

FRIDAY, FEBRUARY 1, 1985

539

JOURNAL OF THE HOUSE

Forty-ninth Legislative Assembly

* * * * *

NINETEENTH DAY

Bismarck, February 1, 1985

The House convened at 12:30 p.m., with Acting Speaker Conmy presiding.

The prayer was offered by Miss Minette Stallheim, Intern Pastor, First Lutheran Church, Harvey, North Dakota.

ROLL CALL

The roll was called and all Representatives were present, except Representatives Gullickson, Lipsiea, Kelly, O. Solberg, and Speaker R. Hausauer.

A quorum was declared by the Acting Speaker.

REVISION AND CORRECTION OF THE JOURNAL

MR. SPEAKER: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Eighteenth Day and finds the same to be correct.

REP. KENT, Chairman

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

COMMUNICATION FROM THE GOVERNOR

State of North Dakota
EXECUTIVE OFFICE
Bismarck

January 31, 1985

The Honorable Roy Hausauer
Speaker of the House
House Chambers
State Capitol
Bismarck, North Dakota 58505

Dear Mr. Speaker:

Enclosed herewith is enrolled House Bill 1119, which is being returned at the request of the House.

There was a mistake made in the signing of the bill in the Governor's office.

For this reason, House Bill 1119 is hereby returned.

Sincerely,

GEORGE A. SINNER
Governor

MESSAGE TO THE SENATE
HOUSE CHAMBER

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

HB 1067, HB 1071, HB 1101, HB 1266

ROY GILBREATH, Chief Clerk

MESSAGE FROM THE SENATE
SENATE CHAMBER

MR. SPEAKER: I have the honor to transmit herewith the following on which the Senate has adopted the conference committee report and subsequently passed the same:

SCR 4029

LEO LEIDHOLM, Secretary

SIXTH ORDER OF BUSINESS

REP. MARTINSON MOVED that the amendments to HB 1111 as recommended by the Committee on State and Federal Government as printed on page 525 of the House Journal be adopted, and when so adopted, recommends that HB 1111 DO PASS, which motion prevailed.

HB 1111 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. KLOUBEC MOVED that the amendments to HB 1157 as recommended by the Committee on Industry, Business and Labor as printed on page 525 of the House Journal be adopted, and when so adopted, recommends that HB 1157 DO PASS, which motion prevailed.

HB 1157 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. CONMY MOVED that the amendments to HB 1159 as recommended by the Committee on Judiciary as printed on page 526 of the House Journal be adopted, and when so adopted, recommends that HB 1159 DO PASS, which motion prevailed.

HB 1159 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. KLOUBEC MOVED that the amendments to HB 1183 as recommended by the **Committee on Industry, Business and Labor** as printed on pages 526-527 of the House Journal be adopted, and when so adopted, recommends that HB 1183 DO PASS, which motion prevailed.

HB 1183 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. A. OLSON MOVED that the amendments to HB 1205 as recommended by the **Committee on Natural Resources** as printed on page 527 of the House Journal be adopted, and when so adopted, recommends that HB 1205 DO PASS, which motion prevailed.

HB 1205 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. WENTZ MOVED that the amendments to HB 1207 as recommended by the **Committee on Judiciary** as printed on page 527 of the House Journal be adopted, and when so adopted, recommends that HB 1207 DO PASS, which motion prevailed.

HB 1207 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. A. HAUSAUER MOVED that the amendments to HB 1267 as recommended by the **Committee on Finance and Taxation** as printed on page 528 of the House Journal be adopted, and when so adopted, recommends that HB 1267 DO PASS, be rereferred to the **Committee on Appropriations**, which motion prevailed.

THE ACTING SPEAKER ANNOUNCED that HB 1267 was rereferred to the **Committee on Appropriations**.

REP. A. HAUSAUER MOVED that the amendments to HB 1285 as recommended by the **Committee on Finance and Taxation** as printed on page 529 of the House Journal be adopted, and when so adopted, recommends that HB 1285 DO PASS, which motion prevailed.

HB 1285 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. A. HAUSAUER MOVED that the amendments to HB 1343 as recommended by the **Committee on Finance and Taxation** as printed on pages 530-531 of the House Journal be adopted, and when so adopted, recommends that HB 1343 DO PASS, which motion prevailed.

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

REP. A. HAUSAUER MOVED that the amendments to HB 1374 as recommended by the **Committee on Finance and Taxation** as printed on page 531 of the House Journal be adopted, and when so adopted, recommends that HB 1374 DO PASS, which motion prevailed.

HB 1374 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. KLOUBEC MOVED that the amendments to HB 1381 as recommended by the Committee on Industry, Business and Labor as printed on page 532 of the House Journal be adopted, and when so adopted, recommends that HB 1381 DO PASS, which motion prevailed.

HB 1381 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. MARTINSON MOVED that the amendments to HB 1384 as recommended by the Committee on State and Federal Government as printed on pages 532-533 of the House Journal be adopted, and when so adopted, recommends that HB 1384 DO PASS, which motion prevailed.

HB 1384 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. CONMY MOVED that the amendments to HB 1462 as recommended by the Committee on Judiciary as printed on page 533 of the House Journal be adopted, and when so adopted, recommends that HB 1462 DO PASS, which motion prevailed.

HB 1462 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. CONMY MOVED that the amendments to HB 1476 as recommended by the Committee on Judiciary as printed on pages 533-534 of the House Journal be adopted, and when so adopted, recommends that HB 1476 DO PASS, which motion prevailed.

HB 1476 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. MARTINSON MOVED that the amendments to HB 1503 as recommended by the Committee on State and Federal Government as printed on page 534 of the House Journal be adopted, and when so adopted, recommends that HB 1503 DO PASS, which motion prevailed.

HB 1503 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER: Your new Conference Committee to which was referred SCR 4029 has had the same under consideration and recommends that SCR 4029 be amended as follows:

AMENDMENTS TO SCR 4029

On page 1, line 13, delete the numerals "69.00" and insert in lieu thereof the numerals "64.00"

- On page 1, line 14, delete the numerals "75.00" and insert in lieu thereof the numerals "70.00"
- On page 1, line 15, delete the numerals "69.00" and insert in lieu thereof the numerals "64.00"
- On page 1, line 17, delete the numerals "64.00" and insert in lieu thereof the numerals "66.00"
- On page 1, line 18, delete the numerals "58.00" and insert in lieu thereof the numerals "62.00"
- On page 3, line 10, delete the numerals "69.00" and insert in lieu thereof the numerals "64.00"
- On page 3, line 11, delete the numerals "75.00" and insert in lieu thereof the numerals "70.00"
- On page 3, line 12, delete the numerals "69.00" and insert in lieu thereof the numerals "64.00"
- On page 3, line 15, delete the numerals "64.00" and insert in lieu thereof the numerals "66.00"
- On page 3, line 16, delete the numerals "58.00" and insert in lieu thereof the numerals "62.00"
- On page 3, line 17, delete the numerals "58.00" and insert in lieu thereof the numerals "62.00"
- On page 3, line 18, delete the numerals "58.00" and insert in lieu thereof the numerals "62.00"
- On page 3, line 35, delete the numerals "70.00" and insert in lieu thereof the numerals "64.00"

For the Senate: Sens. Naaden, Nelson, Satrom

For the House: Reps. Martinson, J. Peterson, Opedahl

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

MOTION

REP. STRINDEN MOVED that the rules be suspended, that SCR 4029 be placed on the Sixth order of business and that after action taken on the Sixth order, that SCR 4029 be placed on the Fourteenth order for second reading and final passage, and immediately messaged to the Senate, which motion prevailed.

SIXTH ORDER OF BUSINESS

REP. MARTINSON MOVED that the amendments to SCR 4029 as recommended by the Conference Committee be adopted, and when so adopted, recommends that SCR 4029 DO PASS, which motion prevailed.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4029: A concurrent resolution providing and designating Senate and House employees and fixing their compensation.

Which has been read.

ROLL CALL

The question being on the final adoption of the resolution, as amended, the roll was called and there were 101 YEAS, 0 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; Nalewaja; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Peterson, J.; Rice; Richard; Riehl; Riley; Rydell; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Shockman; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn; Strinden; Thompson; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Wald; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Acting Speaker Conmy

NAYS: None

ABSENT AND NOT VOTING: Gullickson; Kelly; Lipsiea; Retzer; Speaker Hausauer, R.

