

## JOURNAL OF THE HOUSE

## Forty-eighth Legislative Assembly

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## FIFTIETH DAY

Bismarck, March 16, 1983

The House convened at 1:00 p.m., with Speaker Kelly presiding.

The prayer was offered by Rev. Mel Soderberg, First Lutheran Church, Bismarck.

## ROLL CALL

The roll was called and all members were present, except Representative Kent.

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 Forty-ninth day and finds the same to be correct.

REP. LAUGHLIN, Chairman

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

## SIGNING OF BILLS AND RESOLUTIONS

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following:

SB 2131, SB 2133, SB 2152, SB 2181, SB 2198, SB 2241,  
 SB 2243, SB 2280, SB 2285, SB 2297, SB 2305, SB 2310,  
 SB 2311, SB 2353, SB 2359, SB 2387, SB 2419, SB 2424,  
 SB 2426, SB 2436, SB 2454, SB 2476, SB 2489, SCR 4017,  
 SCR 4041

CHARLES FLEMING, Chief Clerk

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following:

SB 2149, SB 2162, SB 2178, SB 2246, SB 2259, SB 2300,  
 SB 2301, SB 2432, SB 2437, SB 2449, SCR 4014, SCR 4015,  
 SCR 4019

CHARLES FLEMING, Chief Clerk

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following:

SB 2216, SB 2234, SB 2464, SB 2492

CHARLES FLEMING, Chief Clerk

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following:

HB 1109, HB 1297, HB 1331, HB 1385, HB 1511, HCR 3032,  
HCR 3040, HCR 3052, HCR 3054, HCR 3055, HCR 3056, HCR 3057,  
HCR 3063, HCR 3065, HCR 3070, HCR 3085

CHARLES FLEMING, Chief Clerk

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following:

HB 1117, HB 1327, HB 1372, HB 1397, HB 1399, HB 1520,  
HB 1588, HB 1707

CHARLES FLEMING, Chief Clerk

#### APPOINTMENT OF CONFERENCE COMMITTEES

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2066:

Reps. Koski, Black, Gerl

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2219:

Reps. Koski, Black, Gerl

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2350:

Reps. Gerl, Lloyd, Vander Vorst

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2491:

Reps. Laughlin, Sinner, Moore

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2446:

Reps. Linderman, Gates, Vig

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SCR 4025:

Reps. Halmrast, Gates, DeMers

#### MESSAGES TO THE SENATE HOUSE CHAMBER

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

SB 2131, SB 2133, SB 2152, SB 2181, SB 2198, SB 2241,  
SB 2243, SB 2280, SB 2285, SB 2297, SB 2305, SB 2310,  
SB 2311, SB 2353, SB 2359, SB 2387, SB 2419, SB 2424,

SB 2426, SB 2436, SB 2454, SB 2476, SB 2489, SCR 4017,  
SCR 4041

Very respectfully,  
CHARLES FLEMING, Chief Clerk

HOUSE CHAMBER

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

SB 2149, SB 2162, SB 2178, SB 2246, SB 2259, SB 2300,  
SB 2301, SB 2432, SB 2437, SB 2449, SCR 4014, SCR 4015,  
SCR 4019

Very respectfully,  
CHARLES FLEMING, Chief Clerk

HOUSE CHAMBER

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

SB 2216, SB 2234, SB 2464, SB 2492

Very respectfully,  
CHARLES FLEMING, Chief Clerk

HOUSE CHAMBER

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

SB 2056, SB 2064, SB 2070, SB 2176, SCR 4004, SCR 4029,  
SCR 4055

Very respectfully,  
CHARLES FLEMING, Chief Clerk

HOUSE CHAMBER

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

SB 2327

Very respectfully,  
CHARLES FLEMING, Chief Clerk

HOUSE CHAMBER

MR. PRESIDENT: I have the honor to return herewith the following which the House has failed to pass:

SB 2368

Very respectfully,  
CHARLES FLEMING, Chief Clerk

HOUSE CHAMBER

MR. PRESIDENT: I have the honor to transmit herewith the following which the Speaker has signed and your signature is respectfully requested:

HB 1109, HB 1297, HB 1331, HB 1385, HB 1511, HCR 3032,  
HCR 3040, HCR 3052, HCR 3054, HCR 3055, HCR 3056, HCR 3057,  
HCR 3063, HCR 3065, HCR 3070, HCR 3085

Very respectfully,  
CHARLES FLEMING, Chief Clerk

#### HOUSE CHAMBER

MR. PRESIDENT: I have the honor to transmit herewith the following which the Speaker has signed and your signature is respectfully requested:

HB 1117, HB 1327, HB 1372, HB 1397, HB 1399, HB 1520,  
HB 1588, HB 1707

Very respectfully,  
CHARLES FLEMING, Chief Clerk

#### SIXTH ORDER OF BUSINESS

REP. HJELLE MOVED that the amendments to Reengrossed SB 2062 as recommended by the Committee on Transportation as printed on page 1895 of the House Journal be adopted, which motion prevailed.

REP. L. HANSON MOVED that the amendments to Reengrossed SB 2092 as recommended by the Committee on State and Federal Government as printed on pages 1896 and 1897 of the House Journal be adopted, and when so adopted, recommends that SB 2092 be referred to the Committee on Appropriations, which motion prevailed.

