

JOURNAL OF THE HOUSE

Forty-ninth Legislative Assembly

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TWENTIETH DAY

Bismarck, February 4, 1985

The House convened at 12:30 p.m., with Speaker R. Hausauer presiding.

The prayer was offered by Reverend Norman Winkelman, United Methodist Church, Wahpeton, North Dakota.

ROLL CALL

The roll was called and all Representatives were present, except Representatives Goetz, Gullickson, Kelly, Larson, Lipsiea, Nalewaja.

A quorum was declared by the 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 Nineteenth Day and finds the same to be correct.

REP. KENT, Chairman

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

MOTION

REP. A. HAUSAUER MOVED that HB 1624 be returned to the House floor from the Committee on Finance and Taxation, which motion prevailed.

REQUEST

REP. R. SOLBERG REQUESTED the unanimous consent of the House to withdraw HB 1624. There being no objection, it was so ordered by the Speaker.

MOTION

REP. HAUGLAND MOVED that HB 1323 be returned to the House floor from the Committee on Social Services and Veterans Affairs, which motion prevailed.

REQUEST

REP. LAUTENSCHLAGER REQUESTED the unanimous consent of the House to withdraw HB 1323. There being no objection, it was so ordered by the Speaker.

## MOTION

REP. A. OLSON MOVED that HB 1430 be returned to the House floor from the **Committee on Natural Resources** and be rereferred to the **Committee on Agriculture**, which motion prevailed.

SPEAKER R. HAUSAUER ANNOUNCED that HB 1430 was rereferred to the **Committee on Agriculture**.

## 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 1111, HB 1157, HB 1159, HB 1183, HB 1205, HB 1207,  
 HB 1267, HB 1285, HB 1343, HB 1374, HB 1381, HB 1384,  
 HB 1462, HB 1476, HB 1503

REP. HEDSTROM, Chairman

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

## SIXTH ORDER OF BUSINESS

REP. CONMY MOVED that the amendments to HB 1054 as recommended by the **Committee on Judiciary** as printed on pages 568-569 of the House Journal be adopted, and when so adopted, recommends that HB 1054 DO PASS, which motion prevailed.

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

REP. KLOUBEC MOVED that the amendments to HB 1158 as recommended by the **Committee on Industry, Business and Labor** as printed on pages 569-570 of the House Journal be adopted, and when so adopted, recommends that HB 1158 DO NOT PASS, which motion prevailed.

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

REP. MARTINSON MOVED that the amendments to HB 1249 as recommended by the **Committee on State and Federal Government** as printed on page 570 of the House Journal be adopted, and when so adopted, recommends that HB 1249 DO PASS, which motion prevailed.

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

REP. HAUGLAND MOVED that the amendments to HB 1313 as recommended by the **Committee on Social Services and Veterans Affairs** as printed on page 571 of the House Journal be adopted, and when so adopted, recommends that HB 1313 DO PASS, which motion prevailed.

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

REP. MARTINSON MOVED that the amendments to HB 1385 as recommended by the Committee on State and Federal Government as printed on pages 572-573 of the House Journal be adopted, and when so adopted, recommends that HB 1385 DO PASS, which motion prevailed.

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

MESSAGE 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 2069, SB 2141, SB 2154, SB 2272, SB 2273, SB 2276,  
SB 2280, SB 2306, SB 2308, SB 2330, SB 2333, SB 2378,  
SB 2379, SB 2382, SCR 4026, SCR 4031

LEO LEIDHOLM, Secretary

SECOND READING OF HOUSE BILLS

HB 1053: A BILL for an Act to create an area service agency pilot program to provide educational and administrative services to schools, and to create a new subdivision to subsection 1 of section 57-15-14.2 of the North Dakota Century Code, relating to school board mill levies; to amend and reenact subsection 2 of section 57-15-14.2 of the North Dakota Century Code, relating to school board mill levies; to provide an appropriation; and to declare an emergency.

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 10 YEAS, 89 NAYS, 7 ABSENT AND NOT VOTING.

YEAS: Cleveland; Conmy; Gates; Halmrast; Hamerlik; Hausauer, A.; Martinson; Rydell; Strinden; Unhjem

NAYS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gerntholz; Graba; Gunsch; Hanson, L.; Hanson, O.; Haugland; Hedstrom; Hill; Hoffner; Hughes; Keller; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang; Laughlin; Lautenschlager; Linderman; Lindgren; Lloyd; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Peterson, J.; Retzer; Rice; Richard; Rieh; Riley; 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;  
 Speaker Hausauer, R.

**ABSENT AND NOT VOTING:** Goetz; Gullickson; Kelly; Larson;  
 Lipsiea; Martin; Nalewaja

HB 1053 was declared lost.

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**HB 1079:** A BILL for an Act to amend and reenact sections 20.1-02-18, 20.1-02-18.1, and 20.1-02-18.2 of the North Dakota Century Code, relating to the acquisition of migratory bird refuges and waterfowl production areas by the federal government; and to repeal section 20.1-02-17.2, relating to the requirement that lands acquired by the game and fish department qualify as Garrison Diversion Project mitigated acres.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, 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; Conmy; Dalrymple; DeMers;  
 Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates;  
 Gerntholz; Graba; Gunsch; Halmrast; Hamerlik;  
 Hanson, L.; Hanson, O.; Haugland; Hausauer, A.;  
 Hedstrom; Hill; Hoffner; Hughes; Keller; Kent;  
 Kingsbury; Kloubec; Klundt; Koland; Kretschmar;  
 Kuchera; Lang; Laughlin; Lautenschlager; Linderman;  
 Lindgren; Lloyd; Martin; Martinson; Melby; Mertens;  
 Meyer; Moore; Murphy; Myrdal; 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;  
 Speaker Hausauer, R.

**NAYS:** Knudson

**ABSENT AND NOT VOTING:** Goetz; Gullickson; Kelly; Larson;  
 Lipsiea; Nalewaja

HB 1079 passed and the title was agreed to.

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HB 1165: A BILL for an Act to amend and reenact section 15-59-07.2 of the North Dakota Century Code, relating to reimbursement to local school districts for special education boarding care costs; and to repeal section 15-59-07.1 of the North Dakota Century Code, relating to the cost of out-of-state boarding care for handicapped students.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 100 YEAS, 0 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; 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; Mertens; Meyer; Moore; Murphy; Myrdal; 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; Speaker Hausauer, R.

