

JOURNAL OF THE SENATE

Forty-eighth Legislative Assembly

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FORTY-SIXTH DAY

Bismarck, March 10, 1983

The Senate convened at 1:00 p.m., with President Sands presiding.

The prayer was offered by Rev. Ira Herzberg, Retired, Calvary United Methodist Church, Bismarck.

Almighty and eternal God, Thou Who alone knowest what problems are before us this day, grant that in every hour of it we may stay close to Thee. Let us today embark on no undertaking that is not in line with Thy will for us here and for our state. Bestow Thy blessing upon the presiding officer and the members of this body and may they seek Thy help. We thank Thee for the keen challenge of this hour, for work to do that demands the best we have. Illumine their minds and direct their thoughts and their actions so that they may merit Thy blessings. For this we do pray. Amen.

ROLL CALL

The roll was called and all members were present, except Senators Lodoen, Nething, Redlin, and Thane.

Senators Nething, Thane, and Redlin are attending a leadership media training program in Washington, D.C., March 10th, 11th, and 12th, sponsored by the National Conference of State Legislatures.

A quorum was declared by the President.

REVISION AND CORRECTION OF THE JOURNAL

MR. PRESIDENT: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Forty-fifth day and finds the same to be correct.

SEN. TWETEN, Chairman

SEN. J. MEYER MOVED that the report be adopted, which motion prevailed.

MESSAGES TO THE HOUSE  
SENATE CHAMBER

MADAM SPEAKER: I have the honor to inform you the the President has appointed as a conference committee to act with a like committee from the House on HB 1044:

Sens. Parker, Kilander, Wogsland

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 2081, SB 2094, SB 2115, SB 2171, SB 2188, SB 2247,  
SB 2279, SB 2323, SB 2400, SB 2405, SB 2461

Very respectfully,  
LEO LEIDHOLM, Secretary

## SENATE CHAMBER

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

HB 1128, HB 1138, HB 1200, HB 1270, HB 1282, HB 1350,  
HB 1457, HB 1471, HB 1485, HB 1498, HB 1722

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 1286

Very respectfully,  
LEO LEIDHOLM, Secretary

## SENATE CHAMBER

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

HB 1296

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 1143, HB 1250, HB 1317, HB 1318, HB 1389, HB 1426,  
HB 1467, HB 1608, HB 1711, HCR 3013, HCR 3053, HCR 3067

Very respectfully,  
LEO LEIDHOLM, Secretary

## MESSAGES FROM THE HOUSE

## HOUSE CHAMBER

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

SB 2131, SB 2216, SB 2241, SB 2297, SB 2359, SB 2419,  
SB 2424, SB 2436, SB 2464, SB 2476, 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 failed to pass:

SB 2274, SB 2308, SB 2418, SB 2438

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 1039, HB 1153, HB 1222, HB 1378, HB 1383, HB 1413,  
HB 1419, HB 1522, HB 1584, HB 1606, HB 1632, HB 1650,  
HB 1686, HCR 3009, HCR 3023, HCR 3041, HCR 3042

Very respectfully,  
CHARLES FLEMING, Chief Clerk

## HOUSE CHAMBER

MR. PRESIDENT: I have the honor to inform you that the House does not concur in the Senate amendments to HB 1208, and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1208: Reps. E. Pomeroy, Kretschmar, Riley

Very respectfully,  
CHARLES FLEMING, Chief Clerk

## HOUSE CHAMBER

MR. PRESIDENT: I have the honor to return herewith SB 2088, SB 2164, SB 2192, SB 2217, SB 2282, SB 2446, SB 2491, and SCR 4032 which the House has amended as follows:

## HOUSE AMENDMENTS TO SB 2088

- On page 5 of the engrossed bill, line 4, remove the overstrike over the words "~~Computing for part time teachers~~"
- On page 5 of the engrossed bill, line 5, remove the overstrike over the word "~~the~~"
- On page 5 of the engrossed bill, line 6, remove the overstrike over the words "~~provisions of~~" and remove the overstrike over the words "~~shall be~~" and delete the word "is"
- On page 5 of the engrossed bill, line 12, remove the overstrike over the words "~~At least four~~" and insert immediately thereafter the word "duty" and remove the overstrike over the words "~~hours per day for twenty days per month shall~~"

On page 5 of the engrossed bill, lines 13 and 14, remove the overstrike

And renumber the lines accordingly

HOUSE AMENDMENTS TO SB 2164

On page 1, line 2, after the numeral "54-17-07.3" insert the words "and section 54-17-07.7"

On page 1, line 4, delete the word "loan" and insert in lieu thereof the word "such" and delete the words "with housing lenders"

On page 1, line 5, delete the words "in furtherance of" and insert in lieu thereof the words "and establish such lending terms as are necessary to implement"

On page 1, line 12, delete the words "make loans to"

On page 1, line 13, delete the words "lenders or to" and overstrike the words "purchase or contract to purchase from"

On page 1, line 14, overstrike the words "lenders mortgage" and insert immediately thereafter the words "provide financing of" and after the word "made" insert the words "by lenders"

On page 1, line 15, overstrike the words "to finance" and insert immediately thereafter the word "for"

On page 1, line 20, delete the words "make loans to lenders or to" and overstrike the words "purchase or"

On page 1, line 21, overstrike the words "contract to purchase from lenders" and insert immediately thereafter the words "provide financing of" and after the word "made" insert the words "by lenders"

On page 1, line 25, delete the word "make"

On page 1, line 26, delete the words "loans to lenders or to" and overstrike the words "make, purchase, and commit to make"

On page 1, line 27, overstrike the words "and purchase" and insert immediately thereafter the words "provide financing directly or indirectly of"

On page 2, after line 4, insert the following new section:

"SECTION 2. AMENDMENT. Section 54-17-07.7 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

54-17-07.7. **Terms of loans.** Notwithstanding any other provision of law, the industrial commission is authorized to require, as a condition ~~to~~ of the origination ~~and~~ of loans made pursuant to any of its housing finance programs or purchase of loans and mortgage loans to be purchased by it, prepayment penalties, restrictions upon assumability, default provisions, rights to accelerate, rights to increase the interest rate, and any other terms the commission may determine to be necessary or desirable to assure the repayment of its housing revenue bonds and the exemption from federal income taxes of the interest payable on its housing revenue bonds under the Internal Revenue Code of 1954. All such terms shall be enforceable by the originator, the commission, or any successor holder of the loans or mortgage loans unless expressly waived in writing by or on behalf of the commission."

