

JOURNAL OF THE HOUSE

Forty-ninth Legislative Assembly

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TWENTY-SEVENTH DAY

Bismarck, February 13, 1985

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

The prayer was offered by Reverend Jay Stratton, Lord of Life Lutheran Church, Bismarck, North Dakota.

ROLL CALL

The roll was called and all Representatives were present, except Representatives Gullickson, Nicholas, J. Peterson.

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 Twenty-sixth Day and finds the same to be correct.

REP. KENT, Chairman

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

RECOGNITION

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

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 1115, HB 1339, HB 1369, HB 1393, HB 1438, HB 1460,
HB 1475, HB 1501, HB 1502, HB 1534, HB 1536, HB 1580,
HB 1592, HB 1636

REP. HEDSTROM, Chairman

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

MOTION

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

REQUEST

REP. SCHMIDT REQUESTED the unanimous consent of the House to withdraw HB 1254. There being no objection, it was so ordered by the Speaker.

MOTION

REP. A. HAUSAUER MOVED that HB 1376 be returned to the House floor from the Committee on Finance and Taxation, which motion prevailed.

REQUEST

REP. MOORE REQUESTED the unanimous consent of the House to withdraw HB 1376. There being no objection, it was so ordered by the Speaker.

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 2001, SB 2062, SB 2179, SB 2283, SB 2289, SB 2403,
SB 2407, SB 2423, SB 2424, SB 2499, SCR 4035

LEO LEIDHOLM, Secretary

SENATE CHAMBER

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

HB 1214, HB 1248, HCR 3005

LEO LEIDHOLM, Secretary

SIXTH ORDER OF BUSINESS

REP. J. PETERSON MOVED that the amendments to HB 1013 as recommended by the Committee on Appropriations as printed on pages 814-815 of the House Journal be adopted, and when so adopted, recommends that HB 1013 DO PASS, which motion prevailed.

HB 1013 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. MARTINSON MOVED that the amendments to HB 1355 as recommended by the Committee on State and Federal Government as printed on page 817 of the House Journal be adopted, and when so adopted, recommends that HB 1355 DO PASS, which motion prevailed.

HB 1355 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. KLOUBEC MOVED that the amendments to HB 1507 as recommended by the Committee on Industry, Business and Labor as printed on page 817 of the House Journal be adopted, and when so adopted, recommends that HB 1507 DO PASS, which motion prevailed.

HB 1507 was placed on the Fleventh order of business on the calendar for the succeeding legislative day.

REP. MARTINSON MOVED that the amendments to HB 1643 as recommended by the **Committee on State and Federal Government** as printed on page 818 of the House Journal be adopted, and when so adopted, recommends that HB 1643 DO PASS, which motion prevailed.

HB 1643 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SECOND READING OF HOUSE BILLS

HB 1407: A BILL for an Act to amend and reenact section 15-55-04.1 of the North Dakota Century Code, relating to the leasing of revenue-producing buildings.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 104 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Conny; 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; Kelly; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; 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; 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: Gullickson; Mertens

HB 1407 passed and the title was agreed to.

HB 1418: A BILL for an Act to amend and reenact sections 20.1-02-18.2 and 47-05-02.1 of the North Dakota Century

Code, relating to the duration of federal waterfowl production area easements.

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 105 YEAS, 0 NAYS, 1 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; Goetz; 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; Lipsiea; 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; Speaker Hausauer, R.

NAYS: None

ABSENT AND NOT VOTING: Gullickson

HB 1418 passed and the title was agreed to.

HB 1500: A BILL for an Act to create and enact section 57-38-60.1 of the North Dakota Century Code, relating to corporate officer liability for compliance with income tax laws; and to amend and reenact section 57-38-61 of the North Dakota Century Code, relating to corporate officer liability for withholding 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 88 YEAS, 17 NAYS, 1 ABSENT AND NOT VOTING.

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

NAYS: Anderson, R.; Dalrymple; Dorso; Enget; Hanson, O.; Hedstrom; Hughes; Kent; Kingsbury; Olsen, D.; Olson, A.; Pederson, R.; Peterson, J.; Schmidt; Skjerven; Timm; Winkelman

ABSENT AND NOT VOTING: Gullickson

HB 1500 passed and the title was agreed to.

SPECIAL ORDER OF BUSINESS

REP. STRINDEN MOVED that the House be on a special order of business, which motion prevailed.

REP. STRINDEN MOVED that a committee of two be appointed to escort the Honorable Mark Andrews, United States Senator, to the rostrum, which motion prevailed.

SPEAKER R. HAUSAUER APPOINTED Reps. Dalrymple and Belter to such committee, which committee subsequently escorted Senator Andrews to the rostrum.

REP. KRETSCHMAR MOVED that the following remarks of the Honorable Senator Mark Andrews be printed in the Journal, which motion prevailed.

REMARKS

By

Honorable Mark Andrews
United States Senator

Mr. Speaker, members of the North Dakota House, it's a privilege to be here. I couldn't help but hear, a few moments ago, the leader informing you that there would be no work on Saturday. I thought, of course, that was to put you all in a good mood for listening to me, and I made a mental note to thank him. Then I

heard him to go on to say, "But only if you work diligently enough so we get this legislation moved through," which I knew, in his own inimitable way, was a message to me to keep it short. He's got a way, doesn't he? He doesn't change the way a lot. It's great to be here, of course, and look around this hall and see so many friends from both sides of the political aisle. Whether those of you who are Republicans that I've campaigned hand-in-hand with, or Oscar and others who I've gone to the streets in their hometowns and seen them. We've always been friendly, because we're working together, really, for the state of North Dakota, although sometimes from separate party ideologies.

The challenges we face at the federal level and that you face out here at the state level are similar also. They are challenges of revenue and spending and balancing them off one against the other. You've got an advantage we don't have, because you have the necessity of a balanced budget. It's written into our constitution, and that makes it a lot easier to keep away from those deficits.

Of course, the federal deficit that we are running has a tragic impact on agriculture. Coming from the most agricultural state, those of us who depend on farming for a living are hard put by a deficit that keeps interest rates higher than they would normally be, even though they have come down from the twenty percent rate we saw four years or so ago. They haven't come down nearly as much as they would if these deficits were under control. In order to fund the deficit, we have to attract money from other countries, and to do that, we have to keep our dollar extraordinarily high. That's great if you want to go skiing in the Swiss Alps, but it's not worth a darn if you want to sell a bushel of wheat in Europe. So that deficit impacts us right on the farm.

We've got ideas, too, on how to address the deficit. You get them day-by-day on how we can get more money to spend on this program or more money to spend for that program. In the federal Congress, we generally hear ideas on how we can address the deficit. Davy Stockman comes up with his black book of 41 selected programs. Oftentimes, they're not quite what they appear to be.

I was in Minot yesterday talking to a group of people and happened to mention AMTRAK. AMTRAK is one of those that are on the hit list. It sounds great--\$684 million if we drop AMTRAK. AMTRAK is that tragic transportation system where we're finding that we are paying \$36 of tax revenue for every ticket an individual purchases on AMTRAK. But like the things you look at in the North Dakota Legislature, these items we look at, at the federal level that are supposed to be saving, sometimes aren't cracked up to be what they seem.

If, for instance, we were to eliminate AMTRAK, we wouldn't save \$684 million; we would have to pay \$2.1 billion in contract termination clauses to the workers on AMTRAK. We would have to begin picking up \$2 million annually in federal mass transit payments to take care of trackage costs. And then, too, there's that interesting little bit of information that while it's true that the federal government subsidizes \$36 of every ticket purchased on AMTRAK, the federal government subsidizes \$39 of every ticket purchased on an airline.

So, I say this, not because AMTRAK is the key issue before us at the federal level or in North Dakota, but to illustrate sometimes how difficult it is to make these clear-cut decisions.

Closer to home, of course, is the impact of our deficits that are manifested in the farm credit crunch. I held hearings last year as chairman of the Senate Subcommittee on Investigations of the Senate Ag Committee across North Dakota. Those hearings showed us, without any doubt, that credit problems were growing in North Dakota, just as they were in other parts of this country of ours. As a result of those hearings, when I went back to the Congress, I joined with then Senator Huddleston from Kentucky, and we cosponsored a \$650 million credit emergency program for agriculture. Those funds, that pilot program, was just released a week and a half ago this spring. It should give us a beginning. Because it's just a beginning, I'm joining with others as a principal cosponsor of a \$3 billion credit endorsement bill to guarantee the loans that individual banks make to their farmer customers.

Let's look at it quite frankly. The toughest thing that can happen in rural America is if that local country banker can't extend the credit to the farm family he knows is doing a good job out there on the farm. If he's hamstrung by some federal bank examiner who comes in and says "That financial statement shows machinery that isn't worth that today, and those acres aren't worth that today, and I don't care even if he is paid up on his loan payments. That loan should be classified and put in the sour loan category." What's the banker to do? We want to retain that sense of judgment for the banker to negotiate with the customer on the basis of his knowledge of that customer's ability to farm. That is one of the things that are coming out in this new credit package.

People might ask why? Why are we concerned? Why are we interfering in this credit crunch in agriculture? Why don't we, as some say who practice Marie Antoinette economics, just let them go?

I'm in North Dakota this week because Congress is in recess. We're having our annual Lincoln Day recess. Everybody can breathe easy. We're not doing anything to you for ten whole days. We're out here, of course, to celebrate the birthday of the patron of the Republican Party; we're going to have a Lincoln

Day dinner in Bismarck here tonight, and I know those of you who are Republicans will probably all be there. Let me issue a personal invitation to those of you who are Democrats to come join us in celebrating the birthday of Abraham Lincoln. You'll find yourself very welcome, in fact we might give you a few good ideas that you can carry home with you.

But let me go one step further and point out, when they ask the question, why do this in agriculture? Why not just let it drift? Let me remind you of what Lincoln said more than one hundred years ago. His belief really was in the constitutional responsibility of the American Government to, as it says in our constitution, ensure the domestic tranquility and promote the general welfare. He proclaimed in one of, I think, his most comprehensive statements: "The legitimate object of government is to do for a community of people whatever they need to have done that they cannot do for themselves in their separate and individual capacities." That's still good doctrine now, and that's why it's justified to do the things we need to do now before the spring planting season rather than let it drift.

