

## JOURNAL OF THE HOUSE

## Fifty-first Legislative Assembly

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Bismarck, January 13, 1989

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

The prayer was offered by Dr. Thomas E. Shaffer, First Baptist Church, Bismarck, North Dakota.

The roll was called and all Representatives were present, except Representatives O. Hanson, Stofferahn, and Whalen.

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 Seventh Day and finds it to be correct.

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

## REPORTS OF STANDING COMMITTEES

MR. SPEAKER: Your Committee on Appropriations (Rep. Peterson, Chairman) to which was referred HB 1018 has had the same under consideration and recommends by a vote of 22 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

Page 1, line 3, before the period insert "; and to provide a statement of legislative intent"

Page 1, line 12, replace "\$51,497,900" with "\$54,208,300"

Page 1, line 13, replace "\$51,497,900" with "\$54,208,300"

Page 1, after line 13, insert:

"SECTION 2. STATEMENT OF INTENT. It is the intent of the legislative assembly that, if the amount appropriated in this Act is less than the amount deposited in the state aid distribution during the 1989-91 biennium, the legislative assembly shall provide a deficiency appropriation of the excess amount deposited and that the deficiency appropriation be for the 1989-91 biennium, and not be considered in appropriations for the 1991-93 biennium."

Renumber accordingly

## STATEMENT OF PURPOSE OF AMENDMENT:

Adds \$2,710,400 to the grants line item to provide funding of \$54,208,300 to political subdivisions which is at a level equal to 60 percent of an equivalent of one percent of the sales, use, and excise tax and provides for a statement of Legislative intent that should deposits to the State Aid Distribution Fund exceed \$54,208,300, the 1991 Legislative Assembly will provide a deficiency appropriation for the balance of the fund.

HB 1018 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

**MR. SPEAKER:** Your Committee on Human Services and Veterans Affairs (Rep. Haugland, Chairman) to which was referred HB 1088 has had the same under consideration and recommends by a vote of 14 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

HB 1088 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 1107 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:

Page 1, line 6, after "pay" insert "contingent"

Renumber accordingly

HB 1107 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

**MR. SPEAKER:** Your Committee on Agriculture (Rep. Nicholas, Chairman) to which was referred HB 1121 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

HB 1121 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

**MR. SPEAKER:** Your Committee on Human Services and Veterans Affairs (Rep. Haugland, Chairman) to which was referred HB 1134 has had the same under consideration and recommends by a vote of 16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

HB 1134 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 1141 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:

Page 1, line 2, remove "an account at the"

Page 1, line 3, replace "Bank of North Dakota" with "a fund in the state treasury" and remove "a fund"

Page 1, line 6, after "laws" insert ", for the payment of valid claims against cash deposit bonds posted by applicants for a transient merchant's license, and for the refund to the licensee of any remaining balance of the cash deposit bond posted by an applicant for a transient merchant's license"

Page 1, line 11, remove "in Bank of North Dakota" and "for refund of"

Page 1, line 12, remove "consumer funds" and replace "There is hereby created a" with "A special fund is established in the state treasury and designated as the attorney general refund fund"

Page 1, line 13, remove "special fund designated as the consumer fraud refund fund"

Page 1, line 16, after "laws" insert "and all cash deposit bonds paid by applicants for a transient merchant's license who do not provide a surety bond" and remove "hereby"

Page 1, line 17, replace "for the purpose of providing refunds to consumers as provided by" with ", as necessary, for the following purposes:

1. To provide refunds of moneys recovered by the consumer fraud and antitrust division on behalf of consumers;
2. To pay valid claims against cash deposit bonds posted by transient merchant licensees; and
3. To refund, upon expiration of the two-year period after the expiration of the transient merchant's license, the balance of any cash deposit bond remaining after the payment of valid claims"

Page 1, remove line 18

Page 1, line 19, remove "the fund"

Re-number accordingly

HB 1141 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Transportation (Rep. Timm, Chairman) to which was referred HB 1151 has had the same under consideration and recommends by a vote of 9 YEAS, 7 NAYS, 0 ABSENT AND NOT VOTING that the same DO NOT PASS.

