

JOURNAL OF THE HOUSE

Fifty-first Legislative Assembly

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Bismarck, January 10, 1989

The House convened at 1:00 p.m., with Speaker Kretschmar presiding.

The prayer was offered by Rev. Darrel Aleson, Chaplain, St. Alexius Medical Center, Bismarck, North Dakota.

The roll was called and all Representatives were present, except Representatives Gerhardt and Murphy.

A quorum was declared by the Speaker.

CORRECTION and REVISION of the JOURNAL (Rep. V. Olson, Chairman)

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

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

OATH OF OFFICE TO EMPLOYEES

SPEAKER KRETSCHMAR ADMINISTERED the Oath of Office to the employees listed in the procedural committee report on pages 89-91 of the House Journal.

THE HOUSE RECOGNIZED THE PRESENCE OF:

Barbara Evanson, North Dakota Teacher of the Year, and her sixth grade class from Northridge School in Bismarck, North Dakota.

REPORTS OF STANDING COMMITTEES

MR. SPEAKER: Your Committee on Judiciary (Rep. Wentz, Chairman) to which was referred HB 1066 has had the same under consideration and recommends by a vote of 13 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS and be rereferred to the Committee on Appropriations.

HB 1066 was rereferred to the Committee on Appropriations.

MR. SPEAKER: Your Committee on Judiciary (Rep. Wentz, Chairman) to which was referred HB 1100 has had the same under consideration and recommends by a vote of 13 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

HB 1100 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Industry, Business and Labor (Rep. Whalen, Chairman) to which was referred HB 1104 has had the same under consideration and recommends by a vote of 11 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING that the same DO NOT PASS.

HB 1104 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Judiciary (Rep. Wentz, Chairman) to which was referred HB 1120 has had the same under consideration and recommends by a vote of 13 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same DO PASS.

HB 1120 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Industry, Business and Labor (Rep. Whalen, Chairman) to which was referred HB 1122 has had the same under consideration and recommends by a vote of 16 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING that the same DO PASS.

HB 1122 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Judiciary (Rep. Wentz, Chairman) to which was referred HB 1125 has had the same under consideration and recommends by a vote of 13 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same DO NOT PASS.

HB 1125 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Judiciary (Rep. Wentz, Chairman) to which was referred HB 1126 has had the same under consideration and recommends by a vote of 15 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS and be rereferred to the Committee on Appropriations.

HB 1126 was rereferred to the Committee on Appropriations.

MR. SPEAKER: Your Committee on Industry, Business and Labor (Rep. Whalen, Chairman) to which was referred HB 1135 has had the same under consideration and recommends by a vote of 16 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

HB 1135 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Finance and Taxation (Rep. A. Hausauer, Chairman) to which was referred HB 1145 has had the same under consideration and recommends by a vote of 15 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

HB 1145 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Industry, Business and Labor (Rep. Whalen, Chairman) to which was referred HB 1148 has had the same under consideration and recommends by a vote of 16 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

HB 1148 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Judiciary (Rep. Wentz, Chairman) to which was referred HB 1149 has had the same under consideration and recommends by a vote of 11 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING that the same DO NOT PASS.

HB 1149 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on State and Federal Government (Rep. Martinson, Chairman) to which was referred HB 1152 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

HB 1152 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Industry, Business and Labor (Rep. Whalen, Chairman) to which was referred HB 1157 has had the same under consideration and recommends by a vote of 16 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

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

MR. SPEAKER: Your Committee on Industry, Business and Labor (Rep. Whalen, Chairman) to which was referred HB 1165 has had the same under consideration and recommends by a vote of 16 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

HB 1165 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Finance and Taxation (Rep. A. Hausauer, Chairman) to which was referred HB 1168 has had the same under consideration and recommends by a vote of 15 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

HB 1168 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Industry, Business and Labor (Rep. Whalen, Chairman) to which was referred HB 1193 has had the same under consideration and recommends by a vote of 16 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

HB 1193 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on State and Federal Government (Rep. Martinson, Chairman) to which was referred HB 1202 has had the same under consideration and recommends by a vote of 13 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING that the same DO PASS.

HB 1202 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Finance and Taxation (Rep. A. Hausauer, Chairman) to which was referred HB 1214 has had the same under consideration and recommends by a vote of 15 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

HB 1214 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

Reps. Kloubec, Schneider and Sens. Heigaard, Olson introduced:

HCR 3014: A concurrent resolution designating January 11, 1989, as Legislative Fitness Day, and urging all appropriate state agencies to promote public awareness of the importance of physical fitness.

Was read the first time.