NAYS: None

ABSENT AND NOT VOTING: Goetz; Gullickson; Kelly; Larson; Lipsiea; Nalewaja

HB 1165 passed and the title was agreed to.

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HB 1226: A BILL for an Act to amend and reenact section 51-05.1-02 of the North Dakota Century Code, relating to license standards for auctioneers.

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, 97 NAYS, 8 ABSENT AND NOT VOTING.

YEAS: Murphy

NAYS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; 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; Martinson; Melby; Meyer; Moore; Myrdal; 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; Speaker Hausauer, R.

ABSENT AND NOT VOTING: Goetz; Gullickson; Kelly; Larson; Lipsiea; Martin; Mertens; Nalewaja

HB 1226 was declared lost.

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HB 1280: A BILL for an Act to amend and reenact subsections 2 and 5 of section 39-04-19 of the North Dakota Century Code, relating to motor vehicle registration fees.

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 6 YEAS, 92 NAYS, 8 ABSENT AND NOT VOTING.

YEAS: Hamerlik; Kretschmar; Melby; Meyer; Peterson, J.; Vander Vorst

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

Lautenschlager; Linderman; Lindgren; Lloyd; Martinson; Mertens; Moore; Murphy; Myrdal; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Federson, 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; Ulmer; Unhjem; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

**ABSENT AND NOT VOTING:** Goetz; Gullickson; Kelly; Larson; Lipsiea; Martin; Nalewaja; Wald

HB 1280 was declared lost.

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HB 1284: A BILL for an Act to amend and reenact section 43-17-18 of the North Dakota Century Code, relating to qualifications of an applicant for a license to practice medicine.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were 97 YEAS, 1 NAY, 8 ABSENT AND NOT VOTING.

**YEAS:** Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Conmy; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; 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; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; 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; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

**NAYS:** Dalrymple

**ABSENT AND NOT VOTING:** Goetz; Gullickson; Kelly; Larson; Lipsiea; Martin; Nalewaja; Wald

HB 1284 passed and the title was agreed to.

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HB 1288: A BILL for an Act relating to requirements for instruments transferring title to real property concerning the responsibilities of the parties to the instrument for the payment of taxes.

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, 85 NAYS, 7 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Berg, R.; Brokaw; Gunsch; Hanson, O.; Kingsbury; Kuchera; Melby; Rice; Schmidt; Thompson; Timm; Vander Vorst; Whalen

NAYS: Anderson, R.; Belter; Berg, G.; Cleveland; Conny; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Graba; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kent; Kloubec; Klundt; Knudson; Koland; Kretschmar; Lang; Laughlin; Lautenschlager; Linderman; Lindgren; Lloyd; Martinson; Mertens; Meyer; Moore; Murphy; Myrdal; 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; Schneider; Shaw; Shide; Shockman; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn; Strinden; Tollefson; Ulmer; Unhjem; Wald; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

ABSENT AND NOT VOTING: Goetz; Gullickson; Kelly; Larson; Lipsiea; Martin; Nalewaja

HB 1288 was declared lost.

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HB 1308: A BILL for an Act to amend and reenact section 11-14-12 of the North Dakota Century Code, relating to statements concerning payments from the county treasurer to a township treasurer.

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 28 YEAS, 71 NAYS, 7 ABSENT AND NOT VOTING.

YEAS: Berg, G.; Brokaw; Dotzenrod; Enget; Frey; Graba; Hanson, L.; Hill; Hoffner; Keller; Kingsbury; Klundt; Laughlin; Lautenschlager; Linderman; Lloyd; Mertens; Meyer; Nicholas; Nowatzki; Oban; O'Connell; O'Shea; Sauter; Shockman; Skjerven; Starke; Williams, A.

NAYS: Anderson, C.; Anderson, R.; Belter; Berg, R.; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Eckroth; Gates; Gerntholz; Gunsch; Halmrast; Hamerlik; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hughes; Kent; Kloubec; Knudson; Koland; Kretschmar; Kuchera; Lang; Lindgren; Martinson; Melby; Moore; Murphy; Myrdal; Olsen, D.; Olson, A.; Olson, V.; Opedahl; Payne; Pederson, R.; Peterson, J.; Retzer; Rice; Richard; Riehl; Riley; Rydell; Schindler; Schmidt; Schneider; Shaw; Shide; Smette; Solberg, O.; Solberg, R.; Stofferahn; Strinden; Thompson; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Wald; Watne; Wentz; Whalen; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

ABSENT AND NOT VOTING: Goetz; Gullickson; Kelly; Larson; Lipsiea; Martin; Nalewaja

HB 1308 was declared lost.

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HB 1322: A BILL for an Act to create and enact a new section to chapter 54-02, to designate the red fox as the state mammal.

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 27 YEAS, 75 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Berg, G.; Berg, R.; Brokaw; Cleveland; Dotzenrod; Enget; Graba; Kelly; Kingsbury; Kloubec; Klundt; Kuchera; Mertens; Myrdal; O'Connell; Opedahl; O'Shea; Payne; Peterson, J.; Richard; Riehl; Schmidt; Shockman; Solberg, O.; Solberg, R.; Wentz; Wold

NAYS: Anderson, C.; Anderson, R.; Belter; Conmy; Dalrymple; DeMers; Dorso; Eckroth; Frey; Gates; Gerntholz; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kent; Knudson; Koland; Kretschmar; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lloyd; Martin; Martinson; Melby; Meyer; Moore; Murphy; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; Olson, V.; Pederson, R.; Retzer;

Rice; Riley; Rydell; Sauter; Schindler; Schneider;  
 Shaw; Shide; Skjerven; Smette; Starke; Stofferahn;  
 Strinden; Thompson; Timm; Tollefson; Ulmer; Unhjem;  
 Vander Vorst; Wald; Watne; Whalen; Williams, A.;  
 Williams, C.; Williams, W.; Winkelman;  
 Speaker Hausauer, R.

ABSENT AND NOT VOTING: Goetz; Gullickson; Lipsiea;  
 Nalewaja

HB 1322 was declared lost.

