

THIRTY-FIRST DAY

Bismarck, February 17, 1981

The House convened at 1:00 p. m., with Speaker Peterson presiding. Prayer was offered by Reverend Arland O. Fiske, Bethany Lutheran Church, Minot, North Dakota.

Roll was called and all members were present except Rep. Huwe. 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 Thirtieth day and recommends that the same be corrected as follows:

On page 870, after line 21, insert the Procedural Committee Report on enrolled bills as printed on page 872.

On page 872, delete the Procedural Committee Report on enrolled bills.

On page 894, line 38, delete the numeral "1:30" and insert in lieu thereof the numeral "1:00".

And when so corrected recommends that the same be approved.

Burney Steele Chairman

Rep. E. Pomeroy 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:

- House Bill No. 1076
- House Bill No. 1127
- House Bill No. 1196
- House Bill No. 1217
- House Bill No. 1261
- House Bill No. 1420
- House Bill No. 1438
- House Bill No. 1440
- House Bill No. 1458
- House Bill No. 1520
- House Bill No. 1610
- House Bill No. 1632

House Concurrent Resolution No. 3008

and find the same correctly } Engrossed


Chairman

Representative Matchie ^{Craig Richie} moved that the report be adopted, which motion prevailed, and the report was adopted.

SIGNING OF BILLS

The Honorable James Peterson
Speaker of the House
House Chambers
Bismarck, North Dakota 58505

Dear Mr. Speaker:

This is to inform you that on February 16, 1981, I signed the following House Bills:

- House Bill 1043
- House Bill 1123
- House Bill 1144

Sincerely,
ALLEN I. OLSON
Governor

MESSAGES FROM THE SENATE
Senate Chamber

Mr. Speaker: I have the honor to return herewith the following, which the Senate has passed unchanged:

- House Bill No. 1018
 - House Bill No. 1074
 - House Bill No. 1094
 - House Bill No. 1101
 - House Bill No. 1222
 - House Bill No. 1280
 - House Bill No. 1287
- Very Respectfully,

LEO LEIDHOLM, Secretary
Senate Chamber

Mr. Speaker: I have honor to transmit herewith the following, which the Senate has passed and your favorable consideration is requested on:

- Senate Bill No. 2028
 - Senate Bill No. 2256
 - Senate Bill No. 2271
 - Senate Bill No. 2330
 - Senate Bill No. 2382
 - Senate Bill No. 2408
 - Senate Bill No. 2426
 - Senate Bill No. 2428
 - Senate Concurrent Resolution No. 4009
 - Senate Concurrent Resolution No. 4032
 - Senate Concurrent Resolution No. 4039
 - Senate Concurrent Resolution No. 4040
 - Senate Concurrent Resolution No. 4042
 - Senate Concurrent Resolution No. 4043
 - Senate Concurrent Resolution No. 4044
 - Senate Concurrent Resolution No. 4045
- Very Respectfully,

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return herewith the following, which the Senate has failed to pass:

House Bill No. 1417
Very Respectfully,

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return herewith the following:

House Bill No. 1046
House Bill No. 1070
House Bill No. 1073
House Bill No. 1176
House Bill No. 1342

Which the President has signed.

LEO LEIDHOLM, Secretary

REPORT OF PROCEDURAL COMMITTEE

The committee on Enrollment and Engrossment respectfully reports that:

House Bill No. 1046

House Bill No. 1070

House Bill No. 1073

House Bill No. 1176

House Bill No. 1342

were delivered to the { Governor
Secretary of State for his approval at the hour of

3:22 o'clock p.m., February 17, 1981

Craig W. Fisher
Chairman.

MESSAGE TO THE SENATE
House Chamber

Mr. President: I have the honor to transmit herewith the following, which the House has passed and your favorable consideration is requested on:

House Bill No. 1014
House Bill No. 1024
House Bill No. 1184
House Bill No. 1197
House Bill No. 1227
House Bill No. 1249
House Bill No. 1373
House Bill No. 1374
House Bill No. 1392
House Bill No. 1429
House Bill No. 1444
House Bill No. 1447
House Bill No. 1489
House Bill No. 1501
House Bill No. 1547

House Bill No. 1561
 House Bill No. 1593
 House Bill No. 1615
 House Bill No. 1618
 House Bill No. 1637
 House Concurrent Resolution No. 3007
 House Concurrent Resolution No. 3010
 House Concurrent Resolution No. 3017
 House Concurrent Resolution No. 3018
 House Concurrent Resolution No. 3025
 House Concurrent Resolution No. 3030
 House Concurrent Resolution No. 3037
 House Concurrent Resolution No. 3039
 House Concurrent Resolution No. 3040
 House Concurrent Resolution No. 3042

ROY GILBREATH, Chief Clerk

MOTIONS

Rep. Lang moved that House Bill No. 1576 be laid over one legislative day, which motion prevailed.