Reps. Kloubec, Schneider and Sens. Heigaard, Olson introduced:

HCR 3015: A concurrent resolution designating January 11, 1989, as Cholesterol Awareness Day.

Was read the first time.

MOTION

REP. KLOUBEC MOVED that the rules be suspended, that HCR 3014 and HCR 3015 not be printed, not be referred to committee, be read in their entirety, not be printed in the Journal, and placed on the calendar for second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

HCR 3014: A concurrent resolution designating January 11, 1989, as Legislative Fitness Day, and urging all appropriate state agencies to promote public awareness of the importance of physical fitness.

The question being on the final adoption of the resolution, which has been read.

HCR 3014 was declared adopted on a voice vote.

HCR 3015: A concurrent resolution designating January 11, 1989, as Cholesterol Awareness Day.

The question being on the final adoption of the resolution, which has been read.

HCR 3015 was declared adopted on a voice vote.

FIRST READING OF HOUSE CONCURRENT RESOLUTION

Reps. Kloubec, Schneider, Kretschmar and Sens. Heigaard, Olson introduced:

HCR 3016: A concurrent resolution authorizing the Speaker of the House and the majority and minority House and Senate leaders, or their designees, to attend the presidential inauguration, excusing their absence, and authorizing expenditure of moneys from the legislative appropriation necessary to cover their expenses.

Was read the first time.

MOTION

REP. KLOUBEC MOVED that the rules be suspended, that HCR 3016 not be printed, not be referred to committee, be read in its entirety, be printed in the Journal, and placed on the calendar for second reading and final passage, which motion prevailed.

Reps. Kloubec, Schneider, Kretschmar and Sens. Heigaard, Olson introduced:

HOUSE CONCURRENT RESOLUTION NO. 3016

A concurrent resolution authorizing the Speaker of the House and the majority and minority House and Senate leaders, or their designees, to attend the presidential inauguration, excusing their absence, and authorizing expenditure of moneys from the legislative appropriation necessary to cover their expenses.

WHEREAS, the inauguration of George Bush as the President of the United States will be on January 20; and

WHEREAS, the presidential inauguration symbolizes democracy in action and freedom in the selection of our nation's leaders; and

WHEREAS, harmonious relationships between the three coequal branches of government on the state and federal levels are vital to the success of our democratic society; and

WHEREAS, important decisions that may greatly alter the future course of events in North Dakota will be made by the President and the executive branch in the next four years; and

WHEREAS, the spirit of goodwill and cooperation between the various branches of state and federal government can be demonstrated by legislative representation at the presidential inauguration during this important period in North Dakota history;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Speaker of the House and the majority and minority leaders of the House and the Senate, or their designees, are authorized to attend the presidential inauguration in Washington, D.C., on January 20; and

BE IT FURTHER RESOLVED, that the House and the Senate excuse the absence of those members attending the inauguration and authorize the expenditure of such sums as are reasonably necessary from the legislative appropriation to cover their expenses incurred as a result of such attendance.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3016: A concurrent resolution authorizing the Speaker of the House and the majority and minority House and Senate leaders, or their designees, to attend the presidential inauguration, excusing their absence, and authorizing expenditure of moneys from the legislative appropriation necessary to cover their expenses.

The question being on the final adoption of the resolution, which has been read, the roll was called and there were 102 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Aas; Anderson, B.; Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; Brokaw; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Enget; Flaagan; Frey; Gates; Gerl; Gerntholz; Gilmore; Goetz; Gorman; Graba; Gunsch; Halmrast; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hoffner; Hokana; Howard; Huether; Jensen; Kaldor; Kelly; Kingsbury; Kloubec; Knell; Kolbo; Kouba; Lang; Larson, D.; Larson, R.; Laughlin; Lindgren; Marks; Martin; Melby; Mertens; Myrdal; Nelson; Ness; Nicholas;

Nowatzki; O'Shea; Oban; Olsen, D.; Olson, A.; Olson, V.; Payne; Peterson; Ring; Rydell; Schatz; Scherber; Schindler; Schmidt; Schneider; Shaft; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Soukup; Starke; Stenehjem; Stofferahn; Thompson, K.; Thompson, V.; Timm; Tokach; Tollefson; Tomac; Trautman; Ulmer; Urlacher; Vander Vorst; Wald; Watne; Wentz; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: None

ABSENT AND NOT VOTING: Gerhardt; Martinson; Murphy; Whalen

HCR 3016 was declared adopted on a recorded roll call vote.

