

JOURNAL OF THE HOUSE

Forty-eighth Legislative Assembly

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SIXTY-THIRD DAY

Bismarck, April 6, 1983
The House convened at 8:00 a.m., with Speaker Kelly presiding.

The prayer was offered by Rev. Stephen Kenney, Presbyterian Churches of Hunter and Grandin.

ROLL CALL

The roll was called and all members were present, except Representatives Gerl, Kent, R. Meyer, Mushik, E. Pomeroy, Richard, and Riehl.

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 Sixty-second day and finds the same to be correct.

REP. LAUGHLIN, Chairman

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

APPOINTMENT OF CONFERENCE COMMITTEES

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2226:

Reps. Serenus Hoffner, Lautenschlager, Schindler

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2277:

Reps. Halmrast, Hill, Swiontek

MOTION

REP. BACKES MOVED that the House stand in recess until 9:30 a.m., which motion prevailed.

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

MESSAGES TO THE SENATE
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 1003, HB 1269, HB 1333, HB 1701

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 2226: Reps. Serenus Hoffner, Lautenschlager, Schindler

SB 2277: Reps. Halmrast, Hill, Swiontek

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:

SCR 4003

Very respectfully,
CHARLES FLEMING, Chief Clerk

REPORT OF STANDING COMMITTEE

MADAM SPEAKER: Your Committee on Industry, Business, and Labor to which was referred SB 2500 has had the same under consideration and recommends by a vote of 14 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

REP. S. F. HOFFNER, Chairman

SB 2500 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

APPOINTMENT OF CONFERENCE COMMITTEES

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2244:

Reps. W. Meyer, Nowatzki, Koehn

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2276:

Reps. Jacobson, Serenus Hoffner, Swiontek

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2003:

Reps. Lardy, Rayl, Peterson

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2006:

Reps. Lardy, Horgan, Hausauer

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2007:

Reps. Mushik, Erdman, Thompson

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2008:

Reps. Sanstead, G. Martin, Kuchera

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2009:

Reps. Mushik, Erdman, Eagles

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2010:

Reps. Opedahl, Lardy, Lipsiea

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2011:

Reps. Boyle, Mushik, Eagles

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2012:

Reps. G. Martin, Boyle, Unhjem

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2013:

Reps. G. Martin, Erdman, Unhjem

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2014:

Reps. Solberg, Horgan, O. Hanson

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2227:

Reps. G. Martin, Horgan, Peterson

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2036:

Reps. Mushik, Lardy, Unhjem

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2035:

Reps. Boyle, Sanstead, Thompson

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2034:

Reps. Lardy, Rayl, Lipsiea

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2031:

Reps. Rayl, G. Martin, Peterson

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2030:

Reps. Lardy, Mushik, Hausauer

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2025:

Reps. Boyle, Solberg, Peterson

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2024:

Reps. Horgan, Sanstead, O. Hanson

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2023:

Reps. Lardy, Rayl, Hausauer

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2021:

Reps. Opedahl, Rayl, Eagles

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2015:

Reps. Opedahl, Boyle, Unhjem

REPORT OF PROCEDURAL COMMITTEE

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

HB 1627

REP. G. MARTIN, Chairman

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

WEDNESDAY, APRIL 6, 1983

2441

MESSAGE FROM THE SENATE
SENATE CHAMBER

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

HB 1003, HB 1269, HB 1333, HB 1701

Very respectfully,
LEO LEIDHOLM, Secretary

MOTION

REP. BACKES MOVED that the House stand in recess until 11:00 a.m., which motion prevailed.

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

MESSAGE 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 2003: Reps. Lardy, Rayl, Peterson
SB 2006: Reps. Lardy, Horgan, Hausauer
SB 2007: Reps. Mushik, Erdman, Thompson
SB 2008: Reps. Sanstead, G. Martin, Kuchera
SB 2009: Reps. Mushik, Erdman, Eagles
SB 2010: Reps. Opedahl, Lardy, Lipsiea
SB 2011: Reps. Boyle, Mushik, Eagles
SB 2012: Reps. G. Martin, Boyle, Unhjem
SB 2013: Reps. G. Martin, Erdman, Unhjem
SB 2014: Reps. Solberg, Horgan, O. Hanson
SB 2015: Reps. Opedahl, Boyle, Unhjem
SB 2021: Reps. Opedahl, Rayl, Eagles
SB 2023: Reps. Lardy, Rayl, Hausauer
SB 2024: Reps. Horgan, Sanstead, O. Hanson
SB 2025: Reps. Boyle, Solberg, Peterson
SB 2030: Reps. Lardy, Mushik, Hausauer
SB 2031: Reps. Rayl, G. Martin, Peterson
SB 2034: Reps. Lardy, Rayl, Lipsiea
SB 2035: Reps. Boyle, Sanstead, Thompson
SB 2036: Reps. Mushik, Lardy, Unhjem
SB 2227: Reps. G. Martin, Horgan, Peterson
SB 2244: Reps. W. Meyer, Nowatzki, Koehn
SB 2276: Reps. Jacobson, Serenus Hoffner, Swiontek