SPEAKER KELLY ANNOUNCED that SB 2092 was referred to the Committee on Appropriations.

REP. R. MEIERS MOVED that the amendments to Engrossed SB 2187 as recommended by the Committee on Social Services and Veterans Affairs as printed on pages 1897 and 1898 of the House Journal be adopted, which motion prevailed.

REP. JACOBSON MOVED that the amendments to SB 2288 as recommended by the Committee on Education as printed on page 1898 of the House Journal be adopted, which motion prevailed.

REP. L. HANSON MOVED that the amendments to SB 2408 as recommended by the Committee on State and Federal Government as printed on pages 1898 and 1899 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 1109, HB 1297, HB 1331, HB 1385, HB 1511, HCR 3032,  
HCR 3040, HCR 3052, HCR 3054, HCR 3055, HCR 3056, HCR 3057,  
HCR 3063, HCR 3065, HCR 3070, HCR 3085

REP. G. MARTIN, Chairman

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

MESSAGES TO THE SENATE  
HOUSE CHAMBER

MR. PRESIDENT: I have the honor to inform you that the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

SB 2066: Reps. Koski, Gerl, Black  
SB 2219: Reps. Koski, Gerl, Black  
SB 2350: Reps. Gerl, Lloyd, Vander Vorst  
SB 2446: Reps. Linderman, Vig, Gates

Very respectfully,  
CHARLES FLEMING, Chief Clerk

HOUSE CHAMBER

MR. PRESIDENT: I have the honor to inform you that the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

SB 2491: Reps. Laughlin, Sinner, Moore  
SCR 4025: Reps. Halmrast, DeMers, Gates

Very respectfully,  
CHARLES FLEMING, Chief Clerk

SECOND READING OF HOUSE BILL

HB 1661: A BILL for an Act to amend and reenact section 23-14-04 of the North Dakota Century Code, relating to compensation for members of a district board of health.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended, House Journal pages 1837 and 1838, the roll was called and there were 95 YEAS, 4 NAYS, 7 ABSENT AND NOT VOTING.

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

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

NAYS: Brokaw; Kuchera; Melby; Murphy

ABSENT AND NOT VOTING: Hoffner, Serenus; Jacobson;  
Larson, B.; Lautenschlager; Peterson; Stofferahn; Wentz

HB 1661 passed and the title was agreed to.

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MESSAGES FROM THE SENATE  
SENATE CHAMBER

MADAM SPEAKER: I have the honor to return herewith HB 1319  
which the Senate has amended as follows:

SENATE AMENDMENTS TO HB 1319

On page 1 of the engrossed bill, line 3, after the word  
"containers" insert "; making an exemption"

On page 2 of the engrossed bill, after line 14, insert the  
following:

"SECTION 4. EXEMPTION. Contractors engaged in  
construction projects for the building, replacement  
or repair of roads, streets, alleys or parking lots  
are exempt from the provisions of this Act."

And renumber the lines and sections 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 1057, HB 1060, HB 1425, HCR 3046  
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 1103, HB 1133, HB 1601, HB 1656, HB 1657  
Very respectfully,  
LEO LEIDHOLM, Secretary

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

HCR 3011: A concurrent resolution for the amendment of sections  
12 and 13 of article V and section 12 of article X of the  
Constitution of the State of North Dakota, relating to the  
office of state treasurer; to repeal section 15 of  
article XII of the Constitution of the State of North

Dakota, relating to the duties of state treasurer on issuance of legal tender by banks in the state; and to provide an effective date.

Which has been read.

#### ROLL CALL

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

YEAS: Anderson, C.; Anderson, R.; Aubol; Backes; Boyle; Conny; DeMers; Dotzenrod; Eagles; Erdman; Gates; Goetz; Gorder; Halmrast; Hamerlik; Hanson, L.; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Hughes; Jacobson; Keller; Kingsbury; Kloubec; Koehn; Koski; Kretschmar; Larson, B.; Larson, R.; Laughlin; Lautenschlager; Linderman; Lipsiea; Martinson; Meier, A.; Meiers, R.; Mertens; Meyer, R.; Moore; Murphy; Mushik; Nalewaja; Nicholas; Nowatzki; O'Connell; Olafson; Olson, A.; Opedahl; O'Shea; Peltier; Pomeroy, E.; Pomeroy, G.; Rayl; Richard; Riley; Rued; Sanstead; Schoenwald; Sinner; Solberg; Strinden; Swiontek; Thompson; Unhjem; Vander Vorst; Vig; Watne; Whalen; Williams, A.; Williams, C.; Wold; Speaker Kelly

NAYS: Black; Brokaw; DuBord; Gerl; Gullickson; Gunsch; Hanson, O.; Haugland; Hausauer; Kent; Knudson; Kuchera; Lang; Lardy; Lloyd; Martin, C.; Martin, G.; Melby; Meyer, W.; Olsen, D.; Retzer; Rice; Riehl; Schindler; Schneider; Shide; Shockman; Stofferahn; Timm; Wentz; Williams, W.