SCR 4029 was declared adopted.

MESSAGE TO THE SENATE
HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to return herewith the following on which the House has adopted the conference committee report and subsequently passed the same:

SCR 4029

ROY GILBREATH, Chief Clerk

MOTION

REP. WENTZ MOVED that HB 1410 be returned to the House floor from the Committee on Judiciary, which motion prevailed.

REQUEST

REP. BROKAW REQUESTED the unanimous consent of the House to withdraw HB 1410. There being no objection, it was so ordered by the Acting Speaker.

MOTIONS

REP. A. OLSON MOVED that HB 1254 be returned to the House floor from the Committee on Natural Resources and be rereferred to the Committee on Finance and Taxation, which motion prevailed.

ACTING SPEAKER CONMY ANNOUNCED that HB 1254 was rereferred to the Committee on Finance and Taxation.

REP. A. OLSON MOVED that HB 1514 be returned to the House floor from the Committee on Natural Resources, which motion prevailed.

REQUEST

REP. G. BERG REQUESTED the unanimous consent of the House to withdraw HB 1514. There being no objection, it was so ordered by the Acting Speaker.

MOTION

REP. KINGSBURY MOVED that HB 1637 be returned to the House floor from the Committee on Appropriations, which motion prevailed.

REQUEST

REP. SCHNEIDER REQUESTED the unanimous consent of the House to withdraw HB 1637. There being no objection, it was so ordered by the Acting Speaker.

REPORT OF PROCEDURAL COMMITTEE

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

HB 1219, HB 1411, HB 1428, HB 1441

REP. HEDSTROM, Chairman

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

REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER: Your Committee on Enrollment and Engrossment respectfully report that the following bill was delivered to the Secretary of State for his filing at the hour of 1:42 p.m., February 1, 1985:

HCMR 2

REP. HEDSTROM, Chairman

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

RECOGNITION

THE ACTING SPEAKER ANNOUNCED that a former Representative was in the chambers, and requested that the House recognize former Representative Glen Henning, and Representative Henning was thereupon introduced to the House.

MESSAGES FROM THE SENATE
SENATE CHAMBER

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

SB 2089, SB 2115, SB 2128, SB 2258, SB 2271, SB 2275,
SB 2282, SB 2285, SB 2299, SB 2301

LEO LEIDHOLM, Secretary

SENATE CHAMBER

MR. SPEAKER: I have the honor to return herewith HB 1105 which the Senate has amended as follows:

SENATE AMENDMENTS TO HB 1105

On page 2, line 12, overstrike the second word "of" and insert immediately thereafter the word "in"

On page 2, line 31, delete the second word "of" and insert in lieu thereof the word "in"

And renumber the lines accordingly

LEO LEIDHOLM, Secretary

SECOND READING OF HOUSE BILLS

HB 1081: A BILL for an Act to amend and reenact sections 57-55-01.1, 57-55-02, 57-55-03, 57-55-04, 57-55-05, 57-55-06, 57-55-07, subsection 1 of section 57-55-10, and subsection 2 of section 57-55-11 of the North Dakota Century Code, relating to the payment of mobile home taxes and to tax permits.

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 99 YEAS, 1 NAY, 6 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lloyd; Martin; Martinson; Mertens; Meyer; Moore;

Murphy; Myrdal; Nalewaja; Nicholas; Nowatzki; Oban;
 O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl;
 O'Shea; Payne; Pederson, R.; Peterson, J.; Rice;
 Richard; Riehl; Riley; Rydell; Sauter; Schindler;
 Schmidt; Schneider; Shaw; Shide; Shockman; Skjerven;
 Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn;
 Strinden; Thompson; Timm; Tollefson; Ulmer; Unhjem;
 Vander Vorst; Wald; Watne; Whalen; Williams, A.;
 Williams, C.; Williams, W.; Winkelman; Wold;
 Acting Speaker Conmy

NAYS: Melby

ABSENT AND NOT VOTING: Gullickson; Kelly; Lipsiea;
 Retzer; Wentz; Speaker Hausauer, R.

HB 1081 passed and the title was agreed to.

HB 1104: A BILL for an Act to create and enact a new section to chapter 43-17 of the North Dakota Century Code, relating to the authority of the board of medical examiners to suspend a physician's license for up to sixty days in an ex parte proceeding based on a finding of immediate and present danger of harm to the public.

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 97 YEAS, 3 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.;
 Berg, R.; Brokaw; Cleveland; Dalrymple; DeMers; Dorso;
 Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz;
 Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.;
 Hanson, O.; Haugland; Hausauer, A.; Hill; Hoffner;
 Hughes; Keller; Kent; Kingsbury; Kloubec; Klundt;
 Knudson; Koland; Kretschmar; Kuchera; Lang; Larson;
 Laughlin; Lautenschlager; Linderman; Lindgren; Lloyd;
 Martin; Martinson; Melby; Mertens; Meyer; Moore;
 Murphy; Myrdal; Nalewaja; Nicholas; Nowatzki; Oban;
 O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl;
 O'Shea; Payne; Pederson, R.; Peterson, J.; Rice;
 Richard; Riehl; Riley; Rydell; Sauter; Schindler;
 Schmidt; Shaw; Shide; Shockman; Skjerven; Smette;
 Solberg, O.; Solberg, R.; Starke; Stofferahn; Strinden;
 Thompson; Tollefson; Ulmer; Unhjem; Vander Vorst;
 Watne; Wentz; Whalen; Williams, A.; Williams, C.;
 Williams, W.; Winkelman; Wold; Acting Speaker Conmy

NAYS: Hedstrom; Schneider; Wald

ABSENT AND NOT VOTING: Gullickson; Kelly; Lipsiea; Retzer; Timm; Speaker Hausauer, R.

HB 1104 passed and the title was agreed to.

HB 1122: A BILL for an Act to create and enact a new section to chapter 6-01 of the North Dakota Century Code, relating to the power of the state banking board, and the state credit union board to remove officers, directors, and employees of financial corporations or institutions.

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, 0 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; Nalewaja; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Peterson, J.; Rice; Richard; Riehl; Riley; Rydell; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Shockman; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn; Strinden; Thompson; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Wald; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Acting Speaker Conmy

NAYS: None

ABSENT AND NOT VOTING: Gullickson; Kelly; Lipsiea; Retzer; Speaker Hausauer, R.

HB 1122 passed and the title was agreed to.

HB 1129: A BILL for an Act to amend and reenact subdivision a of subsection 4 of section 54-52-17 of the North Dakota Century Code, relating to the calculation of service benefits under the public employees retirement system.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 68 YEAS, 32 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Berg, G.; Berg, R.; Brokaw; Cleveland; Dalrymple; DeMers; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Keller; Kent; Klundt; Knudson; Kretschmar; Kuchera; Lautenschlager; Linderman; Lindgren; Lloyd; Martin; Martinson; Mertens; Nalewaja; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, V.; Opedahl; O'Shea; Peterson, J.; Rice; Richard; Riehl; Rydell; Sauter; Schindler; Schneider; Shaw; Shockman; Skjerven; Solberg, O.; Solberg, R.; Starke; Stofferahn; Strinden; Tollefson; Ulmer; Unhjem; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Winkelman; Acting Speaker Conmy

NAYS: Anderson, C.; Anderson, R.; Belter; Dorso; Dotzenrod; Gunsch; Hanson, O.; Hughes; Kingsbury; Kloubec; Koland; Lang; Larson; Laughlin; Melby; Meyer; Moore; Murphy; Myrdal; Nicholas; Olson, A.; Payne; Pederson, R.; Riley; Schmidt; Shide; Smette; Thompson; Timm; Vander Vorst; Whalen; Wold

ABSENT AND NOT VOTING: Gullickson; Kelly; Lipsiea; Retzer; Wald; Speaker Hausauer, R.

HB 1129 passed and the title was agreed to.

