

JOURNAL OF THE HOUSE

Forty-ninth Legislative Assembly

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THIRTIETH DAY

Bismarck, February 18, 1985

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

The prayer was offered by Rabbi Robert L. Kravitz, Temple Beth El, Fargo, North Dakota.

ROLL CALL

The roll was called and all Representatives were present, except Representatives Gullickson, Laughlin, Lipsiea, 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-ninth Day and finds the same to be correct.

REP. KENT, Chairman

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

POINT OF PERSONAL PRIVILEGE

REP. C. ANDERSON: Mr. Speaker: I rise on a point of personal privilege and request that my remarks be printed in the Journal.

Mr. Speaker, ladies and gentlemen of the House, for the fifth time in 17 years, the Velva High School wrestling team has won the North Dakota State Class B Championship Wrestling Tournament. There are 42 teams in the Class B wrestling program.

The Velva team is coached by Mr. Mike Norland and a special thank you should be extended him for his excellent coaching efforts.

Special recognition should also be extended to Mr. Roger Slotsve, Superintendent of Schools in Velva, for his being chosen the top supporter of wrestling among superintendents of schools.

In addition to receiving the championship wrestling award, the "Spirit Award" was also awarded to Velva High School.

MOTION

REP. A. HAUSAUER MOVED that HB 1527 be returned to the House floor from the Committee on Finance and Taxation, which motion prevailed.

REQUEST

REP. TIMM REQUESTED the unanimous consent of the House to withdraw HB 1527. There being no objection, it was so ordered by the Speaker.

REPORT OF PROCEDURAL COMMITTEE

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

HB 1219

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 they have examined the following bills and find the same correctly engrossed:

HB 1287, HB 1296, HB 1390, HB 1496, HB 1520, HB 1533,
HB 1550, HB 1595, HB 1600

REP. HEDSTROM, Chairman

REP. HILL 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 11:23 a.m., February 15, 1985:

HMR B

REP. HEDSTROM, Chairman

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

MESSAGES FROM THE SENATE
SENATE CHAMBER

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

HB 1091, HB 1139, HCR 3002, HCR 3016

LEO LEIDHOLM, Secretary

SENATE CHAMBER

MR. SPEAKER: I have the honor to return herewith the following which the Senate has passed unchanged:

HB 1042, HB 1045, HB 1046, HB 1108, HB 1110, HB 1114
LEO LEIDHOLM, Secretary

SIXTH ORDER OF BUSINESS

REP. KNUDSON MOVED that the amendments to HB 1049 as recommended by the Committee on Education as printed on pages 953-955 of the House Journal be adopted, and when so adopted, recommends that HB 1049 DO PASS and be rereferred to the Committee on Appropriations.

REQUEST

REP. D. OLSEN REQUESTED a recorded roll call vote on the motion to adopt the proposed amendments to HB 1049, which request was granted.

ROLL CALL

The question being on the motion to adopt the amendments to HB 1049, the roll was called and there were 68 YEAS, 35 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Brokaw; Dalrymple; DeMers; Dotzenrod; Eckroth; Enget; Frey; Gerntholz; Graba; Gunsch; Hanson, L.; Haugland; Hedstrom; Hill; Hoffner; Keller; Kelly; Kent; Kingsbury; Klundt; Kretschmar; Laughlin; Lautenschlager; Linderman; Lloyd; Melby; Mertens; Meyer; Murphy; Myrdal; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Pederson, R.; Retzer; Rice; Richard; Riehl; Sauter; Schmidt; Schneider; Shaw; Shide; Shockman; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn; Tollefson; Ulmer; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Speaker Hausauer, R.

NAYS: Berg, R.; Cleveland; Conmy; Dorso; Gates; Goetz; Halmrast; Hamerlik; Hanson, O.; Hausauer, A.; Hughes; Kloubec; Knudson; Koland; Kuchera; Lang; Larson; Lindgren; Martin; Martinson; Moore; Nalewaja; Payne; Riley; Rydell; Schindler; Strinden; Thompson; Timm; Unhjem; Vander Vorst; Wald; Whalen; Winkelman; Wold

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

The motion to adopt the amendments to HB 1049 passed.

HB 1049 was rereferred to the Committee on Appropriations.

SIXTH ORDER OF BUSINESS

REP. J. PETERSON MOVED that the amendments to HB 1077 as recommended by the Committee on Appropriations as printed on page 955 of the House Journal be adopted, and when so adopted, recommends that HB 1077 DO PASS, which motion prevailed.

HB 1077 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. J. PETERSON MOVED that the amendments to HB 1078 as recommended by the Committee on Appropriations as printed on page 955 of the House Journal be adopted, and when so adopted, recommends that HB 1078 DO PASS, which motion prevailed.

HB 1078 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. HAUGLAND MOVED that the amendments to HB 1211 as recommended by the Committee on Social Services and Veterans Affairs as printed on pages 956-960 of the House Journal be adopted, and when so adopted, recommends that HB 1211 DO PASS, which motion prevailed.

HB 1211 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. CONMY MOVED that the amendments to HB 1281 as recommended by the Committee on Judiciary as printed on page 906 of the House Journal be adopted, and when so adopted, recommends that HB 1281 DO PASS.

REQUEST

REP. KRETSCHMAR REQUESTED a recorded roll call on the motion to adopt the proposed amendments to HB 1281, which request was granted.

ROLL CALL

The question being on the motion to adopt the amendments to HB 1281, the roll was called and there were 34 YEAS, 69 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Anderson, R.; Berg, G.; Berg, R.; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Gates; Goetz; Graba; Hanson, L.; Hausauer, A.; Hughes; Klundt; Koland; Kretschmar; Kuchera; Martin; Martinson; Mertens; Murphy; Nalewaja; Nicholas; Olson, V.; O'Shea; Riley; Schneider; Strinden; Timm; Ulmer; Wald; Williams, W.; Speaker Hausauer, R.

NAYS: Anderson, C.; Belter; Brokaw; Dotzenrod; Eckroth; Enget; Frey; Gertholz; Gunsch; Halmrast; Hamerlik; Hanson, O.; Haugland; Hedstrom; Hill; Hoffner; Keller; Kelly; Kent; Kingsbury; Kloubec; Knudson; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lloyd;

Melby; Meyer; Moore; Myrdal; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Opedahl; Payne; Pederson, R.; Retzer; Rice; Richard; Riehl; Rydell; Sauter; Schindler; Schmidt; Shaw; Shide; Shockman; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn; Thompson; Tollefson; Unhjem; Vander Vorst; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Winkelman; Wold

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

The motion to adopt the amendments to HB 1281 failed to pass.

HB 1281 without amendments was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SIXTH ORDER OF BUSINESS

REP. A. HAUSAUER MOVED that the amendments to HB 1344 as recommended by the **Committee on Finance and Taxation** as printed on page 961 of the House Journal be adopted, and when so adopted, recommends that HB 1344 DO PASS, which motion prevailed.

HB 1344 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. KNUDSON MOVED that the amendments to HB 1356 as recommended by the **Committee on Education** as printed on pages 961-963 of the House Journal be adopted, and when so adopted, recommends that HB 1356 DO PASS and be rereferred to the **Committee on Appropriations**, which motion prevailed.

HB 1356 was rereferred to the **Committee on Appropriations**.

REP. KNUDSON MOVED that the amendments to HB 1402 as recommended by the **Committee on Education** as printed on page 964 of the House Journal be adopted, and when so adopted, recommends that HB 1402 DO PASS, which motion prevailed.

HB 1402 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. J. PETERSON MOVED that the amendments to HB 1404 as recommended by the **Committee on Appropriations** as printed on pages 964-965 of the House Journal be adopted, and when so adopted, recommends that HB 1404 DO PASS, which motion prevailed.

HB 1404 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. KNUDSON MOVED that the amendments to HB 1433 as recommended by the **Committee on Education** as printed on page 964 of the House Journal be adopted, and when so adopted, recommends that HB 1433 DO PASS, which motion prevailed.

HB 1433 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. J. PETERSON MOVED that the amendments to HB 1494 as recommended by the Committee on Appropriations as printed on pages 966-970 of the House Journal be adopted, and when so adopted, recommends that HB 1494 DO NOT PASS, which motion prevailed.

HB 1494 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. KLOUBEC MOVED that the amendments to HB 1540 as recommended by the Committee on Industry, Business and Labor as printed on page 971 of the House Journal be adopted, and when so adopted, recommends that HB 1540 DO PASS, which motion prevailed.

HB 1540 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. A. HAUSAUER MOVED that the amendments to HB 1543 as recommended by the Committee on Finance and Taxation as printed on page 972 of the House Journal be adopted, and when so adopted, recommends that HB 1543 DO PASS, which motion prevailed.

HB 1543 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. TIMM MOVED that the amendments to HB 1557 as recommended by the Committee on Transportation as printed on page 973 of the House Journal be adopted, and when so adopted, recommends that HB 1557 DO PASS, which motion prevailed.

HB 1557 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. KNUDSON MOVED that the amendments to HB 1577 as recommended by the Committee on Education as printed on pages 974-975 of the House Journal be adopted, and when so adopted, recommends that HB 1577 DO NOT PASS, which motion prevailed.

HB 1577 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. NICHOLAS MOVED that the amendments to HB 1621 as recommended by the Committee on Agriculture as printed on pages 975-976 of the House Journal be adopted, and when so adopted, recommends that HB 1621 DO PASS, which motion prevailed.

HB 1621 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. MARTINSON MOVED that the amendments to HB 1633 as recommended by the Committee on State and Federal Government as

printed on pages 976-977 of the House Journal be adopted, and when so adopted, recommends that HB 1633 DO PASS, and be rereferred to the Committee on Appropriations, which motion prevailed.

HB 1633 was rereferred to the Committee on Appropriations.

REP. CONMY MOVED that the amendments to HCR 3056 as recommended by the Committee on Judiciary as printed on page 977 of the House Journal be adopted, and when so adopted, recommends that HCR 3056 BE PLACED ON THE CONSENT CALENDAR WITHOUT RECOMMENDATION, which motion prevailed.

HCR 3056 was placed on the Eleventh order of business on the calendar without recommendation for the succeeding legislative day.

SIGNING OF BILLS AND RESOLUTIONS

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following:

HB 1219

ROY GILBREATH, Chief Clerk

MESSAGE TO THE SENATE HOUSE CHAMBER

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

HB 1219

ROY GILBREATH, Chief Clerk

MOTIONS

REP. STRINDEN MOVED that HB 1349 be laid over until Thursday, February 21, 1985, which motion prevailed.

REP. STRINDEN MOVED that HB 1539 be laid over one legislative day, which motion prevailed.

REP. STRINDEN MOVED that HB 1645 be rereferred to the Committee on Appropriations, which motion prevailed.

REP. STRINDEN MOVED that the House waive the reading of the title to all bills and resolutions on the calendar today, which motion prevailed.

SECOND READING OF HOUSE BILLS

HB 1434: A BILL for an Act to amend and reenact subsection 15 of section 57-02-01 and sections 57-02-27 and 57-02-27.1 of the North Dakota Century Code, relating to the valuation and assessment of property; to repeal section 57-02-27.2 of the North Dakota Century Code, relating to the valuation

and assessment of agricultural property; and to provide an effective date.