HB 1151 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Transportation (Rep. Timm, Chairman) to which was referred HB 1162 has had the same under consideration and recommends by a vote of 14 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

HB 1162 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Transportation (Rep. Timm, Chairman) to which was referred HB 1176 has had the same under consideration and recommends by a vote of 16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

HB 1176 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Agriculture (Rep. Nicholas, Chairman) to which was referred HB 1182 has had the same under consideration and

recommends by a vote of 14 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

HB 1182 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Human Services and Veterans Affairs (Rep. Haugland, Chairman) to which was referred HB 1190 has had the same under consideration and recommends by a vote of 16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

HB 1190 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Political Subdivisions (Rep. Lindgren, Chairman) to which was referred HB 1195 has had the same under consideration and recommends by a vote of 13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

Page 5, line 14, after "contribution" insert "except any federal guarantee or insurance, or any interest reduction payment to an individual in connection with the purchase and occupancy of a residence by that individual"

Page 5, line 15, after "7." insert:

"Mortgage" means such classes of liens as are commonly given to secure advances on, or the unpaid purchase price of, real property, under the laws of the state in which the real property is located, together with the credit instruments, if any, secured thereby.

8."

Page 5, line 19, replace "8" with "9"

Page 5, line 21, replace "9" with "10"

Page 16, line 26, after "Any" insert "state"

Renumber accordingly

HB 1195 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 (Rep. Whalen, Chairman) to which was referred HB 1223 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 NOT PASS.

HB 1223 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

#### MOTION

REP. D. OLSEN MOVED that the House reconsider its action whereby HB 1201 passed, which motion lost on a verification vote.

## SIXTH ORDER OF BUSINESS

REP. A. HAUSAUER MOVED that the amendments to HB 1028 as recommended by the Committee on Finance and Taxation as printed on page 141 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

HB 1028 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. WENTZ MOVED that the amendments to HB 1050 as recommended by the Committee on Judiciary as printed on pages 141-142 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

HB 1050 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. WENTZ MOVED that the amendments to HB 1078 as recommended by the Committee on Judiciary as printed on page 142 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

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

REP. WHALEN MOVED that the amendments to HB 1111 as recommended by the Committee on Industry, Business and Labor as printed on page 143 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

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

REP. MARTINSON MOVED that the amendments to HB 1204 as recommended by the Committee on State and Federal Government as printed on page 143 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

HB 1204 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 1216 as recommended by the Committee on Finance and Taxation as printed on page 144 of the House Journal be adopted, and when so adopted, recommends the same DO NOT PASS, which motion prevailed.

HB 1216 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 1221 as recommended by the Committee on Finance and Taxation as printed on page 144 of the House Journal be adopted, and when so adopted, recommends the same DO NOT PASS, which motion prevailed.

HB 1221 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MESSAGE to the HOUSE from the SENATE (Patricia Conrad, Secretary)

MR. SPEAKER: The President has signed: HCR 3013.

MESSAGE to the HOUSE from the SENATE (Patricia Conrad, Secretary)

MR. SPEAKER: The Senate has passed and your favorable consideration is requested on: SB 2065, SB 2066, SB 2134, SB 2144, SB 2151, SB 2186, SB 2195, SB 2199, SB 2205, SB 2214.

MESSAGE to the HOUSE from the SENATE (Patricia Conrad, Secretary)

MR. SPEAKER: The Senate respectfully requests the return of: SB 2150, SB 2204.

#### HOUSE ENROLLING REPORT

The following resolution was enrolled: HCR 3016.

#### MOTION

REP. KLOUBEC MOVED that the House accede to the Senate's request to return SB 2150 and SB 2204, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

HB 1147: A BILL for an Act to amend and reenact section 35-29-05 of the North Dakota Century Code, relating to filing fees for federal tax liens.

#### ROLL CALL

The question being on the final passage of the amended bill, 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; Gerhardt; Gerl; Gerntholz; Goetz; Gorman; Graba; Gunsch; Halmrast; Hanson, L.; 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; Murphy; 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; 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: Gilmore; Hanson, O.; Mertens; Stofferahn

HB 1147 passed and the title was agreed to.

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HB 1051: A BILL for an Act to amend and reenact section 28-23-04 of the North Dakota Century Code, relating to the notice of sale in mortgage foreclosure actions.