MOTION

REP. KLOUBEC MOVED that the rules be suspended and that action taken on HCR 3014, HCR 3015, and HCR 3016 be messaged to the Senate immediately, which motion prevailed.

MESSAGE to the SENATE from the HOUSE (Roy Gilbreath, Chief Clerk)

MR. PRESIDENT: The House has passed and your favorable consideration is requested on: HCR 3014, HCR 3015, HCR 3016.

THE HOUSE RECOGNIZED THE PRESENCE OF:

Former Speaker of the House Oscar Solberg

EIGHTH ORDER OF BUSINESS

REP. A. OLSON MOVED that HB 1153 be returned to the House floor from the Committee on Natural Resources, which motion prevailed.

REP. L. HANSON REQUESTED the unanimous consent of the House to withdraw HB 1153. There being no objection, it was so ordered by the Speaker.

SECOND READING OF HOUSE BILLS

HB 1108: A BILL for an Act to amend and reenact section 23-24-05 of the North Dakota Century Code, relating to appointments to the board of commissioners of a vector control district.

ROLL CALL

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

YEAS: Aarsvold; Aas; Anderson, B.; Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; Brokaw; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Enget; Flaagan; Frey; Gates; Gerl; Gerntholz; Gilmore; Goetz; Gorman; Graba; Gunsch; Halmrast; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hoffner; Hokana; Howard; Huether; Jensen; Kaldor; Kelly; Kingsbury; Kloubec; Knell; Kolbo; Kouba; Lang; Larson, D.; Larson, R.; Laughlin; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Myrdal; Nelson; Ness; Nicholas; Nowatzki; O'Shea; Oban; Olsen, D.; Olson, A.; Olson, V.; Payne; Peterson; Ring; Rydell; Schatz; Scherber; Schindler; Schmidt; Schneider; Shaft; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Soukup; Starke; Stenehjem; Stofferahn; Thompson, K.; Thompson, V.;

Timm; Tokach; Tollefson; Tomac; Trautman; Ulmer; Urlacher;
Vander Vorst; Wald; Watne; Wentz; Whalen; Wilkie; Williams, A.;
Williams, W.; Speaker Kretschmar

NAYS: None

ABSENT AND NOT VOTING: Gerhardt; Murphy

HB 1108 passed and the title was agreed to.

HB 1110: A BILL for an Act to create and enact a new subsection to section 50-06.1-04 of the North Dakota Century Code, relating to the establishment of advisory bodies to the division of vocational rehabilitation; and to repeal section 25-15-03 of the North Dakota Century Code, relating to a vocational rehabilitation facilities advisory committee.

ROLL CALL

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

YEAS: Aarsvold; Aas; Anderson, B.; Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; Brokaw; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Enget; Flaagan; Frey; Gates; Gerl; Gerntholz; Gilmore; Goetz; Gorman; Graba; Gunsch; Halmrast; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hoffner; Hokana; Howard; Huether; Jensen; Kaldor; Kelly; Kingsbury; Kloubec; Knell; Kolbo; Kouba; Lang; Larson, D.; Larson, R.; Laughlin; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Myrdal; Nelson; Ness; Nicholas; Nowatzki; O'Shea; Oban; Olsen, D.; Olson, A.; Olson, V.; Payne; Peterson; Ring; Rydell; Schatz; Scherber; Schindler; Schmidt; Schneider; Shaft; Shide; Shockman; Skjervan; Smette; Solberg; Sorensen; Soukup; Starke; Stenehjem; Stofferahn; Thompson, K.; Thompson, V.; Timm; Tokach; Tollefson; Tomac; Trautman; Ulmer; Urlacher; Vander Vorst; Wald; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: None

ABSENT AND NOT VOTING: Gerhardt; Murphy

HB 1110 passed and the title was agreed to.

HB 1048: A BILL for an Act to amend and reenact section 15-34.2-14 of the North Dakota Century Code, relating to the age of schoolbus drivers.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 103 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Aas; Anderson, B.; Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; Brokaw; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Enget; Flaagan; Frey; Gates; Gerl; Gerntholz;

Gilmore; Goetz; Gorman; Graba; Gunsch; Halmrast; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hoffner; Hokana; Howard; Huether; Jensen; Kaldor; Kelly; Kloubec; Knell; Kolbo; Kouba; Lang; Larson, D.; Larson, R.; Laughlin; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Myrdal; Nelson; Ness; Nicholas; Nowatzki; O'Shea; Oban; Olsen, D.; Olson, A.; Olson, V.; Payne; Peterson; Ring; Rydell; Schatz; Scherber; Schindler; Schmidt; Schneider; Shaft; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Soukup; Starke; Stenehjem; Stofferahn; Thompson, K.; Thompson, V.; Timm; Tokach; Tollefson; Tomac; Trautman; Ulmer; Uriacher; Vander Vorst; Wald; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: None

ABSENT AND NOT VOTING: Gerhardt; Kingsbury; Murphy

HB 1048 passed and the title was agreed to.