And renumber the lines, sections, and pages accordingly

HOUSE AMENDMENTS TO SB 2192

- On page 1, line 23, overstrike the word "his" and insert immediately thereafter the words "the superintendent's"
- On page 1, line 27, overstrike the word "He" and insert immediately thereafter the words "The superintendent"
- On page 2, line 1, overstrike the word "He" and insert immediately thereafter the words "The superintendent"
- On page 2, line 3, overstrike the word "his" and insert immediately thereafter the words "the superintendent's"
- On page 2, line 12, overstrike the words "to him", and overstrike the word "such" and insert immediately thereafter the word "the"
- On page 2, line 13, after the word "superintendent" insert the words "of public instruction"
- On page 2, line 35, delete the word "his" and insert in lieu thereof the word "the"
- On page 3, line 2, overstrike the word "he" and insert immediately thereafter the words "the board president"
- On page 3, line 3, overstrike the word "they" and insert immediately thereafter the words "the board members"

On page 3, line 9, overstrike the word "his" and insert immediately thereafter the word "the"

On page 3, line 20, overstrike the word "his" and insert immediately thereafter the words "the superintendent's"

And renumber the lines accordingly

HOUSE AMENDMENTS TO SB 2217

On page 4, line 23, overstrike the word "purposes" and insert immediately thereafter the words "of such land"

On page 4, line 23, delete the words "upon compliance with this section" and insert in lieu thereof the words "except that any conditional or perfected water permit for irrigation purposes must be assigned in accordance with this section"

And renumber the lines accordingly

HOUSE AMENDMENTS TO SB 2282

On page 2 of the engrossed bill, line 6, overstrike the word "One-mill" and insert immediately thereafter the word "Two-mill"

And renumber the lines and pages accordingly

HOUSE AMENDMENTS TO SB 2446

On page 3, line 9, remove the overstrike over the words "~~not to be destroyed~~" and delete the words "to be maintained"

On page 3, line 10, delete the words "unless authorized by rule" and remove the overstrike over the word "~~None~~" and delete the words "Unless authorized by"

On page 3, line 11, delete the words "rules of the supreme court, none"

And renumber the lines accordingly

HOUSE AMENDMENTS TO SB 2491

On page 4, line 9, delete the words "For bonds issued under this section to be an obligation of"

On page 4, delete lines 10 through 17

On page 4, line 18, delete the words "an election called for the purpose." and insert in lieu thereof the following:

"For bonds issued under this chapter to be an obligation of an authority, or of a municipality acting as an authority, either of the following methods must be followed:

- a. The issuance of the bonds must be approved by a majority vote of the governing body of each political subdivision whose constitutional or statutory debt limitation will be affected by the issuance of the bonds. The initial resolution authorizing the bonds must be published in the official paper, and any owner of taxable property within the geographic area which the obligation will be applicable may, within sixty days after the publication, file with the city auditor or other appropriate official of the authority or other political subdivision affected, a protest against the adoption of the resolution. If the governing body finds the protests to have been signed by the owners of taxable property having an assessed valuation equal to twenty percent or more of the assessed valuation of all taxable property within the affected geographic areas, as last equalized, all further proceedings under the initial resolution are barred.
- b. Within thirty days after the adoption of the initial resolution authorizing the bonds, the question must be submitted to the electors of the affected area. The question may be put at a general election, a primary election, a municipal election or an election called for that purpose."

And renumber the lines and pages accordingly

HOUSE AMENDMENTS TO SCR 4032

On page 1, line 27, after the word "States" insert a comma and delete the word "and"

On page 1, line 28, after the word "Delegation" insert the words ", to the United States Secretary of State, and to the United States Secretary of Agriculture"

And renumber the lines accordingly

Very respectfully,  
CHARLES FLEMING, Chief Clerk

## REPORT OF PROCEDURAL COMMITTEE

MR. PRESIDENT: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills and find the same correctly enrolled:

SB 2058, SB 2102, SB 2105, SB 2141, SB 2154, SB 2161,  
SB 2210, SB 2212, SB 2215, SB 2230, SB 2333, SB 2363,  
SB 2450, SB 2471

SEN. FRITZELL, Chairman

SEN. MOORE MOVED that the report be adopted, which motion prevailed.

## SIGNING OF BILLS AND RESOLUTIONS

THE SECRETARY ANNOUNCED that the President signed the following:

SB 2058, SB 2102, SB 2105, SB 2141, SB 2154, SB 2161,  
SB 2210, SB 2212, SB 2215, SB 2230, SB 2333, SB 2363,  
SB 2450, SB 2471

LEO LEIDHOLM, Secretary

## CONSIDERATION OF AMENDMENTS

SEN. CHRISTENSEN MOVED that the amendments to HB 1386 as recommended by the Committee on Judiciary as printed on page 1364 of the Senate Journal be adopted, which motion prevailed.

SEN. REITEN MOVED that the amendments to HB 1400 as recommended by the Committee on Industry, Business, and Labor as printed on pages 1364-1366 of the Senate Journal be adopted, which motion prevailed.

SEN. CHRISTENSEN MOVED that the amendments to HB 1428 as recommended by the Committee on Judiciary as printed on page 1366 of the Senate Journal be adopted, which motion prevailed.