Rep. Strinden moved that House Bill No. 1394 be returned to the House from the Committee on Finance and Taxation for the purpose of withdrawal, which motion prevailed.

Rep. Strinden requested permission to withdraw House Bill No. 1394, which request was granted.

Rep. Richard moved that House Bill No. 1310 be returned to the House from the Committee on Finance and Taxation for the purpose of withdrawal, which motion prevailed.

Rep. Richard requested permission to withdraw House Bill No. 1310, which request was granted.

Rep. Strinden moved that that portion of House Rule No. 507 pertaining to the deadline by which all House Bills and Resolutions must be reported back to the House from committee be suspended, and that for those bills and resolutions other than those in House Appropriations Committee that the date be extended from the 31st Legislative Day, February 17, 1981, to 12:00 Noon, the 32nd Legislative Day, February 18, 1981, which motion prevailed.

Rep. Strinden moved that that portion of House Rule No. 507 pertaining to the deadline by which all House Bills and Resolutions must be reported back to the House from committee be suspended, and that for those bills and resolutions in House Appropriations Committee that the date be extended from the 31st Legislative Day, February 17, 1981, to 2:00 p.m., the 32nd Legislative Day, February 18, 1981, which motion prevailed.

SIXTH ORDER OF BUSINESS

Rep. Wagner moved that the amendments to House Bill No. 1003 as recommended by the Committee on Appropriations as printed on pages 894 through 896 of the House Journal be adopted, which motion prevailed.

Rep. Wagner moved that the amendments to House Bill No. 1035 as recommended by the Committee on Appropriations as printed on pages 896 and 897 of the House Journal be adopted, which motion prevailed.

Rep. Wagner moved that the amendments to House Bill No. 1038 as recommended by the Committee on Appropriations as printed on pages 897 through 899 of the House Journal be adopted, which motion prevailed.

Rep. Wagner moved that the amendments to House Bill No. 1049 as

recommended by the Committee on Appropriations as printed on pages 900 and 901 of the House Journal be adopted, which motion prevailed.

Rep. Kloubec moved that the amendments to House Bill No. 1190 as recommended by the Committee on Natural Resources as printed on pages 902 and 903 of the House Journal be adopted, which motion prevailed.

Rep. Wagner moved that the amendments to House Bill No. 1365 as recommended by the Committee on Appropriations as printed on pages 904 through 906 of the House Journal be adopted.

Rep. Strinden moved a substitute motion that the amendments to House Bill No. 1365 not be adopted, which motion prevailed.

The amendments to House Bill No. 1365 were declared lost.

Rep. Wagner moved that the amendments to House Bill No. 1386 as recommended by the Committee on Appropriations as printed on page 906 of the House Journal be adopted, which motion prevailed.

Rep. Timm moved that the amendments to House Bill No. 1396 as recommended by the Committee on Transportation as printed on page 907 of the House Journal be adopted, which motion prevailed.

Rep. Timm moved that the amendments to House Bill No. 1404 as recommended by the Committee on Transportation as printed on page 907 of the House Journal be adopted, which motion prevailed.

Rep. Lang moved that the amendments to House Bill No. 1504 as recommended by the Committee on Political Subdivisions as printed on page 908 of the House Journal be adopted, which motion prevailed.

Rep. Conmy moved that the amendments to House Bill No. 1516 as recommended by the Committee on Judiciary as printed on pages 909 and 910 of the House Journal be adopted, and when so adopted recommends that House Bill No. 1516 be placed on the calendar without recommendation.

MOTION

Rep. Unhjem moved that the amendments to House Bill No. 1516 be laid on the table, which motion prevailed.

Rep. Strinden requested a verification vote, which request was granted.

The motion to lay the amendments on the table carried.

Rep. Conmy moved that the amendments to House Bill No. 1554 as recommended by the Committee on Judiciary as printed on pages 910 through 913 of the House Journal be adopted.

MOTIONS

Rep. Vig moved that the amendments to House Bill No. 1554 be laid on the table.

Rep. Strinden requested a verification roll call vote, which request was granted.

The motion to lay the amendments on the table was lost.

The question then was on Rep. Conmy's motion to adopt the amendments, which motion prevailed.

Rep. Wagner moved that the amendments to House Bill No. 1563 as recommended by the Committee on Appropriations as printed on pages 913 and 914 of the House Journal be adopted, which motion prevailed.

Rep. Timm moved that the amendments to House Bill No. 1592 as recommended by the Committee on Transportation as printed on pages 914 and 915 of the House Journal be adopted, which motion prevailed.