Very respectfully,
CHARLES FLEMING, Chief Clerk

SIGNING OF BILLS AND RESOLUTIONS

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following:

SB 2184, SB 2220, SB 2414, SB 2453, SB 2456, SB 2093,
SB 2112, SB 2128, SB 2142, SB 2156, SB 2251, SB 2255,

SB 2268, SB 2288, SB 2291, SB 2344, SB 2345, SB 2355,
 SB 2362, SB 2367, SB 2422, SB 2062, SB 2084, SB 2125,
 SB 2145, SB 2189, SB 2196, SB 2224, SB 2267, SB 2294,
 SB 2319, SB 2321, SB 2382, SB 2386, SB 2404, SB 2447,
 SB 2448, SB 2465, SB 2474, SCR 4006, SCR 4030, SCR 4043,
 SCR 4053, SCR 4054

CHARLES FLEMING, Chief Clerk

REPORT 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 10:27 a.m., April 6, 1983:

HB 1003, HB 1269, HB 1333, HB 1701

REP. G. MARTIN, Chairman

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

MESSAGE FROM THE SENATE SENATE CHAMBER

MADAM SPEAKER: I have the honor to inform you that the Senate has refused to concur in the House amendments to SB 2002, SB 2016, SB 2027, SB 2038, and SB 2173, and the President has appointed as a conference committee to act with a like committee from the House on:

SB 2002: Sens. Lips, Thane, Tallackson
 SB 2016: Sens. Tennefos, Naaden, Grotberg
 SB 2027: Sens. Naaden, Tennefos, Stromme
 SB 2038: Sens. Thane, Lips, Heigaard
 SB 2173: Sens. Parker, Reiten, Kusler

Very respectfully,
 LEO LEIDHOLM, Secretary

MESSAGE TO THE SENATE HOUSE CHAMBER

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

SB 2184, SB 2220, SB 2414, SB 2453, SB 2456, SB 2093,
 SB 2112, SB 2128, SB 2142, SB 2156, SB 2251, SB 2255,
 SB 2268, SB 2288, SB 2291, SB 2344, SB 2345, SB 2355,
 SB 2362, SB 2367, SB 2422, SB 2062, SB 2084, SB 2125,
 SB 2145, SB 2189, SB 2196, SB 2224, SB 2267, SB 2294,
 SB 2319, SB 2321, SB 2382, SB 2386, SB 2404, SB 2447,
 SB 2448, SB 2465, SB 2474, SCR 4006, SCR 4030, SCR 4043,
 SCR 4053, SCR 4054

Very respectfully,
 CHARLES FLEMING, Chief Clerk

MOTION

REP. BACKES MOVED that the House stand in recess until 1:00 p.m., which motion prevailed.

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

REPORT OF PROCEDURAL COMMITTEE

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

HB 1367

REP. G. MARTIN, Chairman

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

SIGNING OF BILLS AND RESOLUTIONS

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following:

HB 1627, HB 1367

CHARLES FLEMING, Chief Clerk

APPOINTMENT OF CONFERENCE COMMITTEES

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2002:

Reps. G. Martin, Sanstead, Kingsbury

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2016:

Reps. Horgan, Lardy, Kuchera

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2027:

Reps. Sanstead, Solberg, Peterson

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2038:

Reps. Opedahl, Erdman, Unhjem

MESSAGE TO THE SENATE
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 1627, HB 1367

Very respectfully,
CHARLES FLEMING, Chief Clerk

MOTION

REP. BACKES MOVED that the House stand in recess until 2:30 p.m., which motion prevailed.

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

REPORT OF PROCEDURAL COMMITTEE

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

HB 1732

REP. G. MARTIN, Chairman

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 2002: Reps. G. Martin, Sanstead, Kingsbury
SB 2016: Reps. Horgan, Lardy, Kuchera
SB 2027: Reps. Sanstead, Solberg, Peterson
SB 2038: Reps. Opedahl, Erdman, Unhjem

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 2095

Very respectfully,
CHARLES FLEMING, Chief Clerk

HOUSE CHAMBER

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

HB 1732, HCR 3094, HCR 3095

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:

WEDNESDAY, APRIL 6, 1983

2445

SCR 4060

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 2313

Very respectfully,
CHARLES FLEMING, Chief Clerk

PRESENTATION OF PETITIONS AND COMMUNICATIONS

STATE OF NORTH DAKOTA
EXECUTIVE OFFICE
BISMARCK

April 5, 1983

The Honorable Tish Kelly
Speaker of the House
House Chambers
State Capitol
Bismarck, North Dakota 58505

Dear Madam Speaker:

House Bill 1439 authorizes the Superintendent of Public Instruction to purchase a new "History of North Dakota" textbook for eighth-grade students in the State of North Dakota. The bill provides that the amount spent for this purpose shall not exceed \$100,000.