SEN. KILANDER MOVED that the amendments to HB 1473 as recommended by the Committee on Industry, Business, and Labor, as printed on page 1366 of the Senate Journal be referred back to the Committee on Industry, Business, and Labor, which motion prevailed.

SEN. REITEN MOVED that the amendments to HB 1502 as recommended by the Committee on Industry, Business, and Labor as printed on page 1367 of the Senate Journal be adopted, which motion prevailed. HB 1502 has committee recommendation of DO NOT PASS.

SEN. KRAUTER MOVED that the amendments to HCR 3084 as recommended by the Committee on Industry, Business, and Labor as printed on page 1368 of the Senate Journal be laid over one legislative day, which motion prevailed.

## MOTIONS

SEN. NAA DEN MOVED that the Senate reconsider the action whereby HB 1319 lost, which motion prevailed.

SEN. NAA DEN MOVED that HB 1319 be laid over one legislative day, which motion prevailed.

SEN. WENSTROM MOVED that SCR 4018 be returned to the Senate floor from the Joint Committee on Constitutional Revision, which motion prevailed.

## REQUEST

SEN. WENSTROM REQUESTED the unanimous consent of the Senate to withdraw SCR 4018. There being no objection, it was so ordered by the President.

## MOTION

SEN. KUSLER MOVED that HB 1622 be rereferred to the Committee on Appropriations, which motion prevailed.

## REPORTS OF STANDING COMMITTEES

MR. PRESIDENT: Your Committee on Natural Resources to which was referred HB 1103 has had the same under consideration and recommends that the same DO NOT PASS.

SEN. LEE, Chairman

HB 1103 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Appropriations to which was referred HB 1198 has had the same under consideration and recommends that the same DO PASS.

SEN. LIPS, Chairman

HB 1198 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Natural Resources to which was referred HB 1199 has had the same under consideration and recommends that the same DO PASS.

SEN. LEE, Chairman

HB 1199 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Social Services and Veterans Affairs to which was referred HB 1236 has had the same under consideration and recommends that the same BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION and be rereferred to the Committee on Appropriations.

SEN. WRIGHT, Chairman

HB 1236 was rereferred to the Committee on Appropriations.

MR. PRESIDENT: Your Committee on Appropriations to which was referred HB 1290 has had the same under consideration and recommends that the same DO PASS.

SEN. LIPS, Chairman

HB 1290 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Natural Resources to which was referred HB 1343 has had the same under consideration and recommends that the same DO NOT PASS.

SEN. LEE, Chairman

HB 1343 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Transportation to which was referred HB 1398 has had the same under consideration and recommends that the same DO PASS.

SEN. MUTCH, Chairman

HB 1398 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Judiciary to which was referred HB 1432 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 19, after the period insert the following new sentence: "Gravel, clay, and scoria shall be transferred with the surface estate unless specifically reserved by name in the deed, grant, or conveyance."

And renumber the lines accordingly

SEN. CHRISTENSEN, Chairman

HB 1432 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Appropriations to which was referred HB 1454 has had the same under consideration and recommends that the same DO PASS.

SEN. LIPS, Chairman

HB 1454 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Industry, Business, and Labor to which was referred HB 1479 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1 of the engrossed bill, line 20, after the word "employer" insert the words "at the time of default"

On page 1 of the engrossed bill, delete lines 22 and 23 and insert the words "beginning one month after default, a penalty of two percent of the amount in default for each month or fraction of a month the obligation remains unpaid."

And renumber the lines and pages accordingly

SEN. REITEN, Chairman

HB 1479 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Transportation to which was referred HB 1521 has had the same under consideration and recommends that the same DO PASS.

SEN. MUTCH, Chairman

HB 1521 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Political Subdivisions to which was referred HB 1544 has had the same under consideration and recommends that the same DO NOT PASS.

SEN. HOLMBERG, Chairman

HB 1544 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on State and Federal Government to which was referred HB 1602 has had the same under consideration and recommends that the same DO NOT PASS.

SEN. DYKSHOORN, Vice Chairman

HB 1602 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Appropriations to which was referred HB 1637 has had the same under consideration and recommends that the same DO PASS.

SEN. LIPS, Chairman

HB 1637 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Political Subdivisions to which was referred HB 1640 has had the same under consideration and recommends that the same DO PASS.

SEN. HOLMBERG, Chairman

HB 1640 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Social Services and Veterans Affairs to which was rereferred HB 1644 has had the same under consideration and recommends that the same DO PASS and be rereferred to the Committee on Appropriations.

SEN. WRIGHT, Chairman

HB 1644 was rereferred to the Committee on Appropriations.

MR. PRESIDENT: Your Committee on Appropriations to which was referred HB 1648 has had the same under consideration and recommends that the same DO PASS.

SEN. LIPS, Chairman

HB 1648 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Industry, Business, and Labor to which was referred HB 1656 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO NOT PASS:

On page 1 of the engrossed bill, line 1, after the words "A Bill" delete the remainder of the bill and insert in lieu thereof the following: "for an Act to create and enact a new subdivision to subsection 18 of section 52-01-01 of the North Dakota Century Code, relating to optional exclusion from unemployment compensation coverage.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. A new subdivision to subsection 18 of section 52-01-01 of the North Dakota Century Code is hereby created and enacted to read as follows:

At the election of the employer, service performed as the president, vice president, secretary, treasurer, or secretary-treasurer of a family corporation which is an employer under subsection 15. A family corporation is one in which the officers are related to each other in a manner which meets the relationship test applied under the federal Internal Revenue Code for determining eligibility to claim an individual as a dependent."

And renumber the lines and pages accordingly

SEN. REITEN, Chairman

HB 1656 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Judiciary to which was referred HB 1688 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1 of the engrossed bill, line 21, delete the words "where the extension is limited to twelve years,"

On page 1 of the engrossed bill, line 23, after the period insert the sentence "In cases alleging professional malpractice, the extension of the limitation due to infancy is limited to twelve years."