HB 1148: A BILL for an Act to adopt the Uniform State Antitrust Act, relating to prohibitions against restraint of trade; to repeal chapter 51-08 of the North Dakota Century Code, relating to the prohibition against certain business pools and trusts; and to provide a penalty.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 39 YEAS, 61 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Brokaw; DeMers; Enget; Frey; Gates; Halmrast; Hanson, L.; Hill; Hoffner; Keller; Klundt; Kretschmar; Laughlin; Lautenschlager; Linderman; Lloyd; Mertens; Meyer; Oban; O'Connell; Opedahl; O'Shea; Richard; Riehl; Sauter; Schneider; Skjerven; Solberg, O.; Solberg, R.; Starke; Stofferahn; Tollefson; Ulmer; Unhjem; Watne; Williams, A.; Williams, C.; Williams, W.; Winkelman

NAYS: Anderson, C.; Anderson, R.; Belter; Berg, G.;
 Berg, R.; Cleveland; Dalrymple; Dorso; Dotzenrod;
 Eckroth; Gerntholz; Goetz; Gunsch; Hamerlik;
 Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hughes;
 Kent; Kingsbury; Kloubec; Knudson; Koland; Kuchera;
 Lang; Larson; Lindgren; Martin; Martinson; Melby;
 Moore; Murphy; Myrdal; Nalewaja; Nicholas; Nowatzki;
 Olsen, D.; Olson, A.; Olson, V.; Payne; Pederson, R.;
 Retzer; Rice; Riley; Rydell; Schindler; Schmidt; Shaw;
 Shide; Shockman; Smette; Strinden; Thompson; Timm;
 Vander Vorst; Wald; Wentz; Whalen; Wold;
 Acting Speaker Conmy

ABSENT AND NOT VOTING: Graba; Gullickson; Kelly;
 Lipsiea; Peterson, J.; Speaker Hausauer, R.

HB 1148 was declared lost.

HB 1149: A BILL for an Act to adopt the Model Survival and Death Act, relating to survival rights and obligations and recoveries for wrongful death; to amend and reenact section 5-01-06 of the North Dakota Century Code, relating to recovery of damages resulting from intoxication; and to repeal section 28-01-26.1 and chapter 32-21 of the North Dakota Century Code, relating to survival of actions and wrongful death actions.

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, 94 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: DeMers; Graba; Oban; Sauter; Schneider; Wentz;
 Acting Speaker Conmy

NAYS: Anderson, C.; Anderson, R.; Belter; Berg, G.;
 Berg, R.; Brokaw; Cleveland; Dalrymple; Dorso;
 Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz;
 Goetz; Gunsch; Halmrast; Hamerlik; Hanson, L.;
 Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill;
 Hoffner; Hughes; Keller; Kent; Kingsbury; Kloubec;
 Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang;
 Larson; Laughlin; Lautenschlager; Linderman; Lindgren;
 Lloyd; Martin; Martinson; Melby; Meyer; Moore; Murphy;
 Myrdal; Nalewaja; Nicholas; Nowatzki; O'Connell;
 Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea;
 Payne; Pederson, R.; Peterson, J.; Retzer; Rice;
 Richard; Riehl; Riley; Rydell; Schindler; Schmidt;
 Shaw; Shide; Shockman; Skjerven; Smette; Solberg, O.;
 Solberg, R.; Starke; Stofferahn; Strinden; Thompson;

Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Wald;
 Watne; Whalen; Williams, A.; Williams, C.;
 Williams, W.; Winkelman; Wold

ABSENT AND NOT VOTING: Gullickson; Kelly; Lipsiea;
 Mertens; Speaker Hausauer, R.

HB 1149 was declared lost.

MOTION

REP. STRINDEN MOVED that HB 1219 be placed at the head of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1219: A BILL for an Act to provide an appropriation for additional compensation to North Dakota state employees; excluding faculty and senior administrative staff at the institutions and agencies under the control of the state board of higher education, for the period beginning January 1, 1985, and ending June 30, 1985; and declaring an emergency.

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 97 YEAS, 2 NAYS, 7 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kent; Kingsbury; Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lloyd; Martin; Martinson; Mertens; Meyer; Moore; Murphy; Myrdal; Nalewaja; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Peterson, J.; Retzer; Rice; Richard; Riehl; Riley; Rydell; Schindler; Schmidt; Schneider; Shaw; Shide; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn; Strinden; Thompson; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Wald; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Acting Speaker Conmy

NAYS: Melby; Shockman

ABSENT AND NOT VOTING: Gullickson; Kelly; Kloubec;
 Lipsiea; Sauter; Whalen; Speaker Hausauer, R.

HB 1219 passed, the title was agreed to, and the emergency clause carried.

MOTION

REP. STRINDEN MOVED that HB 1219 be reprinted, which motion prevailed.

SECOND READING OF HOUSE BILLS

HB 1151: A BILL for an Act to adopt the Uniform Comparative Fault Act as amended through 1979, relating to the effect of contributory fault on the recovery of damages and providing for the apportionment of damages, setoff restrictions, right to and enforcement of contribution and the effect of a release; and to repeal section 9-10-07 and chapter 32-38 of the North Dakota Century Code, relating to contributory negligence and contribution among joint tort-feasors.

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, 83 NAYS, 14 ABSENT AND NOT VOTING.

YEAS: DeMers; Graba; Lloyd; Murphy; Oban; Sauter; Schneider; Stofferahn; Williams, A.

NAYS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Dalrymple; Dorso; Dotzenrod; Eckroth; Enget; Gates; Gertholz; Goetz; Gansch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Martin; Martinson; Melby; Meyer; Moore; Myrdal; Nalewaja; Nicholas; Nowatzki; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Peterson, J.; Retzer; Rice; Richard; Riehl; Schindler; Schmidt; Shaw; Shide; Shockman; Smette; Solberg, O.; Solberg, R.; Starke; Thompson; Timm; Tollefson; Ulmer; Vander Vorst; Wald; Watne; Williams, C.; Williams, W.; Winkelman; Wold; Acting Speaker Conmy

ABSENT AND NOT VOTING: Frey; Gullickson; Kelly; Kent; Lipsiea; Mertens; Riley; Rydell; Skjerven; Strinden; Unhjem; Wentz; Whalen; Speaker Hausauer, R.

HB 1151 was declared lost.

HB 1152: A BILL for an Act to adopt the Model Health-Care Consent Act, relating to authorization to consent to health care.

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 0 YEAS, 98 NAYS, 8 ABSENT AND NOT VOTING.

YEAS: None

NAYS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lloyd; Martin; Martinson; Melby; Meyer; Moore; Murphy; Myrdal; Nalewaja; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Peterson, J.; Retzer; Rice; Richard; Riehl; Riley; Rydell; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Shockman; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn; Thompson; Timm; Tollefson; Ulmer; Vander Vorst; Wald; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Acting Speaker Conny

ABSENT AND NOT VOTING: Gullickson; Kelly; Lang; Lipsiea; Mertens; Strinden; Unhjem; Speaker Hausauer, R.

HB 1152 was declared lost.

MOTION

REP. KRETSCHMAR MOVED that the House waive the reading of the title to HB 1155, which motion prevailed.

HB 1155: A BILL for an Act to create and enact sections 30.1-14-12, 30.1-14-13, 30.1-14-14, 30.1-14-15, 30.1-14-16, 30.1-14-17, 30.1-14-18, 30.1-14-19, 30.1-14-20, 30.1-14-21, and 30.1-14-22 of the North Dakota Century Code, relating to adoption of the Uniform Succession Without Administration Act as an alternative method of administering decedents' estates; and to amend and reenact sections 30.1-01-03, 30.1-12-01, 30.1-12-02, 30.1-12-03, 30.1-12-08, 30.1-12-09, 30.1-19-01, 30.1-19-02, 30.1-19-03, 30.1-19-07, 30.1-20-08, 30.1-20-09, 30.1-20-10, and

30.1-21-06 of the North Dakota Century Code, relating to the effect of fraud in probate proceedings, the devolution of decedents' estates, probate of wills, qualifications required for appointment of personal representatives, appointment proceedings, statutes of limitations, and distribution of estate assets.

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 3 YEAS, 96 NAYS, 7 ABSENT AND NOT VOTING.

YEAS: Hanson, O.; Thompson; Whalen

NAYS: Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; Nalewaja; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Peterson, J.; Retzer; Rice; Richard; Riehl; Riley; Rydell; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Shockman; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn; Strinden; Timm; Tollefson; Ulmer; Vander Vorst; Wald; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Acting Speaker Conmy

ABSENT AND NOT VOTING: Anderson, C.; Gullickson; Kelly; Lang; Lipsiea; Unhjem; Speaker Hausauer, R.