House Bill 1439 does not address the fiscal impact of purchasing these textbooks by appropriating the necessary funds. The bill merely provides that "the amount spent for this purpose shall be paid from monies appropriated in Senate Bill 2002 to the Department of Public Instruction."

If the Legislative Assembly fails to amend the Department of Public Instruction budget (Senate Bill 2002) this piece of legislation becomes a dead letter for lack of the requisite appropriation. Nevertheless, if the Legislative Assembly amends the Department of Public Instruction budget (Senate Bill 2002) to provide an appropriation to purchase these books as authorized by House Bill 1439, such appropriation would be over and above the appropriation recommended in the Executive Budget.

Therefore, I veto House Bill 1439.

Sincerely,

ALLEN I. OLSON
Governor

STATE OF NORTH DAKOTA
EXECUTIVE OFFICE
BISMARCK

April 6, 1983

The Honorable Tish Kelly
Speaker of the House
House Chambers
State Capitol
Bismarck, North Dakota 58505

Dear Madam Speaker:

House Bill 1575 requires the North Dakota Department of Human Services to pay both the in-state and out-of-state costs of boarding care for children in special education.

While House Bill 1575 expands the state's liability to pay boarding costs, it does not address the fiscal impact by appropriating the funds necessary to finance this liability. The fiscal note accompanying House Bill 1575 reflects a general fund impact for the 1983-85 biennium of \$1,004,475. My Executive Budget recommendation includes \$475,657 in general funds within the Department of Human Services budget (Senate Bill 2020) to defray the cost of out-of-state boarding care. For the past several years, the Department of Public Instruction has paid 60 percent of the in-state boarding care costs and the school districts have paid 40 percent. My Executive Budget recommendation includes \$317,291 in general funds within the Department of Public Instruction's budget (Senate Bill 2002) to pay 60 percent of the in-state boarding care costs for children in special education.

Assuming the continued availability of the \$475,657 contained within Senate Bill 2020, there would exist a \$528,818 appropriation shortfall in the Department of Human Services budget for purposes of implementing House Bill 1575. If the Legislative Assembly transfers \$317,291 from the Department of Public Instruction's appropriation to the Department of Human Services appropriation, there would still exist a \$211,527 appropriation shortfall for purposes of implementing House Bill 1575. The additional \$211,527 from the general fund needed to adequately fund the intent of House Bill 1575 is outside the Executive Budget.

WEDNESDAY, APRIL 6, 1983

2447

The mandate of House Bill 1575 creates an additional burden on the state's general fund. The state cannot afford this additional expenditure and I believe the funding recommended in the Executive Budget to be adequate to meet the basic needs of this program. Therefore, I veto House Bill 1575.

Sincerely,

ALLEN I. OLSON
Governor

STATE OF NORTH DAKOTA
EXECUTIVE OFFICE
BISMARCK

April 5, 1983

The Honorable Tish Kelly
Speaker of the House
House Chambers
State Capitol
Bismarck, North Dakota 58505

Dear Madam Speaker:

House Bill 1725 authorizes the Superintendent of the Department of Public Instruction to fund grants for the operation of teacher centers in North Dakota. The bill would appropriate \$180,000 from the state general fund to the Superintendent for this purpose.

The substantive nature of House Bill 1725, the operation of teacher centers designed to develop curricula used in public schools and to improve teachers' skills, is worthwhile but the state general fund is unable to sustain such an appropriation at this time. Presently funded by private and federal sources, the state's ten teacher centers receive little financial support from local school districts although these entities benefit most from their operation. During times of fiscal uncertainty, programs of this type should stand on their own merit.

With limited general fund resources, the state cannot carry the additional burden of funding teacher centers. Teacher training centers should be funded either by participating school districts or by funds sent through foundation aid payments. Therefore, I veto House Bill 1725.

Sincerely,

ALLEN I. OLSON
Governor

MOTION

REP. BACKES MOVED that HB 1439, HB 1575, and HB 1725 be placed on tomorrow's calendar for the purpose of reconsideration as vetoed messages, pursuant to Section 79 of the Constitution of the State of North Dakota, which motion prevailed.

REPORT OF STANDING COMMITTEE

MADAM SPEAKER: Your Committee on Judiciary to which was referred SCR 4058 has had the same under consideration and recommends by a vote of 8 YEAS, 6 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

REP. E. POMEROY, Chairman

SCR 4058 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

REPORT OF PROCEDURAL COMMITTEE

MADAM SPEAKER: Your procedural Committee on Delayed Bills respectfully reports that it has considered a request for the introduction of House Concurrent Resolution No. 3097, which request has been approved.

REP. BACKES, Chairman

FIRST READING OF HOUSE CONCURRENT RESOLUTION

Committee on Employment introduced:

(Approved by the Committee on Delayed Bills)

HCR 3097: A concurrent resolution authorizing the retention of certain employees of the House and Senate and providing supervisory authority, to allow for the completion of legislative work after the close of the Session.