#### 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.; Bernstein; Brokaw; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J; DeMers, P; Dorso; Enget; Flaagan; Frey; Gates; Gerhardt; Gerntholz; Gilmore; Goetz; Gorman; Graba; Gunsch; Halmrast; Hanson, L.; 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; Murphy; 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; 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: Berg, R.; Gerl

ABSENT AND NOT VOTING: Hanson, O.; Stofferahn

HB 1051 passed and the title was agreed to.

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MOTION

REP. WENTZ MOVED that the remarks of Rep. Murphy on HB 1051 be printed in the Journal, which motion prevailed.

REP. MURPHY: Perhaps the explanation used in committee best explains my understanding of this bill.

It seems Murphy borrowed \$1,000 from Banker Stenehjem and had to put up as security everything he owned in this world - that 17 acres down in the Badlands - then he borrowed a few dollars from Rep. Ulmer and had to give a second mortgage. Then Rep. Aas felt sorry for Murphy and loaned him an additional sum and took a third mortgage.

What with the high cost of higher education for his ten children, drastic cuts in federal farm subsidies, and his wife's high-flying lifestyle being what it is, he just couldn't keep up the payments.

In due time, shylock Stenehjem became dissatisfied with the interest he wasn't getting - he wanted the 17 acres, too - and he proceeded to foreclose his mortgage.

Under present law, the legal foreclosure notice must contain the names of all second and subsequent lenders being foreclosed on. In this case, Murphy, Ulmer, and Aas - though Ulmer and Aas didn't owe shylock a cent - in fact, were creditors themselves.

Well, you know what happens, people pick up the paper, "Well, would you look at that, they are foreclosing on Ulmer and Aas - and I thought they were wealthy. Their wives are always running around, putting on the dog."

This bill would repeal the requirement that second and subsequent creditors' names be listed in the legal foreclosure publication.

Your committee seemed very sympathetic toward Ulmer and Aas. They voted unanimously, "DO PASS".

They didn't seem to care what happened to Murphy.

#### SECOND READING OF HOUSE BILL

HB 1064: A BILL for an Act to amend and reenact subsection 3 of section 26.1-29-09.1 of the North Dakota Century Code, relating to an insurable interest in personal insurance.

#### 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; Gerhardt; Gerl; Gerntholz; Gilmore; Goetz; Gorman; Graba; Gunsch; Halmrast; Hanson, L.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hoffner; Hokana; Howard; Huether; Jensen; Kaldor; Kelly; Kingsbury; Knell; Kolbo; Kouba; Lang; Larson, D.; Larson, R.; Laughlin; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Murphy; 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; 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: Hanson, O.; Kloubec; Stofferahn

HB 1064 passed and the title was agreed to.

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#### REQUEST

REP. KLOUBEC REQUESTED that the record show that he intended to vote "yea" on HB 1064, which request was granted.

#### SIGNING of BILLS and RESOLUTIONS (Roy Gilbreath, Chief Clerk)

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following enrolled resolutions: HCR 3014, HCR 3015, HCR 3016.

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

MR. PRESIDENT: The House has passed and your favorable consideration is requested on: HB 1100, HB 1120, HB 1122, HB 1135, HB 1145, HB 1148, HB 1152, HB 1157, HB 1165, HB 1168, HB 1193, HB 1202, HB 1214.

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

MR. PRESIDENT: The Speaker has signed and your signature is respectfully requested: HCR 3014, HCR 3015, HCR 3016.

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

MR. PRESIDENT: The House accedes to the Senate request to return SB 2150 and SB 2204.

## MOTION

REP. R. ANDERSON MOVED that the House waive the reading of the title to HB 1069, which motion prevailed.