HB 1155 was declared lost.

HB 1168: A BILL for an Act to amend and reenact sections 50-24.2-01 and 50-24.2-02 of the North Dakota Century Code, relating to noninstitutional personal care and family home care.

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 99 YEAS, 0 NAYS, 7 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Dalrymple; DeMers; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; Nalewaja; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Peterson, J.; Retzer; Rice; Richard; Riehl; Riley; Rydell; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Shockman; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn; Strinden; Thompson; Timm; Tollefson; Ulmer; Vander Vorst; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Acting Speaker Conmy

NAYS: None

ABSENT AND NOT VOTING: Dorso; Gullickson; Kelly; Lipsiea; Unhjem; Wald; Speaker Hausauer, R.

HB 1168 passed and the title was agreed to.

MOTION

REP. KRETSCHMAR MOVED that the House waive the reading of the title to HB 1195, which motion prevailed.

HB 1195: A BILL for an Act to create and enact a new section to chapter 14-05 and a new section to chapter 50-09 of the North Dakota Century Code, relating to notification of child support enforcement agency in divorce actions and providing child support arrearage information to credit reporting agencies; to amend and reenact section 14-08-03 and subsection 2 of section 14-08-07 of the North Dakota Century Code, relating to the procedure for an action for support and transcription of child support orders.

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 96 YEAS, 2 NAYS, 8 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Dalrymple; DeMers; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.;

Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; Nalewaja; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Retzer; Rice; Richard; Riehl; Riley; Rydell; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Shockman; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn; Strinden; Thompson; Timm; Tollefson; Vander Vorst; Wald; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold

NAYS: Ulmer; Acting Speaker Conmy

ABSENT AND NOT VOTING: Dorso; Gullickson; Kelly;
Lipsea; Peterson, J.; Unhjem; Watne;
Speaker Hausauer, R.

HB 1195 passed and the title was agreed to.

APPOINTMENT

ACTING SPEAKER CONMY APPOINTED Rep. Kloubec to replace him as Acting Speaker.

SECOND READING OF HOUSE BILLS

HB 1215: A BILL for an Act to amend and reenact section 23-17.3-01 of the North Dakota Century Code, relating to certificate of need for home health agencies; and to repeal chapter 23-17.2 and section 23-17.3-03 of the North Dakota Century Code, relating to certificate of need for expansion of hospital facilities and certificate of need for home health agencies.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 64 YEAS, 38 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Berg, G.; Berg, R.; Brokaw; Conmy; Dalrymple; Dorso; Dotzenrod; Eckroth; Gates; Gerntholz; Goetz; Gunsch; Hamerlik; Haugland; Hausauer, A.; Hedstrom; Hughes; Keller; Kent; Kingsbury; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Linderman; Lindgren; Martin; Martinson; Melby; Meyer; Moore; Murphy; Myrdal; Nalewaja; Nicholas; Olsen, D.; Olson, A.; Olson, V.; Pederson, R.; Peterson, J.; Rice; Richard; Riehl; Riley; Rydell; Schindler; Schmidt; Shaw; Shide;

Shockman; Smette; Solberg, O.; Thompson; Timm;
Tollefson; Unhjem; Vander Vorst; Wald; Whalen;
Acting Speaker Kloubec

NAYS: Belter; Cleveland; DeMers; Enget; Frey; Graba;
Halmrast; Hanson, L.; Hanson, O.; Hill; Hoffner;
Klundt; Knudson; Lautenschlager; Lloyd; Mertens;
Nowatzki; Oban; O'Connell; Opedahl; O'Shea; Payne;
Retzer; Sauter; Schneider; Skjerven; Solberg, R.;
Starke; Stofferahn; Strinden; Ulmer; Watne; Wentz;
Williams, A.; Williams, C.; Williams, W.; Winkelman;
Wold

ABSENT AND NOT VOTING: Gullickson; Kelly; Lipsiea;
Speaker Hausauer, R.

HB 1215 passed and the title was agreed to.

ACTING SPEAKER CONMY returned to the rostrum.

SECOND READING OF HOUSE BILLS

HB 1221: A BILL for an Act to permit that an adoption petitioner may be required to show proof of health insurance covering the person to be adopted; and to create and enact a new section to chapter 50-12 of the North Dakota Century Code, relating to license requirements for out-of-state child-placing agencies.

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, 0 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.;
Berg, R.; Brokaw; Cleveland; Dalrymple; DeMers; Dorso;
Dotzenrod; Eckroth; Enget; Frey; Gates; Goetz; Graba;
Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.;
Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner;
Hughes; Keller; Kent; Kingsbury; Kloubec; Klundt;
Knudson; Koland; Kretschmar; Kuchera; Lang; Larson;
Laughlin; Lautenschlager; Linderman; Lindgren; Lloyd;
Martin; Martinson; Melby; Mertens; Meyer; Moore;
Murphy; Myrdal; Nalewaja; Nicholas; Nowatzki; Oban;
O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl;
O'Shea; Payne; Pederson, R.; Peterson, J.; Retzer;
Rice; Richard; Riehl; Riley; Rydell; Sauter; Schindler;
Schmidt; Schneider; Shaw; Shide; Shockman; Skjerven;
Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn;
Strinden; Thompson; Timm; Tollefson; Ulmer; Unhjem;
Vander Vorst; Wald; Watne; Wentz; Whalen; Williams, A.;

Williams, C.; Williams, W.; Winkelman; Wold;
Acting Speaker Conmy

NAYS: None

ABSENT AND NOT VOTING: Gerntholz; Gullickson; Kelly;
Lipsiea; Speaker Hausauer, R.

HB 1221 passed and the title was agreed to.

MOTION

REP. KRETSCHMAR MOVED that the House waive the reading of the title to HB 1245, which motion prevailed.

HB 1245: A BILL for an Act to amend and reenact subsections 3 and 7 of section 18-01-05.1, and section 26-18-08 or in the alternative section 26.1-39-05 as created by Senate Bill No. 2078 as approved by the forty-ninth legislative assembly, of the North Dakota Century Code, relating to fire insurance and arson investigations; and to repeal section 26-05-08 or in the alternative section 26.1-31-07 as created by Senate Bill No. 2078 as approved by the forty-ninth legislative assembly, of the North Dakota Century Code, relating to double fire insurance coverage.

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 69 YEAS, 29 NAYS, 8 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, R.; Cleveland; Dalrymple; Dorso; Dotzenrod; Eckroth; Frey; Gates; Goetz; Halmrast; Hamerlik; Haugland; Hausauer, A.; Hedstrom; Hill; Hughes; Kent; Kingsbury; Kloubec; Knudson; Koland; Kretschmar; Lang; Larson; Lautenschlager; Lindgren; Lloyd; Martin; Martinson; Melby; Moore; Myrdal; Nalewaja; Nicholas; Oban; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Peterson, J.; Retzer; Rice; Riley; Rydell; Schindler; Schmidt; Shaw; Shide; Skjerven; Smette; Strinden; Thompson; Timm; Tollefson; Unhjem; Vander Vorst; Wald; Watne; Wentz; Whalen; Williams, C.; Winkelman; Wold

NAYS: Berg, G.; Brokaw; DeMers; Enget; Graba; Gunsch; Hanson, L.; Hoffner; Keller; Klundt; Laughlin; Linderman; Mertens; Meyer; Murphy; Nowatzki; O'Connell; Richard; Riehl; Sauter; Schneider; Shockman; Solberg, O.; Solberg, R.; Stofferahn; Ulmer; Williams, A.; Williams, W.; Acting Speaker Conmy

ABSENT AND NOT VOTING: Gerntholz; Gullickson; Hanson, O.; Kelly; Kuchera; Lipsiea; Starke; Speaker Hausauer, R.

HB 1245 passed and the title was agreed to.

HB 1257: A BILL for an Act to create and enact section 15-34.2-07.1 of the North Dakota Century Code, relating to the direct negotiation of school transportation and motor vehicle fuel contracts; and to amend and reenact sections 15-34.2-07, 15-34.2-08, and 15-47-15 of the North Dakota Century Code, relating to school transportation, motor vehicle fuel, and heating fuel contracts.