MOTION

Rep. Unhjem moved that the House reconsider its action whereby the amendments to House Bill No. 1516 were laid on the table, and that this motion be laid on the table, which motion prevailed.

SIXTH ORDER OF BUSINESS

Rep. Rued moved that the amendments to House Bill No. 1594 as recommended by the Committee on Industry, Business and Labor as printed on pages 915 through 917 of the House Journal be adopted, which motion prevailed.

Rep. Timm moved that the amendments to House Bill No. 1595 as recommended by the Committee on Transportation as printed on page 917 of the House Journal be adopted, which motion prevailed.

Rep. Lang moved that the amendments to House Bill No. 1604 as recommended by the Committee on Political Subdivisions as printed on page 918 of the House Journal be adopted, which motion prevailed.

Rep. Nicholas moved that the amendments to House Bill No. 1630 as recommended by the Committee on Agriculture as printed on page 918 of the House Journal be adopted, which motion prevailed.

Rep. Timm moved that the amendments to House Bill No. 1638 as recommended by the Committee on Transportation as printed on page 919 of the House Journal be adopted, which motion prevailed.

Rep. Haugland moved that the amendments to House Concurrent Resolution No. 3022 as recommended by the Committee on Social Services and Veterans Affairs as printed on pages 919 and 920 of the Journal be adopted, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1251. -- A Bill for an Act to amend and reenact section 5-01-06 of the North Dakota Century Code, relating to recovery of damages resulting from intoxication.

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 ayes, 65; nays, 33; absent and not voting 2.

REGULAR SESSION									1981 LEGISLATURE								
YEAS			N-V			NAYS			YEAS			N-V			NAYS		
ROLL CALL																	
• ANDERSON, C. #7				• HOFFNER				• METZ				• THOMPSON					
• ANDERSON, R. #36				• HORGAN				• MEYER				• TIMM					
• BACKES		•		• HOUMANN				• MOORE				• UNHJEM	•				
• BERG		•		• HUGHES				• MOUM				• VANDER VORST					
• BERGER				• HUWE	•			• MURPHY				• VIG					
• BLACK				• JACOBSEN, R.				• MUSHIK				• WAGNER					
• BOYUM		•		• JACOBSON, I.				• NAGEL				• WALD					
• BROKAW				• KELLY				• NICHOLAS				• WENTZ				•	
• CONNY				• KENT				• OLAFSON				• WHALEN					
• CRABTREE				• KINGSBURY				• OLSEN				• ZIMBLEMAN					
• DICK				• KLOUBEC				• OLSON, A. #11									
• DIETZ				• KNUDSON				• OLSON, D. #13				• MR. SPEAKER					
• DOTZENROD				• KOLAND				• OPEDAHL									
• DuBORD				• KOSKI				• PELTIER									
• EAGLES				• KRETSCHMAR				• PETERSON									
• FREBORG		•		• KUCHERA				• POMEROY, E. #24									
• GATES		•		• LANG				• POMEROY, G. #42									
• GERL				• LARSON, B. #12													
• GOETZ				• LARSON, G. #29				• REED									
• GORDER				• LARSON, H. #7				• REITEN									
• GUNDERSON		•		• LIPSEA				• RETZER									
• GUNSCH				• MARSDEN				• RICE									
• HANSON, L. #48				• MARTIN				• RICHARD									
• HANSON, O. #3				• MARTINSON				• RIEHL									
• HAUGLAND		•		• MATCHIE				• RUED									
• HAUSAUER, A. #49				• MATHENY				• SCHINDLER								•	
• HAUSAUER, R. #25				• MATTSON				• SOLBERG									
• HEDSTROM				• MEIERS				• SORUM									
• HEIGAARD		•		• MELBY				• STRINDEN									
• HILL		•		• MERTENS				• SWIONTEK									

So the bill passed and the title was agreed to.

House Bill No. 1033. -- A Bill for an Act making an appropriation for defraying the expenses of the parks and recreation department of the state of North Dakota.