## SECOND READING OF HOUSE BILLS

HB 1069: A BILL for an Act to create and enact section 16.1-12-02.1 of the North Dakota Century Code, relating to certificates of nomination on no-party ballots; to amend and reenact subsection 9 of section 2-06-10, subsection 1 of section 4-33-11, sections 5-02-05, 11-04-01, 11-04-02, 11-04-03, 11-04-12, 11-05-02, 11-05-03, 11-05-04, 11-05-18, 11-07-03.1, 11-07-06, 11-08-02, 11-09-02, 11-09-02.1, 11-09-48, 11-09.1-03, subsection 3 of section 11-09.1-05, sections 11-09.1-06, 11-10-02, subsection 2 of section 11-11-53, sections 11-12-01, 11-28.3-02, 11-31-01.1, 12.1-14-02, 15-28-03, 16.1-01-02, 16.1-01-02.1, 16.1-01-03, 16.1-03-17, 16.1-05-01, 16.1-05-03, 16.1-05-05, 16.1-06-05, 16.1-06-08, 16.1-06-09, subsection 2 of section 16.1-06-13, subsection 2 of section 16.1-06-14, subsection 1 of section 16.1-07-01, sections 16.1-07-03, 16.1-07-04, 16.1-07-05, subsection 2 of section 16.1-07-06, subsection 2 of section 16.1-08-01, subsection 1 of section 16.1-08.1-01, sections 16.1-08.1-02, 16.1-08.1-04, 16.1-09-02, 16.1-10-06.1, 16.1-12-01, 16.1-13-13, 16.1-13-22, 16.1-15-01, 16.1-15-12, 16.1-15-32, 16.1-15-35, 16.1-15-42, 16.1-16-01, 16.1-16-02, 23-30-02, subsection 5 of section 23-30-11, sections 27-07.1-02, 39-01-04, 40-05.1-04, 40-21-02, 40-21-03, 46-05-05, 46-06-03, 46-06-04, 57-17-02, 57-17-03, and 61-24-03 of the North Dakota Century Code, relating to primary elections; and to repeal chapter 16.1-11, sections 16.1-12-09, 16.1-13-06, 16.1-15-21, 16.1-15-22, 16.1-15-23, 16.1-15-40, 46-06-05, and 61-24-03.1 of the North Dakota Century Code, relating to primary elections.

## ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 29 YEAS, 75 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Aas; Anderson, R.; Belter; Bernstein; Clayburgh; DeMers, J; Dorso; Frey; Gerntholz; Hanson, L.; Haugen; Lindgren; Murphy; Myrdal; Nelson; Nicholas; Olson, A.; Olson, V.; Payne; Schmidt; Schneider; Shockman; Skjerven; Solberg; Timm; Tokach; Tollefson; Vander Vorst; Williams, W.

NAYS: Aarsvold; Anderson, B.; Berg, G.; Berg, R.; Brokaw; Carlson; Christman; Dalrymple; DeMers, P; Enget; Flaagan; Gates; Gerhardt; Gerl; Gilmore; Goetz; Gorman; Graba; Gunsch; Halmrast; Haugland; Hausauer, A.; Hausauer, R.; Hoffner; Hokana; Howard; Huether; Jensen; Kaldor; Kelly; Kingsbury; Kloubec; Knell; Kolbo; Kouba; Lang; Larson, D.; Larson, R.; Laughlin; Marks; Martin; Martinson; Melby; Mertens; Ness; Nowatzki; O'Shea; Oban; Olsen, D.; Peterson; Ring; Rydell; Schatz; Scherber; Schindler; Shaft; Shide; Smette; Sorensen; Soukup; Starke; Stenehjem; Thompson, K.; Thompson, V.; Tomac; Trautman; Ulmer; Urlacher; Wald; Watne; Wentz; Whalen; Wilkie; Williams, A.; Speaker Kretschmar

ABSENT AND NOT VOTING: Hanson, O.; Stofferahn

HB 1069 lost.

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HB 1082: A BILL for an Act to amend and reenact subsection 1 of section 38-14.1-37 of the North Dakota Century Code, relating to small operator exemption.

#### 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; Gerhardt; Gerl; Gerntholz; Gilmore; Goetz; Gorman; Graba; Gunsch; Halmrast; Hanson, L.; 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; Murphy; 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; 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: Hanson, O.; Stofferahn

HB 1082 passed and the title was agreed to.

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HB 1109: A BILL for an Act to amend and reenact section 4-02.1-18 of the North Dakota Century Code, relating to audits of the state fair association.

#### 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, R.; Belter; Berg, G.; Berg, R.; Bernstein; Brokaw; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Enget; Flaagan; Frey; Gates; Gerhardt; Gerl; Gerntholz; Gilmore; Goetz; Gorman; Graba; Gunsch; Halmrast; Hanson, L.; 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; Murphy; 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; 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: Anderson, B.; Hanson, O.; Stofferahn

HB 1109 passed and the title was agreed to.