In this tradition, of course, we are addressing the needs critical to our nation's future. We understand that the South Dakota Legislature is getting up a contribution to come down to Washington and lobby us. I know I can speak for Quentin, because Quentin and I were cosponsors of this \$650 million pilot program to take care of farm credit. We're aware of it. I know Byron, after he spends this week going around holding hearings, will be totally aware of it. We want to assure you that we're very hospitable down there. So, speaking for Quentin, Byron and myself, if you want to come, we'll be awfully glad to see you, because it's nice to see friendly faces when you're in Washington. We'll leave that up to your judgment.

I spoke earlier of the advantage of the balanced budget in the way you operate in the North Dakota Legislature. The other great advantage, of course, in this legislature is knowing that you have a date certain for adjournment. That aids you immeasurably in expediting the program, as Earl Strinden called you to do. Because of the need to expedite your program, and because I appreciate so much your traditional warm welcome, I want to keep it that way. I want to say thanks so much for your courtesies. We look forward to working with you in the months to come. God bless you in the work you're doing here in Bismarck for our state. Thank you for letting me be here today.

MOTION

REP. MARTINSON MOVED that HB 1495 be returned to the House floor from the Committee on State and Federal Government, which motion prevailed.

REQUEST

REP. SAUTER REQUESTED the unanimous consent of the House to withdraw HB 1495. There being no objection, it was so ordered by the Speaker.

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 1182, HB 1273, HB 1274, HB 1277, HB 1283, HB 1289,
HB 1318, HB 1319, HB 1345, HB 1354, HB 1431, HB 1484,
HB 1521, HB 1537, HB 1544

ROY GILBREATH, Chief Clerk

REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER: Your Committee on Enrollment and Engrossment respectfully report that the following bills were delivered to the Governor for his approval at the hour of 12:49 p.m., February 13, 1985:

HB 1214, HB 1248

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 1:00 p.m., February 13, 1985:

HCR 3005

REP. HEDSTROM, Chairman

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

SECOND READING OF HOUSE BILL

HB 1516: A BILL for an Act to repeal sections 23-13-03.1, 23-13-03.2, 23-13-03.3, 23-13-03.4, and 23-13-03.5 of the North Dakota Century Code, relating to the marking of containers used for liquified petroleum gas, and regulating the filling, transferring and possession of marked containers.

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 45 YEAS, 59 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Berg, R.; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Eckroth; Enget; Frey; Gerntholz; Graba; Hill; Hoffner; Hughes; Keller; Klundt; Kuchera; Lloyd; Martin; Martinson; Meyer; Murphy; Myrdal; Nowatzki; Oban; Opedahl; O'Shea; Richard; Riehl; Sauter; Schneider; Shaw; Shockman; Skjerven; Starke; Stofferahn; Ulmer; Vander Vorst; Wald; Watne; Williams, A.; Williams, C.; Winkelman

NAYS: Belter; Berg, G.; Brokaw; Dotzenrod; Gates; Goetz; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Kelly; Kent; Kingsbury; Kloubec; Knudson; Koland; Kretschmar; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; Melby; Mertens; Moore; Nalewaja; Nicholas; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Payne; Pederson, R.; Peterson, J.; Retzer; Rice; Riley; Rydell; Schindler; Schmidt; Shide; Smette; Solberg, O.; Solberg, R.; Strinden; Thompson; Timm; Tollefson; Wentz; Whalen; Williams, W.; Wold; Speaker Hausauer, R.

ABSENT AND NOT VOTING: Gullickson; Unhjem

HB 1516 was declared lost.

SPECIAL ORDER OF BUSINESS

REP. STRINDEN MOVED that the House be on a special order of business, which motion prevailed.

REP. STRINDEN MOVED that a committee of two be appointed to escort Bernard Gagosz, Consulate General for Canada, to the rostrum, which motion prevailed.

SPEAKER R. HAUSAUER APPOINTED Representatives Kretschmar and Hoffner to such committee, which committee subsequently escorted Bernard Gagosz, Consulate General for Canada, to the rostrum.

REP. STRINDEN MOVED that the remarks of the Honorable Bernard Gagosz, Consulate General for Canada, be printed in the Journal, which motion prevailed.

REMARKS

By

Bernard A. Gagosz
Consulate General for Canada

Mr. Speaker, the Honorable Majority Leader, the Honorable Minority Leader, Representatives. You do me great honor, I would

like to thank you for the warm welcome, not only to me, but on behalf of your neighbor to the north, Canada. I believe it's indeed another indication of the warmth and hospitality of you North Dakotans.

As Canadian Consulate General in the upper Midwest, I have the distinct pleasure of having North Dakota in my parish, if you'll forgive that expression. I must say that in these days of difficult international diplomacy, I am somewhat envied, and I consider myself most fortunate, to have such a friendly and easy environment in which to ply my trade. I'd like to bring you sincere greetings from your neighbors to the north, particularly from the provinces of Saskatchewan and Manitoba on your northern border.

As you know, you are our closest friends, and in fact, our best friends. Perhaps that's not surprising--we not only share a continent, but we share a common heritage, common values, and certainly common aspirations. We both value our independence and our unique individuality, but you all know that. You're uniquely North Dakotans, as we are Canadians. From time-to-time, differences do occur, even amongst the best of friends. Some of these have been expressed to me and I understand recently in this Legislature, somewhat eloquently. I assure you, you have our attention.

Solutions are not always easy, but with good will I believe solutions are achievable. I also believe that our relationship has sufficient substance that we can sometimes disagree without being disagreeable. It is our resolve that we, north of the border, will do our utmost to improve our own north-south dialogue. I know that many of you share that resolve and, in discussions with you privately, I believe we have made good progress in that direction.

You realize, of course, as state legislators, that you, in your decisions, have a unique opportunity to effectively formulate what constitutes United States foreign policy towards Canada. I think we in western Canada and you in North Dakota enjoy one of the most relaxed and friendliest borders--I think we're the envy of the world. Certainly we would like to keep it that way.

Now, Mr. Speaker, you gave me earlier today a North Dakota pin which I wear proudly. I wonder if I may, in turn, give you a small memento of my visit. I would also like to thank you for taking the time from your busy agenda to welcome me so graciously. Thank you very much.

MOTION

REP. STRINDEN MOVED that HS 1539 be laid over two legislative days, which motion prevailed.

SECOND READING OF HOUSE BILLS

HB 1549: A BILL for an Act to amend and reenact sections 15-40.1-07, 15-40.1-08, and 15-40.1-09 of the North Dakota Century Code, relating to the method of determining enrollment for foundation aid payments to school districts; 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 92 YEAS, 12 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Eckroth; Enget; Gates; Gerntholz; Goetz; Graba; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Kelly; Kent; Kloubec; Klundt; Knudson; Koland; Kretschmar; Lang; Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Mertens; Meyer; Moore; 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; Unhjem; Vander Vorst; Wald; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: Dotzenrod; Gunsch; Hanson, O.; Hughes; Keller; Kingsbury; Kuchera; Larson; Melby; Murphy; Strinden; Whalen

ABSENT AND NOT VOTING: Frey; Gullickson

HB 1549 passed, the title was agreed to, and the emergency clause was declared carried.

HB 1572: A BILL for an Act to amend and reenact section 29-26-22 of the North Dakota Century Code, relating to the collection and disposition of court costs and the assessment of a criminal justice training expense.

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 19 YEAS, 82 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Berg, G.; DeMers; Dotzenrod; Graba; Hoffner; Kelly; Klundt; Laughlin; Lloyd; Melby; Mertens; Meyer; O'Connell; O'Shea; Riehl; Shockman; Skjerven; Starke; Stofferahn

NAYS: Anderson, C.; Anderson, R.; Belter; Berg, R.; Brokaw; Cleveland; Conmy; Dalrymple; Dorso; Eckroth; Enget; Gates; Gerntholz; Goetz; Gunsch; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer, A.; Hedstrom; Hill; Hughes; Keller; Kent; Kingsbury; Kloubec; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Lautenschlager; Linderman; Lindgren; Lipslea; Martin; Martinson; Moore; Murphy; Myrdal; Nalewaja; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; Olson, V.; Opedahl; Payne; Pederson, R.; Retzer; Rice; Richard; Riley; Rydell; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Smette; Solberg, O.; Solberg, R.; Strinden; 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: Frey; Gullickson; Hanson, O.; Peterson, J.; Unhjem

HB 1572 was declared lost.

MOTIONS

REP. STRINDEN MOVED that HB 1460 be placed at the top of the calendar, which motion prevailed.

REP. KRETSCHMAR MOVED that the House waive the reading of the title to HB 1460, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1460: A BILL for an Act to amend and reenact subsections 2 and 4 of section 43-12.1-02, subsection 2 of section 43-12.1-04, subsections 6, 7, and 8 of section 43-12.1-08, subsections 1 and 2 of section 43-12.1-10, subsection 1 of section 43-12.1-12, and subsection 5 of section 43-12.1-15 of the North Dakota Century Code, relating to licensed practical nurses, registered nurses, and nursing education schools and programs.

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

REP. CONMY STATED that he had a conflict of interest on HB 1460.

MOTIONS

REP. MERTENS MOVED that Rep. Conmy and all those with a conflict of interest be allowed to vote on HB 1460, which motion prevailed.

REP. DORSO MOVED the previous question, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 36 YEAS, 68 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Belter; Berg, R.; Brokaw; Conmy; Dalrymple; Eckroth; Gunsch; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Kent; Kingsbury; Koland; Lang; Laughlin; Linderman; Melby; Murphy; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Pederson, R.; Peterson, J.; Richard; Rydell; Schindler; Schmidt; Shaw; Smette; Watne; Whalen

NAYS: Anderson, R.; Berg, G.; Cleveland; DeMers; Dorso; Dotzenrod; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Halmrast; Hamerlik; Hanson, L.; Hill; Hoffner; Hughes; Keller; Kelly; Kloubec; Klundt; Knudson; Kretschmar; Kuchera; Larson; Lautenschlager; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Mertens; Meyer; Moore; Myrdal; Nalewaja; Nicholas; Nowatzki; Oban; Payne; Retzer; Rice; Riehl; Riley; Sauter; Schneider; Shide; Shockman; Skjerven; Solberg, O.; Solberg, R.; Starke; Stofferahn; Strinden; Thompson; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Wald; Wentz; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Hausauer, R.