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 ayes, 79; nays, 19; absent and not voting 2.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• ANDERSON, C. #7			• HOFFNER			• METZ			• THOMPSON		
• ANDERSON, R. #34			• HORGAN		•	• MEYER			• TIMM		
• BACKES	•		• HOUMANN			• MOORE			• UNHJEM		
• BERG			• HUGHES			• MOUN			• VANDER VORST		
• BERGER	•		• HUWE			• MURPHY			• VIG		
• BLACK			• JACOBSEN, R.			• MUSHIK			• WAGNER		
• BOYUM			• JACOBSON, I.	•		• NAGEL			• WALD		
• BROKAW	•		• KELLY			• NICHOLAS			• WENTZ		
• CONMY			• KENT			• OLAFSON			• WHALEN		
• CRABTREE			• KINGSBURY			• OLSEN			• ZIMBLEMAN		
• DICK			• KLOUBEC			• OLSON, A. #11					
• DIETZ			• KNUDSON			• OLSON, D. #13			• MR. SPEAKER		
• DOTZENROD			• KOLAND			• OPEDAHN		•			
• DUBORD			• KOSKI			• PELTIER					
• EAGLES			• KRETSCHMAR			• PETERSON					
• FREBORG			• KUCHERA			• POMEROY, E. #24					
• GATES			• LANG			• POMEROY, G. #42					
• GERL			• LARSON, B. #12	•		• REED					
• GOETZ			• LARSON, G. #29			• REITEN					
• GORDER			• LARSON, H. #7			• RETZER					
• GUNDERSON			• LIPSIEA			• RICE					
• GUNSCH			• MARSDEN			• RICHARD		•			
• HANSON, L. #48	•		• MARTIN			• RICHIE					
• HANSON, O. #7			• MARTINSON			• RIEHL					
• HAUGLAND			• MATCHIE			• ROLAND					
• HAUSAUER, A. #49			• MATHEWY			• SCHINDLER		•			
• HAUSAUER, R. #15			• MATTSON			• SOLBERG					
• HEDSTROM			• MEIERS			• SORUM					
• HEIGAARD	•		• MELBY	•		• STRINDEK					
• HILL			• MERTENS			• SWINTEK					

So the bill passed and the title was agreed to.

House Bill No. 1092. — A Bill for an Act to amend and reenact subsection 2 of section 15-40.1-06 and section 15-40.1-16 of the North Dakota Century Code, relating to state support for elementary and secondary education to approximately seventy percent; and to repeal section 15-08-01.1 and subdivision c of subsection 3 of section 15-40.1-06 of the North Dakota Century Code, relating to oil and gas bonus payments distributed among schools.

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 ayes, 72; nays, 24; absent and not voting 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• ANDERSON, C. #7			• HOFFNER			• METZ			• THOMPSON		
• ANDERSON, R. #34			• HORGAN		•	• MEYER			• TIMM		
• BACKES	•		• HOUMANN			• MOORE			• UNHJEM		
• BERG			• HUGHES			• MOUN			• VANDER VORST		
• BERGER	•		• HUWE			• MURPHY			• VIG		
• BLACK			• JACOBSEN, R.			• MUSHIK			• WAGNER		
• BOYUM			• JACOBSON, I.	•		• NAGEL			• WALD		
• BROKAW	•		• KELLY			• NICHOLAS			• WENTZ		
• CONMY			• KENT			• OLAFSON			• WHALEN		
• CRABTREE			• KINGSBURY			• OLSEN			• ZIMBLEMAN		
• DICK			• KLOUBEC			• OLSON, A. #11					
• DIETZ			• KNUDSON			• OLSON, D. #13			• MR. SPEAKER		
• DOTZENROD			• KOLAND			• OPEDAHN		•			
• DUBORD	•		• KOSKI			• PELTIER					
• EAGLES			• KRETSCHMAR			• PETERSON					
• FREBORG			• KUCHERA			• POMEROY, E. #24					
• GATES			• LANG			• POMEROY, G. #42					
• GERL	•		• LARSON, B. #12	•		• REED					
• GOETZ			• LARSON, G. #29			• REITEN					
• GORDER	•		• LARSON, H. #7			• RETZER					
• GUNDERSON			• LIPSIEA			• RICE					
• GUNSCH			• MARSDEN			• RICHARD		•			

● HANSON, L. #48	● MARTIN	● RICHIE
● HANSON, O. #3	● MARTINSON	● RIEHL
● HAUGLAND	● MATHIE	● RUED
● HAUSAUER, A. #49	● MATHENY	● SCHINDLER
● HAUSAUER, R. #25	● MATTONSON	● SOLBERG
● HEDSTROM	● MEIERS	● SORUM
● HEGAARD	● MELBY	● STRINDEN
● HILL	● MERTENS	● SWIONTEK

So the bill passed and the title was agreed to.

House Bill No. 1165. -- A Bill for an Act to amend and reenact 16.1-03-07 of the North Dakota Century Code, relating to organization of party district committees.