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HB 1118: A BILL for an Act to amend and reenact section 52-09-09 and subsection 9 of section 52-09-20 of the North Dakota Century Code, relating to rates of contributions and primary insurance benefits under the old-age and survivor insurance system.

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; Gerhardt; Gerl; Gerntholz; Gilmore; Goetz; Gorman; Graba; Gunsch; Halmrast; Hanson, L.; 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; Murphy; 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; Skjervem; Smette; Solberg; Sorensen; Soukup; Starke; Stenehjem; 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: Hanson, O.; Stofferahn

HB 1118 passed and the title was agreed to.

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HB 1137: A BILL for an Act to amend and reenact subdivision d of subsection 1 of section 38-08-04 of the North Dakota Century Code, relating to the jurisdiction and authority of the industrial commission.

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; Gerhardt; Gerl; Gerntholz; Gilmore; Goetz; Gorman; Graba; Gunsch; Halmrast; Hanson, L.; 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; Murphy; 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; Skjervem; Smette; Solberg; Sorensen; Soukup; Starke; Stenehjem; 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: Hanson, O.; Stofferahn

HB 1137 passed and the title was agreed to.

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HB 1146: A BILL for an Act to amend and reenact section 6-09.10-06 of the North Dakota Century Code, relating to the interest subsidy revolving loan fund maintained at the Bank of North Dakota.

#### 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; Gerhardt; Gerl; Gerntholz; Gilmore; Goetz; Gorman; Graba; Gunsch; Halmrast; Hanson, L.; 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; Murphy; 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; 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: Hanson, O.; Stofferahn

HB 1146 passed and the title was agreed to.

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HB 1226: A BILL for an Act to designate July 3, 1989, as a public holiday in recognition of the North Dakota centennial.

#### 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; Gates; Gerhardt; Gerl; Gerntholz; Gilmore; Goetz; Gorman; Graba; Gunsch; Halmrast; Hanson, L.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hoffner; Hokana; Howard; Huether; Jensen; Kaldor; Kelly; Kingsbury; Kloubec; Knell; Kolbo; Kouba; Lang; Larson, D.; Larson, R.; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Murphy; 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; 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: Frey; Laughlin

ABSENT AND NOT VOTING: Hanson, O.; Stofferahn

HB 1226 passed and the title was agreed to.

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#### DOCTOR OF THE DAY SCHEDULE

January 16: Rodney Larson, M.D. - Minot  
January 17: Rodney Larson, M.D. - Minot  
January 18: David Rinn, M.D. - Minot  
January 19: None available at time of printing  
January 20: Herbert Wilson, M.D. - New Town

#### 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 be on the Thirteenth order of business, and at the conclusion of the Thirteenth order, the House stand adjourned until 1:00 p.m., Monday, January 16, 1989, which motion prevailed.

#### FIRST READING OF HOUSE BILLS

Reps. W. Williams, Christman, Ness introduced:

HB 1282: A BILL for an Act to amend and reenact subsection 3 of section 12.1-23-09 of the North Dakota Century Code, relating to prima facie evidence of theft in auction-related situations.

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

Reps. Gerl, J. DeMers introduced:

HB 1283: A BILL for an Act to amend and reenact subsection 33 of section 57-39.2-04, section 57-39.2-04.1, subsection 18 of section 57-40.2-04, and section 57-40.2-04.1 of the North Dakota Century Code, relating to removal of sales and use tax exemption for purchases of coffee, tea, cocoa, and certain bottled water.

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

Reps. Wilkie, P. DeMers, Gilmore, Gerntholz, Nowatzki introduced:

HB 1284: A BILL for an Act to amend and reenact sections 61-16.1-12.1, 61-16.1-18, and 61-16.1-19 of the North Dakota Century Code, relating to approval of proposed water projects.

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

Reps. Wilkie, Aarsvold and Sens. Freborg, Axtman introduced:

HB 1285: A BILL for an Act to amend and reenact sections 26.1-40-13, 26.1-40-14, and 26.1-40-15 of the North Dakota Century Code, relating to uninsured and underinsured motor vehicle insurance.

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

Reps. P. DeMers, J. DeMers and Sens. Axtman, Moore introduced:

HB 1286: A BILL for an Act to prohibit payment by the state of occupational or professional license fees on behalf of state officers and employees. Was read the first time and referred to the Committee on State and Federal Government.