ABSENT AND NOT VOTING: Gullickson; Wold

HB 1460 was declared lost.

MOTIONS

REP. LAUTENSCHLAGER MOVED that the House reconsider its action whereby HB 1604 was lost, which motion lost on a verification vote.

REP. KRETSCHMAR MOVED that the House waive the reading of the title to HB 1590, which motion prevailed.

SECOND READING OF HOUSE BILLS

HB 1590: A BILL for an Act to create and enact a new subsection to section 19-18-02 of the North Dakota Century Code,

relating to economic poisons; to amend and reenact sections 19-01-03, 19-01-04, 19-01-05, 19-01-07, 19-01-12, 19-01-14, 19-01-18, 19-02-16, 19-02-17, 19-02-20, 19-02.1-01, 19-02.1-04, 19-02.1-05, 19-02.1-06, 19-02.1-16, 19-02.1-21, subsection 5 of section 19-03.1-09, subsection 2 of section 19-03.1-13, section 19-03.1-16, subsection 1 of section 19-03.1-18, subdivision b of subsection 1 of section 19-03.1-24, sections 19-03.1-30, 19-03.1-32, subdivision a of subsection 1 of section 19-03.1-33, subsection 3 of section 19-03.1-35, paragraph 4 of subdivision e of subsection 1 of section 19-03.1-36, subsections 2 and 3 of section 19-03.1-37, sections 19-04-01, 19-07-01, 19-08-01, 19-08-04, 19-10-21, subsection 2 of section 19-13.1-03, sections 19-13.1-09, 19-13.1-11, 19-13.1-12, 19-14-03, 19-14-06, 19-14-08, 19-16.1-03, 19-17-02, 19-17-03, 19-17-04, subsection 8 of section 19-18-02, section 19-18-03, subsection 2 of section 19-18-04, sections 19-18-05, 19-18-06, 19-18-06.1, subsection 1 of section 19-18-07, sections 19-20.1-02, 19-20.1-03, 19-20.1-06, 19-20.1-08, 19-20.1-10, 19-20.1-11, 19-20.1-12, 19-20.1-13, 19-20.1-14, 19-20.1-15, 19-20.1-16, 19-20.1-17, subsection 5 of section 19-21-02, and section 19-21-04 of the North Dakota Century Code, relating to the state laboratories department; and to repeal section 19-17-06 of the North Dakota Century Code, relating to weights of containers.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 88 YEAS, 12 NAYS, 6 ABSENT AND NOT VOTING.

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

NAYS: Anderson, R.; Brokaw; Conmy; Dalrymple; Gunsch; Hughes; Martinson; Melby; Murphy; Pederson, R.; Schindler; Wald

ABSENT AND NOT VOTING: Gullickson; Hanson, O.;
Peterson, J.; Riley; Timm; Unhjem

HB 1590 passed and the title was agreed to.

HB 1613: A BILL for an Act to create and enact a new subsection to section 10-04-06 of the North Dakota Century Code, relating to security transactions exempt from registration requirements.

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, 95 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Berg, R.; Conmy; Hamerlik; Hedstrom; O'Shea; Wentz; Wold

NAYS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Brokaw; Cleveland; Dalrymple; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gertholz; Goetz; Graba; Gunsch; Halmrast; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; Nalewaja; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; Payne; Pederson, R.; 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; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Hausauer, R.

ABSENT AND NOT VOTING: DeMers; Gullickson; Peterson, J.; Riley

HB 1613 was declared lost.

HB 1085: A BILL for an Act to amend and reenact subsection 1 of section 39-03.1-09, sections 39-03.1-10, 39-03.1-12, and 39-03.1-14 of the North Dakota Century Code, relating to retirement benefits and state and employee contributions under the highway patrolmen's 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 87 YEAS, 14 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, R.; Brokaw; Cleveland; Conmy; Dalrymple; DeMers; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kingsbury; Klundt; Knudson; Koland; Kretschmar; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Meyer; Nalewaja; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, V.; Opedahl; O'Shea; Retzer; Rice; Richard; Riehl; Rydell; Sauter; Schindler; 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; Speaker Hausauer, R.

NAYS: Dorso; Hanson, O.; Kloubec; Melby; Mertens; Moore; Murphy; Myrdal; Olson, A.; Payne; Pederson, R.; Riley; Schmidt; Wold

ABSENT AND NOT VOTING: Berg, G.; Gullickson; Kuchera; Peterson, J.; Whalen

HB 1085 passed and the title was agreed to.

MOTION

REP. KRETSCHMAR MOVED that the House waive the reading of the title to HB 1115, which motion prevailed.

SECOND READING OF HOUSE BILLS

HB 1115: A BILL for an Act to create and enact a new section to chapter 4-12.2 of the North Dakota Century Code, relating to requirements for licensing minors as beekeepers; to amend and reenact sections 4-12.2-10 and 4-12.2-18, and subsection 4 of section 4-12.2-22 of the North Dakota Century Code, relating to establishment of pollination locations, issuance of certificates of health, and revocation of beekeepers licenses; and to repeal subsection 12 of section 4-12.2-01 of the North Dakota Century Code, relating to honey houses.

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; Goetz; 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; Lipsiea; 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.; 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: None

ABSENT AND NOT VOTING: Gullickson; Halmrast; Kuchera; Mertens; Peterson, J.; Whalen

HB 1115 passed and the title was agreed to.

HB 1142: A BILL for an Act to amend and reenact section 55-10-11 of the North Dakota Century Code, relating to the federal historic preservation law and the discretionary powers of the state historical board regarding participation in the programmatic provisions of that law and supplements thereto.

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, R.; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Conmy; Dalrymple; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Gunsch; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hill; Hughes; Keller; Kelly; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lloyd; Martin; Martinson; Melby;

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

NAYS: Anderson, C.; DeMers; Hedstrom; Hoffner; Kuchera;
 Murphy; Nicholas; Oban; Sauter; Ulmer

ABSENT AND NOT VOTING: Gullickson; Halmrast; Lipsiea;
 Mertens; Moore; Peterson, J.; Whalen

HB 1142 passed and the title was agreed to.

HB 1210: A BILL for an Act to create and enact seven new sections to chapter 45-10 of the North Dakota Century Code, relating to the Uniform Limited Partnership Act; and to amend and reenact sections 45-10-01, 45-10-05, and subsection 5 of section 45-10-25 of the North Dakota Century Code, relating to the Uniform Limited Partnership Act.

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, 99 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Wentz

NAYS: Anderson, C.; Anderson, R.; Belter; Berg, G.;
 Berg, R.; Brokaw; Cleveland; Conmy; Dalrymple; DeMers;
 Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates;
 Gerntholz; Goetz; Graba; Gunsch; 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; Lipsiea; Lloyd; Martin; Martinson; Melby;
 Meyer; 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; Ulmer; Unhjem;

Vander Vorst; Wald; Watne; Williams, A.; Williams, C.;
Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

ABSENT AND NOT VOTING: Gullickson; Halmrast; Mertens;
Moore; Peterson, J.; Whalen

HB 1210 was declared lost.

HB 1239: A BILL for an Act to create and enact a new section to chapter 6-08 of the North Dakota Century Code, relating to a deferred prosecution program for issuing a check without an account or with insufficient funds.

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 4 YEAS, 96 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Berg, G.; Gates; Olson, A.; Schneider

NAYS: Anderson, C.; Anderson, R.; Belter; Berg, R.; Brokaw; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gerntholz; Goetz; Graba; Gunsch; 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; Lipsiea; Lloyd; Martin; Martinson; Melby; Meyer; Moore; Murphy; Myrdal; Nalewaja; Nicholas; Nowatzki; Oban; O'Connell; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Retzer; Rice; Richard; Riehl; Riley; Rydell; Sauter; Schindler; Schmidt; 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.

ABSENT AND NOT VOTING: Gullickson; Halmrast; Mertens;
Olsen, D.; Peterson, J.; Whalen

HB 1239 was declared lost.

HB 1255: A BILL for an Act to create and enact a new section to chapter 29-34 of the North Dakota Century Code, relating to notices sent pursuant to the interstate agreement on detainees.

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; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Gunsch; Hamerlik; Hanson, L.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Melby; Meyer; Moore; Murphy; Myrdal; Nalewaja; Nicholas; Oban; O'Connell; 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; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: Kuchera

ABSENT AND NOT VOTING: Gullickson; Halmrast; Hanson, O.; Mertens; Nowatzki; Olsen, D.; Peterson, J.; Whalen

HB 1255 passed and the title was agreed to.

HB 1295: A BILL for an Act to amend and reenact section 27-09.1-02, subsection 1 of section 27-09.1-07, and subsection 2 of section 27-09.1-08 of the North Dakota Century Code, relating to disqualification from jury service by physical disability or inability to communicate and understand English given reasonable accommodations.

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, 2 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; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson;

Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; Nalewaja; 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; Tollefson; Ulmer; Unhjem; Vander Vorst; Wald; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: Gunsch; Kent

ABSENT AND NOT VOTING: Goetz; Gullickson; Halmrast; Nowatzki; Peterson, J.; Timm

HB 1295 passed and the title was agreed to.

HB 1321: A BILL for an Act to amend and reenact section 54-17-07.5 of the North Dakota Century Code, relating to the reversion to the industrial commission of any unused portion of the annual state ceiling for the issuance of single family housing revenue bonds allocated to home rule cities.

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, 0 NAYS, 9 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; Goetz; Graba; Gunsch; 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; Lipsiea; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Nalewaja; Nicholas; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Retzer; Rice; Richard; Riehl; Riley; Rydell; Sauter; Schmidt; Schneider; Shaw; Shide; Shockman; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Strinden; Thompson; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Wald; Watne; Wentz; Whalen; Williams, A.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: None

ABSENT AND NOT VOTING: Gullickson; Halmrast; Hanson, O.; Myrdal; Nowatzki; Peterson, J.; Schindler; Stofferahn; Williams, C.