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 ayes, 96; nays, 2; absent and not voting 2.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● ANDERSON, C. #7			● HOFFNER			● METZ			● THOMPSON		
● ANDERSON, R. #36			● HORGAN			● MEYER			● TIMM		
● BACKES			● HOUHANN			● MOORE			● UNHJEM		
● BERG			● HUGHES			● MOUM			● VANDER VORST		
● BERGER			● HUWE	●		● MURPHY			● VIG		
● BLACK	●		● JACOBSEN, R.			● MUSHIK			● WAGNER		
● BOYUM			● JACOBSON, I.			● NAGEL			● WALD		
● BROKAW			● KELLY			● NICHOLAS			● WENTZ		
● CONMY			● KENT			● OLAFSON			● WHALEN		
● CRABTREE			● KINGSBURY			● OLSEN			● ZIMBLEMAN		
● DICK			● K LOUBEC			● OLSON, A. #11					
● DIETZ			● KNUDSON			● OLSON, D. #13			● MR. SPEAKER		
● DOTZENROD			● KOLAND			● OPEDAHL					
● DUBORD			● KOSKI			● PELTIER					
● EAGLES			● KRETSCHMAR			● PETERSON					
● FREDBORG			● KUCHERA			● POMEROY, E. #71					
● GATES			● LANG			● POMEROY, G. #42					
● GERL			● LARSON, B. #72			● REED					
● GOETZ			● LARSON, G. #29			● REITEN					
● GORDER			● LARSON, H. #7			● RETZER					
● GUNDERSON			● LIPSIEA			● RICE					
● GUNSCH			● MARSDEN			● RICHARD					
● HANSON, L. #48			● MARTIN			● RICHIE					
● HANSON, O. #3			● MARTINSON			● RIEHL					
● HAUGLAND			● MATHIE			● RUED					
● HAUSAUER, A. #49			● MATHENY			● SCHINDLER					
● HAUSAUER, R. #25			● MATTONSON			● SOLBERG					
● HEDSTROM			● MEIERS			● SORUM					
● HEGAARD			● MELBY			● STRINDEN					
● HILL			● MERTENS			● SWIONTEK					

So the bill passed and the title was agreed to.

House Bill No. 1180. -- A Bill for an Act to amend and reenact sections 39-06-30 and 39-07-11 of the North Dakota Century Code, relating to the finality of convictions for drivers license purposes and to reports of commission of traffic violations to the licensing authority.

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 ayes, 95; nays, 2; absent and not voting 2.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● ANDERSON, C. #7			● HOFFNER			● METZ			● THOMPSON		
● ANDERSON, R. #36			● HORGAN			● MEYER			● TIMM		
● BACKES			● HOUHANN			● MOORE			● UNHJEM		
● BERG			● HUGHES			● MOUM			● VANDER VORST		
● BERGER			● HUWE	●		● MURPHY			● VIG		
● BLACK			● JACOBSEN, R.			● MUSHIK			● WAGNER		
● BOYUM			● JACOBSON, I.			● NAGEL			● WALD		
● BROKAW			● KELLY			● NICHOLAS			● WENTZ		
● CONMY			● KENT			● OLAFSON			● WHALEN		
● CRABTREE			● KINGSBURY			● OLSEN			● ZIMBLEMAN		
● DICK			● K LOUBEC			● OLSON, A. #11	●				

• DIETZ	• KNUDSON	• OLSON, D. #13	• MR. SPEAKER
• DOTZENROD	• KOLAND	• OPEDAHL	
• DuBORD	• KOSKI	• PELTIER	
• EAGLES	• KRETSCHMAR	• PETERSON	
• FREBORG	• KUCHERA	• POWEROY, E. #74	
• GATES	• LANG	• POWEROY, G. #42	
• GERL	• LARSON, B. #12	• REED	
• GOETZ	• LARSON, G. #29	• REITEN	
• GORDER	• LARSON, H. #7	• RETZER	
• GUNDERSON	• LIPSIEA	• RICE	
• GUNSCH	• MARSDEN	• RICHARD	
• HANSON, L. #48	• MARTIN	• RICHIE	
• HANSON, O. #3	• MARTINSON	• RIEHL	
• HAUGLAND	• MATCHIE	• RUED	
• HAUSAUER, A. #49	• MATHENY	• SCHINDLER	
• HAUSAUER, R. #25	• MATTSOON	• SOLBERG	
• HEDSTROM	• MEIERS	• SORUM	
• HEIGAARD	• MELBY	• STRINDEN	
• HILL	• MERTENS	• SWIONTEK	

So the bill passed and the title was agreed to.

MOTION

Rep. Kretschmar moved that the House waive the reading of the title to House Bill No. 1340, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1340. — A Bill for an Act to create and enact a new section to chapter 61-16 of the North Dakota Century Code, relating to the assumption by water management districts of the assets and liabilities of county drain boards; and to repeal sections 61-21-03, 61-21-04, 61-21-05, 61-21-06, 61-21-07, 61-21-08, and 61-21-09 of the North Dakota Century Code, relating to boards of drainage commissioners; and to set a partial effective date.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 22; nays, 72; absent and not voting 6.