ABSENT AND NOT VOTING: Peterson

HCR 3011 was declared adopted.

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HCR 3026: A concurrent resolution for the amendment of section 4 of article IX and section 17 of article X of the Constitution of the State of North Dakota, relating to references to the county superintendent of common schools and the county auditor.

Which has been read.

#### ROLL CALL

The question being on the final adoption of the resolution as amended, the roll was called and there were 101 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING.

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

NAYS: Black; Melby; Olsen, D.; Stofferahn

ABSENT AND NOT VOTING: Peterson

HCR 3026 was declared adopted.

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HCR 3029: A concurrent resolution to create five new sections to article IV of the Constitution of the State of North Dakota, relating to the legislative assembly; to repeal sections 20 and 21 and sections 25 through 45 of article IV of the Constitution of the State of North Dakota, relating to the legislative assembly; and to provide an effective date.

Which has been read.

#### ROLL CALL

The question being on the final adoption of the resolution as amended, the roll was called and there were 91 YEAS, 13 NAYS, 2 ABSENT AND NOT VOTING.

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

Nowatzki; O'Connell; Olafson; Olson, A.; Opedahl; O'Shea; Pomeroy, E.; Pomeroy, G.; Retzer; Rice; Richard; Riehl; Riley; Sanstead; Schindler; Schneider; Schoenwald; Shockman; Sinner; Solberg; Swiontek; Thompson; Unhjem; Vig; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Wold; Speaker Kelly

NAYS: Black; Gorder; Kingsbury; Lardy; Melby; Olsen, D.; Peltier; Rayl; Rued; Shide; Stofferahn; Timm; Vander Vorst

ABSENT AND NOT VOTING: Peterson; Strinden

HCR 3029 was declared adopted.

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SECOND READING OF SENATE BILL

SB 2004: A BILL for an Act making an appropriation for the homestead tax credit.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 103 YEAS, 1 NAY, 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. E.; Hughes; Jacobson; Keller; Kent; Kingsbury; Kloubec; Knudson; Koehn; Koski; Kretschmar; Kuchera; Lang; Lardy; Larson, B.; Larson, R.; Laughlin; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, C.; Martin, G.; Martinson; Meier, A.; Meiers, R.; Melby; Mertens; Meyer, R.; Meyer, W.; Moore; Mushik; Nalewaja; Nicholas; Nowatzki; O'Connell; Olafson; Olsen, D.; Olson, A.; Opedahl; O'Shea; Peltier; Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Rice; Richard; Riehl; Riley; Rued; Sanstead; Schindler; Schneider; Schoenwald; Shide; Shockman; Sinner; Solberg; Stofferahn; Strinden; Swiontek; Thompson; Timm; Unhjem; Vander Vorst; Vig; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Wold; Speaker Kelly

NAYS: Murphy

ABSENT AND NOT VOTING: Horgan; Peterson

SB 2004 passed and the title was agreed to.

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## MOTION

REP. BACKES MOVED that SB 2084, SB 2093, and SB 2321 be laid over one legislative day, which motion prevailed.

## SECOND READING OF SENATE BILLS

SB 2142: A BILL for an Act to create and enact a new subsection to section 18-01-02 and a new section to chapter 18-01 of the North Dakota Century Code, relating to providing for the education of the citizens of North Dakota on the hazards of fire through organized programs by the state fire marshal's office.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill as amended, House Journal page 1853, the roll was called and there were 62 YEAS, 39 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Aubol; Backes; Black; Boyle; Brokaw; DeMers; DuBord; Eagles; Erdman; Gates; Gerl; Gullickson; Halmrast; Hamerlik; Haugland; Hill; Hjelle; Hoffner; Serenus; Horgan; Jacobson; Keller; Kent; Knudson; Koehn; Koski; Lardy; Laughlin; Lautenschlager; Linderman; Lipsiea; Martin, C.; Martin, G.; Meier, A.; Meiers, R.; Mertens; Meyer, W.; Mushik; Nalewaja; Nicholas; O'Connell; Olson, A.; Opedahl; O'Shea; Peltier; Retzer; Rice; Riehl; Rued; Sanstead; Schneider; Schoenwald; Solberg; Swiontek; Timm; Unhjem; Vig; Watne; Wentz; Williams, A.; Williams, C.; Wold; Speaker Kelly

NAYS: Anderson, C.; Anderson, R.; Conmy; Dotzenrod; Goetz; Gorder; Gunsch; Hanson, L.; Hanson, O.; Hausauer; Hoffner, S. F.; Hughes; Kingsbury; Kloubec; Kretschmar; Kuchera; Lang; Larson, B.; Larson, R.; Martinson; Melby; Meyer, R.; Moore; Murphy; Olafson; Olsen, D.; Pomeroy, E.; Pomeroy, G.; Rayl; Riley; Schindler; Shide; Shockman; Sinner; Strinden; Thompson; Vander Vorst; Whalen; Williams, W.

ABSENT AND NOT VOTING: Lloyd; Nowatzki; Peterson; Richard; Stofferahn

SB 2142 passed and the title was agreed to.