And renumber the lines accordingly

SEN. CHRISTENSEN, Chairman

HB 1688 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Industry, Business, and Labor to which was referred HB 1693 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 2 of the engrossed bill, line 4, after the period insert the following: "This exception shall not apply unless the individual's capability of returning to employment and offer of service for suitable work to the employer occurs within sixty days of the last day of work. However, the cost of any benefits paid under this exception shall not be charged against the account of the employer from whom the individual became separated as a result of the illness or injury."

And renumber the lines and pages accordingly

SEN. REITEN, Chairman

HB 1693 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Natural Resources to which was referred HB 1706 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO NOT PASS:

On page 1 of the engrossed bill, line 21, after the period insert the following: "On or before July tenth of each year the tax commissioner shall certify to the state treasurer the total amount of tax received during the previous year ended June thirtieth under section 57-60-02 before deduction of the credits allowed by this section and the aggregate amount of credits allowed under this section. In allocating

moneys under section 57-60-14 the state treasurer shall allocate thirty-five percent of the total amount of tax received, before deduction of the credits allowed by this section, to the county and shall deduct the aggregate amount of credits allowed under this section from the remaining sixty-five percent of tax received to be deposited in the state general fund."

And renumber the lines and pages accordingly

SEN. LEE, Chairman

HB 1706 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Agriculture to which was referred HCR 3037 has had the same under consideration and recommends that the same DO PASS.

SEN. VOSPER, Chairman

HCR 3037 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Political Subdivisions to which was referred HCR 3062 has had the same under consideration and recommends that the same DO PASS.

SEN. HOLMBERG, Chairman

HCR 3062 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Appropriations to which was referred HCR 3072 has had the same under consideration and recommends that the same DO PASS.

SEN. LIPS, Chairman

HCR 3072 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

#### SECOND READING OF HOUSE BILLS

HB 1630: A BILL for an Act to create and enact a new chapter to title 2 of the North Dakota Century Code, relating to aircraft and ultralight vehicle dealer licensing, grounds for denial or revocation of dealer's license, and powers of the aeronautics commission; 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 48 YEAS, 0 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Barth; Berube; Christensen; David; Dotzenrod; Dykshoorn; Erickson; Fritzell; Goodman; Grotberg; Heigaard; Miller Heinrich; Hilken; Holmberg; Kilander; Krauter; Kusler; Lashkowitz; Lee; Leibhan; Lips; Maixner; Matchie; Meyer, D.; Meyer, J.; Moore; Mutch; Naaden; Nelson; Olson; Parker; Peterson; Reiten; Satrom; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland

NAYS: None

ABSENT AND NOT VOTING: Lodoen; Nething; Redlin; Thane; Wright

HB 1630 passed and the title was agreed to.

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

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended, the roll was called and there were 47 YEAS, 0 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Barth; Berube; Christensen; David; Dotzenrod; Dykshoorn; Erickson; Fritzell; Goodman; Grotberg; Heigaard; Miller Heinrich; Hilken; Holmberg; Kilander; Kusler; Lashkowitz; Lee; Leibhan; Lips; Maixner; Matchie; Meyer, D.; Meyer, J.; Moore; Mutch; Naaden; Nelson; Olson; Parker; Peterson; Reiten; Satrom; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland

NAYS: None

ABSENT AND NOT VOTING: Krauter; Lodoen; Nething; Redlin; Thane; Wright

HB 1647 passed and the title was agreed to.

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MOTIONS

SEN. LIPS MOVED that HB 1667 be laid over two legislative days, which motion prevailed.

SEN. ADAMS MOVED that HB 1685 be placed directly behind HB 1085 on the calendar, which motion prevailed.

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

HCR 3020: A concurrent resolution urging the United States Secretary of Agriculture to place a moratorium during 1983 and 1984 on Farmers Home Administration farm foreclosure actions.

Which has been read.

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

HCR 3020 was declared adopted on a voice vote.

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HCR 3032: A concurrent resolution urging the Congress of the United States to enact legislation to provide sufficient funding to states and their political subdivisions for facilities and services for handicapped persons, to enact legislation to modify 42 U.S.C. 1983 et seq., and to enact legislation providing rights for handicapped and disabled persons which would provide for individualized consideration of the specific needs of such persons.

Which has been read.

The question being on the final adoption of the resolution.

HCR 3032 was declared adopted on a voice vote.

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HCR 3050: A concurrent resolution directing a Legislative Council study of workmen's compensation and its effect on all employers in the state.

Which has been read.

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

HCR 3050 was declared adopted on a voice vote.

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HCR 3052: A concurrent resolution to direct the Legislative Council to conduct a study of the desirability of adopting uniform laws in the areas of arbitration, eminent domain, consumer sales practices, common interest ownership, transboundary pollution, and to study the existing Articles VIII and IX of the Uniform Commercial Code.

Which has been read.

The question being on the final adoption of the resolution.

HCR 3052 was declared adopted on a voice vote.

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HCR 3056: A concurrent resolution directing the Legislative Council to study the laws and actuarial soundness of the plans involving firemen's retirement, Vehicle Equipment Safety Commission employees' retirement, municipal employees' retirement, and National Guard retirement.

Which has been read.

The question being on the final adoption of the resolution.

HCR 3056 was declared adopted on a voice vote.

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HCR 3057: A concurrent resolution directing the Legislative Council to conduct a study of the Highway Patrolmen's Retirement System.

Which has been read.

The question being on the final adoption of the resolution.

HCR 3057 was declared adopted on a voice vote.

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HCR 3063: A concurrent resolution directing the Legislative Council to study the impacts and problems associated with business closings in this state.

Which has been read.

The question being on the final adoption of the resolution.

HCR 3063 was declared adopted on a voice vote.

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

Which has been read.

The question being on the final adoption of the resolution.

HCR 3065 was declared adopted on a voice vote.

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

Which has been read.