MOTION

REP. BACKES MOVED that the rules be suspended, that HCR 3097 not be printed, be read in its entirety, not be referred to committee, be printed in the Journal, and placed on the calendar for second reading and final passage, which motion prevailed.

Committee on Employment introduced:

HOUSE CONCURRENT RESOLUTION NO. 3097

A concurrent resolution authorizing the retention of certain employees of the House and Senate and providing supervisory authority, to allow for the completion of legislative work after the close of the Session.

WHEREAS, it is necessary to complete and close all legislative work; and

WHEREAS, in order to complete and close all current legislative work of the Forty-eighth Legislative Assembly, it is necessary to retain certain employees;

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

That the following named positions may be retained by the House of Representatives and Senate after the close of the regular session:

HOUSE POSITIONS

Chief Clerk
Assistant Chief Clerk
Desk Reporter
Bill Clerk
Chief Stenographer and Payroll Clerk
Secretary to the Speaker
Secretary to the Majority Leader
Secretary to the Minority Leader
Sergeant-at-Arms
Deputy Sergeant-at-Arms
Assistant Sergeants-at-Arms
Chief Journal and Bill Room Clerk
Appropriations Committee Clerk
Assistant Appropriations Committee Clerk
Chief Committee Clerk
Committee Clerks and Assistant Committee Clerk
Journal Room Clerks
Bill Room Clerks
Chief Page
Pages and Bill Book Clerks
Desk Pages
Journal Page

SENATE POSITIONS

Secretary of the Senate
Assistant Secretary of the Senate
Desk Reporter
Bill Clerk
Chief Stenographer and Payroll Clerk
Secretary to Majority Leader
Secretary to Minority Leader
Sergeant-at-Arms
Deputy Sergeant-at-Arms
Assistant Sergeants-at-Arms
Appropriations Committee Clerk
Assistant Appropriations Committee Clerk
Chief Committee Clerk
Committee Clerks and Assistant Committee Clerk
Senate Chief Telephone Clerk
Chief Page
Pages
Desk Pages
Journal Page

BE IT FURTHER RESOLVED, that the above-listed House and Senate employees shall serve at the request of, and under the supervision of, the Chief Clerk of the House and the Secretary of the Senate, and that all of the listed employees, including the Chief Clerk of the House and the Secretary of the Senate, shall be employed for not more than 200 man-days in the aggregate. The Chief Clerk of the House and the Secretary of the Senate shall assign work among the available House and Senate employees, respectively, in the appropriate manner. It is the duty of the Chief Clerk of the House and the Secretary of the Senate to coordinate the work assignments in their respective houses in such a manner that the total number of man-days utilized does not exceed the aggregate limits on man-days set out herein. The Chief Clerk of the House and the Secretary of the Senate shall minimize the days spent in completion of legislative business to the extent consistent with that completion; and

BE IT FURTHER RESOLVED, that the employees in the above-named positions be paid their regular rates of pay as specified in Senate Concurrent Resolution No. 4010 for all work required pursuant to this resolution, and all of these sums are to be paid out of the appropriation to the Forty-eighth and Forty-ninth Legislative Assemblies, and paid at the completion of the legislative work, providing that payment shall not be authorized for more than 200 man-days in the aggregate, and each employee above-listed shall be paid on a pro rata basis, should the total number of man-days exceed the allowed limit.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3097: A concurrent resolution authorizing the retention of certain employees of the House and Senate and providing supervisory authority, to allow for the completion of legislative work after the close of the Session.

Which has been read.

ROLL CALL

The question being on the final adoption of the resolution, the roll was called and there were 102 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING.

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

Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Rice; Richard;
Riehl; Rued; Sanstead; Schindler; Schneider;
Schoenwald; Shide; Shockman; Sinner; Solberg;
Stofferahn; 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: Koski; Peterson; Riley; Strinden

HCR 3097 was declared adopted.

MOTIONS

REP. BACKES MOVED that HB 1693 and HB 1643, be laid over one legislative day, which motion prevailed.

REP. BACKES MOVED that following the concurrence of Senate amendments, those bills on Twelfth order be deemed properly engrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

CONSIDERATION OF MESSAGE FROM SENATE

REP. MERTENS MOVED that the House do not concur in the Senate amendments to HB 1001 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed.

APPOINTMENT OF A CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1001:

Reps. Mertens, Boyle, Hausauer.