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

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 28 YEAS, 74 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Conmy; Dorso; Gates; Goetz; Hamerlik; Hausauer, A.; Hughes; Kelly; Kloubec; Koland; Kuchera; Larson; Laughlin; Lindgren; Martinson; Moore; Nalewaja; Payne; Retzer; Riley; Rydell; Sauter; Schneider; Timm; Unhjem; Wald; Wentz; Wold

NAYS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Dalrymple; DeMers; Dotzenrod; Eckroth; Enget; Frey; Gerntholz; Graba; Gunsch; Halmrast; Hanson, L.; Hanson, O.; Haugland; Hedstrom; Hill; Hoffner; Keller; Kent; Kingsbury; Klundt; Knudson; Kretschmar; Lang; Lautenschlager; Linderman; Lloyd; Martin; Melby; Mertens; Meyer; Murphy; Myrdal; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Pederson, R.; Rice; Richard; Riehl; Schindler; Schmidt; Shaw; Shide; Shockman; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn; Thompson; Tollefson; Ulmer; Vander Vorst; Watne; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Hausauer, R.

ABSENT AND NOT VOTING: Gullickson; Lipsiea;
Peterson, J.; Strinden

HB 1434 was declared lost.

HB 1435: A BILL for an Act to create and enact a new section to chapter 18-10 of the North Dakota Century Code, relating to withdrawal of territory from a rural fire prevention district.

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 102 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Conmy; Dalrymple; DeMers;

Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; 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; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; Nalewaja; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Retzer; Rice; Richard; Riehl; Riley; Rydell; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Shockman; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn; 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; Lipsiea;
Peterson, J.; Strinden

HB 1435 passed and the title was agreed to.

HB 1456: A BILL for an Act to create and enact a new subsection to section 6-09-15 of the North Dakota Century Code, relating to the limitations on loans made by the Bank of North Dakota.

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 20 YEAS, 83 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Brokaw; Frey; Goetz; Graba; Hughes; Kelly; Klundt; Lindgren; Martin; Melby; O'Shea; Pederson, R.; Retzer; Rice; Schmidt; Schneider; Starke; Unhjem; Wald

NAYS: Anderson, R.; Belter; Berg, G.; Berg, R.; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Gates; Gerntholz; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Keller; Kent; Kingsbury; Kloubec; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lloyd; Martinson; Mertens; Meyer; Moore; Murphy; Myrdal; Nalewaja; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl;

Payne; Richard; Riehl; Riley; Rydell; Sauter;
 Schindler; Shaw; Shide; Shockman; Skjerven; Smette;
 Solberg, O.; Solberg, R.; Stofferahn; Strinden;
 Thompson; Timm; Tollefson; Ulmer; Vander Vorst; Watne;
 Wentz; Whalen; Williams, A.; Williams, C.;
 Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

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

HB 1456 was declared lost.

HB 1461: A BILL for an Act to create and enact six new subsections to section 52-01-01 and a new subsection to section 52-06-02 of the North Dakota Century Code, relating to unemployment compensation benefits payable to workers in seasonal employment.

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

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 15 YEAS, 87 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Anderson, R.; Dotzenrod; Hamerlik; Hanson, O.;
 Hughes; Kingsbury; Kretschmar; Kuchera; Lang; Melby;
 Murphy; Retzer; Schindler; Thompson;
 Speaker Hausauer, R.

NAYS: Anderson, C.; Belter; Berg, G.; Berg, R.; Brokaw;
 Cleveland; Conmy; Dalrymple; DeMers; Dorso; Eckroth;
 Enget; Frey; Gates; Gerntholz; Goetz; Graba; Gunsch;
 Halmrast; Hanson, L.; Haugland; Hausauer, A.; Hedstrom;
 Hill; Hoffner; Keller; Kelly; Kent; Kloubec; Klundt;
 Knudson; Koland; Larson; Laughlin; Lautenschlager;
 Linderman; Lindgren; 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.; Rice; Richard;
 Riehl; Riley; Rydell; Sauter; Schmidt; Schneider; Shaw;
 Shide; Shockman; Skjerven; Smette; Solberg, O.;
 Solberg, R.; Starke; Stofferahn; Strinden; Timm;
 Tollefson; Ulmer; Unhjem; Vander Vorst; Watne; Wentz;
 Whalen; Williams, A.; Williams, C.; Williams, W.;
 Winkelman; Wold

ABSENT AND NOT VOTING: Gullickson; Lipsiea;
 Peterson, J.; Wald

HB 1461 was declared lost.

REQUEST

REP. HAMERLIK REQUESTED that the record show that he intended to vote "nay" on HB 1461, which request was granted.

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 2031, SB 2313, SB 2380, SB 2444, SB 2467, SB 2487,
SB 2496, SCR 4047, SCR 4049

LEO LEIDHOLM, Secretary

SENATE CHAMBER

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

HB 1219

LEO LEIDHOLM, Secretary

SECOND READING OF HOUSE BILLS

HB 1492: A BILL for an Act to amend and reenact section 23-17.3-05 of the North Dakota Century Code, relating to home health agency standards of licensure.

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 64 YEAS, 37 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Conmy; Dalrymple; Dorso; Dotzenrod; Eckroth; Enget; Frey; Goetz; Gunsch; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hughes; Keller; Kent; Kingsbury; Kloubec; Klundt; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Linderman; Lindgren; Martin; Martinson; Melby; Meyer; Moore; Murphy; Myrdal; Nicholas; Nowatzki; Olsen, D.; Olson, A.; Opedahl; Pederson, R.; Rice; Riehl; Rydell; Schindler; Schmidt; Shide; Shockman; Skjerven; Solberg, O.; Starke; Strinden; Thompson; Timm; Vander Vorst; Wald; Watne; Wentz; Winkelman; Wold

NAYS: Brokaw; Cleveland; DeMers; Gates; Gerntholz; Graba; Halmrast; Hamerlik; Hanson, L.; Hill; Hoffner; Kelly; Knudson; Lautenschlager; Lloyd; Nalewaja; Oban; O'Connell; Olson, V.; O'Shea; Payne; Retzer; Richard; Riley; Sauter; Schneider; Shaw; Smette; Solberg, R.;

Stofferahn; Tollefson; Ulmer; Unhjem; Williams, A.;
Williams, C.; Williams, W.; Speaker Hausauer, R.

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

HB 1492 passed and the title was agreed to.

HB 1512: A BILL for an Act to amend and reenact subsections 3 and 4 of section 20.1-03-12 and section 20.1-08-04.1 of the North Dakota Century Code, relating to fees for hunting and fishing licenses and permits and the governor's proclamation concerning the hunting of big horn sheep.

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, 13 NAYS, 5 ABSENT AND NOT VOTING.

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

NAYS: Frey; Goetz; Gunsch; Hanson, O.; Hausauer, A.;
Keller; Myrdal; Nicholas; Nowatzki; O'Shea;
Pederson, R.; Wald; Wentz

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

HB 1512 passed and the title was agreed to.

HB 1532: A BILL for an Act to create and enact a new section to chapter 20.1-03 of the North Dakota Century Code, relating to an application fee for licenses to hunt elk, moose, and

bighorn sheep; and to amend and reenact section 20.1-02-17 of the North Dakota Century Code, relating to the use of elk, moose, and bighorn sheep application fees by the game and fish department.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 93 YEAS, 8 NAYS, 5 ABSENT AND NOT VOTING.

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

NAYS: Anderson, C.; Berg, R.; Gunsch; Hanson, O.; Hausauer, A.; Koland; Lindgren; Murphy

ABSENT AND NOT VOTING: Gullickson; Lipsiea; Peterson, J.; Strinden; Whalen

HB 1532 passed and the title was agreed to.

REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER: Your Committee on Enrollment and Engrossment respectfully report that the following bills were delivered to the Secretary of State for his filing at the hour of 1:26 p.m., February 18, 1985:

HCR 3002, HCR 3016

REP. HEDSTROM, Chairman

REP. SHAW 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 bills were delivered to

the Governor for his approval at the hour of 1:23 p.m., February 18, 1985:

HB 1091, HB 1139

REP. HEDSTROM, Chairman

REP. SHAW 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 Governor for his approval at the hour of 1:30 p.m., February 18, 1985:

HB 1219

REP. HEDSTROM, Chairman

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

SECOND READING OF HOUSE BILLS

HB 1541: A BILL for an Act to amend and reenact subsection 15 of section 57-02-08 of the North Dakota Century Code, relating to the exemption of farm structures from taxation; and to provide an effective date.

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

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 19 YEAS, 83 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Dalrymple; Halmrast; Hoffner; Kingsbury; Knudson; Lloyd; Martin; Murphy; O'Connell; O'Shea; Richard; Schmidt; Shockman; Solberg, O.; Solberg, R.; Starke; Stofferahn

NAYS: Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Conmy; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Gunsch; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hughes; Keller; Kelly; Kent; Kloubec; Klundt; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Martinson; Melby; Mertens; Meyer; Moore; Myrdal; Nalewaja; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; Olson, V.; Opedahl; Payne; Pederson, R.; Retzer; Rice; Riehl; Riley; Rydell; Sauter; Schindler; Schneider; Shaw; Shide; Skjerven; Smette; 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; Lipsiea;
Peterson, J.; Strinden

HB 1541 was declared lost.

HB 1556: A BILL for an Act to create and enact a new section to chapter 20.1-13 of the North Dakota Century Code, relating to the titling of motorboats; and to amend and reenact section 39-05-01 of the North Dakota Century Code, relating to motor vehicles requiring titling.

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

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 14 YEAS, 84 NAYS, 8 ABSENT AND NOT VOTING.

YEAS: Berg, R.; Dotzenrod; Hamerlik; Hoffner; Kelly;
Kretschmar; Kuchera; Melby; Mertens; Myrdal; Opedahl;
O'Shea; Rice; Vander Vorst

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

ABSENT AND NOT VOTING: Gullickson; Lipsiea; Nicholas;
Peterson, J.; Solberg, O.; Starke; Strinden; Whalen

HB 1556 was declared lost.

HB 1570: A BILL for an Act to create and enact a new subsection to section 39-10-43 of the North Dakota Century Code, relating to duty to stop at railroad grade crossings.

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 50 YEAS, 49 NAYS, 7 ABSENT AND NOT VOTING.

YEAS: Anderson, R.; Belter; Berg, R.; Conmy; Dalrymple; Dorso; Dotzenrod; Eckroth; Gates; Gerntholz; Hanson, O.; Hausauer, A.; Hedstrom; Hughes; Kingsbury; Kloubec; Koland; Kretschmar; Lang; Larson; Lindgren; Lloyd; Martin; Martinson; Melby; Moore; Murphy; Myrdal; Nalewaja; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Pederson, R.; Retzer; Rice; Rydell; Schindler; Schmidt; Schneider; Shide; Smette; Stofferahn; Timm; Unhjem; Vander Vorst; Watne; Winkelman; Wold; Speaker Hausauer, R.

NAYS: Anderson, C.; Berg, G.; Brokaw; Cleveland; DeMers; Enget; Frey; Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Haugland; Hill; Hoffner; Keller; Kelly; Kent; Klundt; Knudson; Kuchera; Laughlin; Lautenschlager; Linderman; Mertens; Meyer; Nowatzki; Oban; Opedahl; O'Shea; Payne; Richard; Riehl; Riley; Sauter; Shaw; Shockman; Skjerven; Solberg, R.; Starke; Thompson; Tollefson; Ulmer; Wald; Wentz; Williams, A.; Williams, C.; Williams, W.

ABSENT AND NOT VOTING: Gullickson; Lipsiea; Nicholas; Peterson, J.; Solberg, O.; Strinden; Whalen

HB 1570 was declared lost for want of a Constitutional majority.