HB 1321 passed and the title was agreed to.

HB 1339: A BILL for an Act to create and enact a new section to chapter 20.1-07 of the North Dakota Century Code, relating to the use of snares in taking coyotes; and to amend and reenact section 20.1-01-05 of the North Dakota Century Code, relating to the use of snares for taking game animals.

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, 13 NAYS, 9 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; Goetz; Graba; Gunsch; Hamerlik; Haugland; Hausauer, A.; Hill; Hughes; Keller; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Linderman; Lindgren; Lipsiea; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Nalewaja; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Pederson, R.; Retzer; Rice; Richard; Riehl; Riley; Shaw; Shide; Shockman; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Strinden; Thompson; Timm; Tollefson; Ulmer; Vander Vorst; Wald; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: Hanson, L.; Hedstrom; Hoffner; Kelly; Laughlin; Lautenschlager; Lloyd; Nicholas; Payne; Rydell; Sauter; Schneider; Unhjem

ABSENT AND NOT VOTING: Gullickson; Halmrast; Hanson, O.; Myrdal; Nowatzki; Peterson, J.; Schindler; Schmidt; Stofferahn

HB 1339 passed and the title was agreed to.

HB 1351: A BILL for an Act to create and enact a new section to chapter 54-06 of the North Dakota Century Code, relating to making the last working day of a pay period the pay date

for state officers and employees who receive checks prepared by the office of management and budget.

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, 33 NAYS, 9 ABSENT AND NOT VOTING.

YEAS: Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Conmy; Dalrymple; DeMers; Enget; Frey; Gates; Goetz; Graba; Hamerlik; Hanson, L.; Haugland; Hausauer, A.; Hill; Hoffner; Keller; Kelly; Kent; Klundt; Knudson; Kretschmar; Kuchera; Lipsiea; Lloyd; Martin; Martinson; Mertens; Meyer; Moore; Nalewaja; Nicholas; Oban; O'Connell; Olson, V.; Opedahl; O'Shea; Payne; Retzer; Richard; Riehl; Riley; Rydell; Sauter; Schneider; Shaw; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Strinden; Tollefson; Ulmer; Unhjem; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Speaker Hausauer, R.

NAYS: Anderson, C.; Anderson, R.; Dorso; Dotzenrod; Eckroth; Gerntholz; Gunsch; Hedstrom; Hughes; Kingsbury; Kloubec; Koland; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Melby; Murphy; Olsen, D.; Olson, A.; Pederson, R.; Rice; Schmidt; Shide; Thompson; Timm; Vander Vorst; Wald; Whalen; Winkelman; Wold

ABSENT AND NOT VOTING: Gullickson; Halmrast; Hanson, O.; Myrdal; Nowatzki; Peterson, J.; Schindler; Shockman; Stofferahn

HB 1351 passed and the title was agreed to.

HB 1365: A BILL for an Act to amend and reenact section 28-26-06 of the North Dakota Century Code, relating to disbursements taxed in judgment.

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, 92 NAYS, 11 ABSENT AND NOT VOTING.

YEAS: Murphy; Pederson, R.; Solberg, R.

NAYS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates;

Gerntholz; Goetz; Graba; Gunsch; Hamerlik; Hanson, L.; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; Nalewaja; Nicholas; Oban; O'Connell; Olsen, D.; Olson, V.; Opedahl; O'Shea; Payne; Retzer; Rice; Richard; Riehl; Riley; Rydell; Sauter; Schmidt; Schneider; Shaw; Shide; Skjerven; Smette; Solberg, O.; Starke; 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: Gullickson; Halmrast; Hanson, O.; Haugland; Myrdal; Nowatzki; Olson, A.; Peterson, J.; Schindler; Shockman; Stofferahn

HB 1365 was declared lost.

HB 1369: A BILL for an Act to amend and reenact sections 39-16-05, 39-16.1-02, subsection 3 of section 39-16.1-05, and subdivision b of subsection 2 of section 39-16.1-11 of the North Dakota Century Code, relating to required level of insurance against liability for damage to property arising from the operation of motor vehicles.

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 95 YEAS, 1 NAY, 10 ABSENT AND NOT VOTING.

YEAS: Anderson, R.; Belter; Berg, G.; Berg, R.; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Gunsch; 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; Lipsiea; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Nalewaja; Nicholas; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Retzer; Rice; Richard; Riehl; Riley; Rydell; Sauter; Schmidt; Schneider; Shaw; Shide; Skjerven; Smette; Solberg, O.; 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: Brokaw

ABSENT AND NOT VOTING: Anderson, C.; Gullickson;
Halmrast; Hanson, O.; Myrdal; Nowatzki; Peterson, J.;
Schindler; Shockman; Stofferahn

HB 1369 passed and the title was agreed to.

HB 1393: A BILL for an Act to impose a privilege tax upon hydroelectric power entering this state from a foreign country.

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

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 0 YEAS, 97 NAYS, 9 ABSENT AND NOT VOTING.

YEAS: None

NAYS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Gunsch; 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; Lipslea; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Nalewaja; Nicholas; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Retzer; Rice; Richard; Riehl; Riley; Rydell; Sauter; Schmidt; Schneider; Shaw; Shide; Skjerven; Smette; Solberg, O.; 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.

ABSENT AND NOT VOTING: Gullickson; Halmrast; Hanson, O.; Myrdal; Nowatzki; Peterson, J.; Schindler; Shockman; Stofferahn

HB 1393 was declared lost.

HB 1396: A BILL for an Act to amend and reenact section 39-10-71 of the North Dakota Century Code, relating to the penalty for fleeing or attempting to elude a police officer.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 78 YEAS, 18 NAYS, 10 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Cleveland; Conmy; Dalrymple; DeMers; Dotzenrod; Eckroth; Enget; Frey; Gates; Goetz; Graba; Hamerlik; Hanson, L.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kingsbury; Kloubec; Klundt; Koland; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Melby; Mertens; Moore; Malewaja; Nicholas; Oban; O'Connell; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Retzer; Rice; Riehl; Riley; Rydell; Sauter; Schneider; Shaw; Shide; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Thompson; Tollefson; Ulmer; Unhjem; Vander Vorst; Watne; Wentz; Williams, A.; Williams, C.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: Berg, G.; Berg, R.; Brokaw; Dorso; Gerntholz; Gunsch; Kretschmar; Kuchera; Meyer; Murphy; Olsen, D.; Richard; Schmidt; Strinden; Timm; Wald; Whalen; Williams, W.

ABSENT AND NOT VOTING: Cullickson; Halmrast; Hanson, O.; Knudson; Myrdal; Nowatzki; Peterson, J.; Schindler; Shockman; Stofferahn

HB 1396 passed and the title was agreed to.

HB 1438: A BILL for an Act to amend and reenact sections 11-15-08 and 11-15-09 of the North Dakota Century Code, relating to a sheriff's commission.

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 94 YEAS, 3 NAYS, 9 ABSENT AND NOT VOTING.

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

Goetz; Graba; Gunsch; Hamerlik; Hanson, L.; Haugland; Hausauer, A.; Hedstrom; Hill; Hughes; Keller; Kelly; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Nalewaja; Nicholas; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Retzer; Rice; Richard; Riehl; Riley; Rydell; Sauter; Schmidt; Schneider; Shaw; Shide; Skjerven; Smette; Solberg, O.; 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: Brokaw; Hoffner; Oban

ABSENT AND NOT VOTING: Gullickson; Halmrast; Hanson, O.; Myrdal; Nowatzki; Peterson, J.; Schindler; Shockman; Stofferahn

HB 1438 passed and the title was agreed to.

HB 1475: A BILL for an Act to amend and reenact section 53-04-02 of the North Dakota Century Code, relating to licenses for amusement games and devices.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 96 YEAS, 0 NAYS, 10 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; Goetz; Graba; Gunsch; 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; Lipsiea; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Nalewaja; Nicholas; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Retzer; Rice; Richard; Riehl; Riley; Rydell; Sauter; Schmidt; Schneider; Shaw; Shide; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Strinden; Thompson; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Wald; Watne; Wentz; Whalen;

Williams, A.; Williams, C.; Williams, W.; Winkelman;
Speaker Hausauer, R.

NAYS: None

ABSENT AND NOT VOTING: Gullickson; Halmrast; Hanson, O.;
Myrdal; Nowatzki; Peterson, J.; Schindler; Shockman;
Stofferahn; Wold

HB 1475 passed and the title was agreed to.

HB 1501: A BILL for an Act to amend and reenact section 61-16.1-10 of the North Dakota Century Code, relating to duties of the water resource board; and to repeal sections 61-16.1-03 and 61-16.1-13, relating to boundaries of water resource districts and master plans.

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, 3 NAYS, 14 ABSENT AND NOT VOTING.

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

NAYS: Anderson, R.; Hughes; Laughlin

ABSENT AND NOT VOTING: Gullickson; Halmrast; Hanson, O.;
Kent; Lang; Melby; Myrdal; Nowatzki; Peterson, J.;
Schindler; Shockman; Skjerven; Stofferahn; Wald

HB 1501 passed and the title was agreed to.

HB 1502: A BILL for an Act to amend and reenact section 61-16-08 of the North Dakota Century Code, relating to compensation of water managers.

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 94 YEAS, 1 NAY, 11 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; Goetz; Graba; Gunsch; Hamerlik; Hanson, L.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Nalewaja; Nicholas; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Retzer; Rice; Richard; Riehl; Riley; Rydell; Sauter; Schmidt; Schneider; Shaw; Shide; Smette; Solberg, O.; 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: Laughlin

ABSENT AND NOT VOTING: Gullickson; Halmrast; Hanson, O.; Kent; Myrdal; Nowatzki; Peterson, J.; Schindler; Shockman; Skjerven; Stofferahn

HB 1502 passed and the title was agreed to.