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HB 1335: A BILL for an Act to amend and reenact sections 25-01.1-06, 25-01.1-13, 25-03.1-43, and 50-06-15 of the North Dakota Century Code, relating to the transfer of client and patient records between regional human service centers, and between a regional human service center and the state hospital.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 100 YEAS, 0 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.;  
 Berg, R.; Brokaw; Conmy; Dalrymple; DeMers; Dorso;  
 Dotzenrod; Eckroth; Enget; Frey; Gates; Gertholz;  
 Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.;  
 Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill;  
 Hoffner; Hughes; Keller; Kelly; Kent; Kingsbury;  
 Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera;  
 Lang; Larson; Laughlin; Lautenschlager; Linderman;  
 Lindgren; Lloyd; Martin; Martinson; Melby; Mertens;  
 Meyer; Moore; Murphy; Myrdal; Nicholas; Nowatzki; Oban;  
 O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl;  
 O'Shea; Payne; Pederson, R.; Peterson, J.; Retzer;  
 Rice; Richard; Riehl; Riley; 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;  
 Speaker Hausauer, R.

NAYS: None

ABSENT AND NOT VOTING: Cleveland; Goetz; Gullickson;  
 Lipsiea; Nalewaja; Rydell

HB 1335 passed and the title was agreed to.

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HB 1346: A BILL for an Act to amend and reenact sections 43-13-17 and 43-13-20 of the North Dakota Century Code, relating to education and continuing education requirements for optometrists.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, 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; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; Nicholas; 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; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: Hanson, O.; Whalen

ABSENT AND NOT VOTING: Goetz; Gullickson; Haugland; Hausauer, A.; Lipsiea; Nalewaja; Nowatzki

HB 1346 passed and the title was agreed to.

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HB 1411: A BILL for an Act to create and enact a new subsection to section 21-10-06 of the North Dakota Century Code, relating to funds under the management of the state investment board; to amend and reenact section 1 of chapter 43 of the 1981 Session Laws of North Dakota, relating to the national guard tuition trust fund; and to declare 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 99 YEAS, 0 NAYS, 7 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Goetz; Gullickson; Hausauer, A.; Lipsiea; Nalewaja; Nowatzki; Retzer

HB 1411 passed, the title was agreed to, and the emergency clause carried.

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HB 1428: A BILL for an Act to amend and reenact section 5-02-05 of the North Dakota Century Code, relating to dispensing or permitting the consumption of alcoholic beverages on licensed premises on certain days.

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, 30 NAYS, 7 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Berg, G.; Berg, R.; Cleveland; Conmy; DeMers; Dorso; Dotzenrod; Frey; Gates; Gerntholz; Graba; Halmrast; Hamerlik; Hanson, L.; Hausauer, A.; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kloubec; Koland; Kretschmar; Kuchera; Larson; Lautenschlager; Lindgren; Lloyd; Martin; Martinson; Mertens; Meyer; Moore; Murphy;

Myrdal; Nicholas; Oban; O'Connell; Olson, V.; O'Shea; Payne; Peterson, J.; Riehl; Riley; Rydell; Sauter; Schindler; Schneider; Shaw; Shockman; Skjerven; Solberg, R.; Stofferahn; Strinden; Timm; Tollefson; Ulmer; Unhjem; Wald; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

**NAYS:** Belter; Brokaw; Dalrymple; Eckroth; Enget; Gunsch; Hanson, O.; Haugland; Hedstrom; Kingsbury; Lang; Laughlin; Linderman; Melby; Olsen, D.; Olson, A.; Opedahl; Pederson, R.; Retzer; Rice; Richard; Schmidt; Shide; Smette; Solberg, O.; Starke; Thompson; Vander Vorst; Watne; Wentz

**ABSENT AND NOT VOTING:** Goetz; Gullickson; Klundt; Knudson; Lipsiea; Nalewaja; Nowatzki

HB 1428 passed and the title was agreed to.

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HB 1441: A BILL for an Act to amend and reenact section 26-03.1-04.1 of the North Dakota Century Code or in the alternative to amend and reenact section 26.1-36-06 of the North Dakota Century Code as amended by Senate Bill No. 2078, as approved by the forty-ninth legislative assembly relating to certain options required in group policies.

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, 0 NAYS, 9 ABSENT AND NOT VOTING.

**YEAS:** Anderson, C.; Anderson, R.; Belter; Berg, R.; Brokaw; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Frey; Gates; Gerntholz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; Nicholas; 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; Ulmer; Unhjem; Vander Vorst; Wald; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: None

ABSENT AND NOT VOTING: Berg, G.; Enget; Goetz;  
Gullickson; Hanson, O.; Lipsiea; Nalewaja; Nowatzki;  
Peterson, J.

HB 1441 passed and the title was agreed to.

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HB 1448: A BILL for an Act to amend and reenact subsection 4 of section 53-02-01 of the North Dakota Century Code, relating to the definition of public dance.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 89 YEAS, 10 NAYS, 7 ABSENT AND NOT VOTING.

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

NAYS: Berg, R.; Conmy; Gunsch; Hamerlik; Kretschmar; Kuchera; Olson, A.; Pederson, R.; Schmidt; Stofferahn

ABSENT AND NOT VOTING: Goetz; Gullickson; Hanson, O.; Lipsiea; Nalewaja; Peterson, J.; Solberg, O.

HB 1448 passed and the title was agreed to.

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HB 1470: A BILL for an Act to create and enact a new section to chapter 57-61 of the North Dakota Century Code, relating to an exemption from the state coal severance tax and sales and use taxes for coal used by agricultural processing or sugar beet refining plants.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 99 YEAS, 3 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Lindgren; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; 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; Unhjem; Vander Vorst; Wald; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: Linderman; Thompson; Williams, W.

ABSENT AND NOT VOTING: Goetz; Gullickson; Lipsiea; Nalewaja

HB 1470 passed and the title was agreed to.

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HB 1482: A BILL for an Act to create and enact a new section to chapter 54-06 of the North Dakota Century Code, relating to payment of a portion of accrued sick leave to state employees on termination of employment.