HB 1573: A BILL for an Act to amend and reenact section 43-15-35 of the North Dakota Century Code, relating to permits to operate a pharmacy in a skilled nursing facility.

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

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 11 YEAS, 87 NAYS, 8 ABSENT AND NOT VOTING.

YEAS: Cleveland; DeMers; Dorso; Hamerlik; Kelly; Kuchera; Murphy; Rydell; Sauter; Wentz; Wold

NAYS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw; Conmy; Dalrymple; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Gunsch; Halmrast; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller;

Kent; Kingsbury; Kloubec; Klundt; Koland; Kretschmar; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; Myrdal; Nalewaja; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Retzer; Rice; Richard; Riehl; Riley; Schindler; Schmidt; Schneider; Shaw; Shide; Shockman; Skjervem; Smette; Solberg, R.; Starke; Stofferahn; Thompson; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Wald; Watne; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Hausauer, R.

ABSENT AND NOT VOTING: Gullickson; Knudson; Lipsiea; Nicholas; Peterson, J.; Solberg, O.; Strinden; Whalen

HB 1573 was declared lost.

HB 1581: A BILL for an Act to amend and reenact subsection 28 of section 12.1-30-03 of the North Dakota Century Code, relating to businesses allowed to operate on Sunday.

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

CONFLICT OF INTEREST

REP. LARSON STATED that he had a conflict of interest on HB 1581 and requested permission to vote.

The question being on whether or not Rep. Larson could vote on HB 1581, which request was granted on a voice vote, pursuant to Rules 318 and 319 of the House Rules.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 30 YEAS, 71 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Berg, R.; Brokaw; Cleveland; Conmy; DeMers; Dorso; Gates; Hughes; Kelly; Kingsbury; Kloubec; Koland; Larson; Lindgren; Meyer; Moore; Murphy; Nalewaja; Payne; Richard; Riley; Rydell; Sauter; Schneider; Shockman; Timm; Unhjem; Whalen; Winkelman; Speaker Hausauer, R.

NAYS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Dalrymple; Dotzenrod; Eckroth; Enget; Frey; Gerntholz; Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Keller; Kent; Klundt; Knudson; Kretschmar; Kuchera; Lang; Laughlin; Lautenschlager; Linderman; Lloyd; Martin; Martinson; Melby; Mertens; Myrdal; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Pederson, R.; Retzer; Rice;

Riehl; Schindler; Schmidt; Shaw; Shide; Skjerven;
 Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn;
 Thompson; Tollefson; Ulmer; Vander Vorst; Wald; Watne;
 Wentz; Williams, A.; Williams, C.; Williams, W.; Wold

ABSENT AND NOT VOTING: Gullickson; Lipsiea; Nicholas;
 Peterson, J.; Strinden

HB 1581 was declared lost.

HB 1584: A BILL for an Act to amend and reenact subsection 1 of section 15-59-01, sections 15-59-02.1, 15-59-04, 15-59-05.2, 15-59-06, 15-59-07, 25-01.2-01, 25-01.2-03, 25-01.2-04, 25-01.2-05, 25-01.2-06, 25-01.2-07, 25-01.2-08, 25-01.2-09, 25-01.2-11, 25-01.2-12, 25-01.2-16, and 25-01.2-18 of the North Dakota Century Code, relating to special education of exceptional children and to rights of developmentally disabled persons; and to repeal sections 25-01.2-02, 25-01.2-13, 25-01.2-14, and 25-01.2-17 of the North Dakota Century Code, relating to services and enforcement of rights of developmentally disabled persons.

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

CONFLICT OF INTEREST

REP. ULMER STATED that he had a conflict of interest on HB 1584, and requested permission to vote.

The question being on whether or not Rep. Ulmer could vote on HB 1584, which request was granted on a voice vote, pursuant to Rules 318 and 319 of the House Rules.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 16 YEAS, 83 NAYS, 7 ABSENT AND NOT VOTING.

YEAS: Gates; Goetz; Hanson, O.; Hughes; Kingsbury;
 Kloubec; Kuchera; Myrdal; Nalewaja; Olson, A.; Riley;
 Smette; Timm; Wald; Wold; Speaker Hausauer, R.

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

Rydell; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Shockman; Skjerven; Solberg, O.; Solberg, R.; Starke; Stofferahn; Tollefson; Ulmer; Unhjem; Vander Vorst; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Winkelman

ABSENT AND NOT VOTING: Gullickson; Lipsiea; Nicholas; Peterson, J.; Strinden; Thompson; Whalen

HB 1584 was declared lost.

HB 1611: A BILL for an Act to create and enact a new section to chapter 6-09 and a new section to chapter 54-18 of the North Dakota Century Code, relating to the profits of the Bank of North Dakota and the state mill and elevator association.

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 8 YEAS, 93 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Brokaw; Dotzenrod; Frey; Klundt; Linderman; Lloyd; Starke; Stofferahn

NAYS: Anderson, C.; Anderson, R.; Belter; Berg, C.; Berg, R.; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Eckroth; Enget; Gates; Gerntholz; Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kingsbury; Kloubec; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Lindgren; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; Nalewaja; 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.; 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; Lipsiea; Nicholas; Peterson, J.; Whalen

HB 1611 was declared lost.

HB 1617: A BILL 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.

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 41 YEAS, 56 NAYS, 9 ABSENT AND NOT VOTING.

YEAS: Berg, R.; Brokaw; Conmy; Dalrymple; DeMers; Dorso; Enget; Frey; Gates; Goetz; Halmrast; Hanson, L.; Hausauer, A.; Hedstrom; Kelly; Kretschmar; Laughlin; Linderman; Lindgren; Lloyd; Martin; Martinson; Oban; Olson, V.; Payne; Retzer; Rydell; Sauter; Shockman; Skjerven; Solberg, R.; Stofferahn; Timm; Ulmer; Wald; Wentz; Williams, A.; Williams, C.; Williams, W.; Wold; Speaker Hausauer, R.

NAYS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Cleveland; Dotzenrod; Eckroth; Gertholz; Graba; Gunsch; Hamerlik; Hanson, O.; Haugland; Hill; Hoffner; Hughes; Keller; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Larson; Lautenschlager; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; Nalewaja; Nowatzki; O'Connell; Olsen, D.; Olson, A.; Opedahl; O'Shea; Pederson, R.; Rice; Richard; Riehl; Schindler; Schmidt; Schneider; Shaw; Shide; Smette; Solberg, O.; Starke; Strinden; Thompson; Tollefson; Vander Vorst; Watne; Winkelman

ABSENT AND NOT VOTING: Gullickson; Kuchera; Lang; Lipsiea; Nicholas; Peterson, J.; Riley; Unhjem; Whalen

HB 1617 was declared lost.

HB 1619: A BILL for an Act to amend and reenact subsection 4 of section 57-28-15 of the North Dakota Century Code, relating to the rate of interest on land purchased at the annual county sale of land acquired by tax deed.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 93 YEAS, 6 NAYS, 7 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; Halmrast; Hamerlik; Hanson, L.; Haugland; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; Myrdal; Nalewaja; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; 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; Wentz; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: Brokaw; Gunsch; Hanson, O.; Hausauer, A.; Murphy; Watne

ABSENT AND NOT VOTING: Gullickson; Kuchera; Lipsiea; Nicholas; Peterson, J.; Riley; Whalen

HB 1619 passed and the title was agreed to.

HB 1625: A BILL for an Act to amend and reenact section 15-38-18 of the North Dakota Century Code, relating to the duties of the teachers' professional practices commission.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 99 YEAS, 0 NAYS, 7 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; 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; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; Nalewaja; 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; Uimer;

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

NAYS: None

ABSENT AND NOT VOTING: Gullickson; Kuchera; Lipsiea;
 Nicholas; Peterson, J.; Whalen; Wold

HB 1625 passed and the title was agreed to.

HB 1629: A BILL for an Act to create and enact a new section to chapter 54-16 of the North Dakota Century Code, relating to the definition of an emergency for the transfer of emergency funds by the emergency commission to the attorney general.

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, 97 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Laughlin; O'Connell; Retzer

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; 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; Lautenschlager; Linderman; Lindgren; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; Nalewaja; Nowatzki; Oban; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; 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.

ABSENT AND NOT VOTING: Gullickson; Lipsiea; Nicholas;
 Peterson, J.; Strinden; Whalen

HB 1629 was declared lost.

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

HCR 3021: A concurrent resolution encouraging television coverage of the activities of the Forty-ninth Legislative Assembly and future assemblies; and providing for the preparation of guidelines for television coverage by the Legislative Council or its designee.

Which has been read.

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

HCR 3021 was declared adopted on a voice vote.

HCR 3045: A concurrent resolution urging Congress to review and revise the bankruptcy laws to provide creditors with more protection from losses resulting from debtors filing for bankruptcy.

Which has been read.

The question being on the final adoption of the resolution.

HCR 3045 was declared adopted on a voice vote.

HCR 3054: A concurrent resolution urging the Congress of the United States to maintain the funding and programs of the United States Department of Agriculture's Soil Conservation Service to assure the current level of technical assistance available to soil conservation districts.

Which has been read.

The question being on the final adoption of the resolution.

HCR 3054 was declared adopted on a voice vote.

SECOND READING OF HOUSE BILLS

HB 1161: A BILL for an Act to amend and reenact sections 11-18-01 and 41-09-28 of the North Dakota Century Code, relating to the duties of register of deeds and to buyers of goods and commission merchants selling livestock or agricultural products.

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 32 YEAS, 70 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Anderson, R.; Brokaw; DeMers; Dotzenrod; Graba; Hanson, O.; Hill; Hoffner; Kelly; Kingsbury; Klundt; Knudson; Lang; Lautenschlager; Lloyd; Martin; Meyer; Murphy; Oban; O'Connell; Opedahl; O'Shea; Rice; Richard; Riehl; Sauter; Schindler; Schneider; Shockman; Smette; Solberg, O.; Starke

NAYS: Anderson, C.; Belter; Berg, G.; Berg, R.; Cleveland; Conmy; Dalrymple; Dorso; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Gunsch; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer, A.; Hedstrom; Hughes; Keller; Kent; Kloubec; Koland; Kretschmar; Kuchera; Larson; Laughlin; Linderman; Lindgren; Martinson; Melby; Mertens; Moore; Myrdal; Nalewaja; Nowatzki; Olsen, D.; Olson, A.; Olson, V.; Payne; Pederson, R.; Retzer; Riley; Rydell; Schmidt; Shaw; Shide; Skjerven; Solberg, R.; Stofferahn; Strinden; Thompson; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Wald; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

ABSENT AND NOT VOTING: Gullickson; Lipsiea; Nicholas; Peterson, J.

HB 1161 was declared lost.

HB 1233: A BILL for an Act to amend and reenact section 24-05-04 of the North Dakota Century Code, relating to value of county contracts for use of road machinery for which competitive bidding is required.

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 55 YEAS, 47 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Berg, G.; Dotzenrod; Eckroth; Goetz; Gunsch; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Kent; Kingsbury; Klundt; Knudson; Koland; Lang; Larson; Laughlin; Lautenschlager; Lloyd; Martin; Melby; Mertens; Meyer; Murphy; Myrdal; Nowatzki; O'Connell; Olsen, D.; Olson, V.; Opedahl; Pederson, R.; Rice; Richard; Riehl; Schindler; Schmidt; Shaw; Shide; Shockman; Skjerven; Smette; Solberg, R.; Starke; Thompson; Timm; Ulmer;

Unhjem; Wald; Whalen; Williams, C.; Williams, W.; Wold;
Speaker Hausauer, R.