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SB 2145: A BILL for an Act to amend and reenact subsection 4 of section 39-04-19 and section 39-18-03 of the North Dakota Century Code, relating to registration fees for certain trailers and mobile homes, travel trailers and house

trailers; and to repeal section 39-04-21.1 of the North Dakota Century Code, relating to prorated registration fees for certain trailers.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill as amended, House Journal page 1853, the roll was called and there were 86 YEAS, 16 NAYS, 4 ABSENT AND NOT VOTING.

**YEAS:** Anderson, C.; Anderson, R.; Aubol; Backes; Black; Boyle; Brokaw; Conmy; DeMers; Dotzenrod; Eagles; Erdman; Gates; Goetz; Gorder; Halmrast; Hamerlik; Hanson, L.; Haugland; Hjelle; Hoffner, S. F.; Horgan; Hughes; Jacobson; Keller; Kent; Kloubec; Knudson; Koehn; Kretschmar; Kuchera; Lang; Lardy; Larson, B.; Larson, R.; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, C.; Martin, G.; Martinson; Meiers, R.; Mertens; Meyer, R.; Meyer, W.; Moore; Murphy; Nalewaja; Nicholas; Nowatzki; O'Connell; Olafson; Olsen, D.; Olson, A.; Opedahl; O'Shea; Peltier; Pomeroy, E.; Pomeroy, G.; 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, C.; Williams, W.; Speaker Kelly

**NAYS:** DuBord; Gerl; Gullickson; Gunsch; Hanson, O.; Hill; Hoffner, Serenus; Kingsbury; Koski; Laughlin; Meier, A.; Melby; Mushik; Rayl; Vig; Williams, A.

**ABSENT AND NOT VOTING:** Hausauer; Peterson; Strinden; Wold

SB 2145 passed and the title was agreed to.

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**SB 2189:** A BILL for an Act to create and enact chapter 37-12.1 of the North Dakota Century Code, relating to the state defense force; to repeal sections 37-04-05, 37-07.1-04, 37-07.2-02, and chapter 37-12 of the North Dakota Century Code, relating to bonds of officers, limitations on waiver of tuition fees, limitations on grants, and the North Dakota state guard.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill as amended, House Journal page 1858, the roll was called and there were 97 YEAS, 3 NAYS, 6 ABSENT AND NOT VOTING.

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

NAYS: DeMers; Lardy; Mushik

ABSENT AND NOT VOTING: Backes; Boyle; Hausauer; Jacobson; Nowatzki; Strinden

SB 2189 passed and the title was agreed to.

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SB 2196: A BILL for an Act to create and enact a new subsection to section 39-01-01 of the North Dakota Century Code, relating to the definition of a passenger motor vehicle; to amend and reenact sections 39-04-06, 39-04-10.1, and 39-04-37 of the North Dakota Century Code, relating to the rescission or suspension of registration, the manufacturer's plate, and registration violations.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill as amended, House Journal page 1858, the roll was called and there were 101 YEAS, 3 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Aubol; Black; Boyle; Brokaw; Conmy; DeMers; Dotzenrod; DuBord; Eagles; Erdman; Gates; Gerl; Goetz; Gullickson; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Hughes; Jacobson; Keller; Kent; Kingsbury; Kloubec; Knudson; Koehn; Koski; Kretschmar; Kuchera; Lang; Lardy; Larson, B.; Larson, R.; Laughlin; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, C.; Martin, G.; Martinson; 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, G.; Rayl; Retzer; Rice; Richard; Riehl; Riley; Rued; Sanstead; Schindler; Schneider; Schoenwald; Shide; Shockman; Sinner; Solberg; Stofferahn; Strinden; Swiontek; Thompson; Timm; Unhjem; Vander Vorst; Vig; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Wold; Speaker Kelly

NAYS: Gorder; Meier, A.; Williams, W.

ABSENT AND NOT VOTING: Backes; Pomeroy, E.

SB 2196 passed and the title was agreed to.

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#### RECOGNITION

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

#### SECOND READING OF SENATE BILLS

SB 2294: A BILL for an Act to amend and reenact section 49-09-04.3 of the North Dakota Century Code, relating to removal of abandoned materials from abandoned railway lines.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill as amended, House Journal page 1859, the roll was called and there were 97 YEAS, 7 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Aubol; Backes; Black; Boyle; Brokaw; DeMers; DuBord; Eagles; Erdman; Gates; Gerl; Goetz; Gullickson; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Hughes; Jacobson; Keller; Kent; Kingsbury; Kloubec; Knudson; Koehn; Koski; Kretschmar; Kuchera; Lang; Lardy; Larson, B.; Larson, R.; Laughlin; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, C.; Martin, G.; Martinson; Meier, A.; 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.; Rayl; Retzer; Rice; Richard; Riehl; Riley; Rued; Sanstead; Schindler; Schneider; Schoenwald; Shide; Shockman; Sinner; Solberg; Stofferahn; Swiontek; Timm; Unhjem;

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

NAYS: Conmy; Dotzenrod; Gorder; Hausauer; Meiers, R.;  
Nalewaja; Thompson

ABSENT AND NOT VOTING: Horgan; Strinden

SB 2294 passed and the title was agreed to.