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 35 YEAS, 67 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Berg, R.; Brokaw; Cleveland; Conmy; DeMers; Eckroth; Enget; Frey; Gerntholz; Graba; Halmrast; Hamerlik; Hanson, L.; Hausauer, A.; Hill; Hoffner; Kingsbury; Kuchera; Lloyd; Martinson; Nowatzki; Oban; O'Connell; Richard; Rydell; Sauter; Schneider; Shaw; Skjerven; Stofferahn; Ulmer; Williams, A.; Williams, C.; Williams, W.; Winkelman

**NAYS:** Anderson, C.; Anderson, R.; Belter; Berg, G.; Dalrymple; Dorso; Dotzenrod; Gates; Gunsch; Hanson, O.; Haugland; Hedstrom; Hughes; Keller; Kelly; Kent; Kloubec; Klundt; Knudson; Koland; Kretschmar; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Martin; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; Nicholas; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Peterson, J.; Retzer; Rice; Riehl; Riley; Schindler; Schmidt; Shide; Shockman; Smette; Solberg, O.; Solberg, R.; Starke; Strinden; Thompson; Timm; Tollefson; Unhjem; Vander Vorst; Wald; Watne; Wentz; Whalen; Wold; Speaker Hausauer, R.

**ABSENT AND NOT VOTING:** Goetz; Gullickson; Lipsiea; Nalewaja

HB 1482 was declared lost.

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**HB 1487:** A BILL for an Act to amend and reenact sections 16.1-03-12, 16.1-03-13, 16.1-03-14, 16.1-11-06, 16.1-11-09, 16.1-11-18, 16.1-11-39, and 16.1-12-01 of the North Dakota Century Code, relating to endorsement and nominations of candidates at the state party convention and the primary 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 5 YEAS, 97 NAYS, 4 ABSENT AND NOT VOTING.

**YEAS:** Anderson, C.; Dalrymple; Kretschmar; Murphy; Olsen, D.

**NAYS:** Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Conmy; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; Myrdal; Nicholas; Nowatzki; Oban; O'Connell; 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; Speaker Hausauer, R.

**ABSENT AND NOT VOTING:** Goetz; Gullickson; Lipsiea;  
Nalewaja

HB 1487 was declared lost.

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**HB 1488:** A BILL for an Act to amend and reenact section 16.1-11-26 of the North Dakota Century Code, relating to the placement of the offices of governor and lieutenant governor on the primary election ballot.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, 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; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hughes; Keller; Kelly; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; 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; Speaker Hausauer, R.

**NAYS:** None

**ABSENT AND NOT VOTING:** Goetz; Gullickson; Hoffner;  
Lipsiea; Nalewaja

HB 1488 passed and the title was agreed to.

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**SECOND READING OF HOUSE CONCURRENT RESOLUTIONS**

**HCR 3010:** A concurrent resolution directing the Legislative Council to study the actuarial soundness of the Alternate

Firemen's Relief Association retirement programs under North Dakota Century Code Chapter 18-11.

Which has been read.

#### ROLL CALL

The question being on the final adoption of the resolution, the roll was called and there were 95 YEAS, 1 NAY, 10 ABSENT AND NOT VOTING.

YEAS: Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Conmy; Dalrymple; DeMers; Dotzenrod; Eckroth; Enget; Gates; Gertholz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lloyd; Martin; Martinson; Melby; Moore; Murphy; Myrdal; 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; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: Hanson, O.

ABSENT AND NOT VOTING: Anderson, C.; Dorso; Frey; Goetz; Gullickson; Lipsiea; Mertens; Meyer; Nalewaja; Wald

HCR 3010 was declared adopted.

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HCR 3019: A concurrent resolution condemning the persecution of members of the Baha'i faith by the government of Iran.

Which has been read.

The question being on the final adoption of the resolution.

SCR 3019 was declared adopted on a voice vote.

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HCR 3023: A concurrent resolution urging the President of the United States and the Congress of the United States to take all steps necessary to secure the return of all Americans still held as prisoners of war in Southeast Asia.

Which has been read.

The question being on the final adoption of the resolution.

SCR 3023 was declared adopted on a voice vote.

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#### SECOND READING OF HOUSE BILLS

HB 1111: A BILL for an Act to amend and reenact section 48-02-03 of the North Dakota Century Code, relating to the requirements for securing bids for public buildings.

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 83 YEAS, 19 NAYS, 4 ABSENT AND NOT VOTING.

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

NAYS: Anderson, R.; Belter; Dalrymple; Gunsch; Hedstrom; Hughes; Kent; Kloubec; Lang; Melby; Moore; Murphy; Olsen, D.; Olson, A.; Payne; Retzer; Shide; Wald; Whalen

ABSENT AND NOT VOTING: Goetz; Gullickson; Lipsiea; Nalewaja

HB 1111 passed and the title was agreed to.

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HB 1157: A BILL for an Act to amend and reenact subsection 1 of section 47-16-07.1 and sections 47-16-15 and 47-16-30.1 of the North Dakota Century Code, relating to security deposits, notice to terminate tenancy, and disposition of abandoned property by landlord.

Which has been read.

**ROLL CALL**

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

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

**NAYS:** Hamerlik

**ABSENT AND NOT VOTING:** Goetz; Gullickson; Lipsiea; Nalewaja

HB 1157 passed and the title was agreed to.

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HB 1159: A BILL for an Act to prohibit certain tort actions based on claims of wrongful life.

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 100 YEAS, 1 NAY, 5 ABSENT AND NOT VOTING.

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

Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; 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; 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; Speaker Hausauer, R.

**NAYS:** Sauter

**ABSENT AND NOT VOTING:** Eckroth; Goetz; Gullickson; Lipsiea; Nalewaja

HB 1159 passed and the title was agreed to.

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#### RECOGNITION

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

#### SECOND READING OF HOUSE BILLS

HB 1163: A BILL for an Act to create and enact a new section to chapter 4-01 of the North Dakota Century Code, relating to the marketing bureau participating with export trading companies as part of its marketing function.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, 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; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gertholz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; 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; Ulmer; Unhjem; Vander Vorst; Wald; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

**NAYS:** None

**ABSENT AND NOT VOTING:** Goetz; Gullickson; Lipsiea; Nalewaja; Peterson, J.

HB 1163 passed and the title was agreed to.

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**HB 1183:** A BILL for an Act to amend and reenact section 43-23-08.2 of the North Dakota Century Code, relating to continuing education requirements for North Dakota real estate brokers and salesmen.

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 84 YEAS, 16 NAYS, 6 ABSENT AND NOT VOTING.