HB 1055: A BILL for an Act to amend and reenact section 29-17-12 of the North Dakota Century Code, relating to the number of jurors in felony cases.

ROLL CALL

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

YEAS: Aarsvold; Aas; Anderson, B.; Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; Brokaw; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Enget; Flaagan; Frey; Gates; Gerl; Gerntholz; Gilmore; Goetz; Gorman; Graba; Gunsch; Halmrast; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hoffner; Hokana; Howard; Huether; Jensen; Kaldor; Kelly; Kingsbury; Kloubec; Knell; Kolbo; Kouba; Lang; Larson, D.; Larson, R.; Laughlin; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Myrdal; Nelson; Ness; Nicholas; Nowatzki; O'Shea; Oban; Olsen, D.; Olson, A.; Olson, V.; Payne; Peterson; Ring; Rydell; Schatz; Scherber; Schindler; Schmidt; Schneider; Shaft; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Soukup; Starke; Stenehjem; Stofferahn; Thompson, K.; Thompson, V.; Timm; Tokach; Tollefson; Tomac; Trautman; Ulmer; Uriacher; Vander Vorst; Wald; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: None

ABSENT AND NOT VOTING: Gerhardt; Murphy

HB 1055 passed and the title was agreed to.

HB 1080: A BILL for an Act to authorize the state board of higher education to issue and sell self-liquidating tax-exempt bonds for the construction of a revenue-producing parking lot at Bismarck state college; to provide an appropriation; and to declare an emergency.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 102 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Aas; Anderson, B.; Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; Brokaw; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Enget; Flaagan; Frey; Gates; Gerl; Gerntholz; Gilmore; Goetz; Gorman; Graba; Gunsch; Halmrast; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hoffner; Hokana; Howard; Huether; Jensen; Kaldor; Kelly; Kloubec; Knell; Kolbo; Kouba; Lang; Larson, D.; Larson, R.; Laughlin; Lindgren; Marks; Martin; Martinson; Mertens; Myrdal; Nelson; Ness; Nicholas; Nowatzki; O'Shea; Oban; Olsen, D.; Olson, A.; Olson, V.; Payne; Peterson; Ring; Rydell; Schatz; Scherber; Schindler; Schmidt; Schneider; Shaft; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Soukup; Starke; Stenehjem; Stofferahn; Thompson, K.; Thompson, V.; Timm; Tokach; Tollefson; Tomac; Trautman; Ulmer; Urlacher; Vander Vorst; Wald; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: Kingsbury; Melby

ABSENT AND NOT VOTING: Gerhardt; Murphy

HB 1080 passed, the title was agreed to, and the emergency clause was declared carried.

HB 1087: A BILL for an Act to amend and reenact section 15-60-07 of the North Dakota Century Code, relating to examination of records and accounts of the state board of public school education.

ROLL CALL

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

YEAS: Aarsvold; Aas; Anderson, B.; Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; Brokaw; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Enget; Flaagan; Frey; Gates; Gerl; Gerntholz; Gilmore; Goetz; Gorman; Graba; Gunsch; Halmrast; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hoffner; Hokana; Howard; Huether; Jensen; Kaldor; Kelly; Kingsbury; Kloubec; Knell; Kolbo; Kouba; Lang; Larson, D.; Larson, R.; Laughlin; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Myrdal; Nelson; Ness; Nicholas; Nowatzki; O'Shea; Oban; Olsen, D.; Olson, A.; Olson, V.; Payne; Peterson; Ring; Rydell; Schatz; Scherber; Schindler; Schmidt; Schneider; Shaft; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Soukup; Starke; Stenehjem; Stofferahn; Thompson, K.; Thompson, V.; Timm; Tokach; Tollefson; Tomac; Trautman; Ulmer; Urlacher; Vander Vorst; Wald; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: None

ABSENT AND NOT VOTING: Gerhardt; Murphy

HB 1087 passed and the title was agreed to.

MESSAGE to the HOUSE from the SENATE (Patricia Conrad, Secretary)
MR. SPEAKER: The Senate has passed and your favorable consideration is requested on: SB 2082.

MESSAGE to the HOUSE from the SENATE (Patricia Conrad, Secretary)
MR. SPEAKER: The Senate has passed unchanged: HCR 3013.