CONSIDERATION OF MESSAGE FROM SENATE

REP. W. MEYER MOVED that the House do concur in the Senate amendments to HB 1473, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1473: A BILL for an Act to amend and reenact subsection 2 of section 49-22-05.1 of the North Dakota Century Code, relating to exclusion and avoidance areas in energy conversion and transmission facility siting.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended, the roll was called and there were 103 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Aubol; Backes; Black;
Boyle; Brokaw; Conmy; DeMers; Dotzenrod; DuBord;

Eagles; Erdman; Gates; Gerl; Goetz; Gorder; Gullickson; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. E.; Horgan; Hughes; Jacobson; Keller; Kent; Kingsbury; Kloubec; Knudson; Koehn; 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.; Opedahll; O'Shea; Peltier; 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: None

ABSENT AND NOT VOTING: Koski; Peterson; Strinden

HB 1473 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM SENATE

REP. HJELLE MOVED that the House do not concur in the Senate amendments to HB 1539 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed.

APPOINTMENT OF A CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1539:

Reps. Hjelle, Richard, R. Anderson.

CONSIDERATION OF MESSAGE FROM SENATE

REP. SANSTEAD MOVED that the House do concur in the Senate amendments to HCR 3028, which motion prevailed.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3028: A concurrent resolution to create eight new sections to article IV of the Constitution of the State of North Dakota, relating to the legislative assembly; to repeal sections 1 through 13, sections 16 through 18, and sections 22 through 24 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 57 YEAS, 48 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Black; Boyle; Conmy; DeMers; Eagles; Gates; Goetz; Gunsch; Hamerlik; Hanson, O.; Haugland; Hausauer; Hjelle; Horgan; Hughes; Kent; Kloubec; Koehn; Kretschmar; Kuchera; Lang; Larson, R.; Laughlin; Lautenschlager; Lipsiea; Martin, G.; Martinson; Meyer, R.; Moore; Murphy; Nalewaja; Nicholas; Olafson; Olson, A.; Peltier; Pomeroy, E.; Pomeroy, G.; Rice; Riley; Rued; Sanstead; Schindler; Schneider; Schoenwald; Sinner; Strinden; Swiontek; Thompson; Timm; Unhjem; Vander Vorst; Wentz; Whalen; Wold; Speaker Kelly

NAYS: Aubol; Backes; Brokaw; Dotzenrod; DuBord; Erdman; Gerl; Gorder; Gullickson; Halmrast; Hanson, L.; Hill; Hoffner, Serenus; Hoffner, S. F.; Jacobson; Keller; Kingsbury; Knudson; Koski; Lardy; Larson, B.; Linderman; Lloyd; Martin, C.; Meier, A.; Meiers, R.; Melby; Mertens; Meyer, W.; Mushik; Nowatzki; O'Connell; Olsen, D.; Opedahl; O'Shea; Rayl; Retzer; Richard; Riehl; Shide; Shockman; Solberg; Stofferahn; Vig; Watne; Williams, A.; Williams, C.; Williams, W.

ABSENT AND NOT VOTING: Peterson

HCR 3028 was declared adopted.

MOTION

REP. RICHARD MOVED that the Senate be requested to return SB 2313 to the House, which motion prevailed.

MESSAGE TO THE SENATE
HOUSE CHAMBER

MR. PRESIDENT: I have the honor to inform you that the House requests the return of SB 2313.

Very respectfully,
CHARLES FLEMING, Chief Clerk

MESSAGES FROM THE SENATE
SENATE CHAMBER

MADAM SPEAKER: I have the honor to inform you that the Senate has reconsidered its action whereby it did not concur with the House amendments to SB 2354, and now wishes to inform you that it does now concur in the House amendments to SB 2354, and subsequently passed the same. Also, the Senate has dissolved the Senate Conference Committee on SB 2354.

Very respectfully,
LEO LEIDHOLM, Secretary

SENATE CHAMBER

MADAM SPEAKER: I have the honor to return SB 2313 which the House has requested.

Very respectfully,
LEO LEIDHOLM, Secretary

SENATE CHAMBER

MADAM SPEAKER: I have the honor to inform you that the Senate has reconsidered its action whereby it did not concur with the House amendments to SB 2187, and now wishes to inform you that it does now concur in the House amendments to SB 2187, and subsequently passed the same. Also, the Senate has dissolved the Senate Conference Committee on SB 2187.

Very respectfully,
LEO LEIDHOLM, Secretary

CONSIDERATION OF MESSAGE FROM SENATE

REP. SANSTEAD MOVED that the House do concur in the Senate amendments to HCR 3029, which motion prevailed.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

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 86 YEAS, 15 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Backes; Black; Boyle; Brokaw; Conmy; DeMers; DuBord; Eagles; Erdman; Gates; Gerl; Goetz; Gorder; Gullickson; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer; Hill; Hjelle; Hoffner; Serenus; 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, W.; Moore; Murphy; Mushik; Nalewaja; Nicholas; Nowatzki; O'Connell; Opedahl; Pomeroy, E.; Pomeroy, G.; Retzer; Rice; Riehl; Riley; Sanstead; Schindler; Schneider; Schoenwald; Shockman; Sinner; Strinden; Swiontek; Thompson; Timm; Unhjem; Vander Vorst; Vig; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Wold; Speaker Kelly

NAYS: Aubol; Dotzenrod; Hoffner, S. F.; Horgan; Lardy;
Melby; Olafson; Olsen, D.; Olson, A.; O'Shea; Peltier;
Rayl; Rued; Shide; Stofferahn

ABSENT AND NOT VOTING: Kingsbury; Meyer, R.; Peterson;
Richard; Solberg

HCR 3029 was declared adopted.