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

**NAYS:** Brokaw; Conmy; Gunsch; Hanson, O.; Hausauer, A.; Keller; Kuchera; Melby; Murphy; Rydell; Schindler; Solberg, O.; Thompson; Timm; Wald; Whalen

**ABSENT AND NOT VOTING:** Goetz; Gullickson; Lipsiea; Nalewaja; Wentz; Wold

HB 1183 passed and the title was agreed to.

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HB 1205: A BILL for an Act to amend and reenact section 32-17-22 of the North Dakota Century Code, relating to the liability of an oil and gas lessee for waste.

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 68 YEAS, 29 NAYS, 9 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw; Dalrymple; Dotzenrod; Eckroth; Enget; Frey; Gates; Graba; Gunsch; Halmrast; Hanson, L.; Hanson, O.; Haugland; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kingsbury; Lang; Larson; Laughlin; Linderman; Lindgren; Lloyd; Martin; Melby; Mertens; Meyer; Murphy; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; O'Shea; Pederson, R.; Peterson, J.; Retzer; Rice; Riehl; Sauter; Schindler; Schneider; Shaw; Shide; Shockman; Skjerven; Smette; Solberg, O.; Solberg, R.; Stofferahn; Thompson; Tollefson; Ulmer; Vander Vorst; Wald; Watne; Williams, C.; Wold; Speaker Hausauer, R.

NAYS: Cleveland; Conmy; DeMers; Dorso; Gerntholz; Hamerlik; Hausauer, A.; Hedstrom; Kloubec; Klundt; Koland; Kretschmar; Kuchera; Lautenschlager; Martinson; Moore; Myrdal; Olson, V.; Opedahl; Payne; Riley; Rydell; Schmidt; Starke; Timm; Unhjem; Williams, A.; Williams, W.; Winkelman

ABSENT AND NOT VOTING: Goetz; Gullickson; Knudson; Lipsiea; Nalewaja; Richard; Strinden; Wentz; Whalen

HB 1205 passed and the title was agreed to.

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HB 1206: A BILL for an Act to amend and reenact section 40-47-11 of the North Dakota Century Code, or in the alternative to amend and reenact section 35 of House Bill No. 1082, as approved by the forty-ninth legislative assembly, relating to review of zoning board of adjustment decisions.

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, 2 NAYS, 11 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Frey; Gates; Gerntholz; Graba;

Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.;  
 Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner;  
 Hughes; Keller; Kelly; Kent; Kingsbury; Kloubec;  
 Klundt; Koland; Kretschmar; Lang; Larson; Laughlin;  
 Lautenschlager; Linderman; Lindgren; Lloyd; Martinson;  
 Melby; Meyer; Moore; Murphy; Myrdal; Nicholas;  
 Nowatzki; Oban; 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, O.; Solberg, R.;  
 Starke; Strinden; Thompson; Timm; Tollefson; Ulmer;  
 Unhjem; Vander Vorst; Wald; Wentz; Whalen;  
 Williams, A.; Williams, C.; Williams, W.; Winkelman;  
 Wold; Speaker Hausauer, R.

NAYS: Conmy; Stofferahn

ABSENT AND NOT VOTING: Enget; Goetz; Gullickson;  
 Knudson; Kuchera; Lipsiea; Martin; Mertens; Nalewaja;  
 Richard; Watne

HB 1206 passed and the title was agreed to.

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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 1291, HB 1316

ROY GILBREATH, Chief Clerk

SIGNING OF BILLS AND RESOLUTIONS

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following:

HB 1074, HB 1106, HB 1119 (Re-signed)

ROY GILBREATH, Chief Clerk

MESSAGE TO THE SENATE  
 HOUSE CHAMBER

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

HB 1074, HB 1106, HB 1119 (Re-signed)

ROY GILBREATH, Chief Clerk

SECOND READING OF HOUSE BILLS

HB 1207: A BILL for an Act to amend and reenact section 16.1-12-02 of the North Dakota Century Code, relating to signatures necessary for the placement of the name of a presidential candidate on the ballot.

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 92 YEAS, 6 NAYS, 8 ABSENT AND NOT VOTING.

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

NAYS: Brokaw; DeMers; Halmrast; Olsen, D.; Sauter; Solberg, O.

ABSENT AND NOT VOTING: Goetz; Gullickson; Kuchera; Lipsiea; Martin; Nalewaja; Richard; Watne

HB 1207 passed and the title was agreed to.

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HB 1251: A BILL for an Act to amend and reenact section 1-03-01 of the North Dakota Century Code, to provide that the Friday following Thanksgiving is a holiday.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 73 YEAS, 24 NAYS, 9 ABSENT AND NOT VOTING.

YEAS: Berg, G.; Berg, R.; Brokaw; Cleveland; Conmy; DeMers; Eckroth; Enget; Frey; Gates; Gerntholz; Graba;

Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer, A.; Hill; Hoffner; Hughes; Kelly; Kingsbury; Klundt; Knudson; Kretschmar; Larson; Laughlin; Lautenschlager; Lindgren; Lloyd; Martinson; Mertens; Meyer; Moore; Murphy; Myrdal; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; Payne; Peterson, J.; Retzer; Rice; Riehl; Riley; Rydell; Sauter; Schmidt; Schneider; Shaw; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn; Strinden; Thompson; Tollefson; Ulmer; Unhjem; Vander Vorst; Wentz; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Hausauer, R.

NAYS: Anderson, C.; Anderson, R.; Belter; Dalrymple; Dorso; Dotzenrod; Gunsch; Hanson, O.; Hedstrom; Keller; Kent; Kloubec; Koland; Lang; Linderman; Melby; O'Shea; Pederson, R.; Schindler; Shide; Shockman; Timm; Whalen; Wold

ABSENT AND NOT VOTING: Goetz; Gullickson; Kuchera; Lipsiea; Martin; Nalewaja; Richard; Wald; Watne

HB 1251 passed and the title was agreed to.