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SB 2339: A BILL for an Act to require the director of the institute for regional studies of North Dakota state university to compile, publish, and distribute four general volumes of history in the series "The Centennial Heritage Series"; an agricultural history, a social history, a literary history, and a history of North Dakota native Americans; and to provide an appropriation.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 87 YEAS, 18 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Aubol; Backes; Black; Boyle; Brokaw; 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; Knudson;  
Koehn; Koski; Kretschmar; Kuchera; Lardy; Larson, B.;  
Laughlin; Lautenschlager; Linderman; Lipsiea; Lloyd;  
Martin, C.; Martin, G.; Martinson; Meier, A.;  
Meiers, R.; Mertens; Meyer, R.; Meyer, W.; Mushik;  
Nalewaja; Nicholas; Nowatzki; 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; Strinden; Swiontek; Timm; Vander Vorst;  
Vig; Watne; Wentz; Williams, A.; Williams, C.;  
Williams, W.; Speaker Kelly

NAYS: Anderson, C.; Anderson, R.; Conmy; Gunsch;  
Hanson, O.; Hughes; Kent; Kingsbury; Kloubec; Lang;  
Larson, R.; Melby; Moore; Murphy; Thompson; Unhjem;  
Whalen; Wold

ABSENT AND NOT VOTING: Rued

SB 2339 passed and the title was agreed to.

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SB 2346: A BILL for an Act to create and enact a new section to chapter 57-38 of the North Dakota Century Code, relating to tying the individual income tax to an inflation adjustment figure; 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 15 YEAS, 88 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Anderson, R.; Aubol; Conmy; Eagles; Gates; Gerl; Hoffner; Serenus; Jacobson; Koski; Nicholas; Opedahl; Shockman; Strinden; Vander Vorst; Williams, A.

NAYS: Anderson, C.; Backes; Black; Boyle; Brokaw; DeMers; Dotzenrod; DuBord; Erdman; Goetz; Gorder; Gullickson; Gunsch; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer; Hill; Hjelle; Hoffner, S. F.; 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; Olafson; Olsen, D.; Olson, A.; O'Shea; Peltier; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Richard; Riehl; Riley; Rued; Schindler; Schneider; Schoenwald; Shide; Sinner; Solberg; Stofferahn; Swiontek; Thompson; Timm; Unhjem; Vig; Watne; Wentz; Whalen; Williams, C.; Williams, W.; Wold; Speaker Kelly

ABSENT AND NOT VOTING: Hanson, O.; Rice; Sanstead

SB 2346 was declared lost.

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SB 2358: A BILL for an Act to amend and reenact subsection 1 of section 39-12-05.1 of the North Dakota Century Code, relating to motor vehicle weight limitations.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill as amended, House Journal page 1827, the roll was called and there were 86 YEAS, 18 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Backes; Boyle; Brokaw; Conmy; Dotzenrod; DuBord; Eagles; Erdman; 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; Kretschmar; Kuchera; Lang; Lardy; Larson, B.; Larson, R.; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, C.; Martin, G.; Martinson; 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.; Rayl; Retzer; Rice; Riehl; Rued; Sanstead; Schindler; Schneider; Schoenwald; Shide; Shockman; Sinner; Solberg; Stofferahn; Strinden; Swiontek; Timm; Unhjem; Vander Vorst; Watne; Wentz; Whalen; Williams, C.; Wold; Speaker Kelly

**NAYS:** Aubol; Black; DeMers; Gates; Gerl; Gunsch; Koski; Laughlin; Meier, A.; Meiers, R.; Melby; Mertens; Nalewaja; Richard; Thompson; Vig; Williams, A.; Williams, W.

**ABSENT AND NOT VOTING:** Hanson, O.; Riley

SB 2358 passed and the title was agreed to.

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**SB 2384:** A BILL for an Act to amend and reenact sections 10-27-01, 10-28-05, and 10-28-06 of the North Dakota Century Code, relating to admission of foreign nonprofit corporations and public inspection of interrogatories propounded by the secretary of state to nonprofit corporations.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 39 YEAS, 66 NAYS, 1 ABSENT AND NOT VOTING.

**YEAS:** Anderson, C.; Anderson, R.; Backes; Dotzenrod; Goetz; Gunsch; Hausauer; Hughes; Kent; Kingsbury; Kloubec; Koehn; Kuchera; Lang; Larson, B.; Larson, R.; Laughlin; Lipsiea; Melby; Mertens; Murphy; Nicholas; Nowatzki; Olsen, D.; Olson, A.; O'Shea; Peltier; Peterson; Retzer; Rice; Richard; Rued; Schindler; Shide; Solberg; Strinden; Timm; Vander Vorst; Whalen

**NAYS:** Aubol; Black; Boyle; Brokaw; Conmy; DeMers; DuBord; Eagles; Erdman; Gates; Gerl; Gorder; Gullickson; Halmrast; Hamerlik; Hanson, L.; Haugland; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Jacobson; Keller; Knudson; Koski; Kretschmar; Lardy; Lautenschlager; Linderman; Lloyd; Martin, C.; Martin, G.; Martinson; Meier, A.; Meiers, R.;

Meyer, R.; Meyer, W.; Moore; Mushik; Nalewaja; O'Connell; Olafson; Opedahl; Pomeroy, E.; Pomeroy, G.; Rayl; Riehl; Riley; Sanstead; Schneider; Schoenwald; Shockman; Sinner; Stofferahn; Swiontek; Thompson; Unhjem; Vig; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Wold; Speaker Kelly

ABSENT AND NOT VOTING: Hanson, O.