MOTIONS

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

REP. KLOUBEC MOVED that the House be on the Ninth order of business, and at the conclusion of the Ninth order, the House stand adjourned until 1:00 p.m., Wednesday, January 11, 1989, which motion prevailed.

FIRST READING OF HOUSE BILLS

Reps. Wald, Whalen, O. Hanson and Sens. Waldera, David introduced:

HB 1257: 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 gratis hunting licenses issued to resident members of the armed forces stationed outside North Dakota.

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

Reps. Stofferahn, Huether, Gerntholz and Sens. Dotzenrod, Streibel introduced:

HB 1258: A BILL for an Act to provide for imposition of a transfer tax on the purchase price of land sold to certain governmental entities that are exempt from property taxes and to provide for distribution of tax revenues; and to declare an emergency.

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

Reps. Belter, V. Thompson and Sens. Langley, Todd introduced:

HB 1259: A BILL for an Act to amend and reenact sections 49-18-41.1 and 49-18-42 of the North Dakota Century Code, relating to the collection of fees for registration of interstate motor carriers and dedicating the use of the fees.

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

Reps. Belter, Dalrymple and Sen. Nelson introduced:

HB 1260: A BILL for an Act to create and enact a new section to chapter 61-16.1 of the North Dakota Century Code, relating to notice of removal or replacement of fill adjacent to a natural or manmade body of water.

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

Reps. Hokana, Dalrymple, Nicholas and Sens. Dotzenrod, Kelsh, Thane introduced:

HB 1261: A BILL for an Act to create and enact a new section to chapter 54-44.4 of the North Dakota Century Code, to provide for a three-cent-per-gallon preference for alcohol-blended gasoline when gasoline is purchased by bids or quotes by state agencies, institutions, and other instrumentalities; and to amend and reenact sections 19-10-03.1 and 54-44.4-05 of the North Dakota Century Code, relating to notice by retailers of the availability of information on octane enhancers and additives in gasoline and competitive bidding on state purchases.

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

Reps. Hokana, Dalrymple, Nicholas and Sens. Dotzenrod, Kelsh, Thane introduced:

HB 1262: A BILL for an Act to provide for the labeling of certain plastic products and to require certain plastic products to be degradable; to create and enact a new section to chapter 54-44.4 of the North Dakota Century Code, relating to the purchase of soybean-based inks and starch-based plastics; and to provide penalties.

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

Reps. Graba, Haugen introduced:

HB 1263: A BILL for an Act to amend and reenact sections 40-29-03, 40-29-05, and 40-29-10 of the North Dakota Century Code, relating to assessment of special assessments for sidewalk construction, rebuilding, or repair against the owners of property benefited by the sidewalk.

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

Reps. Wald, Goetz and Sen. Waldera introduced:

HB 1264: A BILL for an Act to amend and reenact subsection 1 of section 27-20-26 of the North Dakota Century Code, relating to right to counsel in proceedings under the Uniform Juvenile Court Act.

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

Reps. Graba, Haugen introduced:

HB 1265: A BILL for an Act to amend and reenact section 40-05-01.1 of the North Dakota Century Code, relating to assessment of the costs of water utility and wastewater utility systems against the property served if the assessment is unpaid.

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

Reps. J. DeMers, Schneider, Wentz and Sens. Todd, J. Meyer introduced:

HB 1266: A BILL for an Act to amend and reenact section 43-44-06 of the North Dakota Century Code, relating to licensure, titles, and abbreviations for dietitians and nutritionists.

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

Reps. Gerl, Ulmer introduced:

HB 1267: A BILL for an Act to repeal subsection 12 of section 57-39.2-04 of the North Dakota Century Code, relating to a sales tax exemption for purchases made by residents of certain adjoining states and residents of Canada.

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

Reps. Christman, Smette introduced:

HB 1268: A BILL for an Act to amend and reenact section 20.1-04-12 of the North Dakota Century Code, relating to the training of gun dogs.

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

Reps. Mertens, Schneider, Kloubec and Sens. Heigaard, Olson, Stromme introduced:

HB 1269: A BILL for an Act to amend and reenact section 54-01-17.2 of the North Dakota Century Code, establishing the North

Dakota-Saskatchewan-Manitoba boundary advisory committee; and to provide an appropriation.
Was read the first time and referred to the Committee on State and Federal Government.

Reps. Enget, Murphy introduced:

HB 1270: A BILL for an Act to provide for the reciprocal recognition of certain state and tribal court judgments, decrees, and orders.
Was read the first time and referred to the Committee on Judiciary.

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

ROY GILBREATH, Chief Clerk