Reps. W. Williams, J. DeMers introduced:

HB 1287: A BILL for an Act to amend and reenact section 35-05-01 of the North Dakota Century Code, relating to security agreements on crops. Was read the first time and referred to the Committee on Agriculture.

Reps. Rydell, Jensen, R. Berg, Scherber, Ulmer introduced:

HB 1288: A BILL for an Act to amend and reenact section 43-11-02 of the North Dakota Century Code, relating to exemptions from provisions governing cosmetologists.

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

Rep. Marks introduced:

HB 1289: A BILL for an Act to create and enact a new section to chapter 41-04 of the North Dakota Century Code, relating to reimbursement of erroneous overdraft service charges.

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

Reps. A. Olson, Kingsbury and Sen. Tallackson introduced:

HB 1290: A BILL for an Act to create and enact a new section to chapter 53-06.1 of the North Dakota Century Code, relating to limited approval to conduct games of chance by organizations that have not been in existence in this state for two years.

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

Reps. Graba, Starke introduced:

HB 1291: A BILL for an Act to amend and reenact subsection 8 of section 15-03-04 of the North Dakota Century Code, relating to types of legal investments by the board of university and school lands.

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

Reps. Gorman, Tomac, Shaft and Sen. D. Meyer introduced:

HB 1292: A BILL for an Act to create and enact a new section to chapter 53-06.1 of the North Dakota Century Code, relating to calcuttas as allowable games of chance; and to amend and reenact sections 53-06.1-07 and 53-06.1-07.1 of the North Dakota Century Code, relating to calcuttas as allowable games of chance.

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

Reps. Wald, Goetz and Sens. Waldera, David introduced:

HB 1293: A BILL for an Act to amend and reenact section 28-20-15 of the North Dakota Century Code, relating to affidavits of identification required for filing money judgments or orders for child support.

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

Rep. R. Berg introduced:

HB 1294: A BILL for an Act to create and enact a new section to chapter 26.1-29 of the North Dakota Century Code, relating to payment to a mortgagee by an insurance company; and to repeal section 26.1-29-29 of

the North Dakota Century Code, relating to an act of a mortgagor avoiding insurance.

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

Reps. Gilmore, Kolbo, Haugland and Sens. O'Connell, Richard, Lips introduced:  
HB 1295: A BILL for an Act to create and enact a new section to chapter 43-11 of the North Dakota Century Code, relating to the use of brush rollers by licensed cosmetologists.

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

Reps. G. Berg, Shockman introduced:

HB 1296: A BILL for an Act to create and enact a new section to chapter 20.1-02 and a new subsection to section 20.1-03-04 of the North Dakota Century Code, relating to control of migratory waterfowl predators; to amend and reenact subsection 1 of section 20.1-01-05, sections 20.1-01-08, 20.1-01-10, 20.1-03-03, subsection 3 of section 20.1-05-04, and sections 20.1-07-03 and 20.1-07-05 of the North Dakota Century Code, relating to control of migratory waterfowl predators; and to repeal sections 20.1-01-09 and 20.1-07-03.1 of the North Dakota Century Code, relating to taking raccoon and the use of snares in taking coyotes.

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

Reps. Whalen, Wald, Skjerven and Sens. Todd, Krauter introduced:

HB 1297: A BILL for an Act to provide for cleanup of petroleum spills through the establishment of a petroleum release compensation fund; and to provide a continuing appropriation.

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

Reps. R. Larson, Ulmer, Gerl and Sens. Stenehjem, Todd introduced:

HB 1298: A BILL for an Act to amend and reenact subsections 3 and 4 of section 19-02.1-14.1 of the North Dakota Century Code, relating to selecting and dispensing generic drugs.

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

Rep. G. Berg introduced:

HB 1299: A BILL for an Act to create and enact a new section to chapter 20.1-04 of the North Dakota Century Code, relating to bounties for taking blackbirds.

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

Rep. A. Olson and Sen. O'Connell introduced:

HB 1300: A BILL for an Act to amend and reenact section 61-16.1-38 of the North Dakota Century Code, relating to permits for construction of dams, dikes, and other devices.