NAYS: Belter; Berg, R.; Brokaw; Cleveland; Conmy;
Dalrymple; DeMers; Dorso; Enget; Frey; Gates;
Gerntholz; Graba; Halmrast; Hamerlik; Hanson, L.; Hill;
Hoffner; Hughes; Keller; Kelly; Kloubec; Kretschmar;
Kuchera; Linderman; Lindgren; Martinson; Moore;
Nalewaja; Oban; Olson, A.; O'Shea; Payne; Retzer;
Riley; Rydell; Sauter; Schneider; Solberg, O.;
Stofferahn; Strinden; Tollefson; Vander Vorst; Watne;
Wentz; Williams, A.; Winkelman

ABSENT AND NOT VOTING: Gullickson; Lipsiea; Nicholas;
Peterson, J.

HB 1233 passed and the title was agreed to.

HB 1287: A BILL for an Act to provide for issuance by insurance by insurers of evidence of motor vehicle liability insurance coverage; to create and enact a new subsection to section 39-06.1-05 and a new paragraph to subdivision b of subsection 3 of section 39-06.1-10 of the North Dakota Century Code, relating to traffic violations excluded from treatment as noncriminal and to points assigned against an operator's license; to amend and reenact section 39-08-20 of the North Dakota Century Code, to provide a penalty for driving without liability insurance; and to repeal subsection 6 of section 39-06.1-06 and paragraph 25 of subdivision a of subsection 3 of section 39-06.1-10 of the North Dakota Century Code, relating to noncriminal disposition of the offense of driving without liability insurance.

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 71 YEAS, 32 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Berg, R.; Cleveland;
DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates;
Goetz; Graba; Halmrast; Hamerlik; Hanson, L.;
Hanson, O.; Haugland; Hoffner; Hughes; Keller; Kelly;
Kloubec; Klundt; Koland; Kretschmar; Lang; Larson;
Laughlin; Lindgren; Lloyd; Martinson; Melby; Moore;
Myrdal; Nalewaja; Nicholas; Nowatzki; Oban; Olsen, D.;
Olson, A.; Olson, V.; Opedahl; Payne; Pederson, R.;
Retzer; Rice; Richard; Rydell; Sauter; Schindler;
Schneider; Shaw; Shide; Solberg, O.; Starke;
Stofferahn; Strinden; Thompson; Tollefson; Ulmer;

Unhjem; Vander Vorst; Wald; Wentz; Whalen;
 Williams, A.; Williams, C.; Winkelman; Wold;
 Speaker Hausauer, R.

NAYS: Belter; Berg, G.; Brokaw; Conmy; Dalrymple;
 Gerntholz; Gunsch; Hausauer, A.; Hedstrom; Hill; Kent;
 Kingsbury; Knudson; Kuchera; Lautenschlager; Linderman;
 Martin; Mertens; Meyer; Murphy; O'Connell; O'Shea;
 Riehl; Riley; Schmidt; Shockman; Skjerven; Smette;
 Solberg, R.; Timm; Watne; Williams, W.

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

HB 1287 passed and the title was agreed to.

HB 1296: A BILL for an Act to amend and reenact section
 16.1-07-06 of the North Dakota Century Code, relating to an
 application for absent voter's ballot.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended,
 the roll was called and there were 97 YEAS, 3 NAYS, 6 ABSENT AND
 NOT VOTING.

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

NAYS: Hamerlik; Kuchera; Murphy

ABSENT AND NOT VOTING: Coetz; Gullickson; Lipsiea;
 Meyer; Peterson, J.; Starke

HB 1296 passed and the title was agreed to.

MOTION

REP. STRINDEN MOVED that the House reconsider its action by which the committee report placed HB 1518 on the calendar, which motion prevailed.

REQUEST

REP. SHOCKMAN REQUESTED the unanimous consent of the House to withdraw HB 1518, which request was granted.

SECOND READING OF HOUSE BILL

HB 1305: A BILL for an Act to amend and reenact sections 51-14-02 and 51-14-03 of the North Dakota Century Code, relating to the minimum fees and credit service charges allowed for revolving charge account agreements; and to repeal section 51-14-04 of the North Dakota Century Code, relating to the effective date of the chapter.

Which has been read.

MOTION

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

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 65 YEAS, 38 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Cleveland; Conmy; Dalrymple; Dorso; Dotzenrod; Eckroth; Enget; Gates; Gerntholz; Goetz; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hughes; Kent; Kloubec; Knudson; Koland; Larson; Lautenschlager; Lindgren; Martin; Martinson; Melby; Moore; Myrdal; Nalewaja; Nicholas; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Payne; Pederson, R.; Retzer; Rice; Riley; Rydell; Schindler; Schmidt; Shaw; Shide; Smette; Solberg, R.; Strinden; Thompson; Timm; Tollefson; Unhjem; Vander Vorst; Wald; Wentz; Whalen; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: Brokaw; DeMers; Frey; Graba; Gunsch; Halmrast; Hamerlik; Hill; Hoffner; Keller; Kelly; Kingsbury; Klundt; Kretschmar; Kuchera; Lang; Laughlin; Linderman; Lloyd; Mertens; Meyer; Murphy; Nowatzki; Oban; Opedahl; O'Shea; Richard; Riehl; Sauter; Schneider; Shockman; Skjerven; Solberg, O.; Starke; Stofferahn; Ulmer; Watne; Williams, A.

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

HB 1305 passed and the title was agreed to.

MOTIONS

REP. STRINDEN MOVED that HB 1358 be placed at the bottom of the calendar, which motion prevailed.

REP. STRINDEN MOVED that the House stand at recess until 3:30 p.m., which motion prevailed.

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

SECOND READING OF HOUSE BILLS

HB 1375: A BILL for an Act to amend and reenact sections 57-39.2-12.1 and 57-40.2-07.1 of the North Dakota Century Code, relating to deductions to reimburse retailers for administrative expenses of collection of sales and use taxes.

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

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 55 YEAS, 45 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Cleveland; Conmy; Dalrymple; Dorso; Gates; Gerntholz; Goetz; Halmrast; Hamerlik; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hughes; Kent; Kloubec; Knudson; Koland; Kretschmar; Larson; Lindgren; Martin; Martinson; Melby; Moore; Myrdal; Nalewaja; Nicholas; Olsen, D.; Olson, A.; Olson, V.; Payne; Pederson, R.; Retzer; Riley; Rydell; Schindler; Schmidt; Shide; Thompson; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Wald; Wentz; Whalen; Williams, C.; Winkelman; Speaker Hausauer, R.

NAYS: Brokaw; DeMers; Dotzenrod; Eckroth; Enget; Frey; Graba; Gunsch; Hanson, L.; Hill; Hoffner; Keller; Kelly; Kingsbury; Klundt; Kuchera; Lang; Laughlin; Lautenschlager; Linderman; Lloyd; Mertens; Meyer; Murphy; Nowatzki; Oban; O'Connell; Opedahl; O'Shea; Rice; Richard; Riehl; Sauter; Schneider; Shaw; Shockman; Skjerven; Smette; Solberg, R.; Starke; Stofferahn; Strinden; Watne; Williams, A.; Williams, W.

ABSENT AND NOT VOTING: Berg, R.; Gullickson; Lipsiea; Peterson, J.; Solberg, O.; Wold

HB 1375 passed and the title was agreed to.

HB 1390: A BILL for an Act to provide authority for the creation and operation of job development authorities or for a tax levy to support industrial development organizations; and to create and enact a new subsection to section 57-15-06.7 of the North Dakota Century Code, relating to a county tax levy for operation of job development authorities or for support of industrial development organizations.

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

YEAS: Anderson, C.; Berg, R.; Brokaw; Cleveland; Conmy; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Halmrast; Hamerlik; Hanson, L.; Haugland; Hedstrom; Hill; Hoffner; Kloubec; Koland; Kretschmar; Kuchera; Lang; Larson; Lindgren; Lloyd; Martin; Martinson; Meyer; Moore; Nalewaja; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, V.; Payne; Pederson, R.; Retzer; Rice; Riley; Rydell; Sauter; Schindler; Schneider; Shaw; Shide; Skjerven; Smette; Solberg, R.; Stofferahn; Strinden; Thompson; Timm; Tollefson; Ulmer; Unhjem; Wald; Whalen; Williams, C.; Wold; Speaker Hausauer, R.

NAYS: Anderson, R.; Belter; Berg, G.; Dalrymple; Gunsch; Hanson, O.; Hausauer, A.; Hughes; Keller; Kelly; Kent; Kingsbury; Klundt; Knudson; Laughlin; Lautenschlager; Linderman; Melby; Mertens; Murphy; Myrdal; Olson, A.; Opedahl; O'Shea; Richard; Riehl; Schmidt; Shockman; Starke; Vander Vorst; Watne; Wentz; Williams, A.; Williams, W.; Winkelman

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

HB 1390 passed and the title was agreed to.

HB 1391: A BILL for an Act to amend and reenact subsection 8 of section 57-38-30.3 of the North Dakota Century Code, relating to an income tax credit for charitable contributions which may be used by an individual, estate, or trust electing the simplified optional method of computing income tax liability; and to provide an effective date.

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

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 38 YEAS, 63 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Conmy; Dorso; Eckroth; Gerntholz; Goetz;
Hanson, O.; Haugland; Hughes; Kingsbury; Koland;
Kretschmar; Kuchera; Larson; Lindgren; Martin;
Martinson; Murphy; Nalewaja; Nicholas; Nowatzki;
Olson, V.; Retzer; Rice; Riehl; Riley; Shaw; Smette;
Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Wald;
Whalen; Williams, W.; Winkelman; Wold;
Speaker Hausauer, R.

NAYS: Anderson, C.; Anderson, R.; Belter; Berg, G.;
Berg, R.; Brokaw; Cleveland; Dalrymple; DeMers;
Dotzenrod; Enget; Frey; Gates; Graba; Gunsch; Halmrast;
Hamerlik; Hanson, L.; Hausauer, A.; Hedstrom; Hill;
Hoffner; Keller; Kelly; Kent; Kloubec; Klundt; Knudson;
Lang; Laughlin; Lautenschlager; Linderman; Lloyd;
Melby; Mertens; Meyer; Moore; Myrdal; Oban; O'Connell;
Olsen, D.; Olson, A.; Opedahl; O'Shea; Payne;
Pederson, R.; Richard; Rydell; Sauter; Schindler;
Schmidt; Schneider; Shide; Shockman; Skjerven;
Solberg, R.; Starke; Stofferahn; Thompson; Watne;
Wentz; Williams, A.; Williams, C.

ABSENT AND NOT VOTING: Gullickson; Lipsiea;
Peterson, J.; Solberg, O.; Strinden

HB 1391 was declared lost.

MOTION

REP. R. PEDERSON MOVED that the House reconsider its action whereby HB 1387 was passed, which motion lost on a verification vote.

SECOND READING OF HOUSE BILLS

HB 1397: A BILL for an Act to amend and reenact section 39-06.1-06 of the North Dakota Century Code, relating to amount of statutory fees for noncriminal traffic violations.