HB 1534: A BILL for an Act to establish an edible bean indemnity fund; to amend and reenact section 60-04-02 of the North Dakota Century Code, relating to insolvencies of warehousemen; and to provide a penalty.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 45 YEAS, 57 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Berg, G.; Brokaw; Cleveland; DeMers; Enget; Gerntholz; Graba; Hanson, L.; Haugland; Hedstrom; Hill; Hoffner; Kelly; Klundt; Knudson;

Kretschmar; Lang; Laughlin; Linderman; Lloyd; Mertens; Murphy; Nicholas; Nowatzki; Oban; O'Connell; Olson, V.; Opedahl; O'Shea; Pederson, R.; Riehl; Sauter; Schindler; Schneider; Shaw; Shide; Shockman; Skjerven; Solberg, O.; Starke; Tollefson; Vander Vorst; Watne; Wentz

NAYS: Anderson, R.; Belter; Berg, R.; Conmy; Dalrymple; Dorso; Dotzenrod; Eckroth; Frey; Gates; Goetz; Gunsch; Hamerlik; Hanson, O.; Hausauer, A.; Hughes; Keller; Kent; Kingsbury; Kloubec; Koland; Kuchera; Larson; Lautenschlager; Lindgren; Lipsiea; Martin; Martinson; Melby; Meyer; Moore; Myrdal; Nalewaja; Olsen, D.; Olson, A.; Payne; Retzer; Rice; Richard; Riley; Rydell; Schmidt; Smette; Solberg, R.; Strinden; Thompson; Timm; Ulmer; Unhjem; Wald; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

ABSENT AND NOT VOTING: Gullickson; Halmrast; Peterson, J.; Stofferahn

HB 1534 was declared lost.

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., Thursday, February 14, 1985, which motion prevailed.

REPORTS OF STANDING COMMITTEES

MR. SPEAKER: Your Committee on Industry, Business and Labor to which was referred HB 1072 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 1, line 3, after the word "account" insert the words " and to declare an emergency"

On page 2, line 12, overstrike the word "must" and insert immediately thereafter the word "may" and overstrike the word "sent" and insert immediately thereafter the word "mailed"

- On page 2, line 14, after the underscored period insert the following sentence: "Proof of mailing may be made by return receipt or by an affidavit of mailing signed by the individual making the mailing."
- On page 3, line 14, overstrike the words "if the issuer does not pay to the"
- On page 3, overstrike line 15
- On page 3, line 16, overstrike the words "from receipt of the notice"
- On page 4, line 34, overstrike the words "if the issuer does not pay to the"
- On page 4, overstrike line 35
- On page 5, line 1, overstrike the words "from receipt of the notice of dishonor"
- On page 5, line 9, overstrike the word "must" and insert immediately thereafter the word "may" and overstrike the word "sent" and insert immediately thereafter the word "mailed"
- On page 5, line 10, after the period insert the following sentence: "Proof of mailing may be made by return receipt or by an affidavit of mailing signed by the individual making the mailing."
- On page 6, after line 8, insert the following new section:
- "SECTION 3. EMERGENCY. This Act is hereby declared to be an emergency measure and is in effect from and after its passage and approval."
- And renumber the lines and pages accordingly
- REP. KLOUBEC, Chairman
- HB 1072 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 1082 has had the same under consideration and recommends by a vote of 13 YEAS, 2 NAYS, 0 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 3, delete the words "to provide for initiative and"
- On page 1, line 4, delete the words "referendum of zoning matters;"

- On page 1, line 6, delete the numerals "25-26-14" and insert in lieu thereof the numerals "25-16-14"
- On page 1, line 10, delete the word "and"
- On page 1, line 14, after the word "townsites" insert the words "; and to provide for continued effect of former zoning statutes"
- On page 1, line 17, after the period insert the word "Definitions.", underscore the words "In sections 1 through", delete the numerals "74" and insert in lieu thereof the numerals "64", and underscore the words "of this Act, unless the"
- On page 1, underscore line 18
- On page 1, line 21, delete the word "or"
- On page 1, line 22, after the word "involved" insert the words "or the designee of one of those officials"
- On page 2, line 22, delete the numerals "74" and insert in lieu thereof the numerals "64"
- On page 4, line 7, delete the numerals "74" and insert in lieu thereof the numerals "64" and delete the words "do not"
- On page 4, line 8, delete the word "prevent" and insert in lieu thereof the word "allow" and delete the words "from independently making" and insert in lieu thereof the words "to enact"
- On page 4, line 14, delete the numerals "74" and insert in lieu thereof the numerals "64"
- On page 4, line 18, delete the numerals "74" and insert in lieu thereof the numerals "64"
- On page 4, line 26, delete the word "four-year" and insert in lieu thereof the word "five-year"
- On page 4, line 27, delete the word "four-year" and insert in lieu thereof the word "five-year"
- On page 5, line 2, delete the numerals "74" and insert in lieu thereof the numerals "64"
- On page 5, line 13, after the word "body" insert the words "of a city that is not a home rule city"
- On page 5, line 18, delete the numerals "74" and insert in lieu thereof the numerals "64"

On page 6, line 13, delete the words "The planning and zoning commission shall make a"

On page 6, delete lines 14 through 18

On page 6, line 22, delete the numerals "74" and insert in lieu thereof the numerals "64"

On page 6, line 29, after the underscored period insert the words "For the members who are not township supervisors, the term is five years."

On page 6, line 34, delete the numerals "74" and insert in lieu thereof the numerals "64"

On page 7, line 24, delete the numerals "74" and insert in lieu thereof the numerals "64"

On page 7, after line 24, insert the following subsection:

"3. A city planning and zoning commission may appoint officers and employees to carry out its functions. With respect to appointment, promotion, demotion, and renewal, officers and employees so appointed are subject to the same law governing other civil employees."

On page 9, line 7, delete the numerals "74" and insert in lieu thereof the numerals "64"

On page 9, line 16, delete the numerals "74" and insert in lieu thereof the numerals "64"

On page 9, line 19, delete the numerals "74" and insert in lieu thereof the numerals "64"

On page 9, line 24, delete the numerals "74" and insert in lieu thereof the numerals "64"

On page 10, line 8, after the word "of" insert the words "resolution in accordance with"

On page 10, line 18, delete the words "decision changing" and insert in lieu thereof the words "proposal to change"

On page 11, line 2, after the underscored comma insert the words "by legal description, or"

On page 11, after line 8, insert the following subsection language:

"After the planning and zoning commission has made its decision, the commission shall forward a copy of that decision to the governing body. If the decision

concerns zoning district boundaries or zoning restrictions, the governing body shall hold a public hearing on the proposal. Notice of the hearing must be made in accordance with subsections 1 and 2."

On page 11, line 10, delete the numerals "74" and insert in lieu thereof the numerals "64"

On page 11, line 29, after the semicolon insert the word "plus"

On page 11, line 30, delete the word "Within" and insert in lieu thereof the following:

"(1) For areas within"

On page 11, line 33, delete the word "or" and insert in lieu thereof the word "and"

On page 12, line 1, delete the words "c. Outside" and insert in lieu thereof the following:

"(2) For areas outside"

On page 12, delete lines 8 through 35

Delete pages 13 through 15

On page 16, delete lines 1 through 10

On page 16, line 13, delete the numerals "74" and insert in lieu thereof the numerals "64"

On page 16, line 33, delete the numerals "74" and insert in lieu thereof the numerals "64"

On page 18, line 26, after the word "make" insert the word "and"

On page 18, line 27, after the word "plan" insert the words "as a part of the comprehensive plan"

On page 19, line 24, after the word "territory" insert the words "and in conformance with the comprehensive plan"

On page 20, line 3, after the word "physical" insert the words "or comprehensive"

On page 20, line 18, after the word "physical" insert the words "or comprehensive"

On page 20, line 21, after the first word "physical" insert the words "or comprehensive" and delete the second word "physical"

On page 20, line 26, delete the word "physical"

On page 20, line 35, delete the word "two-thirds" and insert in lieu thereof the word "three-fourths"

On page 21, after line 2, insert the following new section:

"SECTION 29. Construction after adoption of plan - Approval of planning and zoning commission. If a physical or comprehensive plan governs any territory, a person may not in that territory construct any street, square, park, public way, public ground, public open space, public building, or public structure, other than in compliance with this section. The following procedure applies:

1. A person desiring to do construction within the scope of this section shall submit a proposal to the planning and zoning commission. The proposal must show the location, character, and extent of the proposed construction.
2. If the commission does not make a decision on the proposal within sixty days of submission, the proposal is deemed approved. The planning and zoning commission shall consider the proposal and file a copy of its decision with the governing body. If the commission does not approve the proposal, the applicant may appeal the decision.
3. If the proposal is one whose construction, financing, or authorization does not fall within the province of the governing body, the appeal is to the board, commission, or other entity that has jurisdiction over the proposal. In other cases, the appeal is to the governing body.
4. A two-thirds vote of the entire membership of the body appealed to is necessary to overrule the decision of the planning and zoning commission."