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

Rep. G. Berg introduced:

HB 1301: A BILL for an Act to amend and reenact section 24-06-26.3 and subdivision n of subsection 1 of section 38-14.1-14 of the North Dakota Century Code, relating to drainage permits; and to repeal section 61-31-09 and chapter 61-32 of the North Dakota Century Code, relating to drainage of wetlands and wetlands.

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

Reps. Wald, Solberg, Haugen and Sens. Maixner, Waldera, Yockim introduced:

HB 1302: A BILL for an Act to create and enact a new section to chapter 57-62 of the North Dakota Century Code, relating to an oil and gas impact grant fund to be used to offset negative impact from oil and gas development and funded by a portion of oil and gas gross production tax revenues; to amend and reenact subsection 1 of section 57-51-15 and section 57-62-06 of the North Dakota Century Code, relating to allocation of oil and gas gross production tax revenues and legislative intent and guidelines on oil and gas impact grants; and to provide a continuing appropriation.

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

Reps. Schmidt, Ulmer introduced:

HB 1303: A BILL for an Act to amend and reenact subsection 5 of section 16.1-12-02 of the North Dakota Century Code, relating to certificates of nomination by petition.

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

Reps. Tollefson, J. DeMers, Myrda1 and Sens. Holmberg, Schoenwald, Dotzenrod introduced:

HB 1304: A BILL for an Act to create and enact a new chapter to title 15 of the North Dakota Century Code, relating to establishing school districts on military installations; to amend and reenact section 15-27.1-02 of the North Dakota Century Code, relating to the application of the laws relating to annexation, reorganization, and dissolution of school districts; and to provide an effective date.

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

Reps. Graba, Skjerven, Brokaw introduced:

HB 1305: A BILL for an Act to amend and reenact subsection 2 of section 54-44-04.6 of the North Dakota Century Code, relating to the sale of state surplus property.

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

Rep. J. DeMers and Sen. Stenehjem introduced:

HB 1306: A BILL for an Act to amend and reenact section 15-47-27.1 of the North Dakota Century Code, relating to a modification of the procedure by which first-year teachers are evaluated and a determination is made as to the renewal or nonrenewal of first-year teacher contracts.

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

Rep. Wentz and Sen. J. Meyer introduced:

HB 1307: A BILL for an Act to adopt the Uniform Status of Children of Assisted Conception Act.

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

Reps. Starke, Graba introduced:

HB 1308: A BILL for an Act to create and enact a new section to chapter 6-06 of the North Dakota Century Code, relating to granting immunity from civil liability to credit union volunteers and members of the state credit union board.

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

Reps. Nowatzki, Melby, G. Berg and Sens. Wogsland, Nelson, O'Connell introduced:

HB 1309: A BILL for an Act to amend and reenact sections 61-32-03 and 61-32-07 of the North Dakota Century Code, relating to drainage permits and closing drains; and to repeal sections 61-32-01, 61-32-02, 61-32-04, 61-32-05, 61-32-06, 61-32-08, 61-32-09, and 61-32-10 of the North Dakota Century Code, relating to wetlands; and to provide a penalty.

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

Reps. Graba, Laughlin introduced:

HB 1310: A BILL for an Act to amend and reenact section 54-03-01.5 of the North Dakota Century Code, relating to legislative apportionment requirements.

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

Rep. Flaagan introduced:

HB 1311: A BILL for an Act to repeal section 30.1-14-05 of the North Dakota Century Code, relating to declination of informal probate.

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

Rep. R. Larson introduced:

HB 1312: A BILL for an Act to amend and reenact subsection 1 of section 6-03-47.2 of the North Dakota Century Code, relating to the investments of state banks.

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

Reps. Scherber, Soukup, Christman and Sens. Moore, Redlin, Yockim introduced:

HB 1313: A BILL for an Act to create and enact a new section to chapter 26.1-40 and two new sections to chapter 39-06 of the North Dakota Century Code, relating to operators' licenses and the denial of driving privileges of minors who commit offenses involving the possession, use, or abuse of alcohol or controlled substances and cancellation or adjustment of automobile insurance policies; to amend and reenact sections 5-01-08.1, 5-01-09, subsection 1 of section 39-06-33, and subsection 4 of section 39-06.1-10 of the North Dakota Century Code, relating to misrepresentation of age for the purpose of obtaining alcoholic beverages, unlawful delivery of alcoholic beverages, hearings on suspension or revocation of operators' licenses, and disposition of traffic offenses; and to provide a penalty.