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HB 1278: A BILL for an Act to amend and reenact sections 43-01-15.1 and 43-01-18 of the North Dakota Century Code, relating to fees chargeable by abstracters.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 80 YEAS, 21 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Anderson, R.; Belter; Berg, G.; Brokaw; Cleveland; Conny; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gertholz; Graba; Halmrast; Hamerlik; Hanson, L.; Haugland; Hedstrom; Hoffner; Hughes; Keller; Kelly; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Linderman; Lindgren; Lloyd; Martin; Martinson; Mertens; Moore; Murphy; Myrdal; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Peterson, J.; Retzer; Riley; Rydell; Sauter; Schindler; Shaw; Shide; Shockman; Skjerven; Smette; Solberg, R.; Starke; Stofferahn; Strinden; Timm; Tollefson; Ulmer; Unhjem; Wald; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: Anderson, C.; Berg, R.; Dalrymple; Gunsch; Hanson, O.; Hausauer, A.; Hill; Lautenschlager; Melby;

Meyer; O'Connell; Opedahl; Pederson, R.; Rice; Riehl;  
Schmidt; Schneider; Solberg, O.; Thompson;  
Vander Vorst; Williams, W.

**ABSENT AND NOT VOTING:** Goetz; Gullickson; Lipsiea;  
Nalewaja; Richard

HB 1278 passed and the title was agreed to.

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HB 1285: A BILL for an Act to create and enact a new section to chapter 28-21 of the North Dakota Century Code, relating to levy on personal property.

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, 4 NAYS, 5 ABSENT AND NOT VOTING.

**YEAS:** Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Frey; Gates; Gerntholz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Lindgren; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; Nicholas; Nowatzki; Oban; 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, O.; Solberg, R.; Starke; Stofferahn; Strinden; Thompson; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Wald; Wentz; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

**NAYS:** Enget; Linderman; Watne; Whalen

**ABSENT AND NOT VOTING:** Goetz; Gullickson; Lipsiea;  
Nalewaja; Richard

HB 1285 passed and the title was agreed to.

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HB 1304: A BILL for an Act to amend and reenact subsection 13 of section 20.1-01-02 of the North Dakota Century Code, relating to the definition of guides or outfitters under the game and fish laws.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were 97 YEAS, 4 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Graba; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lloyd; Martin; Martinson; Melby; Mertens; Moore; Myrdal; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; Payne; Pederson, R.; Peterson, J.; Retzer; Rice; 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; Speaker Hausauer, R.

NAYS: Gunsch; Meyer; Murphy; O'Shea

ABSENT AND NOT VOTING: Goetz; Gullickson; Lipsiea; Nalewaja; Richard

HB 1304 passed and the title was agreed to.

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HB 1306: A BILL for an Act to amend and reenact section 15-12-12 of the North Dakota Century Code, relating to the publication by the county auditor of publications available through North Dakota state university.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were 95 YEAS, 5 NAYS, 6 ABSENT AND NOT VOTING.

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

Murphy; Myrdal; Nicholas; Nowatzki; O'Connell;  
 Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea;  
 Payne; Peterson, J.; Retzer; Rice; Riehl; Rydell;  
 Sauter; 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; Speaker Hausauer, R.

NAYS: Hoffner; Lang; Oban; Pederson, R.; Schindler

ABSENT AND NOT VOTING: Goetz; Gullickson; Lipsiea;  
 Nalewaja; Richard; Riley

HB 1306 passed and the title was agreed to.

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HB 1311: A BILL for an Act to amend and reenact sections  
 43-01-04, 43-01-07, 43-01-10, 43-01-11, and 43-01-14 of the  
 North Dakota Century Code, relating to the abstracters'  
 board of examiners.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was  
 called and there were 98 YEAS, 1 NAY, 7 ABSENT AND NOT VOTING.

YEAS: Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw;  
 Cleveland; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod;  
 Eckroth; Enget; Frey; Gates; Gerntholz; Graba; Gansch;  
 Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer, A.;  
 Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent;  
 Kingsbury; Kloubec; Klundt; Knudson; Koland;  
 Kretschmar; Kuchera; Lang; Larson; Laughlin;  
 Lautenschlager; Linderman; Lindgren; Lloyd; Martin;  
 Martinson; Melby; Mertens; Meyer; Moore; Murphy;  
 Myrdal; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.;  
 Olson, A.; Olson, V.; Opedahl; O'Shea; Payne;  
 Pederson, R.; Peterson, J.; Retzer; Rice; Riehl;  
 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; Speaker Hausauer, R.

NAYS: Hanson, O.

ABSENT AND NOT VOTING: Anderson, C.; Goetz; Gullickson;  
 Lipsiea; Nalewaja; Richard; Riley

HB 1311 passed and the title was agreed to.

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HB 1338: A BILL for an Act to amend and reenact subsection 1 of section 63-01.1-06 of the North Dakota Century Code, relating to the funding of county weed control programs.

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 29 YEAS, 71 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Anderson, R.; Berg, G.; Brokaw; Dotzenrod; Frey; Hill; Hoffner; Keller; Kent; Klundt; Linderman; Lloyd; Martin; Mertens; Murphy; O'Connell; Opedahl; O'Shea; Pederson, R.; Retzer; Richard; Schmidt; Solberg, O.; Stofferahn; Watne; Williams, A.; Williams, C.; Williams, W.; Wold

NAYS: Anderson, C.; Belter; Berg, R.; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Eckroth; Enget; Gates; Gerntholz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hughes; Kelly; Kingsbury; Kloubec; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Lindgren; Martinson; Melby; Meyer; Moore; Myrdal; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; Olson, V.; Payne; Peterson, J.; Rice; Riehl; Rydell; Sauter; Schindler; Schneider; Shaw; Shide; Shockman; Skjerven; Smette; Solberg, R.; Starke; Strinden; Thompson; Timm; Tollefson; Ulmer; Vander Vorst; Wald; Wentz; Whalen; Winkelman; Speaker Hausauer, R.

ABSENT AND NOT VOTING: Goetz; Gullickson; Lipsiea; Nalewaja; Riley; Unhjem

HB 1338 was declared lost.

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HB 1343: A BILL for an Act to amend and reenact section 57-38-62 of the North Dakota Century Code, relating to declaration of estimated tax; to provide an effective date; and to declare 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 100 YEAS, 0 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Peterson, J.; Retzer; Rice; Richard; Riehl; 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; Speaker Hausauer, R.

NAYS: None

ABSENT AND NOT VOTING: Goetz; Gullickson; Lang; Lipsiea; Nalewaja; Riley

HB 1343 passed, the title was agreed to, and the emergency clause carried.