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: Belter; Cleveland; DeMers; Enget; Gates; Graba;
Hoffner; Kelly; Kretschmar; Kuchera; Larson; Linderman;

Nalewaja; Oban; Rice; Sauter; Schneider; Wentz;
Winkelman

NAYS: Anderson, C.; Anderson, R.; Berg, G.; Berg, R.;
Brokaw; Conny; Dalrymple; Dorso; Dotzenrod; Eckroth;
Frey; Gerntholz; Goetz; Gunsch; Halmrast; Hamerlik;
Hanson, L.; Hanson, O.; Haugland; Hausauer, A.;
Hedstrom; Hill; Hughes; Keller; Kent; Kingsbury;
Kloubec; Klundt; Knudson; Koland; Lang; Laughlin;
Lautenschlager; Lindgren; Lloyd; Martin; Martinson;
Melby; Mertens; Meyer; Moore; Murphy; Myrdal; Nicholas;
Nowatzki; O'Connell; Olsen, D.; Olson, A.; Olson, V.;
Opedahl; O'Shea; Payne; Pederson, R.; Retzer; Richard;
Riehl; Riley; Rydell; Schindler; Schmidt; Shaw; Shide;
Shockman; Skjerven; Smette; Solberg, R.; Starke;
Stofferahn; Thompson; Timm; Tollefson; Ulmer; Unhjem;
Vander Vorst; Wald; Watne; Whalen; Williams, A.;
Williams, C.; Williams, W.; Wold; Speaker Hausauer, R.

ABSENT AND NOT VOTING: Gullickson; Lipsiea;
Peterson, J.; Solberg, O.; Strinden

HB 1397 was declared lost.

HB 1437: A BILL for an Act to amend and reenact subsection 4 of section 32-12.1-02, subsections 1 and 3 of section 32-12.1-03, subsection 2 of section 32-12.1-04, and sections 32-12.1-05 and 32-12.1-07 of the North Dakota Century Code, relating to sovereign immunity of political subdivisions and their employees.

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 51 YEAS, 49 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Berg, G.; Brokaw;
Dotzenrod; Gerntholz; Goetz; Graba; Gunsch; Hanson, O.;
Haugland; Hausauer, A.; Hedstrom; Hill; Kent;
Kingsbury; Klundt; Laughlin; Lautenschlager; Lloyd;
Martin; Melby; Meyer; Myrdal; Nicholas; Nowatzki;
Olsen, D.; Olson, V.; Opedahl; O'Shea; Pederson, R.;
Retzer; Rice; Richard; Riehl; Schmidt; Shide; Shockman;
Skjerven; Smette; Solberg, R.; Starke; Stofferahn;
Thompson; Tollefson; Unhjem; Wald; Whalen;
Williams, A.; Williams, W.; Wold

NAYS: Belter; Berg, R.; Cleveland; Conny; Dalrymple;
DeMers; Dorso; Eckroth; Enget; Frey; Gates; Halmrast;
Hamerlik; Hanson, L.; Hoffner; Hughes; Keller; Kelly;

Kloubec; Knudson; Koland; Kretschmar; Kuchera; Lang;
Larson; Linderman; Lindgren; Martinson; Mertens; Moore;
Murphy; Nalewaja; Oban; O'Connell; Olson, A.; Payne;
Riley; Rydell; Sauter; Schindler; Schneider; Shaw;
Timm; Ulmer; Vander Vorst; Watne; Wentz; Winkelman;
Speaker Hausauer, R.

ABSENT AND NOT VOTING: Gullickson; Lipsiea;
Peterson, J.; Solberg, O.; Strinden; Williams, C.

HB 1437 was declared lost for want of a Constitutional majority.

HB 1454: A BILL for an Act to create and enact a new section to chapter 29-04 of the North Dakota Century Code, relating to the limitation of time within which a prosecution for child sexual abuse must be commenced.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 96 YEAS, 1 NAY, 9 ABSENT AND NOT VOTING.

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

NAYS: Kuchera

ABSENT AND NOT VOTING: Goetz; Gullickson; Knudson; Lang;
Lipsiea; Peterson, J.; Solberg, O.; Wald; Williams, C.

HB 1454 passed and the title was agreed to.

HB 1467: A BILL for an Act to create and enact a new section to chapter 43-15 of the North Dakota Century Code, to require that written prescriptions be typewritten and signed.

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 8 YEAS, 88 NAYS, 10 ABSENT AND NOT VOTING.

YEAS: Cleveland; Hamerlik; Hanson, O.; Murphy; Pederson, R.; Rice; Thompson; Whalen

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

ABSENT AND NOT VOTING: Goetz; Gullickson; Kingsbury; Lang; Lipsiea; Peterson, J.; Solberg, O.; Strinden; Wald; Williams, C.

HB 1467 was declared lost.

HB 1472: A BILL for an Act to amend and reenact section 38-11.1-09 of the North Dakota Century Code, relating to the award of costs and expenses under an oil and gas production damage compensation action.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 76 YEAS, 21 NAYS, 9 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Graba; Gunsch; Halmrast;

Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hill; Hoffner; Keller; Kelly; Klundt; Knudson; Kretschmar; Larson; Laughlin; Lautenschlager; Linderman; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Murphy; Nowatzki; Oban; O'Connell; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Federson, R.; Retzer; Rice; Richard; Riehl; Rydell; Sauter; Schindler; Schmidt; Schneider; Shaw; Shockman; Smette; Solberg, R.; Starke; Stofferahn; Strinden; Thompson; Tollefson; Ulmer; Unhjem; Vander Vorst; Watne; Wentz; Whalen; Williams, A.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: Cleveland; Conmy; Gates; Gerntholz; Hamerlik; Hedstrom; Hughes; Kent; Kloubec; Koland; Kuchera; Lindgren; Moore; Myrdal; Nalewaja; Nicholas; Olsen, D.; Riley; Shide; Skjerven; Timm

ABSENT AND NOT VOTING: Goetz; Gullickson; Kingsbury; Lang; Lipsiea; Feterson, J.; Solberg, O.; Wald; Williams, C.

HB 1472 passed and the title was agreed to.

HB 1496: A BILL for an Act to create and enact a new section to chapter 57-28 of the North Dakota Century Code, relating to marketable title of real estate acquired by a city.

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 98 YEAS, 0 NAYS, 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; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kingsbury; Kloubec; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; Nalewaja; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Retzer; Rice; Richard; Riehl; Riley; Rydell; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Shockman; Skjerven; Smette; Solberg, R.; Starke; Stofferahn; Strinden; Thompson; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Watne; Wentz; Whalen;

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

NAYS: None

ABSENT AND NOT VOTING: Goetz; Gullickson; Klundt;
Lipsiea; Peterson, J.; Solberg, O.; Wald; Williams, C.

HB 1496 passed and the title was agreed to.

HB 1517: A BILL for an Act to provide for the establishment of minimum prices for the marketing of raw agricultural commodities; and to provide a penalty.

Which has been read.

MOTION

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

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 39 YEAS, 60 NAYS, 7 ABSENT AND NOT VOTING.

YEAS: Berg, G.; Brokaw; Enget; Frey; Gerntholz; Graba; Halmrast; Hanson, L.; Hill; Hoffner; Keller; Kelly; Klundt; Knudson; Laughlin; Lautenschlager; Linderman; Lloyd; Martin; Mertens; Meyer; Nicholas; Oban; O'Connell; Opedahl; O'Shea; Richard; Riehl; Sauter; Shaw; Shockman; Skjerven; Solberg, R.; Starke; Stofferahn; Ulmer; Watne; Williams, A.; Williams, W.

NAYS: Anderson, C.; Anderson, R.; Belter; Berg, R.; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Gates; Gunsch; Hamerlik; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hughes; Kent; Kingsbury; Kloubec; Koland; Kretschmar; Kuchera; Lang; Larson; Lindgren; Martinson; Melby; Moore; Murphy; Myrdal; Nalewaja; Nowatzki; Olsen, D.; Olson, A.; Olson, V.; Payne; Pederson, R.; Retzer; Rice; Riley; Rydell; Schindler; Schmidt; Schneider; Shide; Smette; Strinden; Thompson; Timm; Tollefson; Unhjem; Vander Vorst; Wentz; Whalen; Winkelman; Wold; Speaker Hausauer, R.

ABSENT AND NOT VOTING: Goetz; Gullickson; Lipsiea; Peterson, J.; Solberg, O.; Wald; Williams, C.

HB 1517 was declared lost.

MOTION

REP. STRINDEN MOVED that HB 1358 be placed at the top of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILLS

HB 1358: A BILL for an Act to provide for conversion of accumulated sick leave to annual leave for state employees.

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 43 YEAS, 55 NAYS, 8 ABSENT AND NOT VOTING.

YEAS: Berg, G.; Berg, R.; Cleveland; Conmy; DeMers; Eckroth; Frey; Gates; Graba; Halmrast; Hamerlik; Hanson, L.; Hausauer, A.; Hill; Hoffner; Kelly; Klundt; Knudson; Lloyd; Martin; Martinson; Mertens; Meyer; Nowatzki; Oban; O'Connell; Opedahl; O'Shea; Retzer; Riehl; Rydell; Sauter; Schneider; Shaw; Starke; Stofferahn; Timm; Ulmer; Unhjem; Williams, A.; Williams, W.; Winkelman; Speaker Hausauer, R.

NAYS: Anderson, C.; Anderson, R.; Belter; Brokaw; Dalrymple; Dorso; Dotzenrod; Enget; Gerntholz; Gunsch; Hanson, O.; Haugland; Hedstrom; Hughes; Keller; Kent; Kingsbury; Kloubec; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Melby; Moore; Murphy; Myrdal; Nalewaja; Nicholas; Olsen, D.; Olson, A.; Olson, V.; Payne; Pederson, R.; Rice; Riley; Schindler; Schmidt; Shide; Shockman; Skjerven; Smette; Solberg, R.; Strinden; Thompson; Tollefson; Vander Vorst; Watne; Wentz; Whalen; Wold

ABSENT AND NOT VOTING: Goetz; Gullickson; Lipsiea; Peterson, J.; Richard; Solberg, O.; Wald; Williams, C.

HB 1358 was declared lost.

HB 1520: A BILL for an Act to amend and reenact sections 4-19-01, 4-19-02, and 57-57-01 of the North Dakota Century Code, relating to the appointment and duties of the state forester.

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

MOTION

REP. R. BERG 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 29 YEAS, 71 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Belter; Berg, G.; Conmy; Dalrymple; DeMers; Eckroth; Halmrast; Hamerlik; Hanson, O.; Hedstrom; Knudson; Kretschmar; Linderman; Martin; Martinson; Melby; Myrdal; Olson, V.; Pederson, R.; Retzer; Sauter; Schmidt; Shaw; Thompson; Ulmer; Vander Vorst; Whalen; Williams, A.; Winkelman

NAYS: Anderson, C.; Anderson, R.; Berg, R.; Brokaw; Cleveland; Dorso; Dotzenrod; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Gunsch; Hanson, L.; Haugland; Hausauer, A.; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kingsbury; Kloubec; Klundt; Koland; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Lindgren; Lloyd; Mertens; Meyer; Moore; Murphy; Nalewaja; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Opedahl; O'Shea; Payne; Rice; Richard; Riehl; Riley; Rydell; Schindler; Schneider; Shide; Shockman; Skjerven; Smette; Solberg, R.; Starke; Stofferahn; Timm; Tollefson; Unhjem; Wald; Watne; Wentz; Williams, W.; Wold; Speaker Hausauer, R.

ABSENT AND NOT VOTING: Gullickson; Lipsiea;
Peterson, J.; Solberg, O.; Strinden; Williams, C.