MOTION

REP. BACKES MOVED that the rules be suspended, and that SB 2500 and SCR 4058 be placed on the calendar for second reading and final passage at this time, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2500: A BILL for an Act to amend and reenact subsection 20 of section 12.1-30-03 of the North Dakota Century Code, relating to operation of certain businesses on Sunday; 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 100 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING.

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

NAYS: Aubol; Boyle; Gerl; Kent; Meier, A.

ABSENT AND NOT VOTING: Peterson

SB 2500 passed, the title was agreed to, and the emergency clause carried.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4058: A concurrent resolution directing the Legislative Council to conduct a study of state laws on small claims court.

Which has been read.

The question being on the final adoption of the resolution.

SCR 4058 was declared adopted on a voice vote.

MOTION

REP. HJELLE MOVED that the amendments to SB 2309, as recommended by the Committee on Transportation, as printed on page 1993 of the House Journal be laid on the table.

ROLL CALL

The question being on Rep. Hjelle's motion to lay the amendments to SB 2309 on the table, the roll was taken and there were 84 YEAS, 21 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Anderson, R.; Aubol; Backes; Black; Boyle; Brokaw; DeMers; Dotzenrod; Eagles; Erdman; Gates; Gerl; Goetz; Gorder; Gullickson; Hamerlik; Hanson, L.; Haugland; Hausauer; Hill; Hjelle; Hoffner; Serenus; Hoffner, S. E.; Horgan; Hughes; Jacobson; Keller; Kingsbury; Kloubec; Koski; Kretschmar; Lang; Lardy; Larson, B.; Larson, R.; Laughlin; Lautenschlager; Linderman; Lloyd; Martin, C.; Martin, G.; Martinson; Meier, A.; Meiers, R.; Mertens; Meyer, R.; Meyer, W.; Moore; Murphy; Mushik; Nicholas; Nowatzki; O'Connell; Opedahl; O'Shea; Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Rice; Richard; Riehl; Riley; Rued; Sanstead; Schneider; Schoenwald; Shockman; Sinner; Solberg; Stofferahn; Strinden; Swiontek; Timm; Unhjem; Vander Vorst; Vig; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Wold; Speaker Kelly

NAYS: Anderson, C.; Conmy; DuBord; Gunsch; Halmrast; Hanson, O.; Kent; Knudson; Koehn; Kuchera; Lipsiea; Melby; Nalewaja; Olafson; Olsen, D.; Olson, A.; Peltier; Schindler; Shide; Thompson; Whalen

ABSENT AND NOT VOTING: Peterson

So Rep. Hjelle's motion to lay the amendments to SB 2309 on the table prevailed.

WEDNESDAY, APRIL 6, 1983

2457

PRESENTATION OF PETITIONS AND COMMUNICATIONS

STATE OF NORTH DAKOTA
EXECUTIVE OFFICE
BISMARCK

April 5, 1983

The Honorable Tish Kelly
Speaker of the House
House Chambers
State Capitol
Bismarck, North Dakota 58505

Dear Madam Speaker:

This is to inform you that on April 5, 1983, I signed the following House Bills:

HB 1084,	HB 1189,	HB 1246,	HB 1290,	HB 1295,	HB 1315,
HB 1319,	HB 1373,	HB 1374,	HB 1404,	HB 1406,	HB 1408,
HB 1417,	HB 1428,	HB 1432,	HB 1443,	HB 1445,	HB 1447,
HB 1466,	HB 1479,	HB 1518,	HB 1519,	HB 1523,	HB 1526,
HB 1533,	HB 1534,	HB 1543,	HB 1559,	HB 1582,	HB 1589,
HB 1618,	HB 1630,	HB 1641,	HB 1653,	HB 1674,	HB 1680,
HB 1695					

Sincerely,

ALLEN I. OLSON
Governor

STATE OF NORTH DAKOTA
EXECUTIVE OFFICE
BISMARCK

April 6, 1983

The Honorable Tish Kelly
Speaker of the House
House Chambers
State Capitol
Bismarck, North Dakota 58505

Dear Madam Speaker:

This is to inform you that on April 6, 1983, I signed the following House Bills:

HB 1167, HB 1254, HB 1289, HB 1316, HB 1349, HB 1442,
HB 1454, HB 1458, HB 1586, HB 1670, HB 1683

Sincerely,

ALLEN I. OLSON
Governor

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2173:

Reps. Schoenwald, Gerl, Retzer

MOTION

REP. SANSTEAD MOVED that the remarks of Representative Olafson and the document presented by Representative O. Hanson be printed in the House Journal, which motion prevailed.