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HB 1352: A BILL for an Act to amend and reenact sections 58-04-05 and 58-06-05 of the North Dakota Century Code, relating to the hours for township annual or special meetings and meetings of township boards of supervisors.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, 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; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Larson; Laughlin; Lautenschlager;

Linderman; Lindgren; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; 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; Speaker Hausauer, R.

NAYS: None

ABSENT AND NOT VOTING: Goetz; Gullickson; Lang; Lipsiea; Nalewaja

HB 1352 passed and the title was agreed to.

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HB 1353: A BILL for an Act to amend and reenact section 61-16.1-63 of the North Dakota Century Code, relating to the penalty for noncompliance with orders or decisions of a water resource district board.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 28 YEAS, 73 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Berg, R.; Brokaw; Frey; Gates; Gerntholz; Graba; Kloubec; Klundt; Knudson; Kretschmar; Laughlin; Linderman; Lloyd; Martin; Meyer; Oban; O'Connell; Olson, A.; Richard; Riehl; Shockman; Skjerven; Solberg, O.; Starke; Stofferahn; Unhjem; Williams, A.; Williams, W.

NAYS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Gunsch; Halmrast; Hamerlik; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kingsbury; Koland; Kuchera; Lang; Larson; Lautenschlager; Lindgren; Martinson; Melby; Mertens; Moore; Murphy; Myrdal; Nicholas; Nowatzki; Olsen, D.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Peterson, J.; Retzer; Rice; Riley; Rydell; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Smette; Solberg, R.; Strinden; Thompson; Timm; Tollefson; Ulmer; Vander Vorst; Wald; Watne; Wentz; Whalen; Williams, C.; Winkelman; Wold; Speaker Hausauer, R.

ABSENT AND NOT VOTING: Goetz; Gullickson; Hanson, L.; Lipsiea; Nalewaja

HB 1353 was declared lost.

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MOTIONS

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

REP. KRETSCHMAR MOVED that the House be on the Fifth order of business, and at the conclusion of the Fifth order, the House be on the Ninth order of business, and at the conclusion of the Ninth 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., Tuesday, February 5, 1985, which motion prevailed.

REPORTS OF STANDING COMMITTEE

MR. SPEAKER: Your Committee on Social Services and Veterans Affairs to which was referred HB 1047 has had the same under consideration and recommends by a vote of 12 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 13, overstrike the words ", owned and", and overstrike the words "by a"

On page 1, line 14, overstrike the words "corporation or association, especially"

On page 1, line 23, overstrike the word "Any" and the word "association"

On page 1, line 24, overstrike the words "or corporation which operates" and insert in lieu thereof the words "The operator of"

On page 2, line 6, overstrike the word "to", delete the word "a", and overstrike the words "reputable and responsible"

On page 2, line 7, delete the word "association" and overstrike the word "or"

On page 2, line 8, delete the word "corporation"

And renumber the lines and pages accordingly

REP. HAUGLAND, Chairman

HB 1047 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Judiciary to which was referred HB 1064 has had the same under consideration and recommends by a vote of 13 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, delete lines 21 through 24

On page 1, line 25, delete the letter "c." and insert in lieu thereof the letter "a." and delete the words "disability," and ", income disability,"

On page 1, line 26, delete the words "or income"

On page 1, line 27, delete the words "disability coverage"

On page 2, line 1, delete the letter "d." and insert in lieu thereof the letter "b."

On page 2, line 3, delete the words "income disability or"

And renumber the lines and pages accordingly

REP. CONMY, Chairman

HB 1064 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Appropriations to which was referred HB 1076 has had the same under consideration and recommends by a vote of 20 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same DO PASS.

REP. J. PETERSON, Chairman

HB 1076 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 1144 has had the same under consideration and recommends by a vote of 13 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 24, delete the words "one hundred twenty" and insert in lieu thereof the word "sixty"

And renumber the lines and pages accordingly

REP. LANG, Chairman

HB 1144 was placed on the Sixth 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 1188 has had the same under consideration and recommends by a vote of 15 YEAS, 0 NAYS, 1 ABSENT AND NOT

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

On page 1, line 23, overstrike the word "department" and insert immediately thereafter the words "board of pharmacy"

And renumber the lines and pages accordingly

REP. HAUGLAND, Chairman

HB 1188 was placed on the Sixth 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 1189 has had the same under consideration and recommends by a vote of 15 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 4, line 14, after the word "who", insert the word "knowingly"

And renumber the lines and pages accordingly

REP. HAUGLAND, Chairman

HB 1189 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Natural Resources to which was referred HB 1232 has had the same under consideration and recommends by a vote of 11 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 5, after the word "Dakota" insert the word "individual"

On page 1, line 21, after the word "all" insert the word "individual"

On page 1, line 25, after the word "all" insert the word "individual"

And renumber the lines accordingly

REP. A. OLSON, Chairman

HB 1232 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 1258 has had the same under consideration and recommends by a vote of 13 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 2, line 15, after the period insert the following sentence: "No certificate of title may be obtained for any implement of husbandry manufactured or sold prior to July 1, 1985."

On page 2, line 16, delete the word "three" and insert in lieu thereof the word "five"

And renumber the lines accordingly

REP. NICHOLAS, Chairman

HB 1258 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Judiciary to which was referred HB 1268 has had the same under consideration and recommends by a vote of 12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

REP. CONMY, Chairman

HB 1268 was placed on the Eleventh 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 1290 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. KLOUBEC, Chairman

HB 1290 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 1297 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 13, after the word "due" insert the following: "and an adequate statement as to the amount of indebtedness and the terms of interest"

And renumber the lines and pages accordingly

REP. LANG, Chairman

HB 1297 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Political Subdivisions to which was referred HB 1312 has had the same under consideration and recommends by a vote of 12 YEAS, 2 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 1, after the words "A BILL" delete the remainder of the bill and insert in lieu thereof the following: "For an Act to amend and reenact section 40-22-15 of the North Dakota Century Code, relating to improvements by special assessment in municipalities.