SB 2384 was declared lost.

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

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended, House Journal page 1862, the roll was called and there were 104 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING.

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

NAYS: Kretschmar

ABSENT AND NOT VOTING: Mertens

SB 2404 passed and the title was agreed to.

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SB 2448: A BILL for an Act to amend and reenact section 6-09-15, 15-62.1-01, 15-62.1-02, 15-62.1-03, 15-62.1-04, 15-62.1-05,

15-62.1-10, 54-17-24, 54-17-25, and 54-17-26 of the North Dakota Century Code, relating to the powers of the Bank of North Dakota to make loans, the guarantee student loan program, the student loan trusts of the industrial commission, and student loan revenue bonds.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill as amended, House Journal pages 1862 and 1863, the roll was called and there were 104 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING.

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

NAYS: Kingsbury

ABSENT AND NOT VOTING: Kent

SB 2448 passed and the title was agreed to.

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#### MESSAGES FROM THE SENATE SENATE CHAMBER

MADAM SPEAKER: I have the honor to return herewith the following which the President has signed:

HB 1109, HB 1297, HB 1331, HB 1385, HB 1511, HCR 3032,  
HCR 3040, HCR 3052, HCR 3054, HCR 3055, HCR 3056, HCR 3057,  
HCR 3063, HCR 3065, HCR 3070, HCR 3085

Very respectfully,  
LEO LEIDHOLM, Secretary

## SENATE CHAMBER

MADAM SPEAKER: I have the honor to return herewith the following which the President has signed:

HB 1117, HB 1327, HB 1372, HB 1397, HB 1399, HB 1520,  
HB 1588, HB 1707

Very respectfully,  
LEO LEIDHOLM, Secretary

## SENATE CHAMBER

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

SB 2118, SB 2146, SB 2147, SB 2159, SB 2328, SB 2371,  
SCR 4033, SCR 4047

Very respectfully,  
LEO LEIDHOLM, Secretary

## SECOND READING OF SENATE BILL

SB 2465: A BILL for an Act to provide for a ten-mill levy, in addition to any levies authorized by law, for organized or unorganized townships for purposes of a legal contingency fund.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill as amended, House Journal page 1828, the roll was called and there were 81 YEAS, 23 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Aubol; Black; Boyle; Brokaw; Conmy; DeMers; Dotzenrod; DuBord; Erdman; Gates; Gerl; Goetz; Gullickson; Halmrast; Hanson, L.; Hanson, O.; Haugland; Hill; Hjelle; Hoffner, Serenus; Horgan; Hughes; Jacobson; Keller; Kent; Kloubec; Knudson; Koehn; Koski; 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; Opedahl; O'Shea; Pomeroy, E.; Pomeroy, G.; Rice; Riley; Rued; Sanstead; Schindler; Schneider; Schoenwald; Sinner; Stofferahn; Strinden; Swiontek; Thompson; Timm; Unhjem; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Wold; Speaker Kelly

NAYS: Backes; Eagles; Gorder; Gunsch; Hamerlik; Hausauer; Hoffner, S. F.; Kingsbury; Kretschmar; Meyer, R.; Murphy; Olsen, D.; Olson, A.; Peltier; Retzer; Richard; Riehl; Shide; Shockman; Solberg; Vander Vorst; Vig; Williams, W.

ABSENT AND NOT VOTING: Peterson; Rayl

SB 2465 passed and the title was agreed to.

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SB 2474: A BILL for an Act to amend and reenact sections 54-52.2-01, 54-52.2-02, 54-52.2-03, 54-52.2-05, 54-52.2-06, and 54-52.2-07 of the North Dakota Century Code, relating to the administration, exemption from judicial process, assignability of benefits, and authorized investments of a deferred compensation program for public employees.

Which has been read.

#### REQUEST

REP. KOSKI REQUESTED that he be excused from voting on SB 2474 because of a conflict of interest.

#### MOTION

REP. MUSHIK MOVED that Rep. Koski be allowed to vote on SB 2474, which motion prevailed.

#### ROLL CALL

The question being on the final passage of the bill as amended, House Journal pages 1828-1830, the roll was called and there were 92 YEAS, 11 NAYS, 3 ABSENT AND NOT VOTING.

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

NAYS: Anderson, C.; Gorder; Gunsch; Horgan; Kingsbury; Lardy; Lipsiea; Melby; Retzer; Shide; Vander Vorst

ABSENT AND NOT VOTING: Peterson; Rayl; Whalen

SB 2474 passed and the title was agreed to.

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SECOND READING OF SENATE CONCURRENT RESOLUTIONS

SCR 4005: A concurrent resolution directing the Legislative Council to conduct a study of the caseload of the North Dakota Supreme Court.

Which has been read.

The question being on the final adoption of the resolution.

SCR 4005 was declared adopted on a voice vote.