The question being on the final adoption of the resolution.

HCR 3070 was declared adopted on a voice vote.

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

Which has been read.

The question being on the final adoption of the resolution.

HCR 3085 was declared adopted on a voice vote.

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SECOND READING OF HOUSE BILLS

HB 1068: A BILL for an Act to create and enact a new paragraph to subdivision d of subsection 1 of section 26-16.1-03, a new paragraph to subdivision d of subsection 1 of section 26-16.1-04, section 26-16.1-04.1, and a new section to chapter 57-38 of the North Dakota Century Code, or in the alternative if House Bill No. 1054 is approved by the forty-eighth legislative assembly, a new paragraph to subdivision d of subsection 1 of section 26.1-08-05, a new paragraph to subdivision d of subsection 1 of section 26.1-08-06, section 26.1-08-06.1, and a new section to chapter 57-38 of the North Dakota Century Code, relating to elimination of coverage for experimental medical and surgical procedures, maximum benefits of a qualified medicare extended plan, and an income tax credit for comprehensive health association assessments; to amend and reenact section 26-01-11, subsection 12 of section 26-16.1-01, section 26-16.1-05, subsection 2 of section 26-16.1-07, subsection 4 of section 26-16.1-08, section 26-16.1-09, and subsection 4 of section 26-16.1-11 of the North Dakota Century Code, or in the alternative if House Bill No. 1054 is approved by the forty-eighth legislative

assembly, section 26.1-03-17, subsection 10 of section 26.1-08-01, subsection 2 of section 26.1-08-03, sections 26.1-08-04 and 26.1-08-08, subsection 4 of section 26.1-08-09, and subsection 4 of section 26.1-08-12 of the North Dakota Century Code, relating to a premium tax credit for comprehensive health association assessments, to the definition of qualified plan, to limiting association premiums to one hundred thirty-five percent of established rates, to the payment of claim expenses in excess of premiums allocated for the payment of benefits, to the maximum benefits of the comprehensive health insurance plan, and to a waiting period; to repeal subsection 3 of section 26-16.1-07 of the North Dakota Century Code, or in the alternative if House Bill No. 1054 is approved by the forty-eighth legislative assembly to repeal subsection 3 of section 26.1-08-03 of the North Dakota Century Code, relating to contracts of reinsurance; 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 49 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Barth; Berube; Christensen; David; Dotzenrod; Dykshoorn; Erickson; Fritzell; Goodman; Grotberg; Heigaard; Miller Heinrich; Hilken; Holmberg; Kilander; Krauter; Kusler; Lashkowitz; Lee; Leibhan; Lips; Maixner; Matchie; Meyer, D.; Meyer, J.; Moore; Mutch; Naaden; Nelson; Olson; Parker; Peterson; Reiten; Satrom; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Lodoen; Nething; Redlin; Thane

HB 1068 passed, the title was agreed to, and the emergency clause carried.

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HB 1085: A BILL for an Act to create and enact a new section to chapter 57-38 of the North Dakota Century Code, providing for an income tax credit for qualified renters; and to provide an effective date.

Which has been read and has committee recommendation of DO NOT PASS.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 11 YEAS, 38 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Miller Heinrich; Hilken; Krauter; Kusler;  
Lashkowitz; Maixner; Matchie; Stenehjem; Tennefos;  
Walsh; Wogsland

NAYS: Adams; Bakewell; Barth; Berube; Christensen; David;  
Dotzenrod; Dykshoorn; Erickson; Fritzell; Goodman;  
Grotberg; Heigaard; Holmberg; Kilander; Lee; Leibhan;  
Lips; Meyer, D.; Meyer, J.; Moore; Mutch; Naaden;  
Nelson; Olson; Parker; Peterson; Reiten; Satrom;  
Streibel; Stromme; Tallackson; Todd; Tweten; Vosper;  
Waldera; Wenstrom; Wright

ABSENT AND NOT VOTING: Lodoen; Nething; Redlin; Thane

HB 1085 was declared lost.

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## MOTION

SEN. GOODMAN MOVED that HB 1685 be moved to the foot of the calendar, which motion prevailed.

## PRESENTATION OF PETITIONS AND COMMUNICATIONS

STATE OF NORTH DAKOTA  
EXECUTIVE OFFICE  
BISMARCK

March 10, 1983

The Honorable Ernest M. Sands  
President of the Senate  
Senate Chambers  
State Capitol  
Bismarck, North Dakota 58505

Dear Mr. President:

This is to inform you that on March 10, 1983, I signed the following:

SB 2042, SB 2048, SB 2100, SB 2107, SB 2117, SB 2119,  
SB 2129, SB 2209, SB 2221, SB 2237, SB 2253, SB 2330,  
SB 2349, SB 2420, SB 2463, SB 2091, SB 2185, SB 2195,  
SB 2200, SB 2213, SB 2222, SB 2223, SB 2240, SB 2258,  
SB 2283, SB 2293, SB 2298, SB 2445, SB 2482.

Sincerely,

ALLEN I. OLSON  
Governor

SECOND READING OF HOUSE BILLS

HB 1109: A BILL for an Act to create and enact a new section to chapter 15-39.1 of the North Dakota Century Code, relating to postretirement adjustments under the teachers' fund for retirement; and to amend and reenact sections 15-39.1-10 and 15-39.1-11 of the North Dakota Century Code, relating to the eligibility for benefits and vesting of the right to retirement benefits under the teachers' fund for retirement.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 49 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Barth; Berube; Christensen; David; Dotzenrod; Dykshoorn; Erickson; Fritzell; Goodman; Grotberg; Heigaard; Miller Heinrich; Hilken; Holmberg; Kilander; Krauter; Kusler; Lashkowitz; Lee; Leibhan; Lips; Maixner; Matchie; Meyer, D.; Meyer, J.; Moore; Mutch; Naaden; Nelson; Olson; Parker; Peterson; Reiten; Satrom; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Lodoen; Nething; Redlin; Thane

HB 1109 passed and the title was agreed to.