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

SECTION 1. AMENDMENT. Section 40-22-15 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

40-22-15. Resolution declaring improvements necessary - Exception for sewer and water improvements - Contents of resolution - Publication of resolution. After the engineer's report required by section 40-22-10 has been filed and approved, the governing body of the municipality, by resolution, shall declare that it is necessary to make the improvements described therein. A resolution shall not be required, however, if the improvement constitutes a water or sewer improvement as described in subsection 1 of section 40-22-01, unless it is determined that the cost thereof shall be paid in part as is provided in section 40-22-16, nor if the governing body determines by resolution that a written petition for the improvement, signed by the owners of a majority of the area of the property included within the district, has been received. The resolution shall refer intelligibly to the engineer's report, and shall include a map of the municipality showing the proposed improvement districts. The resolution shall then be published once each week for two consecutive weeks in the official newspaper of the municipality. The governing body of the municipality shall mail a copy of the resolution and an estimate of the probable special assessment levy to the owner of each lot or tract affected where the estimated special assessment levy exceeds five hundred dollars on such lot or tract."

And renumber the lines and pages accordingly

REP. LANG, Chairman

HB 1312 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Transportation to which was referred HB 1331 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 13, delete the words "one thousand" and insert in lieu thereof the words "six hundred"

And renumber the lines accordingly

REP. TIMM, Chairman

HB 1331 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Transportation to which was referred HB 1363 has had the same under consideration and recommends by a vote of 12 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 13, delete the words "The registration fees for such motor vehicles"

On page 1, line 14, delete the words "must be paid for the first year of the issuance."

And renumber the lines accordingly

REP. TIMM, Chairman

HB 1363 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Natural Resources to which was referred HB 1418 has had the same under consideration and recommends by a vote of 11 YEAS, 3 NAYS, 3 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 20, after the word "government" insert an underscored comma, and delete the word "not"

On page 1, line 21, delete the words "prior to" and insert in lieu thereof the word "after"

On page 2, line 26, after the word "government" insert an underscored comma, and delete the word "not"

On page 2, line 27, delete the words "prior to" and insert in lieu thereof the word "after"

And renumber the lines and pages accordingly

REP. A. OLSON, Chairman

HB 1418 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 1420 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

REP. KLOUBEC, Chairman

HB 1420 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 1483 has had the same under consideration and recommends by a vote of 13 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 20, after the word "same" insert the words "per diem"

And renumber the lines accordingly

REP. NICHOLAS, Chairman

HB 1483 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Judiciary to which was referred HB 1486 has had the same under consideration and recommends by a vote of 13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

REP. CONMY, Chairman

HB 1486 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

#### FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

Reps. Wentz, Kretschmar, Unhjem and Sens. Holmberg, J. Meyer introduced:

HCR 3056: A concurrent resolution directing the Legislative Council to study methods of controlling pornography in this state, with an emphasis on educating the public regarding the harmful effects of pornography.

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

Committee on Appropriations introduced:

HCR 3057: A concurrent resolution directing the Legislative Council to study compensation of legislative employees.

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

#### FIRST READING OF SENATE BILLS

SB 2089: A BILL for an Act to create and enact two new sections to chapter 37-15 of the North Dakota Century Code, relating to definitions and establishing priorities for admission to the veterans' home; and to amend and reenact sections 15-10-18.2, 21-10-06, subdivision w of subsection 1 of section 28-32-01, sections 37-01-40, 37-14-03.3, 37-14-04, 37-14-06, 37-15-01, 37-15-02, 37-15-03, 37-15-07, 37-15-08, 37-15-10, 37-15-11, 37-15-12, 37-15-13, 37-15-14, 37-15-14.1, 37-15-15, 37-15-16, 37-15-17, 37-15-19, 37-15-21, 37-18.1-03, 37-18.1-04, subsection 5 of section 37-19.1-01, and sections 54-23-01, 54-23-56, 54-23-59, and

57-36-24 of the North Dakota Century Code, relating to changing the name of the soldiers' home to the veterans' home, benefits available to peacetime veterans as well as to wartime veterans, the exclusion of the administrative committee on veterans' affairs from the Administrative Agencies Practice Act, and the powers and duties of the commandant of the veterans' home.

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

**SB 2115:** A BILL for an Act to amend and reenact section 25-07-04 of the North Dakota Century Code, relating to the qualifications for admission to the school for the deaf and transportation costs for students.

Was read the first time and referred to the **Committee on Education**.

**SB 2128:** A BILL for an Act to amend and reenact section 6-03-27 of the North Dakota Century Code, relating to lists of shareholders for banking institutions.

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

**SB 2258:** A BILL for an Act to create and enact a new subsection to section 11-11-14 and a new subsection to section 40-05-01 of the North Dakota Century Code, relating to powers of boards of county commissioners and governing bodies of cities regarding community development block grant funds; and to declare an emergency.

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

**SB 2271:** A BILL for an Act to amend and reenact subsection 4 of section 12.1-20-02 of the North Dakota Century Code, relating to the definition of sexual contact.

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

**SB 2275:** A BILL for an Act to amend and reenact sections 11-17-01, 11-17-05, 11-17-09, 11-19-17, 15-29-10, subsection 2 of section 27-02-05.1, sections 27-07.1-12, 27-07.1-24, 27-08.1-06, 27-08.1-07, 28-20-12, 28-20-13, 28-20-16, 28-20-20, subsection 4 of section 28-20-21, sections 28-20-22, 28-20-25, 29-01-26, 32-28-02, 32-28-03, 35-15-05, 35-18-04, 35-21-05, 35-24-12, and 57-22-31 of the North Dakota Century Code, relating to the duties and recordkeeping functions of the clerks of district courts and clerks of county courts; and to repeal sections 28-20-10 and 28-20-19 of the North Dakota Century Code, relating to recordkeeping requirements of the clerks of district courts and the clerks of county courts.

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

**SB 2282:** A BILL for an Act to amend and reenact section 44-01-03 of the North Dakota Century Code, relating to the date state and district officers qualify for office.

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

**SB 2285:** A BILL for an Act to amend and reenact sections 11-17-10, 27-07.1-08, and 27-08.1-07 of the North Dakota Century Code, relating to retention and disposition schedules for district court and county court records.

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

**SB 2299:** A BILL for an Act to amend and reenact subsection 3 of section 57-40.2-03.3 of the North Dakota Century Code, relating to use tax on contractors.

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

**SB 2301:** A BILL for an Act to amend and reenact section 39-08-18 of the North Dakota Century Code, relating to the penalty for consuming alcoholic beverages in motor vehicles on public highways.

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

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

ROY GILBREATH, Chief Clerk