REMARKS OF REP. OLAFSON

Madam Speaker and members of the assembly: I wish to speak of the incident as reported in the March 29, 1983, edition of the Minot Daily News written by Carl Flagstad in which at a public demonstration two weeks ago, at the United States consulate in Winnipeg, Manitoba; an American flag was burned.

The article states, "Among the protesters at the consulate were two provincial cabinet ministers; officials of the new democratic party government for the province." And these two cabinet members were among those who will form an official Manitoba delegation to Washington, D.C. next month; to once again lobby against Garrison.

It was further reported that "Lillian Mullen, American consul at Winnipeg, confirmed that besides the two cabinet ministers, the protest group also included seven "back bencher's", the consul said", meaning individuals who are members of the legislative assembly, they are members of the ruling NDP.

Madam Speaker and members of the assembly, at this time we have told property owners in North Dakota that we are going to allow the combination of Manitoba and Nebraska the right to condemn property for the building of the "Mandan Power Line Project". This project as stated by Premier Pawley would allow Manitoba to develop their water resources, support a network of social programs, and the immediate benefit of jobs created.

I ask you, while our property owners are told to give up their property for the main benefit of Manitoba, should this state and, yes, our nation stand idly by and tolerate such despicable acts as the burning of our American flag?

Madam Speaker and members of the assembly, it is my fervent desire that we maintain and develop better lines of communication

with our Canadian neighbors, and it is my opinion that this action reflects the attitude of a small group of Canadian citizens. However, I think it is imperative that I speak out and condemn the act of burning our American flag.

This is why I stand before you today.

POINT OF PERSONAL PRIVILEGE

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

PROPOSED RESOLUTION BY THE HONORABLE STERLING LYON, LEADER OF THE OPPOSITION

WHEREAS, on Wednesday, March 23, 1983, the Deputy Premier and Minister of Tourism and Economic Development, Muriel C. Smith, M.L.A. for Osborne; the Minister of Natural Resources, A.H. Mackling, M.L.A. for St. James; and other members of the NDP Government Caucus, and namely; Phil Eyler, M.L.A. for River East, Harry M. Harapiak, M.L.A. for the Pas; Elijah Harper, M.L.A. for Rupertsland; Andy Anstedt, M.L.A., Springfield; Don Scott, M.L.A. for Inkster; and Gerald Lecuyer, M.L.A. for Radisson, participated in an anti-American demonstration in front of the U.S. Consulate in Winnipeg, staged in support of the Marxist government of Nicaragua and ostensibly to protest alleged United States military involvement in Nicaragua; and

WHEREAS, the flag of the United States of America was burned during the course of this demonstration; and

WHEREAS, the Premier of Manitoba and the NDP Cabinet and Caucus clearly sanctioned the participation of his members in the demonstration; and

WHEREAS, under the Canadian parliamentary system, Cabinet Ministers speak for the government and represent the people of the jurisdiction they serve and cannot divorce themselves in the separate activities from that representative responsibility; and

WHEREAS, the Premier of Manitoba has refused to tender an apology on behalf of the government of Manitoba to the U.S. Consul General and to the government and people of the United States of America for these unprecedented, unfriendly, and insulting actions by members of the Executive Consul and New Democratic Party Government Caucus of Manitoba who freely associated themselves with such anti-American activities; and

WHEREAS, the aforesaid anti-American activities by the New Democratic Party ministers and caucus have seriously damaged the good will which has traditionally existed between the people of Manitoba and Canada and the

people of the United States of America and have caused embarrassment to the people of Manitoba;

THEREFORE, BE IT RESOLVED that, because of the refusal of the government of Manitoba to apologize, the Legislature of Manitoba hereby tenders to the government and people of the United States of America its apology and regrets for the irresponsible, inexcusable, and insulting anti-American activities by members of the New Democratic Party Cabinet and Caucus; and

BE IT FURTHER RESOLVED that, while recognizing that such activities do not represent the thinking and beliefs of the people of Manitoba, this Legislature reaffirms the friendship and mutual respect which exists between the people of Manitoba and the people of the United States of America.

REPORT OF STANDING COMMITTEE

MADAM SPEAKER: Your Committee on Appropriations to which was rereferred Reengrossed SB 2026 has had the same under consideration and recommends by a vote of 17 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 1 of the reengrossed bill, line 8, delete the words "general fund" and insert in lieu thereof the words "state fire and tornado fund"

On page 1 of the reengrossed bill, line 9, delete the numerals "2,000,000" and insert in lieu thereof the numerals "4,811,500"

On page 1 of the reengrossed bill, line 10, delete the words "and \$2,811,500, or so much thereof as may be"

On page 1 of the reengrossed bill, delete line 11

On page 1 of the reengrossed bill, line 12, delete the word "treasury,"

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendments provides that the entire appropriation of \$4,811,500 for making payments of insurance premiums to fire departments is made from the state fire and tornado fund.