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 89 YEAS, 9 NAYS, 8 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Cleveland; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hedstrom; Hill; Hughes; Keller; Kent; Kingsbury; Kloubec; Knudson; Koland; Kretschmar; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lloyd; Martin; Martinson; Melby; Meyer; Moore; Murphy; Myrdal; Nalewaja; Nicholas; Nowatzki; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Peterson, J.; Retzer; Rice; Riehl; Riley; Rydell; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Shockman; Skjerven; Smette; Solberg, R.; Stofferahn; Thompson; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Wald; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold

NAYS: Brokaw; Hausauer, A.; Hoffner; Klundt; Kuchera; Oban; Richard; Solberg, O.; Acting Speaker Conmy

ABSENT AND NOT VOTING: Gerntholz; Gullickson; Kelly; Lipsiea; Mertens; Starke; Strinden; Speaker Hausauer, R.

HB 1257 passed and the title was agreed to.

HB 1286: A BILL for an Act to amend and reenact section 2 of chapter 551 of the 1983 Session Laws of North Dakota, relating to the expiration date of temporary legislation

concerning compensation and expenses for members of the legislative assembly.

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 36 YEAS, 62 NAYS, 8 ABSENT AND NOT VOTING.

YEAS: Anderson, R.; Brokaw; Dalrymple; Dotzenrod; Enget; Halmrast; Hanson, O.; Hoffner; Hughes; Klundt; Laughlin; Meyer; Murphy; Oban; Olsen, D.; Olson, V.; Opedahl; O'Shea; Pederson, R.; Rice; Richard; Riehl; Schindler; Schmidt; Shaw; Shide; Shockman; Solberg, O.; Solberg, R.; Thompson; Timm; Ulmer; Vander Vorst; Wald; Whalen; Williams, A.

NAYS: Anderson, C.; Belter; Berg, G.; Berg, R.; Cleveland; DeMers; Dorso; Eckroth; Frey; Gates; Goetz; Graba; Gunsch; Hamerlik; Hanson, L.; Haugland; Hausauer, A.; Hedstrom; Hill; Keller; Kent; Kloubec; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Lautenschlager; Linderman; Lindgren; Lloyd; Martin; Martinson; Melby; Moore; Myrdal; Nalewaja; Nicholas; Nowatzki; O'Connell; Olson, A.; Payne; Peterson, J.; Retzer; Riley; Rydell; Sauter; Schneider; Skjerven; Smette; Stofferahn; Strinden; Tollefson; Unhjem; Watne; Wentz; Williams, C.; Williams, W.; Winkelman; Wold; Acting Speaker Conmy

ABSENT AND NOT VOTING: Gerntholz; Gullickson; Kelly; Kingsbury; Lipsiea; Mertens; Starke; Speaker Hausauer, R.

HB 1286 was declared lost.

HB 1300: A BILL for an Act to create and enact a new section to chapter 57-39.2 of the North Dakota Century Code, relating to extensions of time to perform sales tax audits; and to amend and reenact subsection 1 of section 57-39.2-02.1 of the North Dakota Century Code, relating to the imposition of the sales tax.

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 96 YEAS, 1 NAY, 9 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Dalrymple; DeMers; Dotzenrod; Eckroth; Enget; Frey; Gates; Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lloyd; Martin; Martinson; Melby; Meyer; Moore; Murphy; Myrdal; Nalewaja; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Peterson, J.; Retzer; Rice; Richard; Riehl; Riley; Rydell; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Shockman; Skjerven; Smette; Solberg, O.; Solberg, R.; Stofferahn; Thompson; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Wald; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Acting Speaker Conmy

NAYS: Dorso

ABSENT AND NOT VOTING: Gerntholz; Gullickson; Kelly; Lipsiea; Mertens; Starke; Strinden; Whalen; Speaker Hausauer, R.

HB 1300 passed and the title was agreed to.

HB 1337: A BILL for an Act to create and enact a new subsection to section 43-33-01 of the North Dakota Century Code, relating to a definition for certified hearing aid audiologists; and to amend and reenact paragraph 5 of subdivision c of subsection 2 of section 43-33-12 and subsection 2 of section 43-37-03 of the North Dakota Century Code, relating to unethical conduct by hearing aid dealers and an exception from licensure as an audiologist.

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 1 YEA, 93 NAYS, 12 ABSENT AND NOT VOTING.

YEAS: Rice

NAYS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Brokaw; Cleveland; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin;

Lautenschlager; Linderman; Lindgren; Lloyd; Martin; Martinson; Meyer; Moore; Murphy; Myrdal; Nalewaja; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Peterson, J.; Retzer; Richard; Riehl; Riley; Rydell; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Shockman; Skjerven; Smette; Solberg, O.; Solberg, R.; Stofferahn; Timm; Tollefson; Ulmer; Vander Vorst; Wald; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Acting Speaker Conmy

ABSENT AND NOT VOTING: Berg, R.; Gerntholz; Gullickson; Kelly; Lipsiea; Melby; Mertens; Starke; Strinden; Thompson; Unhjem; Speaker Hausauer, R.

HB 1337 was declared lost.

HB 1360: A BILL for an Act to amend and reenact section 54-21-26.1 of the North Dakota Century Code, relating to the sale of penitentiary lands and review and notice of such sales.

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 43 YEAS, 52 NAYS, 11 ABSENT AND NOT VOTING.

YEAS: Belter; Brokaw; Dalrymple; DeMers; Dotzenrod; Enget; Frey; Graba; Halmrast; Hanson, L.; Hanson, O.; Haugland; Hill; Hoffner; Kingsbury; Klundt; Kuchera; Lang; Laughlin; Linderman; Lloyd; Martin; Meyer; Nowatzki; Oban; O'Connell; Olson, V.; Opedahl; O'Shea; Pederson, R.; Riehl; Sauter; Skjerven; Smette; Solberg, O.; Solberg, R.; Stofferahn; Ulmer; Watne; Whalen; Williams, A.; Williams, C.; Williams, W.

NAYS: Anderson, C.; Anderson, R.; Berg, G.; Berg, R.; Cleveland; Dorso; Eckroth; Gates; Goetz; Gunsch; Hamerlik; Hausauer, A.; Hedstrom; Hughes; Keller; Kent; Kloubec; Knudson; Koland; Kretschmar; Larson; Lautenschlager; Lindgren; Martinson; Melby; Moore; Murphy; Myrdal; Nalewaja; Nicholas; Olsen, D.; Olson, A.; Payne; Peterson, J.; Retzer; Rice; Riley; Rydell; Schindler; Schmidt; Shaw; Shide; Shockman; Timm; Tollefson; Unhjem; Vander Vorst; Wald; Wentz; Winkelman; Wold; Acting Speaker Conmy

ABSENT AND NOT VOTING: Gerntholz; Gullickson; Kelly;
Lipsiea; Mertens; Richard; Schneider; Starke; Strinden;
Thompson; Speaker Hausauer, R.

HB 1360 was declared lost.

HB 1361: A BILL for an Act to amend and reenact subsection 2 of section 57-51-15 of the North Dakota Century Code, relating to a limitation on annual county revenue from the oil and gas gross production tax.

Which has been read.

ROLL CALL

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

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Frey; Gates; Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang; Laughlin; Lautenschlager; Linderman; Lindgren; Lloyd; Martin; Martinson; Melby; Meyer; Moore; Murphy; Myrdal; Nalewaja; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; Payne; Pederson, R.; Retzer; Rice; Richard; Riehl; Riley; Rydell; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Shockman; Skjerven; Smette; Solberg, O.; Solberg, R.; Stofferahn; Thompson; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Wald; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Acting Speaker Conmy

NAYS: Enget; O'Shea

ABSENT AND NOT VOTING: Gerntholz; Gullickson; Kelly;
Larson; Lipsiea; Mertens; Peterson, J.; Starke;
Strinden; Speaker Hausauer, R.

HB 1361 passed and the title was agreed to.

HB 1368: A BILL for an Act to amend and reenact sections 11-18-09, 35-03-10, and 35-27-03 of the North Dakota Century Code, relating to equal priority to distributions for mechanics' liens and mortgages.