HB 1520 was declared lost.

HB 1533: A BILL for an Act to create and enact a new section to chapter 49-22 of the North Dakota Century Code, relating to the demonstration of need for an energy conversion or transmission facility; and to amend and reenact subsection 1 of section 49-22-08 of the North Dakota Century Code, relating to information required for an application for a certificate of site compatibility or corridor compatibility for an energy conversion or transmission facility.

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 38 YEAS, 63 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Berg, R.; Brokaw; Cleveland; DeMers; Dorso; Dotzenrod; Eckroth; Halmrast; Hanson, L.; Hanson, O.; Hill; Keller; Kelly; Klundt; Knudson; Linderman; Melby; Meyer; Murphy; Myrdal; Oban;

Olsen, D.; Olson, A.; O'Shea; Retzer; Sauter;
 Schneider; Shide; Shockman; Skjerven; Starke;
 Stofferahn; Thompson; Whalen; Williams, W.; Wold

NAYS: Belter; Berg, G.; Conmy; Dalrymple; Enget; Frey;
 Gates; Gerntholz; Coetz; Graba; Gunsch; Hamerlik;
 Haugland; Hausauer, A.; Hedstrom; Hoffner; Hughes;
 Kent; Kingsbury; Kloubec; Koland; Kretschmar; Kuchera;
 Lang; Larson; Laughlin; Lautenschlager; Lindgren;
 Lloyd; Martin; Martinson; Mertens; Moore; Nalewaja;
 Nicholas; Nowatzki; O'Connell; Olson, V.; Opedahl;
 Payne; Pederson, R.; Rice; Richard; Riehl; Riley;
 Rydell; Schindler; Schmidt; Shaw; Smette; Solberg, R.;
 Strinden; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst;
 Wald; Watne; Wentz; Williams, A.; Winkelman;
 Speaker Hausauer, R.

ABSENT AND NOT VOTING: Gullickson; Lipsiea;
 Peterson, J.; Solberg, O.; Williams, C.

HB 1533 was declared lost.

MOTION

REP. STRINDEN MOVED that the rules be suspended, and that all bills acted on favorably this afternoon except HB 1375 and HB 1390 be messaged to the Senate immediately, which motion prevailed.

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 1233, HB 1287, HB 1296, HB 1305, HB 1387, HB 1435,
 HB 1454, HB 1471, HB 1472, HB 1492, HB 1496, HB 1512,
 HB 1532, HB 1619, HB 1625, HCR 3021, HCR 3045, HCR 3054

ROY GILBREATH, Chief Clerk

MOTIONS

REP. STRINDEN MOVED that HB 1435 be reprinted, which motion prevailed.

REP. STRINDEN MOVED that the House reconsider whereby HB 1078 was placed on the Sixth order, which motion prevailed.

REP. STRINDEN MOVED that HB 1078 be rereferred to the Committee on Appropriations, which motion prevailed.

SPEAKER R. HAUSAUER ANNOUNCED that HB 1078 was rereferred to the Committee on Appropriations.

POINT OF PERSONAL PRIVILEGE

REP. DEMERS: Mr. Speaker: I rise on a point of personal privilege and request that my remarks be printed in the Journal.

I request that the record show that I voted incorrectly on House Bill No. 1434. I voted "nay" and intended to vote "aye".

APPOINTMENT OF MEMORIAL SERVICE COMMITTEE

SPEAKER R. HAUSAUER ANNOUNCED the following appointments to the Memorial Service Committee:

Rep. Gates, Chairman
Rep. Hill
Rep. V. Olson

MOTIONS

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

REP. STRINDEN MOVED that the House be on the Fifth order of business, and at the conclusion of the Fifth order, the House be on the Thirteenth order of business, and at the conclusion of the Thirteenth order, the House stand adjourned until 12:30 p.m., Tuesday, February 19, 1985, which motion prevailed.

REPORTS OF STANDING COMMITTEES

MR. SPEAKER: Your Committee on Political Subdivisions to which was referred HB 1080 has had the same under consideration and recommends by a vote of 10 YEAS, 5 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 7, delete lines 17 through 24

And renumber the lines and pages accordingly

REP. LANG, Chairman

HB 1080 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 1083 has had the same under consideration and recommends by a vote of 12 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 2, line 19, immediately after the period insert the following sentence: "No ordinance of a home rule county shall supersede section 49-22-16."

On page 3, line 9, immediately after the period insert the following sentence: "A charter or ordinance or act of a governing body of a home rule county may not supersede any

state law which determines what property or acts are subject to, or exempt from, ad valorem or sales and use taxes."

On page 3, line 16, immediately after the period insert the following sentence: "However, a county office may not be eliminated or combined with another office except upon approval of a majority of the electors of the county voting upon the question at a primary or general election."

And renumber the lines accordingly

REP. LANG, Chairman

HB 1083 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 1089 has had the same under consideration and recommends by a vote of 17 YEAS, 2 NAYS, 4 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 1, after the word "moneys" insert the words "contingent on the general fund balance"

On page 1, line 6, delete the words "There is hereby transferred" and insert in lieu thereof the words "In the event that the cash balance in the general fund of the state treasury as of the close of business on June 30, 1987, less outstanding financial obligations for the biennium ending June 30, 1987, to be paid after June 30, 1987, exceeds \$75,000,000 the director of the office of management and budget shall direct the state treasurer to transfer"

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

These amendments provide that \$11,722,622 be transferred from the general fund to the resources trust fund if the unobligated general fund balance exceeds \$75 million on June 30, 1987.

REP. J. PETERSON, Chairman

HB 1089 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 1202 has had the same under consideration and recommends by a vote of 15 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 9, line 7, delete the word "lienor" and insert in lieu thereof the words "lien or"

And renumber the lines and pages accordingly

REP. NICHOLAS, Chairman

HB 1202 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 1244 has had the same under consideration and recommends by a vote of 13 YEAS, 1 NAY, 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 40-27-06, 40-27-11, and 40-27-13 of the North Dakota Century Code, relating to refunding special assessment warrants or bonds.

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

SECTION 1. AMENDMENT. Section 40-27-06 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

40-27-06. Refunding special assessment warrants or bonds - Purpose for which issuable. Any municipality having valid outstanding special assessment warrants or bonds issued pursuant to this title which are past due, or to become due within one year, in whole or in part as to principal or interest or both or which are redeemable either at the option of the municipality or with the consent of the warrant holders or bondholders may issue refunding special assessment warrants or bonds if there is not sufficient money in the special improvement fund against which such warrants or bonds are drawn to pay the same principal or interest or both or if a deficiency is likely to occur in the fund within one year for payment of principal or interest thereon. Such refunding special assessment warrants or bonds may be issued for any of the following purposes:

1. To extend the maturities of the special assessment warrants or bonds.
2. To reduce the rate of interest on the special assessment warrants or bonds.
3. To equalize the general tax which the municipality may be, or may become, obligated to levy to discharge deficiencies in the fund against which the special assessment warrants or bonds are drawn.

4. To consolidate two or more outstanding issues of warrants or bonds.

SECTION 2. AMENDMENT. Section 40-27-11 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

40-27-11. Special fund created for payment of refunding special assessment warrants or bonds - Procedure on paying refunded warrants or bonds. A special fund or special funds shall be created in accordance with this section for the payment of refunding special assessment warrants or bonds. Such special fund may be created as a single consolidated fund for warrants or bonds issued to refund special assessment warrants or bonds of more than one district, or a separate special fund may be created for warrants or bonds issued to refund special assessment warrants or bonds of each district. In either case, the refunded warrants or bonds shall not be canceled but shall be retained by the municipality as an asset of the fund from which the refunding warrants or bonds are payable. The special fund or funds from which the refunded warrants or bonds are payable shall be continued, and payments therefrom shall be made on the warrants or bonds drawn thereon, in the same manner as though none of such warrants or bonds had been refunded. All payments made on the principal and on the interest of refunded warrants or bonds shall be credited to the fund from which the appropriate refunding warrants or bonds are payable and shall be applied in payment of the principal and on the interest on the refunding warrants or bonds in the manner prescribed by the resolution authorizing the issuance of such refunding warrants or bonds. To the extent refunding warrants or bonds are issued to refund the principal or interest, or both, of warrants or bonds, due or to become due within one year, for which a deficiency exists or is likely to exist in the fund or funds against which such outstanding warrants or bonds are drawn due to nonpayment or anticipated nonpayment of special assessments, any payments of such delinquent special assessments and such amounts of accrued interest and penalty thereon as necessary shall be set aside for the payment or redemption of the refunding warrants or bonds issued to fund such delinquencies.

SECTION 3. AMENDMENT. Section 40-27-13 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

40-27-13. Refunding callable funding bonds or refunding warrants - Terms and conditions. Any municipality may refund, according to the procedure set forth in this chapter, any funding bonds issued under this chapter which are callable prior to maturity or which shall be surrendered voluntarily for refunding, by the issuance of bonds upon the same terms

and conditions except as to interest, whenever by so doing a saving in interest can be effected. Any municipality having valid outstanding refunding special improvement warrants or bonds issued pursuant to this chapter, which are past due, or to become due within one year, in whole or in part as to principal or interest or both or which are redeemable either at the option of the municipality or with the consent of the warrant or bondholders, may issue new refunding special improvement bonds to refund such outstanding warrants or bonds, if there is not sufficient money in the fund or funds against which such outstanding refunding warrants or bonds are drawn to pay the same principal or interest or both or if a deficiency is likely to occur in the fund or funds within one year for payment of principal or interest thereon. Such new bonds may be issued for the purpose of extending the maturities of the outstanding refunding warrants or bonds, or reducing the debt service thereon, or equalizing the general tax which the municipality may be, or may become, obligated to levy to discharge deficiencies in the fund or funds against which they are drawn. Such new bonds shall be issued according to the procedure set forth in this chapter for the issuance of the original refunding special improvement warrants or bonds. In any case where refunding improvement bonds are issued and sold six months or more before the earliest date on which all outstanding refunding improvement warrants or bonds of the issue to be refunded thereby mature or are prepayable in accordance with their terms, the proceeds of the new bonds, including any premium and accrued interest, shall be deposited in escrow with a suitable bank or trust company, having its principal place of business within or without the state, and shall be invested in such amount and in securities maturing on such dates and bearing interest at such rates as shall be required to provide funds sufficient to pay when due the interest to accrue on each warrant or bond refunded to its maturity or, if it is prepayable and called for redemption, to an earlier prior date upon which it may be called for redemption, and to pay and redeem the principal amount of each such warrant or bond at maturity or, if prepayable and called for redemption, at the earlier redemption date, and any premium required for redemption on such date. The governing body's resolution authorizing the new bonds shall irrevocably appropriate for these purposes the escrow fund and all investments thereof, which shall be held in safekeeping by the escrow agent, and all income therefrom, and may provide for the call for redemption of all prepayable bonds in accordance with their terms. The securities to be purchased with the escrow fund shall be limited to general obligations of the United States, securities whose principal and interest payments are guaranteed by the United States, and securities issued by the following United States government agencies: banks for cooperatives, federal home loan banks, federal intermediate

credit banks, federal land banks, and the federal national mortgage association. Such securities shall be purchased simultaneously with the delivery of the new bonds. Moneys on hand in the refunding improvement bond fund maintained for the payment of the outstanding bonds, and not immediately needed for the payment of interest or principal due, may likewise be deposited in the escrow fund and invested in the same manner as the proceeds of the new bonds, to the extent consistent with the provisions of resolutions authorizing the outstanding bonds."