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

Reps. Flaagan, Starke, Enget and Sen. Wogsland introduced:

HB 1314: A BILL for an Act to create and enact a new section to chapter 57-15 and a new subsection to section 57-15-06.7 of the North Dakota Century Code, relating to a county levy for support of a sheriff's office.

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

Reps. Flaagan, V. Olson, Marks introduced:

HB 1315: A BILL for an Act to create and enact a new section to chapter 4-12.2 of the North Dakota Century Code, relating to notice of apiaries located near public highways.

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

Rep. J. DeMers introduced:

HB 1316: A BILL for an Act to amend and reenact subsections 1 and 4 of section 47-16-07.1 of the North Dakota Century Code, relating to security deposits.

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

Reps. Graba, Skjerven, Carlson introduced:

HB 1317: A BILL for an Act to amend and reenact subsection 23 of section 57-15-10 and section 57-15-48 of the North Dakota Century Code, relating to limitations on city tax levies for emergency purposes; and to provide an effective date.

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

Reps. Oban, Tokach, Hokana and Sens. Richard, Ingstad introduced:

HB 1318: A BILL for an Act to amend and reenact section 57-36-10 of the North Dakota Century Code, relating to the discount allowed to licensed distributors on purchases of tobacco products tax stamps.

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

Reps. Skjerven, Graba and Sen. Lodoen introduced:

HB 1319: A BILL for an Act to provide an effective date for laws enacted by the legislative assembly which fiscally affect political subdivisions.

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

#### FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

Reps. G. Berg, Peterson introduced:

HCR 3018: A concurrent resolution urging the Board on Geographic Names to recommend that the Secretary of the Interior change the name of Lake Audubon to Lake Sivert Thompson.

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

Reps. Marks, Knell introduced:

HCR 3019: A concurrent resolution for the amendment of sections 3 and 4 of article IV of the Constitution of North Dakota, relating to the terms of legislative assembly members; and to provide an effective date.

Was read the first time and referred to the Committee on Joint Constitutional Revision.

Reps. G. Berg, Kingsbury, Shockman and Sen. O'Connell introduced:

HCR 3020: A concurrent resolution directing the Legislative Council to study the interbasin transfer of biota, waterfowl diseases, waterfowl wastes, and the possibility of moving Missouri River water to the James, Sheyenne, Souris, and Red Rivers.

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

Reps. Rydell, Sorensen introduced:

HCR 3021: A concurrent resolution urging employers to provide employment opportunities for older workers.

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

Rep. Goetz and Sen. Tallackson introduced:

HCR 3022: A concurrent resolution to create and enact a new section to article X of the Constitution of North Dakota to provide that the resources trust fund is a constitutional trust fund; to provide for

transfer of funds to the resources trust fund; and to provide an effective date.

Was read the first time and referred to the Committee on Joint Constitutional Revision.

#### FIRST READING OF SENATE BILLS

SB 2034: A BILL for an Act to amend and reenact section 54-40-01 of the North Dakota Century Code, relating to the joint issuance of bonds by counties or cities to finance equipment, roads, bridges, and road and bridge improvements.

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

SB 2091: A BILL for an Act to repeal sections 61-03-07 and 61-03-09 of the North Dakota Century Code, relating to the state engineer's duty to investigate coal-bearing lands and to investigate bridges and culverts.

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

SB 2092: A BILL for an Act to repeal chapter 61-19 of the North Dakota Century Code, relating to the construction of revetment works by the county commissioners.

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

SB 2107: A BILL for an Act to amend and reenact subsection 5 of section 61-28-02 of the North Dakota Century Code, relating to the definition of person in control, prevention, and abatement of pollution of surface waters.

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

SB 2132: A BILL for an Act to amend and reenact subsection 25 of section 39-01-01 of the North Dakota Century Code, relating to the definition of house car.

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

#### DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

THE SPEAKER ANNOUNCED that the following resolution was delivered to the Secretary of State for his filing at the hour of 1:30 p.m., January 13, 1989: HCR 3013.

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

ROY GILBREATH, Chief Clerk