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 14 YEAS, 82 NAYS, 10 ABSENT AND NOT VOTING.

YEAS: Anderson, R.; Dorso; Eckroth; Goetz; Hanson, O.; Melby; Murphy; Olson, V.; Retzer; Rice; Thompson; Timm; Wald; Wold

NAYS: Anderson, C.; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Dalrymple; DeMers; Dotzenrod; Enget; Frey; Gates; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lloyd; Martin; Martinson; Meyer; Moore; Myrdal; Nalewaja; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Opedahl; O'Shea; Payne; Pederson, R.; Richard; Riehl; Riley; Rydell; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Shockman; Skjerven; Smette; Solberg, O.; Solberg, R.; Stofferahn; Tollefson; Ulmer; Unhjem; Vander Vorst; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Winkelman; Acting Speaker Conmy

ABSENT AND NOT VOTING: Gerntholz; Gullickson; Kelly; Lipsiea; Mertens; Peterson, J.; Starke; Strinden; Whalen; Speaker Hausauer, R.

HB 1368 was declared lost.

HB 1383: A BILL for an Act to amend and reenact section 32-19.2-01 of the North Dakota Century Code, relating to the appointment of a trustee on application of the mortgagee in any action for the foreclosure of a real estate mortgage.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 93 YEAS, 3 NAYS, 10 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lloyd; Martin; Martinson; Melby; Moore; Murphy; Myrdal; Nalewaja;

Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Retzer; Rice; Richard; Riehl; Riley; Rydell; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Shockman; Skjerven; Smette; Solberg, O.; Solberg, R.; Stofferahn; Strinden; Thompson; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Wald; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Acting Speaker Conmy

NAYS: Kuchera; Meyer; Nicholas

ABSENT AND NOT VOTING: Gerntholz; Gullickson; Kelly; Kent; Lipsiea; Mertens; Nowatzki; Peterson, J.; Starke; Speaker Hausauer, R.

HB 1383 passed and the title was agreed to.

HB 1389: A BILL for an Act to amend subsections 1 and 3 of section 5-02-05.1 of the North Dakota Century Code, relating to special Sunday convention alcoholic beverage permit.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 75 YEAS, 21 NAYS, 10 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Berg, G.; Berg, R.; Brokaw; Cleveland; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Gates; Goetz; Graba; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kent; Kingsbury; Kloubec; Knudson; Koland; Kretschmar; Kuchera; Larson; Laughlin; Lautenschlager; Lindgren; Martin; Martinson; Meyer; Moore; Myrdal; Nalewaja; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, V.; Opedahl; O'Shea; Payne; Rice; Riehl; Riley; Rydell; Sauter; Schmidt; Schneider; Shide; Shockman; Skjerven; Smette; Stofferahn; Strinden; Timm; Tollefson; Ulmer; Unhjem; Wald; Wentz; Whalen; Williams, C.; Williams, W.; Winkelman; Wold; Acting Speaker Conmy

NAYS: Belter; Enget; Frey; Gunsch; Lang; Linderman; Lloyd; Melby; Murphy; O'Connell; Olson, A.; Pederson, R.; Retzer; Richard; Schindler; Shaw; Solberg, O.; Solberg, R.; Thompson; Watne; Williams, A.

ABSENT AND NOT VOTING: Gerntholz; Gullickson; Kelly; Klundt; Lipsiea; Mertens; Peterson, J.; Starke; Vander Vorst; Speaker Hausauer, R.

HB 1389 passed and the title was agreed to.

HB 1401: A BILL for an Act to amend and reenact section 12.1-14-03 of the North Dakota Century Code, relating to conduct in connection with any election.

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 34 YEAS, 63 NAYS, 9 ABSENT AND NOT VOTING.

YEAS: Belter; Brokaw; DeMers; Enget; Graba; Halmrast; Hanson, L.; Hill; Hoffner; Klundt; Laughlin; Lautenschlager; Linderman; Lloyd; Meyer; Myrdal; Nalewaja; Nowatzki; Oban; O'Connell; Opedahl; O'Shea; Richard; Riehl; Schneider; Shockman; Skjerven; Solberg, O.; Solberg, R.; Stofferahn; Vander Vorst; Watne; Williams, A.; Williams, W.

NAYS: Anderson, C.; Anderson, R.; Berg, G.; Berg, R.; Cleveland; Dalrymple; Dorso; Dotzenrod; Eckroth; Frey; Gates; Goetz; Gunsch; Hamerlik; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hughes; Keller; Kent; Kingsbury; Kloubec; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Lindgren; Martin; Martinson; Melby; Moore; Murphy; Nicholas; Olsen, D.; Olson, A.; Olson, V.; Payne; Pederson, R.; Retzer; Rice; Riley; Rydell; Sauter; Schindler; Shaw; Shide; Smette; Strinden; Thompson; Timm; Tollefson; Ulmer; Unhjem; Wald; Wentz; Whalen; Williams, C.; Winkelman; Wold; Acting Speaker Conmy

ABSENT AND NOT VOTING: Gerntholz; Gullickson; Kelly; Lipsiea; Mertens; Peterson, J.; Schmidt; Starke; Speaker Hausauer, R.

HB 1401 was declared lost.

MESSAGE FROM THE SENATE SENATE CHAMBER

MR. SPEAKER: I have the honor to inform you that the Senate has concurred in the House amendments to SB 2133 and subsequently passed the same.

LEO LEIDHOLM, Secretary

DOCTOR OF THE DAY SCHEDULE

February 4: D. Ross Halliday, M.D. - Fargo
Orthopaedic Surgeon
February 5: Bradley R. Buell, M.D. - Bismarck
Ear, Nose, and Throat
February 6: C. Milton Smith, M.D. - Fargo
Family Practice
February 7: Judith S. Kaur, M.D. - Bismarck
Internal Medicine
February 8: James J. Moses, M.D. - Bismarck
Urology

MOTIONS

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

REP. STRINDEN MOVED that the House be on the Fifth order of business, and at the conclusion of the Fifth order, the House be on the Thirteenth order of business, and at the conclusion of the Thirteenth order, the House stand adjourned until 12:30 p.m., Monday, February 4, 1985, which motion prevailed.

REPORTS OF STANDING COMMITTEES

MR. SPEAKER: Your Committee on Judiciary to which was referred HB 1054 has had the same under consideration and recommends by a vote of 12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

- On page 1, line 3, after the numerals "16.1-05-05," insert the numerals "16.1-06-16,"
- On page 1, line 4, after the word "officials" insert the following language: ", term of office for election inspectors, distribution of election supplies, and the instruction provided by the county auditor"
- On page 3, line 32, remove the overstrike over the words "~~The election inspector shall be selected in the following~~"
- On page 3, remove the overstrike on lines 33 through 35
- On page 4, remove the overstrike on lines 1 through 3
- On page 4, line 4, remove the overstrike over the letter "~~B-~~"
- On page 4, line 7, delete the word "The" and insert in lieu thereof the following: "In all other precincts, the", and after the word "auditor" insert the words ", with the approval of the majority of the board of county commissioners,
- On page 4, line 8, delete the words "for all precincts in the county"

On page 4, line 11, after the period insert the following new subdivision:

"c. The election inspector shall serve a term of two years. If an inspector fails to appear for any training session without excuse, the office is deemed vacant and the vacancy shall be filled for that election by the auditor. Prior to the next election, the appropriate appointing body or county auditor shall fill the vacancy for the remainder of the term."

On page 5, line 32, delete the words "Not more than", overstrike the word "fifteen" and insert immediately thereafter the words "Not more than twenty", and immediately after the word "days" insert the following language: ", but at least three days"

On page 6, line 17, delete the word "every" and insert in lieu thereof the word "the"

On page 6, line 18, immediately after the word "county" insert the following language: "representing any political party casting at least five percent of the total votes cast for governor at the last election"

On page 9, after line 8, insert the following new section:

"SECTION 6. AMENDMENT. Section 16.1-06-16 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

16.1-06-16. County auditor to provide and distribute ballots - Other election supplies delivered at same time. For each election precinct in ~~his~~ the county, the county auditor shall provide the number of ballots ~~he deems the auditor determines to be necessary.~~ At least fifteen days before any election, each Each county auditor shall:

1. Have the ballots printed at least fifteen days prior to the election, and the same may be inspected by any person at the auditor's office.
2. Deliver to the inspector in each precinct at least three days but not more than fifteen days prior to the election the number of ballots and blank forms of pollbooks, blanks for election returns with the proper captions, forms of oaths and certificates, and tally sheets necessary to carry out the provisions of this title."