And renumber the lines and pages accordingly

REP. LANG, Chairman

HB 1244 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 1299 has had the same under consideration and recommends by a vote of 11 YEAS, 2 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 3 of the engrossed bill, line 2, delete the words "a one dollar fee for" and insert in lieu thereof the words "a fee of one dollar and fifty cents for every one thousand dollars of sunflower seeds and edible beans, excluding soybeans, sold under the contract and a fee of one dollar for every thousand dollars of all other grain sold under the contract"

On page 3 of the engrossed bill, delete lines 3 and 4

On page 3 of the engrossed bill, line 5, delete the word "collected"

On page 3 of the engrossed bill, line 14, after the word "to" insert the words "seventy-five cents per thousand dollars of sunflower seeds and edible beans, excluding soybeans, and to"

On page 3 of the engrossed bill, line 15, after the first word "of" insert the words "all other"

And renumber the lines and pages accordingly

REP. NICHOLAS, Chairman

HB 1299 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 1320 has had the same under consideration and recommends by a vote of 15 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

REP. A. HAUSAUER, Chairman

HB 1320 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Social Services and Veterans Affairs to which was referred HB 1341 has had the same under consideration and recommends by a vote of 16 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 2, line 27, delete the word "person" and insert in lieu thereof the words "responsible adult"

On page 3, line 1, remove the overstrike from the words "~~ee~~
~~nnny~~"

On page 4, line 14, delete the word "A" and insert in lieu thereof the words "Effective July 1, 1987, a"

And renumber the lines and pages accordingly

REP. HAUGLAND, Chairman

HB 1341 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 1370 has had the same under consideration and recommends by a vote of 14 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 2, line 13, remove the overstrike over the word "~~shall~~", and delete the word "may"

On page 2, line 16, delete the words "and may not", and overstrike the words "be confined in any room or cell"

On page 2, line 17, overstrike the words "area where convicted offenders are actually imprisoned"

On page 2, line 18, remove the overstrike over the word "~~shall~~" and delete the word "may"

On page 2, line 19, remove the overstrike over the words "~~he~~
~~shall they~~", and delete the words "and may not"

And renumber the lines and pages accordingly

REP. LANG, Chairman

HB 1370 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 1386 has had the same under consideration and recommends by a vote of 12 YEAS, 3 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 3, line 29, after the word "value" insert the words "
which value may in no event be less than nine thousand
eight hundred sixty-four dollars"

And renumber the lines accordingly

REP. LANG, Chairman

HB 1386 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 1388 has had the same under consideration and recommends by a vote of 19 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING that the same DO PASS.

REP. J. PETERSON, Chairman

HB 1388 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Natural Resources to which was referred HB 1399 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 2, line 35, overstrike the word "A"

On page 3, overstrike lines 1 through 4

On page 3, line 5, overstrike the words "below the ground surface."

On page 3, line 6, overstrike the words "native surface material" and insert immediately thereafter the words "nonmetallic perma-plug, imprinted or tagged with the name and permit number of the person conducting the geophysical exploration, must be set four feet [1.22 meters] below the surface and, above the perma-plug, native surface material must be used to fill the seismic hole to the surface"

On page 3, line 9, delete the word "five-eighths" and insert in lieu thereof the word "seven-eighths"

On page 3, line 10, delete the numerals "15.88" and insert in lieu thereof the numerals "22.23"

On page 3, line 19, delete the words "except for backfill" and insert in lieu thereof the words "with the remainder of the hole plugged with drill cuttings to within four feet [1.22 meters] of the surface. Backfill", and delete the word "which"

And renumber the lines and pages accordingly

REP. A. OLSON, Chairman

HB 1399 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 1421 has had the same under consideration and recommends by a vote of 17 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

REP. A. HAUSAUER, Chairman

HB 1421 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Social Services and Veterans Affairs to which was referred HB 1426 has had the same under consideration and recommends by a vote of 16 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 8, delete the words "as a team"

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

And renumber the lines and pages accordingly

REP. HAUGLAND, Chairman

HB 1426 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Natural Resources to which was referred HB 1439 has had the same under consideration and recommends by a vote of 7 YEAS, 6 NAYS, 4 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 1, after the words "A BILL" delete the remainder of the bill and insert in lieu thereof the follow: "for an Act to create and enact a new subsection to section 38-08-08 of the North Dakota Century Code, relating to the imposition of a risk penalty against a nonparticipating lessee in the pooling of fractional tracts of oil and gas interests in a drilling unit.

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

SECTION 1. A new subsection to section 38-08-08 of the 1983 Supplement to the North Dakota Century Code is hereby created and enacted to read as follows:

If requested each such pooling order may provide that the lessee of an oil and gas interest who does not elect to participate in the risk and cost of the drilling and completion of a well may be assessed a risk penalty in an amount determined by the commission to be fair and equitable. The amount determined by the commission may not exceed two hundred percent of the actual and reasonable drilling and completion costs of the well attributable to the drilling unit."

And renumber the lines and pages accordingly

REP. A. OLSON, Chairman

HB 1439 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 1444 has had the same under consideration and recommends by a vote of 12 YEAS, 1 NAY, 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 5, delete the word "Section" and insert in lieu thereof the words "If Senate Bill No. 2078 of the forty-ninth legislative assembly does not become effective, section"

On page 1, line 14, remove the overstrike over the words "~~allowable by North Dakota law~~", and delete the words "provided for" and insert in lieu thereof the words "except that any surrender value of life insurance in excess of ten thousand dollars, exempted only by operation of section 26-10-17, are not exempt"

On page 1, line 15, delete the words "in this chapter"

On page 1, after line 15, insert the following new section:

"**SECTION 2. AMENDMENT.** If Senate Bill No. 2078 of the forty-ninth legislative assembly becomes effective, section 28-22-17 of the 1983 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

28-22-17. Nonavailability of federal bankruptcy exemptions. In accordance with the provisions of section 522(b) of the Bankruptcy Reform Act of 1978 [Pub. L. 95-598; 92 Stat. 2586; 11 U.S.C. 522 (b)], residents of this state shall not

be entitled to the federal exemptions provided in section 522(d) of the Bankruptcy Reform Act of 1978. The residents of this state shall be limited to claiming those exemptions allowable by North Dakota law except that any surrender value of life insurance in excess of ten thousand dollars, exempted only by operation of section 26.1-33-36, is not exempt."

And renumber the lines, sections, and pages accordingly
 REP. LANG, Chairman

HB 1444 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 1458 has had the same under consideration and recommends by a vote of 17 YEAS, 2 NAYS, 4 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 1, delete the word "subsection" and insert in lieu thereof the words "subsections 1 and"

On page 1, line 2, after the numerals "63-01.1-06" insert the words and numerals "and section 63-01.1-06.3"

On page 1, line 3, after the word "control" insert the words "and to a leafy spurge mill levy"

On page 1, line 7, delete the word "Subsection" and insert in lieu thereof the words "Subsections 1 and"

On page 1, line 8, delete the word "is" and insert in lieu thereof the word "are"

On page 1, after line 9, insert the following subsection:

- "1. The board of county commissioners may pay expenses from the general fund in any one year in furtherance of this chapter, including weed control along public highways in the county. The county weed board may certify annually to the board of county commissioners a tax, not to exceed ~~two~~ four mills on the taxable valuation of all taxable property in the county, to carry out the provisions of this chapter. However, the tax shall not be levied on property within the corporate limits of a city which establishes a program under section 63-01.1-10.1. The tax shall be levied by the board of county commissioners. All taxes levied and collected shall be held by the county treasurer in a separate fund to be known as the weed control fund, which shall be used only to carry out the

provisions of this chapter. The levy shall be made to cover the salary and expenses of the county weed board, county weed control officer, the expense of weed control along public highways in the county, and other expenses incurred in the operation of an effective weed control program in the county. The tax may be levied in excess of the mill levy limit prescribed by law for general purposes."

On page 1, after line 22, insert the following new section:

"SECTION 2. AMENDMENT. Section 63-01.1-06.3 of the 1983 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

63-01.1-06.3. Leafy spurge mill levy. The board of county commissioners in each county and the governing body of a city which establishes a program under section 63-01.1-10.1 may levy a tax, not to exceed ~~one mill~~ two mills on the taxable valuation of all taxable property within its jurisdiction, to fund the contributions to the leafy spurge control program. However, the board of county commissioners may not levy the tax on property within the corporate limits of a city which establishes a program under section 63-01.1-10.1. The tax may be levied in excess of the mill levy limit prescribed by law for general purposes. At the request of the county weed board or on the initiative of the board of county commissioners, or on the initiative of the governing body of a city which establishes a program under section 63-01.1-10.1, the tax levy authorized by this section shall not be made when no longer needed for the purposes of the leafy spurge control program. Funds necessary to carry out the provisions of the leafy spurge control program in excess of the revenue derived from the ~~one-mill~~ two-mill levy authorized by this section shall be funded by the state under subsection 3 of section 63-01.1-06.2."

And renumber the lines, sections, and pages accordingly

REP. J. PETERSON, Chairman

HB 1458 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 1465 has had the same under consideration and recommends by a vote of 8 YEAS, 7 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 2, line 4, after the word "a" insert the words "type one"

On page 2, line 9, after the word "chapter", insert the following new language: "and meets standards established by the city building code on an equivalent performance engineering basis. A type one manufactured home is a manufactured home that has a minimum width of twenty-three feet measured across the narrowest portion, a pitched roof, and siding and roofing materials of a type customarily used on site-constructed residences, as determined by the city"

And renumber the lines and pages accordingly

REP. LANG, Chairman

HB 1465 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 1473 has had the same under consideration and recommends by a vote of 9 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO NOT PASS:

On page 1, line 1, delete the word "two" and insert in lieu thereof the word "a", and delete the word "subsections" and insert in lieu thereof the word "subsection"

On page 1, line 4, delete the first word "and", and after the word "reenact" insert the words "subsection 1 of section 53-04-01 and"

On page 1, line 5, after the word "to" insert the words "the definition of amusement games and"

On page 1, line 6, after the word "equipment" insert the words "; and to provide an effective date and an expiration date"

On page 1, after line 8, insert the following section:

"SECTION 1. AMENDMENT. Subsection 1 of section 53-04-01 of the 1983 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

1. "Amusement games or devices" ~~shall include~~ includes such coin-operated games and devices as electric ray guns, music boxes, picture boxes, bumper-ball or pinball, and other similar coin-operated miniature games or devices, whether or not they show a score ~~but shall not apply to any.~~ "Amusement games or devices" includes video twenty-one equipment governed by chapter 53-06.1. "Amusement games or devices" does not include a machine which may constitute a lottery under the laws of this state."

On page 1, line 9, delete the word "Two" and insert in lieu thereof the word "A", and delete the word "subsections" and insert in lieu thereof the word "subsection"

On page 1, line 10, delete the word "are" and insert in lieu thereof the word "is"

On page 1, delete lines 15 through 17

On page 1, line 25, after the fourth comma insert the word "and", and delete the word "and"

On page 1, line 26, delete the words "video poker,"

On page 2, line 7, delete the words "and video poker"

On page 2, line 10, delete the words "and video poker"

On page 2, line 12, delete the words "or video poker"

On page 2, after line 14, insert the following new section:

"SECTION 5. EFFECTIVE DATE AND EXPIRATION DATE.