On page 23, line 22, delete the numerals "40" and insert in lieu thereof the numerals "30"

On page 24, line 2, delete the numerals "46" and insert in lieu thereof the numerals "36"

On page 24, line 21, delete the numerals "74" and insert in lieu thereof the numerals "64"

On page 25, line 5, after the word "physical" insert the words "or comprehensive"

On page 25, line 6, delete the word "jurisdiction" and insert in lieu thereof the word "jurisdictions"

- On page 27, line 21, delete the numerals "74" and insert in lieu thereof the numerals "64"
- On page 30, line 29, delete the words "intermediate regional floodplain ("
- On page 30, line 30, delete the underscored parenthesis
- On page 30, line 31, delete the words "United States"
- On page 30, line 32, delete the words "corps of engineers" and insert in lieu thereof the words "the federal emergency management agency" and delete the word "that"
- On page 30, line 33, delete the words "intermediate regional flood (" and insert in lieu thereof the word "the" and delete the underscored closing parenthesis
- On page 32, line 2, delete the numerals "74" and insert in lieu thereof the numerals "64"
- On page 32, line 12, delete the numerals "74" and insert in lieu thereof the numerals "64"
- On page 33, line 4, delete the numerals "60" and insert in lieu thereof the numerals "50"
- On page 35, line 7, delete the numerals "60" and insert in lieu thereof the numerals "50"
- On page 36, line 27, delete the numerals "74" and insert in lieu thereof the numerals "64"
- On page 36, line 28, delete the numerals "74" and insert in lieu thereof the numerals "64"
- On page 36, line 34, delete the numerals "74" and insert in lieu thereof the numerals "64"
- On page 37, line 1, delete the numerals "74" and insert in lieu thereof the numerals "64"
- On page 37, line 13, delete the numerals "56" and insert in lieu thereof the numerals "46"
- On page 37, line 15, delete the numerals "73" and insert in lieu thereof the numerals "63"
- On page 37, line 28, delete the numerals "50" and insert in lieu thereof the numerals "40" and delete the numerals "73" and insert in lieu thereof the numerals "63"

- On page 37, line 29, delete the numerals "50" and insert in lieu thereof the numerals "40" and delete the numerals "73" and insert in lieu thereof the numerals "63"
- On page 37, line 33, delete the numerals "74" and insert in lieu thereof the numerals "64"
- On page 38, line 2, delete the numerals "50" and insert in lieu thereof the numerals "40" and delete the numerals "72" and insert in lieu thereof the numerals "62"
- On page 38, line 3, delete the numerals "74" and insert in lieu thereof the numerals "64"
- On page 38, line 28, after the word "city" insert the words "or county"
- On page 39, line 6, delete the numerals "74" and insert in lieu thereof the numerals "64"
- On page 39, line 13, delete the numerals "74" and insert in lieu thereof the numerals "64"
- On page 40, line 5, delete the numerals "74" and insert in lieu thereof the numerals "64"
- On page 40, line 26, delete the numerals "74" and insert in lieu thereof the numerals "64"
- On page 41, line 7, delete the numerals "74" and insert in lieu thereof the numerals "64"
- On page 41, line 21, delete the numerals "74" and insert in lieu thereof the numerals "64"
- On page 42, line 4, delete the numerals "74" and insert in lieu thereof the numerals "64"
- On page 42, line 28, delete the numerals "74" and insert in lieu thereof the numerals "64"
- On page 43, after line 7, insert the following new section:

"SECTION 75. Transition - Application of former provisions. All existing ordinances and resolutions relating to zoning, planning, or land subdivision, or other matters covered by sections 1 through 74 of this Act and all actions resulting from those ordinances or resolutions, are presumed valid and may be continued, not withstanding the repeals accomplished by this Act."

And renumber the lines, sections, and pages accordingly

REP. LANG, Chairman

HB 1082 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Finance and Taxation to which was referred HB 1088 has had the same under consideration and recommends by a vote of 15 YEAS, 2 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 12, remove the overstrike over the word "~~Ten~~", and delete the word "Fifteen"

On page 2, line 13, remove the overstrike over the word "~~Ninety~~", and delete the word "Eighty-five"

And renumber the lines accordingly

REP. A. HAUSAUER, Chairman

HB 1088 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 1154 has had the same under consideration and recommends by a vote of 11 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. CONMY, Chairman

HB 1154 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Appropriations to which was referred HB 1196 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 1196 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Appropriations to which was referred HB 1237 has had the same under consideration and recommends by a vote of 11 YEAS, 9 NAYS, 3 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. J. PETERSON, Chairman

HB 1237 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Appropriations to which was referred HB 1250 has had the same under consideration and recommends by a vote of 18 YEAS, 0 NAYS, 5 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 4, line 8, after the word "aircraft" insert the words "except for leased or rented private aircraft from a recognized fixed base aviation operator located on a public airport open for public use, who is in the business of leasing and renting private aircraft"

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

The purpose of the amendment is to provide reimbursement for state employees utilizing leased or rented private aircraft.

REP. J. PETERSON, Chairman

HB 1250 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 10 YEAS, 4 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 of the engrossed bill, line 4, delete the word "and" and insert in lieu thereof a comma, and after the numerals "41-09-40" insert the words ", and subsection 1 of section 57-40.3-01"

On page 3 of the engrossed bill, after line 13, insert the following new section:

"SECTION 4. AMENDMENT. Subsection 1 of section 57-40.3-01 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

1. "Motor vehicle" shall include every vehicle which is self-propelled and every vehicle which is propelled by electric power obtained from overhead trolley wires, but not operated upon rails, and every trailer and semitrailer for which a certificate of title is required to be obtained pursuant to the provisions of chapter 39-05, but not including housetrailer, or mobile homes a housetrailer, a mobile home, a farm tractor, or other self-propelled implement of husbandry."

And renumber the lines, sections, and pages 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 1282 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

REP. CONMY, Chairman

HB 1282 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 1303 has had the same under consideration and recommends by a vote of 9 YEAS, 6 NAYS, 1 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. KLOUBEC, Chairman

HB 1303 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 1305 has had the same under consideration and recommends by a vote of 10 YEAS, 4 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

REP. KLOUBEC, Chairman

HB 1305 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Finance and Taxation to which was referred HB 1342 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. A. HAUSAUER, Chairman

HB 1342 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 1358 has had the same under consideration and recommends by a vote of 11 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 1, after the words "A BILL" delete the remainder of the bill and insert in lieu thereof the following: "for an Act to provide for conversion of accumulated sick leave to annual leave for state employees.

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

SECTION 1. Conversion of sick leave to annual leave. Any state employee eligible to receive sick leave and annual leave may convert accumulated sick leave in excess of two hundred forty hours into annual leave on a basis of two

hours of sick leave for one hour of annual leave up to forty additional hours of annual leave per calendar year. A state employee may not receive a cash payment upon termination of employment with the state for unused annual leave converted from accumulated sick leave under this Act."

And renumber the lines and pages accordingly

REP. MARTINSON, Chairman

HB 1358 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Finance and Taxation to which was referred HB 1375 has had the same under consideration and recommends by a vote of 10 YEAS, 6 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 11, overstrike the word "estimated", and delete the word "or"

On page 1, line 13, delete the word "three" and insert in lieu thereof the word "two"

On page 1, line 16, delete the word "five" and insert in lieu thereof the word "one", and after the word "~~ffty~~" insert the word "ten"

On page 1, line 17, overstrike the word "quarterly" and insert immediately thereafter the word "monthly"

On page 2, line 1, overstrike the word "estimated", and delete the word "or"

On page 2, line 3, delete the word "three" and insert in lieu thereof the word "two"

On page 2, line 6, delete the word "five" and insert in lieu thereof the word "one", and after the word "~~ffty~~" insert the word "ten"

On page 2, line 7, overstrike the word "quarterly" and insert immediately thereafter the word "monthly"

And renumber the lines accordingly

REP. A. HAUSAUER, Chairman

HB 1375 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 1378 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 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 create and enact seven new sections to chapter 51-07 and a new subsection to section 57-40.3-04 of the North Dakota Century Code, relating to the duty of a manufacturer to repair a new motor vehicle under warranty or to refund the purchase price or replace the vehicle under certain circumstances; and to provide a penalty.

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

SECTION 1. A new section to chapter 51-07 of the North Dakota Century Code is hereby created and enacted to read as follows:

Definitions. As used in sections 1 through 7 of this Act, and unless the context or subject matter otherwise requires:

1. "Consumer" means the purchaser, other than for purposes of resale, of a passenger motor vehicle normally used for personal, family, or household purposes. "Consumer" includes any person to whom the passenger motor vehicle is transferred for the same purposes during the duration of an express warranty applicable to that passenger motor vehicle, and any other person entitled by the terms of the warranty to enforce the obligations of the warranty.
2. "Passenger motor vehicle" means a passenger motor vehicle as defined in section 39-01-01, which is sold in this state. "Passenger motor vehicle" does not include a house car, as defined in section 39-01-01.

SECTION 2. A new section to chapter 51-07 of the North Dakota Century Code is hereby created and enacted to read as follows:

Duty of manufacturer to repair defective passenger motor vehicles. If a new passenger motor vehicle does not conform to all applicable express warranties, and the consumer reports the nonconformity to the manufacturer, its agent, or its authorized dealer during the term of the express warranties or during the period of one year following the date of original delivery of the passenger motor vehicle to a consumer, whichever is the earlier date, the manufacturer, its agent, or its authorized dealer shall make the repairs necessary to conform the passenger motor

vehicle to the express warranties, notwithstanding the fact that the repairs might be made after the expiration of the warranty or one-year period.

SECTION 3. A new section to chapter 51-07 of the North Dakota Century Code is hereby created and enacted to read as follows:

Duty to replace defective passenger motor vehicle or refund price - Prerequisite of using available informal dispute settlement process.

1. If the manufacturer, its agent, or its authorized dealer is unable to make the passenger motor vehicle conform to any applicable express warranty by repairing or correcting any defect or condition that substantially impairs the use and market value of the passenger motor vehicle, after a reasonable number of attempts, the manufacturer shall replace that passenger motor vehicle with a comparable passenger motor vehicle or accept return of the passenger motor vehicle from the consumer, and refund to the consumer the full purchase price, including all collateral charges, less a reasonable allowance for the consumer's use of the vehicle. Refunds must be made to the consumer, and lienholder, if any, as their interests may appear. A reasonable allowance for use is the amount directly attributable to use by the consumer before the consumer's first report of the nonconformity to the manufacturer, agent, or dealer, and during any subsequent period when the vehicle is not out of service for repair.
2. It is an affirmative defense to any claim under this Act:
 - a. That an alleged nonconformity does not substantially impair the use and market value of the passenger motor vehicle; or
 - b. That a nonconformity is the result of abuse, neglect, or unauthorized modifications or alterations of the passenger motor vehicle by a consumer.
3. If a manufacturer has established or participates in an informal dispute settlement procedure which substantially complies with the substantive rules of the federal trade commission, 16 CFR 703, or if the manufacturer participates in a consumer and industry appeals, arbitration, or mediation appeals board whose decisions are binding on the

manufacturer, the remedy under subsection 1 is not available to a consumer who has not first resorted to that procedure. The attorney general shall, on application, issue a determination of whether an informal dispute resolution mechanism qualifies under this subsection.