NORTH DAKOTA HOUSE OF REPRESENTATIVES														
REGULAR SESSION					ROLL CALL					1981 LEGISLATURE				
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• ANDERSON, C. #7		•	• HOFFNER		•	• METZ		•	• THOMPSON					
• ANDERSON, R. #36		•	• HORGAN		•	• MEYER		•	• TIMM		•			
• BACKES		•	• HOUMANN		•	• MOORE		•	• UNRHEM		•			
• BERG		•	• HUGHES		•	• MOUM		•	• VANDER VORST		•			
• BERGER		•	• HUWE		•	• MURPHY		•	• VIG		•			
• BLACK		•	• JACOBSEN, R.		•	• MUSHIK		•	• WAGNER		•			
• BOYUM		•	• JACOBSON, I.		•	• NAGEL		•	• WALD		•			
• BROKAW		•	• KELLY		•	• NICHOLAS		•	• WENTZ		•			
• CONMY		•	• KENT		•	• OLAFSON		•	• WHALEM		•			
• CRABTREE		•	• KINGSBURY		•	• OLSEN		•	• ZIMBLEMAN		•			
• DICK		•	• KLOUBEC		•	• OLSON, A. #11		•						
• DIETZ		•	• KNUDSON		•	• OLSON, D. #13		•	• MR. SPEAKER					
• DOTZENROD		•	• KOLAND		•	• OPEDAHL		•						
• DuBORD		•	• KOSKI		•	• PELTIER		•						
• EAGLES		•	• KRETSCHMAR		•	• PETERSON		•						
• FREBORG		•	• KUCHERA		•	• POWEROY, E. #74		•						
• GATES		•	• LANG		•	• POWEROY, G. #42		•						
• GERL		•	• LARSON, B. #12		•	• REED		•						
• GOETZ		•	• LARSON, G. #29		•	• REITEN		•						
• GORDER		•	• LARSON, H. #7		•	• RETZER		•						
• GUNDERSON		•	• LIPSIEA		•	• RICE		•						
• GUNSCH		•	• MARSDEN		•	• RICHARD		•						
• HANSON, L. #48		•	• MARTIN		•	• RICHIE		•						
• HANSON, O. #3		•	• MARTINSON		•	• RIEHL		•						
• HAUGLAND		•	• MATCHIE		•	• RUED		•						
• HAUSAUER, A. #49		•	• MATHENY		•	• SCHINDLER		•						
• HAUSAUER, R. #25		•	• MATTSOON		•	• SOLBERG		•						
• HEDSTROM		•	• MEIERS		•	• SORUM		•						
• HEIGAARD		•	• MELBY		•	• STRINDEN		•						
• HILL		•	• MERTENS		•	• SWIONTEK		•						

So the bill was declared lost.

House Bill No. 1451. -- A Bill for an Act to amend and reenact sections 36-05-09, 36-05-10, and 36-09-23 of the North Dakota Century Code, relating to livestock brand inspection in a specified area of the state.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 6; nays, 93; absent and not voting 1.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
ANDERSON, C. #7	•		HOFFNER	•		METZ	•		THOMPSON	•	
ANDERSON, R. #36	•		HORGAN	•		MEYER	•		TIMM	•	
BACKES	•		HOUWMANN	•		MOORE	•		UNHJEM	•	
BERG	•		HUGHES	•		MOUM	•		VANDER VORST	•	
BERGER	•		HUWE	•		MURPHY	•		VIG	•	
BLACK	•		JACOBSEN, R.	•		MUSHIK	•		WAGNER	•	
BOYUM	•		JACOBSON, I.	•		NAGEL	•		WALD	•	
BROKAW	•		KELLY	•		NICHOLAS	•		WENTZ	•	
CONMY	•		KENT	•		OLAFSON	•		WHALEN	•	
CRABTREE	•		KINGSBURY	•		OLSEN	•		ZIMBLEMAN	•	
DICK	•		KLOUBEC	•		OLSON, A. #11	•				
DIETZ	•		KNUDSON	•		OLSON, D. #13	•		MR. SPEAKER	•	
DOTZENROD	•		KOLAND	•		OPEDAHL	•				
DuBORD	•		KOSKI	•		PELTIER	•				
EAGLES	•		KRETSCHMAR	•		PETERSON	•				
FREBORG	•		KUCHERA	•		POMEROY, E. #24	•				
GATES	•		LANG	•		POMEROY, G. #42	•				
GERL	•		LARSON, B. #12	•		REED	•				
GOETZ	•		LARSON, G. #29	•		REITEN	•				
GORDER	•		LARSON, H. #7	•		RETZER	•				
GUNDERSON	•		LIPSIEA	•		RICE	•				
GUNSCH	•		MARSDEN	•		RICHARD	•				
HANSON, L. #48	•		MARTIN	•		RICHIE	•				
HANSON, O. #3	•		MARTINSON	•		RIEHL	•				
HAUGLAND	•		MATCHIE	•		RUED	•				
HAUSAUER, A. #49	•		MATHEHY	•		SCHINDLER	•				
HAUSAUER, R. #25	•		MATTSON	•		SOLBERG	•				
HEDSTROM	•		MEIERS	•		SORUM	•				
HEGAARD	•		MELBY	•		STRINDEN	•				
HILL	•		MERTENS	•		SWIONTEK	•				

So the bill was declared lost.