This Act is effective on January 1, 1986, and through December 31, 1987, and after that is ineffective. Section 53-06.1-07 as it existed on December 31, 1984, is in effect after December 31, 1987."

And renumber the lines, sections, and pages accordingly
 REP. CONMY, Chairman

HB 1473 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 1503 has had the same under consideration and recommends by a vote of 14 YEAS, 8 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 of the engrossed bill, line 13, delete the numerals "1986" and insert in lieu thereof the numerals "1987"

And renumber the lines accordingly
 REP. J. PETERSON, Chairman

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

MR. SPEAKER: Your Committee on Natural Resources to which was referred HB 1503 has had the same under consideration and recommends by a vote of 12 YEAS, 3 NAYS, 2 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 25, after the word "of" insert the words "up to"

And renumber the lines and pages accordingly

REP. A. OLSON, Chairman

HB 1508 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 1510 has had the same under consideration and recommends by a vote of 9 YEAS, 3 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

REP. CONMY, Chairman

HB 1510 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Natural Resources to which was referred HB 1511 has had the same under consideration and recommends by a vote of 8 YEAS, 5 NAYS, 4 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 1, after the word "enact" insert the words "a new subsection to section 38-08-02 and"

On page 1, line 2, after the word "to" insert the words "oil and gas well reserve pits,"

On page 1, line 3, after the word "requirements" insert a comma

On page 1, after line 6, insert the following new section:

"SECTION 1. A new subsection to section 38-08-02 of the North Dakota Century Code is hereby created and enacted to read as follows:

"Reserve pit" means a pit constructed to contain drilling fluids or drill cuttings, or both, used during the drilling of an oil or gas well."

On page 3, line 19, after the word "cash" insert the words "or surety"

On page 5, line 7, delete the words "for any purpose"

On page 5, delete line 8

On page 5, line 9, delete the words "reclamation operation"

On page 5, delete lines 10 through 13

And renumber the lines, sections, and pages accordingly
 REP. A. OLSON, Chairman

HB 1511 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 1519 has had the same under consideration and recommends by a vote of 11 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. CONMY, Chairman

HB 1519 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Agriculture to which was referred HB 1538 has had the same under consideration and recommends by a vote of 15 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 11, after the word "facility" insert the words "or person"

And renumber the lines and pages accordingly
 REP. NICHOLAS, Chairman

HB 1538 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 1547 has had the same under consideration and recommends by a vote of 16 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 3, after the word "by" insert the word "certain"

On page 1, line 14, after the word "corporations" insert the words "that are not nonprofit, and that are"

On page 1, line 15, after the word "ranching" insert an underscored comma

And renumber the lines accordingly
 REP. NICHOLAS, Chairman

HB 1547 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 1555 has had the same under consideration and recommends by a vote of 14 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 3, after the word "gravesites", insert the words
"; and to declare and emergency"

On page 1, after line 19, insert the following new section:

"SECTION 2. 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, sections, and pages accordingly
REP. LANG, Chairman

HB 1555 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 1564 has had the same under consideration and recommends by a vote of 12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

REP. CONMY, Chairman

HB 1564 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Natural Resources to which was referred HB 1567 has had the same under consideration and recommends by a vote of 9 YEAS, 4 NAYS, 4 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 13, delete the words "forfeiture of the mineral"

On page 1, line 14, delete the words "estate of the mineral developer," and after the word "eviction" insert the words
"of the mineral developer"

And renumber the lines accordingly
REP. A. OLSON, Chairman

HB 1567 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Natural Resources to which was referred HB 1569 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 PASS:

On page 1, line 3, delete the first comma and insert in lieu thereof the word "and" and delete the words ", and other types of"

On page 1, line 9, delete the word "Surface" and insert in lieu thereof the words "Gravel and sand surface"

On page 1, line 10, after the word "a" insert the words "gravel or sand"

On page 1, line 18, after the word "productivity" insert the words ", unless the affected land is to be used for other purposes as agreed upon between the surface mining operator and the landowner,"

On page 1, line 19, delete the words "two years" and insert in lieu thereof the words "one year"

And renumber the lines and pages accordingly

REP. A. OLSON, Chairman

HB 1569 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 1571 has had the same under consideration and recommends by a vote of 9 YEAS, 3 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

REP. CONMY, Chairman

HB 1571 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 1574 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 PLACED ON THE CALENDAR WITHOUT RECOMMENDATION.

REP. A. HAUSAUER, Chairman

HB 1574 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Social Services and Veterans Affairs to which was referred HB 1578 has had the same under consideration and recommends by a vote of 9 YEAS, 7 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 8, delete the word "The"

On page 2, delete lines 9 through 18

And renumber the lines and pages accordingly

REP. HAUGLAND, Chairman

HB 1578 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 1587 has had the same under consideration and recommends by a vote of 15 YEAS, 0 NAYS, 8 ABSENT AND NOT VOTING that the same BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION.

REP. J. PETERSON, Chairman

HB 1587 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 1610 has had the same under consideration and recommends by a vote of 12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

REP. CONMY, Chairman

HB 1610 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Natural Resources to which was referred HB 1623 has had the same under consideration and recommends by a vote of 8 YEAS, 6 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 25, delete the word "person" and insert in lieu thereof the words "resident of this state"

On page 1, line 26, after the word "forces" insert the words "stationed outside this state", and delete the words "is within" and insert in lieu thereof the words "shows proof of North Dakota residence"

On page 1, line 27, delete the words "the state on duty or leave"

And renumber the lines and pages accordingly

REP. A. OLSON, Chairman

HB 1623 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Natural Resources to which was referred HB 1627 has had the same under consideration and recommends by a vote of 11 YEAS, 4 NAYS, 2 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO NOT PASS and be rereferred to the Committee on Appropriations:

On page 1, line 1, delete the word "section" and insert in lieu thereof the words and numerals "sections 49-06-23 and"

- On page 1, line 2, after the word "to" insert the words "the public utility valuation fund and"
- On page 1, line 4, delete the words "provide an appropriation" and insert in lieu thereof the words "declare an emergency"
- On page 1, line 11, delete the word "- Appropriation"
- On page 2, line 29, delete the word "siting"
- On page 2, line 30, delete the words "evaluation fund" and insert in lieu thereof the words "public utility valuation fund of the state treasury"
- On page 2, line 35, delete the words "All moneys deposited to the siting evaluation"
- On page 3, delete lines 1 and 2 and insert in lieu thereof the following section:

"SECTION 2. AMENDMENT. Section 49-06-23 of the 1983 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

49-06-23. Expenses of valuation or revaluation - Commission rate hearings, investigations and proceedings - And commission evaluation of energy conversion facility sites and transmission facility corridors and routes paid into public utility valuation revolving fund. All costs and expenses of commission rate hearings, investigations and proceedings, and valuation or, revaluation and evaluation of energy conversion facility sites and transmission facility corridors and routes, collected by the commission under the provisions of subsection 7 of section 49-02-02, section 49-06-18, and subsection 3 of section 49-22-22, shall be paid into the public utility valuation revolving fund of the state treasury. All moneys deposited to the public utility valuation revolving fund are hereby appropriated. The fund shall not be subject to the provisions of section 54-44.1-11.

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, sections, and pages accordingly

REP. A. OLSON, Chairman

HB 1627 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Natural Resources to which was referred HB 1639 has had the same under consideration and recommends by a vote of 13 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING

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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, delete lines 5 and 6

On page 1, line 7, delete the words "for a nongame wildlife fund;"

On page 2, line 31, delete the words "do not" and insert in lieu thereof the word "seldom"

On page 3, line 19, delete the word "strict"

On page 3, line 20, delete the words "enforcement of North Dakota's drainage laws" and insert in lieu thereof the words "preservation, management, and development of wetland and waterfowl habitat", and after the comma insert the word "and"

On page 6, line 14, remove the overstrike over the words "~~er adversely affect~~"

On page 7, line 27, overstrike the words ", not exceeding one million dollars in aggregate total,"

On page 8, delete lines 5 through 9

And renumber the lines, sections, and pages accordingly

REP. A. OLSON, Chairman

HB 1639 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 HCR 3004 has had the same under consideration and recommends by a vote of 15 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. KLOUBEC, Chairman

HCR 3004 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Social Services and Veterans Affairs to which was referred HCR 3046 has had the same under consideration and recommends by a vote of 15 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS and BE PLACED ON THE CONSENT CALENDAR:

On page 1, line 2, delete the words "by physicians and"

On page 1, line 3, delete the word "hospitals"

On page 1, line 22, delete the words "by physicians and hospitals"

And renumber the lines and pages accordingly

REP. HAUGLAND, Chairman

HCR 3046 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 HCR 3047 has had the same under consideration and recommends by a vote of 13 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 12, after the word "farmers" insert the words "and businessmen"

And renumber the lines and pages accordingly

REP. NICHOLAS, Chairman

HCR 3047 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 SB 2106 has had the same under consideration and recommends by a vote of 17 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

REP. KNUDSON, Chairman

SB 2106 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

FIRST READING OF SENATE BILLS

SB 2284: A BILL for an Act to establish a North Dakota soybean council; to provide a penalty; and to provide an appropriation.

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

SB 2307: A BILL for an Act to amend and reenact subsection 2 of section 14-06.1-02 and section 14-06.1-12 of the North Dakota Century Code, relating to the citizen advisory body to the displaced homemaker program; and to provide an appropriation.

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

SB 2312: A BILL for an Act to establish an historical impact fund for emergency historical and archaeological projects. Was read the first time and referred to the **Committee on Appropriations**.

SB 2446: A BILL for an Act to amend and reenact section 23-06-03.1 of the North Dakota Century Code, relating to deposit of funds for pre-need funeral service contracts.
Was read the first time and referred to the Committee on Industry, Business and Labor.

SB 2495: A BILL for an Act to amend and reenact subsection 1 of section 4-36-03 of the North Dakota Century Code, relating to qualifications for loans under the Agricultural Development Act.
Was read the first time and referred to the Committee on Appropriations.

FIRST READING OF SENATE CONCURRENT RESOLUTIONS

SCR 4034: A concurrent resolution directing the Legislative Council to study the life insurance needs of persons born with incurable diseases.
Was read the first time and referred to the Committee on Industry, Business and Labor.

SCR 4036: A concurrent resolution directing the Legislative Council to study problems associated with, and to compile information regarding, the protection and rejuvenation of shelterbelts.
Was read the first time and referred to the Committee on Agriculture.

SCR 4038: A concurrent resolution recognizing the importance of fine arts as part of basic school curricula and encouraging the inclusion of fine arts education in the schools' curricula.
Was read the first time and referred to the Committee on Education.

SCR 4039: A concurrent resolution directing the Legislative Council to monitor United States Congress and federal agency actions having a fiscal impact on the state of North Dakota.
Was read the first time and referred to the Committee on State and Federal Government.

SCR 4041: A concurrent resolution urging the Congress of the United States to enact appropriate legislation to transfer to the states the power and authority to approve or disapprove rail line abandonments.
Was read the first time and referred to the Committee on State and Federal Government.

SCR 4042: A concurrent resolution urging Congress and the Secretary of the Treasury to provide for the withholding of state income tax from federal employees who elect to have state income tax withheld from their wages.
Was read the first time and referred to the Committee on Finance and Taxation.

SCR 4045: A concurrent resolution designating the restoration of the Custer Home and other buildings on the Cavalry Square in Fort Lincoln as a North Dakota Centennial Project. Was read the first time and referred to the **Committee on State and Federal Government**.

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

ROY GILBREATH, Chief Clerk