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SCR 4006: A concurrent resolution directing the Legislative Council to study and determine the powers and rights to be granted to political subdivisions under article VII of the Constitution of the State of North Dakota.

Which has been read.

The question being on the final adoption of the resolution as amended.

SCR 4006 was declared adopted on a voice vote.

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SCR 4046: A concurrent resolution directing the Legislative Council to study assessment and taxation of property and levy limitations imposed on political subdivisions.

Which has been read.

The question being on the final adoption of the resolution.

SCR 4046 was declared adopted on a voice vote.

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REPORT OF CONFERENCE COMMITTEE

MADAM SPEAKER: Your Conference Committee to which was referred Engrossed HB 1044 has had the same under consideration and recommends that the SENATE RECEDE from its amendments as found on page 1596 of the House Journal and that Engrossed HB 1044 be further amended as follows:

On page 2 of the engrossed bill, line 12, after the period insert the words "Institutions that have not been examined by the commissioner or the state banking board for three years prior to any assessment date shall not be required to pay the assessment."

And renumber the lines and pages accordingly

For the Senate: Sens. Parker, Kilander, Wogsland  
 For the House: Reps. Schoenwald, Lloyd, R. Larson

Engrossed HB 1044 was placed on the Seventh order of business on the calendar for the succeeding legislative day.

#### REPORTS OF PROCEDURAL COMMITTEE

MADAM SPEAKER: Your Committee on Enrollment and Engrossment respectfully report that the following bills were delivered to the Governor for his approval at the hour of 3:06 p.m., March 16, 1983:

HB 1109, HB 1297, HB 1331, HB 1385, HB 1511

REP. G. MARTIN, Chairman

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

MADAM SPEAKER: Your Committee on Enrollment and Engrossment respectfully report that the following bills were delivered to the Governor for his approval at the hour of 3:06 p.m., March 16, 1983:

HB 1117, HB 1327, HB 1372, HB 1397, HB 1399, HB 1520,  
 HB 1588, HB 1707

REP. G. MARTIN, Chairman

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

MADAM SPEAKER: Your Committee on Enrollment and Engrossment respectfully report that the following bills were delivered to the Secretary of State at the hour of 3:10 p.m., March 16, 1983:

HCR 3032, HCR 3040, HCR 3052, HCR 3054, HCR 3055, HCR 3056,  
 HCR 3057, HCR 3063, HCR 3065, HCR 3070, HCR 3085

REP. G. MARTIN, Chairman

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

#### 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 stand adjourned until 1:15 p.m., Thursday, March 17, 1983, which motion prevailed.

## REPORTS OF STANDING COMMITTEES

MADAM SPEAKER: Your Committee on Industry, Business, and Labor to which was referred SB 2206 has had the same under consideration and recommends by a vote of 11 YEAS, 4 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, delete the word "subsection" and insert in lieu thereof the word "subsections", and after the numeral "18" insert the word and numeral "and 30"
- On page 1, line 2, delete the word "and" and insert in lieu thereof a comma, and after the numeral "52-06-02" insert the words ", and section 52-06-06"
- On page 1, line 3, delete the word "and" and insert in lieu thereof a comma
- On page 1, line 4, after the word "benefits" and before the period insert the words ", and the weekly benefit for unemployment"
- On page 1, line 7, delete the word "Subsection" and insert in lieu thereof the word "Subsections", and after the numeral "18" insert the word and numeral "and 30"
- On page 1, line 8, delete the word "is" and insert in lieu thereof the word "are"
- On page 6, after line 23, insert the following new subsection:

"30. "Unemployed". An individual ~~shall be deemed is~~ "unemployed" with respect to any week during which he performs no services and with respect to which no wages are payable to him, or with respect to any week of less than full-time work if the wages payable to him with respect to such week are less than his weekly benefit amount. For the purposes of this subsection, wages are payable with respect to the weeks for which they were reasonably intended to be payable, irrespective of whether services were performed in those weeks. The bureau shall prescribe regulations applicable to unemployed individuals making such distinctions in the procedures as to total unemployment, part-total unemployment, partial unemployment of individuals attached to their regular jobs, and other forms of short-time work, as the bureau deems necessary."

On page 7, after line 19, insert the following new section:

"SECTION 3. AMENDMENT. Section 52-06-06 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

52-06-06. Weekly benefit for unemployment. Each eligible individual who is unemployed with respect to any week shall be paid with respect to such week a benefit in an amount equal to his weekly benefit amount less that part of the wages, if any, payable to him with respect to such week which is in excess of one-half of his weekly benefit amount. Such benefit, if not a multiple of one dollar, shall be computed to the next higher multiple of one dollar. For the purposes of this section, wages are payable with respect to the weeks for which they were reasonably intended to be payable, irrespective of whether services were performed in those weeks."

And renumber the lines and pages accordingly

REP. S. F. HOFFNER, Chairman

SB 2206 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Judiciary to which was referred Engrossed SB 2249 has had the same under consideration and recommends by a vote of 13 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1 of the engrossed bill, line 3, delete the numeral "14-03-07,"

On page 7 of the engrossed bill, delete lines 33 and 34

On page 8 of the engrossed bill, delete lines 1 through 6

On page 18 of the engrossed bill, line 8, after the word "years." insert the following new sentence: "In all instances the board shall be comprised of both male and female members."