SECTION 4. A new section to chapter 51-07 of the North Dakota Century Code is hereby created and enacted to read as follows:

Presumptions.

1. It is presumed that a reasonable number of attempts have been undertaken to make a passenger motor vehicle conform to the applicable express warranties, if:
 - a. The same nonconformity has continued to exist, despite having been subject to repair more than three times by the manufacturer, its agent, or its authorized dealer, within the express warranty term or within one year of the date original delivery of the passenger motor vehicle to a consumer, whichever is the earlier date.
 - b. The passenger motor vehicle is out of service for repair for a cumulative total of at least thirty business days during the warranty term or in a year, whichever is less.
2. The term of an express warranty, the one-year period, and the thirty-day period, are extended by any period during which repair services are not available to the consumer because of war, invasion, strike, fire, flood, or other natural disaster.
3. The presumption does not apply against a manufacturer unless the manufacturer has received prior direct notification from or on behalf of the consumer and an opportunity to cure the alleged defect.

SECTION 5. A new section to chapter 51-07 of the North Dakota Century Code is hereby created and enacted to read as follows:

Exclusive remedy. A consumer who elects to proceed under sections 1 through 7 of this Act is foreclosed from pursuing any other remedy arising out of the facts and circumstances which gave rise to the claim under sections 1 through 7 of this Act.

SECTION 6. A new section to chapter 51-07 of the North Dakota Century Code is hereby created and enacted to read as follows:

Limitation of actions. An action brought under sections 1 through 7 of this Act must be commenced within six months after the earlier of:

1. Expiration of the express warranty term; or
2. Eighteen months after the date of original delivery of the passenger motor vehicle to a consumer.

SECTION 7. A new section to chapter 51-07 of the North Dakota Century Code is hereby created and enacted to read as follows:

Resale of returned passenger motor vehicles prohibited - Penalty. A person may not sell in this state a passenger motor vehicle that was returned to the manufacturer in accordance with sections 1 through 7 of this Act. Violation of this section is a class B misdemeanor.

SECTION 8. A new subsection to section 57-40.3-04 of the North Dakota Century Code is hereby created and enacted to read as follows:

Motor vehicles returned to the manufacturer under section 3 of this Act."

And renumber the lines and pages accordingly

REP. KLOUBEC, Chairman

HB 1378 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 1387 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 20, after the word "if" insert the words "the following conditions are met"

On page 1, line 23, after the word "contract" insert the word "currently", and delete the words "if the service is" and insert in lieu thereof the words "for identical services"

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

On page 1, line 26, after the word "performed" insert the words "while the registered nurse is employed"

On page 1, line 27, after the second word "facility" delete the period and insert in lieu thereof the word "; and"

On page 1, after line 27, insert the following new subsection:

"4. The policy or contract does not offer, at the option of the individual with respect to an individual policy or contract or the employer or the group or association representative with respect to a group policy or contract, coverage for services rendered by self-employed registered nurses licensed pursuant to chapter 43-12.1."

On page 2, line 11, after the word "if" insert the words "the following conditions are met:"

On page 2, line 12, after the word "policy" insert the word "currently"

On page 2, line 13, delete the words "if the service is" and insert in lieu thereof the words "for identical services"

On page 2, line 14, delete the word "and"

On page 2, line 15, after the word "performed" insert the words "while the registered nurse is employed"

On page 2, line 17, after the word "facility" insert the words "; and (4) the policy does not offer, at the option of the policyholder, coverage for services rendered by self-employed registered nurses licensed pursuant to chapter 43-12.1"

On page 2, line 27, after the word "if" insert the words "the following conditions are met:"

On page 2, line 29, after the word "policy" insert the word "currently"

On page 2, line 30, delete the words "if the service is" and insert in lieu thereof the words "for identical services"

On page 2, line 31, delete the word "and"

On page 2, line 32, after the word "performed" insert the words "while the registered nurse is employed"

On page 2, line 33, after the word "facility" insert the words "; and (4) the policy does not offer, at the option of the employer, or the group or association representative, coverage for services rendered by self-employed registered nurses licensed pursuant to chapter 43-12.1"

- On page 3, line 10, after the word "if" insert the words "the following conditions are met:"
- On page 3, line 11, after the word "contract" insert the word "currently"
- On page 3, line 12, delete the words "if the service is" and insert in lieu thereof the words "for identical services"
- On page 3, line 13, delete the word "and", and after the word "performed" insert the words "while the registered nurse is employed"
- On page 3, line 14, after the second word "facility" insert the words "; and (4) the health service contract does not offer, at the option of the individual with respect to an individual contract or the employer or the group or association representative with respect to a group contract, coverage for services rendered by self-employed registered nurses licensed pursuant to chapter 43-12.1"
- On page 3, line 23, after the word "if" insert the words "the following conditions are met:"
- On page 3, line 25, after the word "coverage" insert the word "currently"
- On page 3, line 26, delete the words "if the service is" and insert in lieu thereof the words "for identical services"
- On page 3, line 27, delete the word "and", and after the word "performed" insert the words "while the registered nurse is employed"
- On page 3, line 29, after the word "facility" insert the words "; and (d) the evidence of coverage does not offer coverage, at the option of an individual with respect to an individual evidence of coverage or the employer or the group or association representative with respect to a group evidence of coverage, for services rendered by self-employed registered nurses licensed pursuant to chapter 43-12.1"

And renumber the lines and pages accordingly

REP. HAUGLAND, Chairman

HB 1387 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Finance and Taxation to which was referred HB 1391 has had the same under consideration and recommends by a vote of 10 YEAS, 3 NAYS, 4 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 2, delete the word "credits" and insert in lieu thereof the words "an income tax credit for charitable contributions"

On page 1, line 14, delete the words "the following credits against the tax otherwise"

On page 1, delete line 15

On page 1, line 16, delete the word "a. The" and insert in lieu thereof the word "an"

On page 1, delete lines 18 through 25

And renumber the lines accordingly

REP. A. HAUSAUER, Chairman

HB 1391 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 1413 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 2, line 13, remove the overstrike over the word "~~one~~", and delete the word "one-half"

And renumber the lines and pages accordingly

REP. LANG, Chairman

HB 1413 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 1422 has had the same under consideration and recommends by a vote of 15 YEAS, 2 NAYS, 6 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 3, after the semicolon insert the words "to provide for proration;"

On page 1, line 11, after the word "reimbursement" insert the words "within the limits of legislative appropriation,"

On page 1, line 13, after the word "day" insert the words "except as otherwise provided in this Act"

On page 1, after line 28, insert the following new section:

"SECTION 3. Proration. The total amount of reimbursement for each quarter shall not exceed twelve and

one-half percent of the total appropriation. If the amount necessary to reimburse on the basis of forty dollars per reimbursable inmate day is greater than twelve and one-half percent of the total appropriation, the daily rate shall be reduced to such an amount as may be necessary to remain within the twelve and one-half percent limitation. Such reimbursement shall be payment in full of the reimbursable per day cost for that quarter."

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

The purpose of this amendment is to provide for a proration of available funds in the event that the appropriation is insufficient to pay the \$40 daily reimbursement cost for any quarter of the biennium.

REP. J. PETERSON, Chairman

HB 1422 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Finance and Taxation to which was referred HB 1434 has had the same under consideration and recommends by a vote of 11 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO NOT PASS:

On page 2, line 3, after the word "five" insert the words "and one-half"

And renumber the lines accordingly

REP. A. HAUSAUER, Chairman

HB 1434 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 1435 has had the same under consideration and recommends by a vote of 15 YEAS, 0 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 3, delete the word "protection" and insert in lieu thereof the word "prevention"

On page 1, delete lines 8 through 24, and insert in lieu thereof the following new language:

"Withdrawal from fire prevention district. Any person having an ownership interest in property subject to a mill levy as provided for in section 18-10-07 and wishing to withdraw such property from the rural fire protection district may

do so as provided in this section, subject to the following restrictions:

1. The territory to be withdrawn from the district must border on the outer boundary of the district.
2. The territory to be withdrawn from the district remains subject to and chargeable for the payment and discharge of the proportion of obligations outstanding at the time of filing the petition for the withdrawal of the territory that the taxable valuation of property in the territory to be withdrawn bears to the taxable valuation of all property within the district prior to withdrawal.
3. Mill levies imposed under section 18-10-07 remain in effect until the proportionate share of outstanding obligations are paid.
4. The proceedings for withdrawal must be initiated by the filing of a petition with the appropriate county auditor or auditors signed by the fee titleholders of sixty percent of the surface acreage in the territory sought to be withdrawn, and contain a description of the boundaries of the territory sought to be withdrawn and a map or plat illustrating such area.
5. The county auditor shall verify from the tax schedules and determine whether the petition complies with the requirements of subsection 4.
6. The county auditor shall determine and certify the respective percentage proportions of the taxable valuation of the territory petitioned to be withdrawn to the taxable valuation of all property in the district prior to withdrawal to the board of directors of the district concerned.
7. Within twenty days after receipt of the petition, verification, and computation of respective percentage proportions, the board of directors of the district concerned shall attach to the petition a statement of outstanding obligations of the district and shall forward the petition to the appropriate board or boards of county commissioners.
8. The board or boards of county commissioners shall, at a regular meeting, compute the indebtedness proportionately assignable to the territory sought to be withdrawn, and shall by

written order describe the boundaries of the territory withdrawn, the indebtedness of the district assigned to the territory and subject to continued levy under section 18-10-07. The order and computation must be filed in the office of the county auditor or auditors.

9. The annual estimate required under section 18-10-07 must reflect the annual expense of retiring principal and interest upon the proportionate share of district indebtedness assigned to withdrawn territory."

