company," and overstrike the comma after the word "bank"

And renumber the lines and pages accordingly

REP. DOTZENROD, Chairman

SB 2210 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Transportation to which was referred SB 2230 has had the same under consideration and recommends by a vote of 12 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 2, line 16, after the second word "each" insert the word "initial"

And renumber the lines accordingly

REP. HJELLE, Chairman

SB 2230 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Agriculture to which was referred HCR 3059 has had the same under consideration and recommends by a vote of 16 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

REP. W. MEYER, Chairman

HCR 3059 was placed on the Tenth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Political Subdivisions to which was referred HCR 3064 has had the same under consideration and recommends by a vote of 13 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same DO PASS.

REP. DOTZENROD, Chairman

HCR 3064 was placed on the Tenth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Agriculture to which was referred HCR 3081 has had the same under consideration and recommends by a vote of 16 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

REP. W. MEYER, Chairman

HCR 3081 was placed on the Tenth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Natural Resources to which was referred HCR 3047 has had the same under consideration and

recommends by a vote of 8 YEAS, 6 NAYS, 3 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. BROKAW, Chairman

HCR 3047 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Industry, Business, and Labor to which was referred HCR 3084 has had the same under consideration and recommends by a vote of 15 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 1, after the word "resolution", delete the remainder of the concurrent resolution and insert in lieu thereof the following: "directing the Legislative Council to study and review the jurisdiction of the Public Service Commission including the possibility of taking certain departments from the Public Service Commission as well as adding other departments or agencies to the jurisdiction of the Public Service Commission.

WHEREAS, the North Dakota Public Service Commission has jurisdiction over the following: auctioneers, electric utilities, rural telephone cooperative corporations, natural gas and pipeline companies, telephone companies, railroad companies, motor carriers, weights and measures, weighmen, grain warehousing and other storage companies, and reclamation of surface mined lands; and

WHEREAS, certain of the above-named departments may properly belong with other state agencies; and

WHEREAS, there are areas of regulation not presently subject to the jurisdiction of the North Dakota Public Service Commission such as the regulation of the oil and gas industry, intrastate air carriers, and cable television; and

WHEREAS, these are areas of state government which could benefit by cooperation among state agencies or, at least, where the advantages and disadvantages of cooperation should be thoroughly reviewed and discussed;

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

That the Forty-eighth Legislative Assembly direct the Legislative Council to designate a

committee to conduct the necessary review and study and that this committee also be authorized to serve as a vehicle for whatever conferences and meetings may be necessary; and

BE IT FURTHER RESOLVED, the Legislative Council is further directed to also study the possibility of expanding the commission to five members elected from districts versus election at-large; and

BE IT FURTHER RESOLVED, that the Legislative Council may appoint such nonlegislative members to this committee as it may deem necessary and appropriate; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with legislation to implement the recommendations, to the Forty-ninth Legislative Assembly."

And renumber the lines and pages accordingly

REP. S. F. HOFFNER, Chairman

HCR 3084 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Natural Resources to which was referred SB 2100 has had the same under consideration and recommends by a vote of 12 YEAS, 0 NAYS, 5 ABSENT AND NOT VOTING that the same DO PASS.

REP. BROKAW, Chairman

SB 2100 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Natural Resources to which was referred Engrossed SB 2101 has had the same under consideration and recommends by a vote of 15 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

REP. BROKAW, Chairman

Engrossed SB 2101 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Political Subdivisions to which was referred SB 2120 has had the same under consideration and recommends by a vote of 7 YEAS, 6 NAYS, 3 ABSENT AND NOT VOTING that the same DO PASS.

REP. DOTZENROD, Chairman

SB 2120 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Social Services and Veterans Affairs to which was referred Engrossed SB 2129 has had the same under consideration and recommends by a vote of 13 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same DO PASS.

REP. R. MEIERS, Chairman

Engrossed SB 2129 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Political Subdivisions to which was referred Engrossed SB 2148 has had the same under consideration and recommends by a vote of 13 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. DOTZENROD, Chairman

Engrossed SB 2148 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Political Subdivisions to which was referred SB 2209 has had the same under consideration and recommends by a vote of 13 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same DO PASS.

REP. DOTZENROD, Chairman

SB 2209 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Political Subdivisions to which was referred SB 2218 has had the same under consideration and recommends by a vote of 13 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same DO PASS.

REP. DOTZENROD, Chairman

SB 2218 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Transportation to which was referred SB 2221 has had the same under consideration and recommends by a vote of 13 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same DO PASS.

REP. HJELLE, Chairman

SB 2221 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Social Services and Veterans Affairs to which was referred SB 2237 has had the same under consideration and recommends by a vote of 12 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

REP. R. MEIERS, Chairman

SB 2237 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Political Subdivisions to which was referred Engrossed SB 2256 has had the same under consideration and recommends by a vote of 10 YEAS, 3 NAYS, 3 ABSENT AND NOT VOTING that the same DO PASS.

REP. DOTZENROD, Chairman

Engrossed SB 2256 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Agriculture to which was referred SB 2257 has had the same under consideration and recommends by a vote of 16 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

REP. W. MEYER, Chairman

SB 2257 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Political Subdivisions to which was referred SB 2330 has had the same under consideration and recommends by a vote of 12 YEAS, 1 NAY, 3 ABSENT AND NOT VOTING that the same DO PASS.

REP. DOTZENROD, Chairman

SB 2330 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Agriculture to which was referred Engrossed SB 2349 has had the same under consideration and recommends by a vote of 16 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

REP. W. MEYER, Chairman

Engrossed SB 2349 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Transportation to which was referred SB 2377 has had the same under consideration and recommends by a vote of 13 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. HJELLE, Chairman

SB 2377 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Agriculture to which was referred SB 2389 has had the same under consideration and recommends by a vote of 9 YEAS, 4 NAYS, 4 ABSENT AND NOT VOTING that the same DO PASS.

REP. W. MEYER, Chairman

SB 2389 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

FIRST READING OF A SENATE CONCURRENT RESOLUTION

SCR 4017: A concurrent resolution urging the United States Congress and the United States Army Corps of Engineers, to complete a program of bank protection, stabilization, and maintenance along the Missouri River in North Dakota. 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