And renumber the lines, sections and pages accordingly

REP. CONMY, Chairman

HB 1054 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Industry, Business and Labor to which was referred HB 1158 has had the same under consideration and recommends by a vote of 8 YEAS, 7 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO NOT PASS:

On page 1, line 19, immediately after the word "must" insert the words "have a single bi-directional meter installation. A customer will"

On page 1, line 20, immediately after the word "utility" insert the words "within a billing period"

On page 1, line 23, delete the words "equal to the electric" and insert in lieu thereof the words "determined under 16 U.S.C. 824a-3 and rules adopted under that section."

On page 1, delete lines 24 through 28

On page 2, delete lines 1 through 7

On page 2, line 8, delete the words "preceding July first."

And renumber the lines accordingly

REP. KLOUBEC, Chairman

HB 1158 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Agriculture to which was referred HB 1163 has had the same under consideration and recommends by a vote of 13 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING that the same DO PASS.

REP. NICHOLAS, Chairman

HB 1163 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Political Subdivisions to which was referred HB 1206 has had the same under consideration and recommends by a vote of 15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

REP. LANG, Chairman

HB 1206 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on State and Federal Government to which was referred HB 1249 has had the same under consideration and recommends by a vote of 7 YEAS, 6 NAYS, 2 ABSENT AND NOT VOTING

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

On page 1, line 9, delete the word "eighty" and insert in lieu thereof the word "forty"

And renumber the lines accordingly

REP. MARTINSON, Chairman

HB 1249 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on State and Federal Government to which was referred HB 1251 has had the same under consideration and recommends by a vote of 9 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

REP. MARTINSON, Chairman

HB 1251 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Political Subdivisions to which was referred HB 1278 has had the same under consideration and recommends by a vote of 13 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING that the same DO PASS.

REP. LANG, Chairman

HB 1278 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Natural Resources to which was referred HB 1304 has had the same under consideration and recommends by a vote of 11 YEAS, 2 NAYS, 4 ABSENT AND NOT VOTING that the same DO PASS.

REP. A. OLSON, Chairman

HB 1304 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Political Subdivisions to which was referred HB 1306 has had the same under consideration and recommends by a vote of 12 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

REP. LANG, Chairman

HB 1306 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Political Subdivisions to which was referred HB 1311 has had the same under consideration and recommends by a vote of 11 YEAS, 1 NAY, 3 ABSENT AND NOT VOTING that the same DO PASS.

REP. LANG, Chairman

HB 1311 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Social Services and Veterans Affairs to which was referred HB 1313 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 5, line 32, delete the word "may" and insert in lieu thereof the word "shall"

And renumber the lines accordingly

REP. HAUGLAND, Chairman

HB 1313 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Agriculture to which was referred HB 1338 has had the same under consideration and recommends by a vote of 11 YEAS, 2 NAYS, 4 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. NICHOLAS, Chairman

HB 1338 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Political Subdivisions to which was referred HB 1352 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

REP. LANG, Chairman

HB 1352 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Natural Resources to which was referred HB 1353 has had the same under consideration and recommends by a vote of 16 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

REP. A. OLSON, Chairman

HB 1353 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Natural Resources to which was referred HB 1357 has had the same under consideration and recommends by a vote of 9 YEAS, 3 NAYS, 5 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. A. OLSON, Chairman

HB 1357 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Social Services and Veterans Affairs to which was referred HB 1373 has had the same under consideration and recommends by a vote of 13 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same DO PASS.

REP. HAUGLAND, Chairman

HB 1373 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on State and Federal Government to which was referred HB 1385 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 15, after the word "maintain" insert the word "temporary"

On page 1, line 16, delete the words "until claimed by the rightful owners" and insert in lieu thereof the words ". If not claimed within a period of ninety days following public notice by the society, the ownership of the objects vests in the state to be administered by the state historical board as other items in its custody"

And renumber the lines accordingly

REP. MARTINSON, Chairman

HB 1385 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Agriculture to which was referred HB 1404 has had the same under consideration and recommends by a vote of 13 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING that the same DO PASS and be rereferred to the Committee on Appropriations.

REP. NICHOLAS, Chairman

HB 1404 was rereferred to the Committee on Appropriations.

MR. SPEAKER: Your Committee on Agriculture to which was referred HB 1432 has had the same under consideration and recommends by a vote of 13 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING that the same DO PASS.

REP. NICHOLAS, Chairman

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

MR. SPEAKER: Your Committee on Agriculture to which was referred HB 1443 has had the same under consideration and recommends by a vote of 15 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. NICHOLAS, Chairman

HB 1443 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Social Services and Veterans Affairs to which was referred HB 1449 has had the same under consideration and recommends by a vote of 13 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same DO PASS.

REP. HAUGLAND, Chairman

HB 1449 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Transportation to which was referred HB 1451 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

REP. TIMM, Chairman

HB 1451 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Agriculture to which was referred HB 1469 has had the same under consideration and recommends by a vote of 13 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING that the same DO PASS.

REP. NICHOLAS, Chairman

HB 1469 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Natural Resources to which was referred HCR 3027 has had the same under consideration and recommends by a vote of 12 YEAS, 2 NAYS, 3 ABSENT AND NOT VOTING that the same DO PASS.

REP. A. OLSON, Chairman

HCR 3027 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Social Services and Veterans Affairs to which was referred HCR 3028 has had the same under consideration and recommends by a vote of 15 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

REP. HAUGLAND, Chairman

HCR 3028 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Agriculture to which was referred HCR 3029 has had the same under consideration and recommends by a vote of 12 YEAS, 1 NAY, 4 ABSENT AND NOT VOTING that the same DO PASS.

REP. NICHOLAS, Chairman

HCR 3029 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

FIRST READING OF SENATE BILLS

SB 2041: A BILL for an Act to create and enact chapter 10-19.1 of the North Dakota Century Code, relating to the creation, organization, operation, liability, and dissolution of business corporations; to amend and reenact sections 10-06-07, 10-06-07.1, 10-22-01, 10-22-02, 10-22-03, 10-22-05, 10-22-06, 10-22-07, 10-22-15, 10-22-16, 10-22-18, 10-23-09, 10-23-11, 10-23-12, 10-23-13, 10-23-14, 10-23-15, 10-23-16, 10-23-17, 10-30-05, subsection 12 of section 25-03.1-02, and subsection 4 of section 38-08.1-03.1 of the North Dakota Century Code, relating to references to chapters 10-19, 10-20, and 10-21 (North Dakota Business Corporation Act); and to repeal chapters 10-19, 10-20, and 10-21 of the North Dakota Century Code, relating to the North Dakota Business Corporation Act; and to declare an emergency.

Was read the first time and referred to the **Committee on Industry, Business and Labor.**

SB 2050: A BILL for an Act to create and enact sections 21-10-02.1 and 21-10-06.1 of the North Dakota Century Code, relating to the state investment board's policies on investment goals and objectives and the state investment board investment reporting; and to amend and reenact section 54-52-04 of the North Dakota Century Code, relating to the public employees retirement system's investment reporting.

Was read the first time and referred to the **Committee on State and Federal Government.**

SB 2055: A BILL for an Act to provide for the department of human services to limit state reimbursement for rental expenses of long-term care facilities.