REP. MERTENS, Chairman

Reengrossed SB 2026 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MOTION

REP. BACKES MOVED that the rules be suspended, that SB 2026 be placed on the Sixth order today, and subsequently the Fourteenth order of business, which motion prevailed.

SIXTH ORDER OF BUSINESS

REP. MERTENS MOVED that the amendments to SB 2026, as recommended by the Committee on Appropriations be adopted, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2026: A BILL for an Act making an appropriation for the payment of insurance premium taxes to fire departments; and to amend and reenact section 18-04-05 of the North Dakota Century Code, relating to the distribution of such premium taxes.

Which has been read.

ROLL CALL

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

YEAS: Anderson, C.; Anderson, R.; Aubol; Backes; Black; Boyle; Brokaw; Conmy; DeMers; Dotzenrod; DuBord; Eagles; Erdman; Gates; Gerl; Goetz; Gorder; Gullickson; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Hausauer; Hill; Hoffner, Serenus; Hoffner, S. F.; Horgan; Hughes; Jacobson; Keller; Kent; Kingsbury; Kloubec; Knudson; Koehn; Koski; Kretschmar; Kuchera; Lang; Larson, B.; Larson, R.; Laughlin; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, C.; Martin, G.; Martinson; Meier, A.; Meiers, R.; Melby; Mertens; Meyer, R.; Meyer, W.; Moore; Murphy; Mushik; 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; Stofferahn; Swiontek; Thompson; Timm; Unhjem; Vander Vorst; Vig; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Wold; Speaker Kelly

NAYS: Lardy

ABSENT AND NOT VOTING: Haugland; Hjelle; Solberg; Strinden

SB 2026 passed and the title was agreed to.

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 2173: Reps. Schoenwald, Gerl, Retzer

Very respectfully,
CHARLES FLEMING, Chief Clerk

REPORT OF CONFERENCE COMMITTEE

MADAM SPEAKER: Your Conference Committee to which was referred Engrossed HB 1420 has had the same under consideration and recommends that the HOUSE ACCEDE to the Senate amendments as found on page 2121 of the House Journal.

For the Senate: Sens. Olson, Stenehjem, Maixner

For the House: Reps. Keller, A. Williams, Conmy

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

REP. BACKES MOVED that the rules be suspended, that HB 1420 be deemed properly engrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1420: A BILL for an Act to amend and reenact sections 43-30-01, 43-30-02, 43-30-03, 43-30-04, 43-30-05, 43-30-06, 43-30-09, 43-30-10, 43-30-11, 43-30-12, 43-30-15, and 43-30-16 of the North Dakota Century Code, relating to the licensure of detectives and providing for the licensure of private investigators and private security services; to repeal section 43-30-07 of the North Dakota Century Code, relating to the contents and posting of a license; to provide a penalty; and to provide an effective date.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended, the roll was called and there were 81 YEAS, 22 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Backes; Boyle; Conmy; DeMers; Dotzenrod; DuBord; Eagles; Erdman; Gates; Gerl; Goetz; Gullickson; Hamerlik; Hanson, L.; Hausauer; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Hughes; Jacobson; Keller; Kent; Kloubec; Knudson; Koehn; Koski; Kretschmar; Kuchera; Lang; Lardy; Larson, B.; Larson, R.; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, C.; Martin, G.; Martinson; Mertens; Meyer, R.; Meyer, W.; Moore; Mushik; Nalewaja; Nicholas; Nowatzki; O'Connell; Opedahl; O'Shea;

Peltier; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl;
Retzer; Rice; Richard; Riehl; Riley; Schindler;
Schneider; Schoenwald; Shide; Shockman; Sinner;
Stofferahn; Swiontek; Thompson; Unhjem; Vander Vorst;
Wentz; Whalen; Williams, A.; Williams, C.;
Williams, W.; Wold; Speaker Kelly

NAYS: Aubol; Black; Brokaw; Gorder; Gunsch; Halmrast;
Hanson, O.; Hill; Kingsbury; Laughlin; Meier, A.;
Meiers, R.; Melby; Murphy; Olafson; Olsen, D.;
Olson, A.; Rued; Sanstead; Timm; Vig; Watne

ABSENT AND NOT VOTING: Haugland; Solberg; Strinden

HB 1420 passed and the title was agreed to.

ANNOUNCEMENT

SPEAKER KELLY ANNOUNCED that the Conference Committee on SB 2187 was dissolved.

MOTION

REP. BACKES MOVED that the rules be suspended and that following the return of SB 2313 from the Senate, a motion to reconsider SB 2313 require only a majority vote of the members elect, which motion prevailed.

MOTIONS

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

REP. BACKES MOVED that the House stand adjourned until 8:00 a.m., Thursday, April 7, 1983, which motion prevailed.

The House stood adjourned pursuant to Representative Backes' motion.

CHARLES FLEMING, Chief Clerk