And renumber the lines and pages accordingly

REP. LANG, Chairman

HB 1435 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Finance and Taxation to which was referred HB 1466 has had the same under consideration and recommends by a vote of 11 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. A. HAUSAUER, Chairman

HB 1466 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Judiciary to which was referred HB 1468 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

REP. CONMY, Chairman

HB 1468 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 1471 has had the same under consideration and recommends by a vote of 8 YEAS, 7 NAYS, 1 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. KLOUBEC, Chairman

HB 1471 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Education to which was referred HB 1506 has had the same under consideration and recommends by a vote of 15 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS and be rereferred to the Committee on Appropriations:

On page 1, line 10, delete the numerals "15-34.2-02,"

On page 1, delete lines 11 and 12

On page 1, line 13, delete the numerals "15-34.2-18, 15-40.1-16.2, 15-40.1-16.3,"

On page 1, line 14, delete the words "reimbursement for family-type"

On page 7, line 33, delete the numerals "15-34.2-07, 15-34.2-08,"

On page 7, delete line 34

On page 7, line 35, delete the numerals "15-34.2-15, 15-40.1-16.2, 15-40.1-16.3,"

On page 8, line 1, delete the words and numerals "and sections 15-34.2-02, 15-34.2-14, 15-34.2-16,"

On page 8, delete line 2

On page 8, line 3, delete the word "Code"

And renumber the lines and pages accordingly

REP. KNUDSON, Chairman

HB 1506 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Education to which was referred HB 1513 has had the same under consideration and recommends by a vote of 12 YEAS, 4 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, delete the word "and"

On page 1, line 7, after the word "states" insert the words "and to provide an expiration date"

On page 4, after line 15, insert the following new section:

"SECTION 4. EXPIRATION DATE. This Act is effective through December 31, 1986, and after that date is ineffective. The provisions of sections 15-40.2-09 and 15-40.2-10 as they existed on December 31, 1984, shall be in effect after December 31, 1986."

And renumber the lines and pages accordingly

REP. KNUDSON, Chairman

HB 1513 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Finance and Taxation to which was referred HB 1541 has had the same under consideration and recommends by a vote of 9 YEAS, 8 NAYS, 0 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 11, after the word "exempt" insert the words "farm residences,", after the word "buildings" insert an underscored comma, and after the word "and" insert the word "farm"

On page 1, line 28, remove the overstrike over the word "~~ten~~" and delete the word "one"

On page 2, line 1, delete the words "hundred forty", remove the overstrike over the numerals "~~4-05~~", and delete the numerals "56.65"

And renumber the lines accordingly

REP. A. HAUSAUER, Chairman

HB 1541 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Finance and Taxation to which was referred HB 1597 has had the same under consideration and recommends by a vote of 11 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. A. HAUSAUER, Chairman

HB 1597 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 1608 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 NOT PASS.

REP. KLOUBEC, Chairman

HB 1608 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 1612 has had the same under consideration and recommends by a vote of 12 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. KLOUBEC, Chairman

HB 1612 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 1617 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 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 sections 54-03-19.1 and 54-03-19.2 of the North Dakota Century Code, relating to a compensation commission to recommend to the legislative assembly appropriate rates of expense allowance and compensation for members of the legislative assembly and state elected officials.

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

SECTION 1. AMENDMENT. Section 54-03-19.1 of the 1983 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

**54-03-19.1. ~~Legislative compensation~~ Compensation
commission - Appointment of members.**

1. The ~~legislative~~ compensation commission shall determine appropriate rates of expense allowance and compensation to be paid members of the legislative assembly and state elected officials.
2. The governor shall appoint five members to the commission. No member of the commission may hold state office or serve in state government in any capacity at the time of appointment or during service on the commission. The members shall be appointed for a term of four years, and the governor shall appoint one of the members chairman of the commission.

SECTION 2. AMENDMENT. Section 54-03-19.2 of the 1983 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

54-03-19.2. Meetings - Powers and duties - Expenses.

1. The commission shall meet at the call of the chairman as often as may be necessary, but at least once during each biennium.
2. a. The commission shall determine a proper level of legislative compensation, expense, and per diem paid for service upon interim committees and during legislative sessions.
- b. In making such recommendations it shall review expense and compensation allowances for legislative service in other states, and

comparable compensation and allowances in other areas of state and federal service as well as private industry, and shall determine rates of compensation and reimbursements that permit citizens to hold legislative office without undue financial sacrifice or disadvantage.

3. a. The commission shall determine a proper level of compensation to be paid to state elected officials.
 - b. In making such recommendations it shall review compensation for similar offices in other states, in federal services, and for positions with similar responsibilities in private industry.
4. The commission shall report its findings and recommendations to the legislative assembly within ten days after the convening of the regular legislative session.
5. a. Members of the legislative compensation commission shall be compensated for time spent in attendance at meetings of the commission and for other travel as approved by the chairman of the legislative council at the rate of sixty-two dollars and fifty cents per day and shall be reimbursed for their actual and necessary expenses incurred in the same manner as other state officials.
 - b. The expense allowance shall be paid from appropriations then in effect for the legislative assembly.
6. The commission may solicit the assistance of the staff of the legislative council to provide information, aid, and assistance in carrying out its duties."

And renumber the lines and pages accordingly

REP. MARTINSON, Chairman

HB 1617 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 HCR 3021 has had the same under consideration and recommends by a vote of 10 YEAS, 2 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 1, delete the words "authorizing public" and insert in lieu thereof the word "encouraging"

On page 1, line 4, delete the word "public"

On page 1, line 9, delete the word "public"

On page 1, line 17, delete the word "public"

On page 1, line 28, delete the words "authorizes public" and insert in lieu thereof the word "encourages"

On page 2, line 5, delete the word "public"

On page 2, line 11, delete the word "public"

And renumber the lines accordingly

REP. MARTINSON, Chairman

HCR 3021 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Education to which was referred HCR 3042 has had the same under consideration and recommends by a vote of 13 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. KNUDSON, Chairman

HCR 3042 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Finance and Taxation to which was referred HCR 3048 has had the same under consideration and recommends by a vote of 11 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

REP. A. HAUSAUER, Chairman

HCR 3048 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 HCR 3049 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. MARTINSON, Chairman

HCR 3049 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

Reps. Timm, Richard and Sens. Mutch, Satrom introduced:

HCR 3069: A concurrent resolution directing the Legislative Council to study the capability of the various street and highway systems of the state to provide for the efficient

transportation of people, goods, commodities, and services and to identify the resources needed to provide an adequate and efficient system of streets and highways in the future. Was read the first time and referred to the Committee on Transportation.

Reps. Kent, Lipsiea and Sens. Tweten, Mutch introduced:

HCR 3070: A concurrent resolution directing the Legislative Council to study the problems of solid waste disposal in landfills in North Dakota.

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

FIRST READING OF SENATE BILLS

SB 2026: A BILL for an Act making an appropriation for defraying the expenses of the motor vehicle department of the state of North Dakota.

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

SB 2030: A BILL for an Act making an appropriation for defraying the administrative costs of the teachers' fund for retirement of the state of North Dakota.

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

SB 2110: A BILL for an Act to amend and reenact section 35-24-19 of the North Dakota Century Code, relating to the allowance of attorney's fees in well or pipeline lien foreclosures.

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

SB 2130: A BILL for an Act to establish a revolving printing fund to provide schools instructional materials at cost developed by the superintendent of public instruction; and to provide a continuing appropriation.

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

SB 2135: A BILL for an Act to authorize the state board of higher education to issue and sell self-liquidating, tax-exempt bonds for the construction of revenue-producing student housing at the university of North Dakota, a revenue-producing parking lot at the university of North Dakota, a revenue-producing student housing facility at North Dakota state university, a revenue-producing addition to the student center at Mayville state college, a revenue-producing student housing at Minot state college, a revenue-producing addition to the student center at North Dakota state university, and a revenue-producing addition to the auxiliary services building at North Dakota state university; to provide an appropriation; and to declare an emergency.

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

SB 2201: A BILL for an Act to create and enact four new sections to chapter 49-21 of the North Dakota Century Code, relating to the regulation of telecommunications companies by the public service commission; to amend and reenact sections 49-02-01, 49-02-01.1, subsection 7 of section 49-02-02, sections 49-02-05.1, 49-04-19, 49-05-02, 49-09-15, 49-09-16, 49-19-09, 49-19-10, 49-20-12.1, 49-21-01, 49-21-02, 49-21-04, 49-21-05, 49-21-06, 49-21-07, 49-21-08, 49-21-09, 49-21-10, and 49-21.1-05 of the North Dakota Century Code, relating to the jurisdiction of the public service commission over telecommunications companies, the regulation of telecommunications companies, security interests against telecommunications companies, conveyance of real property by a telecommunications company, right-of-way for telecommunications lines, right-of-way for pipeline telecommunications lines, compensations for damages done by laying pipeline telecommunications line, and changes in the topography of land under or adjacent to telecommunications lines; and to repeal sections 49-21-03, 49-21-11, 49-21-12, 49-21-13, and 49-21-16 of the North Dakota Century Code, relating to regulation of telephone and telegraph companies and penalties for failure to comply with a public service commission order regarding telephone and telegraph companies.

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

SB 2245: A BILL for an Act to create and enact a new subdivision to subsection 6 of section 53-06.1-01 of the North Dakota Century Code, relating to uses by chambers of commerce of net proceeds from charitable gambling.

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

SB 2315: A BILL for an Act to amend and reenact subsection 5 of section 57-15-06.8 of the North Dakota Century Code, relating to county tax levy limitations for extraordinary expenditures.

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

SB 2329: A BILL for an Act to create and enact a new section to chapter 12-44.1 and a new chapter to title 65 of the North Dakota Century Code, relating to an inmate work release program for city and county jails and workmen's compensation coverage for participating inmates.

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

SB 2368: A BILL for an Act to create and enact a new section to chapter 14-07.2 of the North Dakota Century Code, relating to the confidentiality of adult abuse program records; to provide a penalty; and to declare an emergency.

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

SB 2376: A BILL for an Act to repeal chapters 54-47 and 54-48 of the North Dakota Century Code, relating to continuity of state and local government in the event of a disaster caused by enemy attack.

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

SB 2432: A BILL for an Act to create and enact a new section to chapter 28-22 of the North Dakota Century Code, relating to a restriction on the exemption of a debtor's wages.

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

SB 2451: A BILL for an Act to amend and reenact subsection 5 of section 6-09.4-03 of the North Dakota Century Code, relating to the definition of a municipal security; and to declare an emergency.

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

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

ROY GILBREATH, Chief Clerk