House Bill No. 1467. -- A Bill for an Act to create and enact a new section to chapter 54-35 of the North Dakota Century Code, relating to a legislative council science and technology program.

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 ayes, 63; nays, 36; absent and not voting 1.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• ANDERSON, C. #7			HOFFNER	•		• METZ			• THOMPSON		
ANDERSON, R. #36	•		HORGAN	•		• MEYER	•		• TIMM		
BACKES	•		• HOUWMANN			• MOORE	•		• UNHJEM		
BERG	•		• HUGHES			• MOUM	•		• VANDER VORST		
BERGER	•		• HUWE	•		• MURPHY	•		• VIG		
• BLACK			• JACOBSEN, R.			• MUSHIK	•		• WAGNER		
• BOYUM			• JACOBSON, I.	•		• NAGEL	•		• WALD		
• BROKAW			• KELLY	•		• NICHOLAS	•		• WENTZ		
• CONMY			• KENT	•		• OLAFSON	•		• WHALEN		
• CRABTREE	•		• KINGSBURY	•		• OLSEN	•		• ZIMBLEMAN		
• DICK			• KLOUBEC	•		• OLSON, A. #11	•				
• DIETZ			• KNUDSON	•		• OLSON, D. #13	•		• MR. SPEAKER		
• DOTZENROD	•		• KOLAND	•		• OPEDAHL	•				
• DuBORD	•		• KOSKI	•		• PELTIER	•				
• EAGLES			• KRETSCHMAR	•		• PETERSON	•				
• FREBORG			• KUCHERA	•		• POMEROY, E. #24	•				
• GATES			• LANG	•		• POMEROY, G. #42	•				
• GERL	•		• LARSON, B. #12	•		• REED	•				
• GOETT			• LARSON, G. #29	•		• REITEN	•				
• GORDER	•		• LARSON, H. #7	•		• RETZER	•				
• GUNDERSON			• LIPSIEA	•		• RICE	•				
• GUNSCH			• MARSDEN	•		• RICHARD	•				
• HANSON, L. #48	•		• MARTIN	•		• RICHIE	•				
• HANSON, O. #3	•		• MARTINSON	•		• RIEHL	•				
• HAUGLAND			• MATCHIE	•		• RUED	•				
• HAUSAUER, A. #49			• MATHEHY	•		• SCHINDLER	•				
• HAUSAUER, R. #25			• MATTSON	•		• SOLBERG	•				
• HEDSTROM			• MEIERS	•		• SORUM	•				
• HEGAARD	•		• MELBY	•		• STRINDEN	•				
• HILL			• MERTENS	•		• SWIONTEK	•				

So the bill passed and the title was agreed to.

House Bill No. 1492. — A Bill for an Act to create and enact a new section to chapter 15-40.1 of the North Dakota Century Code, relating to the establishment of an energy saving incentive program for state school districts.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 11; nays, 83; absent and not voting 6.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION						1981 LEGISLATURE					
ROLL CALL											
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
ANDERSON, C. #7		•	HOFFNER		•	METZ		•	THOMPSON		•
ANDERSON, R. #36		•	HORGAN		•	MEYER		•	TIMM		•
BACKES		•	HOUANN		•	MOORE		•	UNHJEM		•
BERG		•	HUGHES		•	MOUM		•	VANDER VORST		•
BERGER		•	HUWE		•	MURPHY		•	VIG		•
BLACK		•	JACOBSEN, R.		•	MUSHK		•	WAGNER		•
BOYUM		•	JACOBSON, I.		•	NAGEL		•	WALD		•
BROKAW		•	KELLY		•	NICHOLAS		•	WENTZ		•
COMMY		•	KENT		•	OLAFSON		•	WHALEN		•
CRABTREE		•	KINGSBURY		•	OLSEN		•	ZIMBLEMAN		•
DICK		•	KLOUBEC		•	OLSON, A. #11		•			
DIETZ		•	KNUDSON		•	OLSON, D. #13		•	MR. SPEAKER		•
DOTZENROD		•	KOLAND		•	OPEDAHL		•			
DUBORD		•	KOSKI		•	PELTIER		•			
EAGLES		•	KRETSCHMAR		•	PETERSON		•			
FREBORG		•	KUCHERA		•	POMEROY, E. #24		•			
GATES		•	LANG		•	POMEROY, G. #42		•			
GERL		•	LARSON, B. #12		•	REED		•			
GOETZ		•	LARSON, G. #29		•	REITEN		•			
GORDER		•	LARSON, H. #7		•	RETZER		•			
GUNDERSON		•	LIPSEA		•	RICE		•			
GUNSCH		•	MARSDEN		•	RICHARD		•			
HANSON, L. #48		•	MARTIN		•	RICHIE		•			
HANSON, O. #3		•	MARTINSON		•	RIEHL		•			
HAUGLAND		•	MATCHIE		•	RUED		•			
HAUSAUER, A. #9		•	MATHENY		•	SCHINDLER		•			
HAUSAUER, R. #25		•	MATTONSON		•	SOLBERG		•			
HEDSTROM		•	MEIERS		•	SORUM		•			
MEGAARD		•	MELBY		•	STRINDEN		•			
HILL		•	MERTENS		•	SWIONTEK		•			