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HB 1117: A BILL for an Act to amend and reenact section 15-10-18.3 of the North Dakota Century Code, relating to waiver of tuition and fee charges in North Dakota institutions of higher education for dependents of disabled or deceased veterans, prisoners of war, or veterans declared missing in action; 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 44 YEAS, 5 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Barth; Berube; Christensen; David; Dotzenrod; Dykshoorn; Erickson; Fritzell; Goodman; Grotberg; Heigaard; Miller Heinrich; Hilken; Holmberg; Kilander; Krauter; Kusler; Lashkowitz; Lee; Leibhan; Lips; Matchie; Meyer, D.; Meyer, J.; Moore; Mutch; Naaden; Nelson; Parker; Peterson; Reiten; Streibel;

Stromme; Tallackson; Tennefos; Todd; Tweten; Vosper;  
Waldera; Walsh; Wenstrom; Wogsland

NAYS: Maixner; Olson; Satrom; Stenehjem; Wright

ABSENT AND NOT VOTING: Lodoen; Nething; Redlin; Thane

HB 1117 passed, the title was agreed to, and the emergency clause carried.

\*\*\*\*\*

HB 1253: A BILL for an Act to amend and reenact sections 15-20.1-08, 57-15-14, 57-15-52.1, and 57-16-05 of the North Dakota Century Code, relating to passage of mill levies with a fifty-five percent majority of approval by the voters.

Which has been read.

MOTION

SEN. MAIXNER MOVED that HB 1253 be amended as follows:

- On page 4 of the engrossed bill, line 2, remove the overstrike over the words "~~of not to exceed twenty-five percent~~"
- On page 4 of the engrossed bill, line 5, remove the overstrike over the words "~~if the question submitted is for an increase of~~"
- On page 4 of the engrossed bill, line 6, remove the overstrike over the words "~~more than twenty-five percent and not to exceed seventy-five percent~~"
- On page 4 of the engrossed bill, line 7, remove the overstrike over the words "~~in the levy over the legal limit; a favorable vote upon such~~"
- On page 4 of the engrossed bill, line 8, remove the overstrike over the words "~~question by~~" and after the overstruck word "~~sixty~~", insert the word "fifty-five" and remove the overstrike over the words "~~percent of the electors voting on such question~~"
- On page 4 of the engrossed bill, line 9, remove the overstrike over the words and period "~~shall be sufficient to authorize such excess levy.~~"

And renumber the lines accordingly

## MOTIONS

SEN. MAIXNER MOVED that the proposed amendments be adopted, which motion prevailed.

SEN. MAIXNER MOVED that the rules be suspended, that HB 1253 be placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

HB 1253: A BILL for an Act to amend and reenact sections 15-20.1-08, 57-15-14, 57-15-52.1, and 57-16-05 of the North Dakota Century Code, relating to passage of mill levies with a fifty-five percent majority of approval by the voters.

## ROLL CALL

The question being on the final passage of the bill as amended, the roll was called and there were 34 YEAS, 15 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Bakewell; Barth; Berube; Christensen; Dykshoorn; Erickson; Fritzell; Goodman; Grotberg; Heigaard; Miller Heinrich; Holmberg; Kilander; Krauter; Kusler; Lashkowitz; Leibhan; Lips; Maixner; Matchie; Meyer, J.; Naaden; Nelson; Olson; Peterson; Reiten; Satrom; Stenehjem; Tallackson; Todd; Waldera; Wenstrom; Wogsland; Wright

NAYS: Adams; David; Dotzenrod; Hilken; Lee; Meyer, D.; Moore; Mutch; Parker; Streibel; Stromme; Tennefos; Tweten; Vosper; Walsh

ABSENT AND NOT VOTING: Lodoen; Nething; Redlin; Thane

HB 1253 passed and the title was agreed to.

\*\*\*\*\*

HB 1297: A BILL for an Act to amend and reenact section 15-40.2-05 of the North Dakota Century Code, relating to convenience as a consideration for determining tuition payments.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 47 YEAS, 0 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Barth; Berube; Christensen; David; Dotzenrod; Dykshoorn; Erickson; Fritzell; Goodman; Grotberg; Heigaard; Miller Heinrich; Hilken; Kilander; Krauter; Kusler; Lashkowitz; Lee; Leibhan; Lips; Maixner; Matchie; Meyer, D.; Meyer, J.; Moore; Mutch; Naaden; Nelson; Olson; Parker; Peterson; Reiten;

Satrom; Stenehjem; Streibel; Tallackson; Tennefos;  
 Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom;  
 Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Holmberg; Lodoen; Nething;  
 Redlin; Stromme; Thane

HB 1297 passed and the title was agreed to.

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HB 1331: A BILL for an Act to amend and reenact sections 15-40.1-09 and 15-47-33 of the North Dakota Century Code, relating to parent-teacher conference days included in the required one hundred eighty days of elementary and secondary school terms.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 31 YEAS, 18 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Barth; Christensen; Dotzenrod; Erickson; Fritzell;  
 Grotberg; Heigaard; Miller Heinrich; Holmberg;  
 Kilander; Krauter; Kusler; Lashkowitz; Leibhan; Lips;  
 Maixner; Matchie; Meyer, D.; Meyer, J.; Olson; Reiten;  
 Satrom; Stenehjem; Stromme; Tallackson; Todd; Waldera;  
 Walsh; Wenstrom; Wogsland; Wright

NAYS: Adams; Bakewell; Berube; David; Dykshoorn; Goodman;  
 Hilken; Lee; Moore; Mutch; Naaden; Nelson; Parker;  
 Peterson; Streibel; Tennefos; Tweten; Vosper

ABSENT AND NOT VOTING: Lodoen; Nething; Redlin; Thane

HB 1331 passed and the title was agreed to.