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

SB 2078: A BILL for an Act to create and enact sections 26.1-01-03.1 and 26.1-01-03.2, and chapters 26.1-26, 26.1-27, 26.1-28, 26.1-29, 26.1-30, 26.1-31, 26.1-32, 26.1-33, 26.1-34, 26.1-35, 26.1-36, 26.1-37, 26.1-38, 26.1-39, 26.1-40, 26.1-41, 26.1-42, 26.1-43, and 26.1-44 of the North Dakota Century Code, relating to the authority of the commissioner of insurance; insurance agents, brokers, consultants, and representatives; insurance administrators; insurance vending machines; insurance contracts; insurance policies; reinsurance and double insurance; loss and notice of loss; life insurance; annuities; life insurance and annuity valuation; accident and health insurance; credit life and accident and health insurance; the North Dakota life and health insurance guaranty association; property and casualty insurance; automobile insurance and

warranties; auto accident reparations; the North Dakota insurance guaranty association; legal expense insurance; and surplus line insurance; to repeal chapters 26-02, 26-03, 26-03.1, 26-03.2, 26-03.3, 26-03.4, 26-03.5, 26-03.6, 26-05, 26-06, 26-09.2, 26-10, 26-10.1, 26-11.1, 26-17.1, 26-17.2, 26-18, 26-31, 26-33, 26-34, 26-35, 26-36, 26-36.1, 26-39, and 26-41, and sections 26.1-17-13, 26.1-17-14, 26.1-17-15, 26.1-17-17, 26.1-18-15, and 26.1-18-16 of the North Dakota Century Code, sections 1 and 10 of chapter 247, sections 1 and 12 of chapter 248, and section 1 of chapter 249 of the 1977 Session Laws, section 1 of chapter 303 of the 1981 Session Laws, and section 27 of chapter 332 of the 1983 Session Laws, relating to the insurance laws remaining in title 26, uncodified provisions pertaining to those laws, contract requirements covered by title 26.1, and temporary transition from title 26 to title 26.1; to provide penalties; and to provide for transition.

Was read the first time and referred to the Committee on Industry, Business and Labor.

SB 2079: A BILL for an Act to create and enact a new subsection to section 15-29-08 and a new subsection to section 58-06-01 of the North Dakota Century Code, relating to fire and tornado insurance coverage by school districts and townships; and to amend and reenact sections 2-02-09, 13-03.1-17, 26.1-02-02, subsections 6, 7, and 9 of section 26.1-02-05, subsection 5 of section 26.1-02-06, subsection 2 of section 26.1-02-23, subsections 1 and 2 of section 26.1-03-12, section 26.1-03-15, subsections 1 and 2 of section 26.1-03-17, subsection 1 of section 26.1-04-04, subsections 1 and 4 of section 26.1-04-05, sections 26.1-04-06, 26.1-05-04, 26.1-05-19, 26.1-05-27, 26.1-05-34, 26.1-07-14, subsection 5 of section 26.1-07-17, subsections 2, 6, and 9 of section 26.1-08-01, subsections 1 and 2 of section 26.1-08-03, subsection 1 of section 26.1-08-05, subsection 1 of section 26.1-08-06, subsection 4 of section 26.1-08-09, subsections 1, 2, and 3 of section 26.1-08-10, subsections 3 and 4 of section 26.1-08-11, subsection 1 of section 26.1-08-12, section 26.1-09-13, subsection 3 of section 26.1-10-01, subsection 9 of section 26.1-11-01, sections 26.1-11-07, 26.1-11-11, subsection 1 of section 26.1-11-12, sections 26.1-11-18, 26.1-11-19, 26.1-12-11, 26.1-12-12, 26.1-12-15, 26.1-13-16, 26.1-13-19, 26.1-14-15, 26.1-17-18, 26.1-17-23, 26.1-17-25, 26.1-17-26, 26.1-17-27, subsection 11 of section 26.1-18-03, sections 26.1-18-12, 26.1-18-14, subsection 3 of section 26.1-19-04, sections 26.1-19-08, 26.1-19-10, 26.1-22-20, 26.1-23-05, 26.1-23-11, 26.1-24-03, 26.1-24-05, 26.1-24-07, 26.1-25-16, 28-04-02, 31-12-06, 32-12.1-05, 32-12.1-06, subsection 1 of section 32-12.1-15, subsection 1 of section 39-01-08, subsection 7 of section 39-04-05, subsections 2, 3, and 4 of section 39-04-06, subsection 7 of section 39-05-20.3, subsection 2 of section

39-06-05, sections 39-16-05, 39-16-29, subsection 3 of section 39-16.1-04, section 39-16.1-20, subsection 7 of section 41-09-04, subsection 2 of section 43-10.1-01, sections 43-13-31, 49-18-33, subsection 2 of section 51-07-12, sections 54-30-24.1, 60-02-10.1, and 60-02-35.1 of the North Dakota Century Code, relating to insurance policies, insurance contracts, and accident and health insurance.

Was read the first time and referred to the Committee on Industry, Business and Labor.

SB 2107: A BILL for an Act to amend and reenact sections 10-22-01, 10-22-02, 10-22-03, 10-22-04, 10-22-05, 10-22-06, 10-22-07, 10-22-08, 10-22-09, 10-22-10, 10-22-12, 10-22-13, 10-22-14, 10-22-15, 10-22-16, 10-22-17, and 10-22-19 of the North Dakota Century Code, relating to foreign corporations; to repeal section 10-22-18 of the North Dakota Century Code, relating to foreign corporations; and to declare an emergency.

Was read the first time and referred to the Committee on Industry, Business and Labor.

SB 2152: A BILL for an Act to amend and reenact section 15-39.1-26 of the North Dakota Century Code, relating to investment of moneys in the teachers' fund for retirement.

Was read the first time and referred to the Committee on State and Federal Government.

SB 2172: A BILL for an Act to create and enact chapter 30.1-30 of the North Dakota Century Code as a new part 5 of article V of the Uniform Probate Code, relating to the Uniform Durable Power of Attorney Act; to amend and reenact sections 30.1-28-11 and 30.1-29-10 of the North Dakota Century Code, relating to the appointment of guardians and conservators; and to repeal the present chapter 30.1-30 of the North Dakota Century Code.

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

SB 2195: A BILL for an Act to amend and reenact subsection 1 of section 19-02.1-04, sections 19-02.1-06 and 19-02.1-07 of the North Dakota Century Code, relating to penalties, prosecutions, and minor violations of the Food, Drug, and Cosmetic Act; and providing a penalty.

Was read the first time and referred to the Committee on Industry, Business and Labor.

SB 2237: A BILL for an Act to create and enact a new subsection to section 57-15-06.7 of the North Dakota Century Code, relating to a property tax levy in addition to the general fund levy for county correction centers; to amend and reenact sections 57-15-06.6 and 57-15-06.8 of the North Dakota Century Code, relating to the county correction centers levy.

Was read the first time and referred to the Committee on Political Subdivisions.

SB 2239: A BILL for an Act to amend and reenact subsection 2 of section 19-02.1-14.1 of the North Dakota Century Code, relating to the label of drugs.

Was read the first time and referred to the Committee on Industry, Business and Labor.

SB 2252: A BILL for an Act to cancel and declare forfeited a portion of water permit numbers 153B and 2143 relating to the right of the Jamestown state hospital and the Hettinger experiment station to appropriate water; and to declare an emergency.

Was read the first time and referred to the Committee on Natural Resources.

SB 2266: A BILL for an Act to amend and reenact sections 61-04-06.2, 61-04-23, 61-04-24, and 61-04-25 of the North Dakota Century Code, relating to terms of permit for use of water and forfeiture of water rights.

Was read the first time and referred to the Committee on Natural Resources.

SB 2323: A BILL for an Act to amend and reenact section 3-05-01 and subsection 3 of section 41-06-08 of the North Dakota Century Code, relating to auction clerks.

Was read the first time and referred to the Committee on Industry, Business and Labor.

SB 2326: A BILL for an Act to amend and reenact section 6-03-05 of the North Dakota Century Code, relating to the limitation on the amount of real estate owned or carried by banking associations.

Was read the first time and referred to the Committee on Industry, Business and Labor.

SB 2347: A BILL for an Act to amend and reenact subsection 2 of section 57-02-08.1 of the North Dakota Century Code, relating to property tax credits for a person sixty-five years of age or older, or for any person who is permanently and totally disabled, if that person rents living quarters and has an income of ten thousand dollars or less per annum.

Was read the first time and referred to the Committee on Finance and Taxation.

FIRST READING OF A SENATE CONCURRENT RESOLUTION

SCR 4003: A concurrent resolution urging long-term care facilities in this state to develop a long-term care facility code of ethics that includes guidelines to promote uniformity in the basis for charging for ancillary services and miscellaneous supplies.

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

The House stood adjourned pursuant to Representative Strinden's motion.

ROY GILBREATH, Chief Clerk