And renumber the lines, sections, and pages accordingly

REP. E. POMEROY, Chairman

Engrossed SB 2249 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 Engrossed SB 2313 has had the same under consideration and recommends by a vote of 10 YEAS, 7 NAYS, 0 ABSENT AND NOT

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

On page 3 of the engrossed bill, line 30, delete the word "ten" and insert in lieu thereof the word "twenty"

On page 3 of the engrossed bill, line 31, after the word "during" insert the words "each of", after the word "the" insert the word "three", and delete the word "year" and insert in lieu thereof the word "years"

And renumber the lines accordingly

REP. SINNER, Chairman

Engrossed SB 2313 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 SB 2332 has had the same under consideration and recommends by a vote of 12 YEAS, 3 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 13, after the word "section" insert the words "if the total acreage exceeds ten acres"

And renumber the lines accordingly

REP. SINNER, Chairman

SB 2332 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 Engrossed SB 2431 has had the same under consideration and recommends by a vote of 12 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1 of the engrossed bill, line 2, delete the numerals "40-05.1" and insert in lieu thereof the words "5-03, a new section to chapter 39-04, and a new subsection to section 40-05.1-06"

On page 1 of the engrossed bill, line 3, delete the words "sales, use, motor vehicle fuel, and special fuel" and insert in lieu thereof the word "certain"

On page 1 of the engrossed bill, line 4, delete the words "only upon approval of the electors" and insert in lieu thereof the words "and fees and authorizing collection agreements"

On page 1 of the engrossed bill, line 6, delete the words "sales and use"

On page 1 of the engrossed bill, after line 8, insert the following new sections:

"SECTION 1. A new section to chapter 5-03 of the North Dakota Century Code is hereby created and enacted to read as follows:

Alcoholic beverage tax collection agreements with home rule cities. The governing body of any incorporated city that has adopted the home rule provisions of chapter 40-05.1 and the state treasurer may enter into contractual agreements whereby the state treasurer may collect any alcoholic beverage tax assessed by the incorporated city. The state treasurer, quarterly, shall pay to the city auditors of the several cities the money to which they are entitled under this section. The agreements entered into under this section shall provide for an agreed amount to be allowed the state treasurer for services rendered in connection with the collections. Any sums collected for services rendered shall be deposited by the state treasurer in the general fund.

SECTION 2. A new section to chapter 39-04 of the North Dakota Century Code is hereby created and enacted to read as follows:

Motor vehicle registration fee collection agreements with home rule cities. The governing body of any incorporated city that has adopted the home rule provisions of chapter 40-05.1 and the department may enter into contractual agreements where the department may collect any motor vehicle registration fees assessed by the city. The department shall deposit with the state treasurer all money collected under this section and shall accompany each remittance with a certificate showing the city for which it was collected. The state treasurer, quarterly, shall pay to the city auditors of the several cities the money to which they are entitled under this section. Agreements entered into under this section shall provide for an agreed amount to be allowed the department for services rendered in connection with the collections. Any sums collected for services rendered shall be paid to the state treasurer for deposit in the motor vehicle registration fund."

On page 1 of the engrossed bill, line 9, delete the words "section to chapter 40-05.1 of" and insert in lieu thereof the words "subsection to section 40-05.1-06 of the 1981 Supplement to"

On page 1 of the engrossed bill, delete lines 12 through 14 and insert in lieu thereof the words "To impose registration fees on motor vehicles, and alcoholic beverage, income, sales, use, tobacco products, motor"

On page 1 of the engrossed bill, line 16, after the word "law" insert an underscored period and delete the remainder of the line"

On page 1 of the engrossed bill, delete lines 17 through 19

On page 1 of the engrossed bill, line 23, overstrike the words "Sales and use tax" and insert immediately thereafter the word "Tax"

On page 1 of the engrossed bill, line 28, after the word "any" insert the word "income,"

On page 2 of the engrossed bill, line 1, after the word "use" insert the words ", tobacco products, motor vehicle fuel, and special fuel" and delete the words "and motor vehicle fuel and special fuel taxes"

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

Engrossed SB 2431 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

**MADAM SPEAKER:** Your Committee on Industry, Business, and Labor to which was referred SCR 4040 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 2, after the word "contractors" insert the words "and employees"

On page 1, line 3, after the word "contracts" insert the words "and the implementation of prevailing wage laws"

On page 1, line 8, after the word "contractors" insert the words "and employees" and after the word "business" insert the words "and work"

On page 1, after line 26, insert the following new paragraph:

"BE IT FURTHER RESOLVED, that the Legislative Council also study the desirability and feasibility of implementing prevailing wage laws in public work contracts; and"

And renumber the lines and pages accordingly

REP. S. F. HOFFNER, Chairman

SCR 4040 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 HCR 3090 has had the same under consideration and recommends by a vote of 17 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING that the same DO PASS.

REP. MERTENS, Chairman

HCR 3090 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

The House stood adjourned pursuant to Representative Backes' motion.

CHARLES FLEMING, Chief Clerk