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HB 1385: A BILL for an Act to amend and reenact sections 16.1-03-04, 16.1-11-38, 16.1-14-01, 16.1-15-29, 16.1-15-30, 40-21-17, and 58-04-15 of the North Dakota Century Code, relating to the method of determining the winner of an election after a tie vote.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 43 YEAS, 3 NAYS, 7 ABSENT AND NOT VOTING.

YEAS: Adams; Barth; Berube; Christensen; David; Dotzenrod; Dykshoorn; Erickson; Fritzell; Goodman; Miller Heinrich; Hilken; Holmberg; Kilander; Krauter; Kusler; Lashkowitz; Lee; Leibhan; Lips; Matchie; Meyer, D.; Moore; Mutch; Naaden; Nelson; Olson; Parker; Peterson; Reiten; Satrom; Stenehjem; Streibel; Stromme; Tennefos; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: Heigaard; Meyer, J.; Tallackson

ABSENT AND NOT VOTING: Bakewell; Grotberg; Lodoen; Maixner; Nething; Redlin; Thane

HB 1385 passed and the title was agreed to.

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HB 1433: A BILL for an Act to amend and reenact section 65-05.2-02 of the North Dakota Century Code, relating to supplementary workmen's compensation benefits.

Which has been read and has committee recommendation of DO NOT PASS.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 13 YEAS, 34 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Barth; Berube; Miller Heinrich; Krauter; Kusler; Lashkowitz; Leibhan; Matchie; Meyer, D.; Meyer, J.; Satrom; Walsh; Wogsland

NAYS: Adams; Bakewell; Christensen; David; Dotzenrod; Dykshoorn; Erickson; Fritzell; Goodman; Grotberg; Heigaard; Hilken; Kilander; Lee; Lips; Moore; Mutch; Naaden; Nelson; Olson; Parker; Peterson; Reiten; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Todd; Tweten; Vosper; Waldera; Wenstrom; Wright

ABSENT AND NOT VOTING: Holmberg; Lodoen; Maixner; Nething; Redlin; Thane

HB 1433 was declared lost.

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

Which has been read and has committee recommendation of DO NOT PASS.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 15 YEAS, 33 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Berube; Dotzenrod; Heigaard; Miller Heinrich; Krauter; Kusler; Lashkowitz; Maixner; Matchie; Satrom; Tennefos; Vosper; Waldera; Walsh; Wogsland

NAYS: Adams; Barth; Christensen; David; Dykshoorn; Erickson; Fritzell; Goodman; Grotberg; Hilken; Holmberg; Kilander; Lee; Leibhan; Lips; Meyer, D.; Meyer, J.; Moore; Mutch; Naaden; Nelson; Olson; Parker; Peterson; Reiten; Stenehjem; Streibel; Stromme; Tallackson; Todd; Tweten; Wenstrom; Wright

ABSENT AND NOT VOTING: Bakewell; Lodoen; Nething; Redlin; Thane

HB 1481 was declared lost.

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

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 47 YEAS, 0 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Barth; Berube; Christensen; David; Dotzenrod; Dykshoorn; Erickson; Fritzell; Goodman; Grotberg; Heigaard; Miller Heinrich; Hilken; Holmberg; Kilander; Krauter; Kusler; Lashkowitz; Lee; Leibhan; Lips; Maixner; Matchie; Meyer, D.; Meyer, J.; Moore; Mutch; Naaden; Nelson; Olson; Parker; Peterson; Reiten; Satrom; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Adams; Bakewell; Lodoen; Nething; Redlin; Thane

HB 1511 passed and the title was agreed to.

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

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 46 YEAS, 0 NAYS, 7 ABSENT AND NOT VOTING.

YEAS: Barth; Berube; Christensen; David; Dotzenrod; Dykshoorn; Erickson; Fritzell; Goodman; Grotberg; Heigaard; Miller Heinrich; Hilken; Kilander; Krauter; Kusler; Lashkowitz; Lee; Leibhan; Lips; Maixner; Matchie; Meyer, D.; Meyer, J.; Moore; Mutch; Naaden; Nelson; Olson; Parker; Peterson; Reiten; Satrom; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Adams; Bakewell; Holmberg; Lodoen; Nething; Redlin; Thane

HB 1520 passed and the title was agreed to.

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HB 1525: A BILL for an Act to amend and reenact section 49-22-22 of the North Dakota Century Code, relating to the deposit of fees charged by the public service commission under the Energy Conversion and Transmission Facility Siting Act; and to provide an appropriation.

Which has been read and has committee recommendation of DO NOT PASS.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 15 YEAS, 33 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Barth; Berube; Dotzenrod; Grotberg; Heigaard; Krauter; Kusler; Maixner; Matchie; Meyer, D.; Meyer, J.; Olson; Vosper; Waldera; Wogsland

NAYS: Bakewell; Christensen; David; Dykshoorn; Erickson; Fritzell; Goodman; Miller Heinrich; Hilken; Holmberg; Kilander; Lashkowitz; Lee; Leibhan; Lips; Moore; Mutch; Naaden; Nelson; Parker; Peterson; Reiten; Satrom; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Todd; Tweten; Walsh; Wenstrom; Wright

ABSENT AND NOT VOTING: Adams; Lodoen; Nething; Redlin;  
Thane

HB 1525 was declared lost.

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HB 1596: A BILL for an Act to amend and reenact subsection 7 of section 57-06-02 and section 57-06-17 of the North Dakota Century Code, relating to the definition of pipeline company for ad valorem taxation purposes and providing for an exemption for pipeline property that is deemed to be a gathering line.

Which has been read and has committee recommendation of DO NOT PASS.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 7 YEAS, 41 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Hilken; Krauter; Maixner; Matchie; Meyer, D.;  
Meyer, J.; Waldera

NAYS: Bakewell; Barth; Berube; Christensen; David;  
Dotzenrod; Dykshoorn; Erickson; Fritzell; Goodman;  
Grotberg; Heigaard; Miller Heinrich; Holmberg;  
Kilander; Kusler; Lashkowitz; Lee; Leibhan; Lips;  
Moore; Mutch; Naaden; Nelson; Olson; Parker; Peterson;  
Reiten; Satrom; Stenehjem; Streibel; Stromme;  
Tallackson; Tennefos; Todd; Tweten; Vosper; Walsh;  
Wenstrom; Wogsland; Wright

ABSENT AND NOT VOTING: Adams; Lodoen; Nething; Redlin;  
Thane

HB 1596 was declared lost.

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HB 1653: A BILL for an Act to amend and reenact sections 53-04-01, 53-04-02, and 53-04-05 of the North Dakota Century Code, relating to definitions of amusement games or devices, licenses and fees for amusement games and devices; and to repeal sections 53-04-03, 53-04-04, and 53-04-06 of the North Dakota Century Code, relating to licenses and fees for amusement games and devices.

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 45 YEAS, 2 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Bakewell; Barth; Berube; Christensen; David; Dotzenrod; Dykshoorn; Erickson; Fritzell; Grotberg; Heigaard; Miller Heinrich; Hilken; Holmberg; Kilander; Krauter; Kusler; Lashkowitz; Lee; Lips; Maixner; Matchie; Meyer, D.; Meyer, J.; Moore; Mutch; Nelson; Olson; Parker; Peterson; Reiten; Satrom; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: Leibhan; Naaden

ABSENT AND NOT VOTING: Adams; Goodman; Lodoen; Nething; Redlin; Thane

HB 1653 passed and the title was agreed to.

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HB 1691: A BILL for an Act to amend and reenact section 16.1-07-08 of the North Dakota Century Code, relating to absent voters' ballots.

Which has been read and has committee recommendation of DO NOT PASS.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 18 YEAS, 30 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Barth; Berube; Dotzenrod; Fritzell; Grotberg; Heigaard; Hilken; Kusler; Lashkowitz; Maixner; Matchie; Meyer, D.; Meyer, J.; Satrom; Tallackson; Waldera; Walsh; Wogsland

NAYS: Bakewell; Christensen; David; Dykshoorn; Erickson; Goodman; Miller Heinrich; Holmberg; Kilander; Krauter; Lee; Leibhan; Lips; Moore; Mutch; Naaden; Nelson; Olson; Parker; Peterson; Reiten; Stenehjem; Streibel; Stromme; Tennefos; Todd; Tweten; Vosper; Wenstrom; Wright

ABSENT AND NOT VOTING: Adams; Lodoen; Nething; Redlin; Thane

HB 1691 was declared lost.

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SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

HCR 3040: A current resolution directing the Legislative Council to study the feasibility and desirability of the recodification of the statutes affecting teacher retirement programs.

Which has been read.

The question being on the final adoption of the resolution.

HCR 3040 was declared adopted on a voice vote.

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HCR 3054: A concurrent resolution directing the Legislative Council to study methods to monitor or verify amounts of money exchanged in the conduct of games of chance in the state.

Which has been read.

The question being on the final adoption of the resolution.

HCR 3054 was declared adopted on a voice vote.

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HCR 3055: A concurrent resolution directing the Legislative Council to study statutes relating to petition requirements.

Which has been read.

The question being on the final adoption of the resolution.

HCR 3055 was declared adopted on a voice vote.

\*\*\*\*\*

SECOND READING OF A HOUSE BILL

HB 1685: A BILL for an Act to create and enact a new subsection to section 57-39.2-04 of the North Dakota Century Code, relating to exemption from the sales tax of gross receipts of park districts or recreation commissions.

Which has been read and has committee recommendation of DO NOT PASS.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 9 YEAS, 39 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Barth; Christensen; Fritzell; Grotberg; Hilken; Lashkowitz; Meyer, J.; Reiten; Walsh

**NAYS:** Bakewell; Berube; David; Dotzenrod; Dykshoorn; Erickson; Goodman; Heigaard; Miller Heinrich; Holmberg; Kilander; Krauter; Kusler; Lee; Leibhan; Lips; Maixner; Matchie; Meyer, D.; Moore; Mutch; Naaden; Nelson; Olson; Parker; Peterson; Satrom; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Todd; Tweten; Vosper; Waldera; Wenstrom; Wogsland; Wright

**ABSENT AND NOT VOTING:** Adams; Lodoen; Nething; Redlin; Thane

HB 1685 was declared lost.

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**MESSAGE TO THE HOUSE  
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 2058, SB 2102, SB 2105, SB 2141, SB 2154, SB 2161,  
SB 2210, SB 2212, SB 2215, SB 2230, SB 2333, SB 2363,  
SB 2450, SB 2471

Very respectfully,  
**LEO LEIDHOLM, Secretary**

**SIGNING OF BILLS AND RESOLUTIONS**

**THE SECRETARY ANNOUNCED** that the President signed the following:

HB 1039, HB 1153, HB 1222, HB 1378, HB 1383, HB 1413,  
HB 1419, HB 1522, HB 1584, HB 1606, HB 1632, HB 1650,  
HB 1686, HCR 3009, HCR 3023, HCR 3041, HCR 3042

**LEO LEIDHOLM, Secretary**

**MOTIONS**

**SEN. PETERSON MOVED** that the absent Senators be excused, which motion prevailed.

**SEN. NELSON MOVED** that after the reading of HB 1103, HB 1198, HB 1199, HB 1290, HB 1319, HB 1343, HB 1386, HB 1398, HB 1400, HB 1428, HB 1454, HB 1502, HB 1521, HB 1544, HB 1602, HB 1637, HB 1640, HB 1648, HCR 3037, HCR 3062, and HCR 3072, the Senate adjourn and convene at 12:30 p.m., Friday, March 11, 1983, which motion prevailed.

**LEO LEIDHOLM, Secretary**