So the bill was declared lost.

House Bill No. 1523. — A Bill for an Act to amend and reenact section 39-22-02, 39-22-03, and 39-22-05 of the North Dakota Century Code, relating to motorcycle dealers' licensing requirements; and to provide an effective date.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 38; nays, 57; absent and not voting 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION						1981 LEGISLATURE					
ROLL CALL											
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• ANDERSON, C. #7			• HOFFNER			METZ		•	THOMPSON		•
ANDERSON, R. #36		•	HORGAN		•	MEYER		•	TIMM		•
BACKES		•	HOUANN		•	MOORE		•	UNHJEM		•
BERG		•	HUGHES		•	MOUM		•	VANDER VORST		•
BERGER		•	HUWE		•	MURPHY		•	VIG		•
BLACK		•	JACOBSEN, R.		•	MUSHK		•	WAGNER		•
BOYUM		•	JACOBSON, I.		•	NAGEL		•	WALD		•
BROKAW		•	KELLY		•	NICHOLAS		•	WENTZ		•
COMMY		•	KENT		•	OLAFSON		•	WHALEN		•
CRABTREE		•	KINGSBURY		•	OLSEN		•	ZIMBLEMAN		•
DICK		•	KLOUBEC		•	OLSON, A. #11		•			
DIETZ		•	KNUDSON		•	OLSON, D. #13		•	MR. SPEAKER		•
• DOTZENROD		•	KOLAND		•	OPEDAHL		•			
DUBORD		•	KOSKI		•	PELTIER		•			
EAGLES		•	KRETSCHMAR		•	PETERSON		•			
FREBORG		•	KUCHERA		•	POMEROY, E. #24		•			
GATES		•	LANG		•	POMEROY, G. #42		•			
GERL		•	LARSON, B. #12		•	REED		•			
GOETZ		•	LARSON, G. #29		•	REITEN		•			
GORDER		•	LARSON, H. #7		•	RETZER		•			
GUNDERSON		•	LIPSEA		•	RICE		•			
GUNSCH		•	MARSDEN		•	RICHARD		•			
HANSON, L. #48		•	MARTIN		•	RICHIE		•			
HANSON, O. #3		•	MARTINSON		•	RIEHL		•			

HAUGLAND	•	•	MATCHIE	•	•	RUED	•
HAUSAUER, A. #49	•	•	MATHENY	•	•	SCHINDLER	•
HAUSAUER, R. #25	•	•	MATTSON	•	•	SOLBERG	•
HEDSTROM	•	•	MEIERS	•	•	SORUM	•
HEIGAARD	•	•	MELBY	•	•	STRINDEEN	•
HILL	•	•	MERTENS	•	•	SWIONTEK	•

So the bill was declared lost.

House Bill No. 1525. -- A Bill for an Act to amend and reenact section 47-16-39.1 of the North Dakota Century Code, relating to obligations of oil and gas producers to pay interest on unpaid royalties.

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 ayes, 95; nays, 0; absent and not voting 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION						ROLL CALL			1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• ANDERSON, C. #7			• HOFFNER			• METZ			• THOMPSON		
• ANDERSON, R. #36			• HORGAN			• MEYER			• TIMM		
• BACKES			• HOUMANN			• MOORE			• UNHJEM		
• BERG			• HUGHES			• MOUM			• VANDER VORST		
• BERGER			• HUWE	•		• MURPHY	•		• VIG		
• BLACK			• JACOBSEN, R.			• MUSHIK			• WAGNER		
• BOYUM			• JACOBSON, I.			• NAGEL			• WALD		
• BROKAW			• KELLY			• NICHOLAS			• WENTZ		
• CONMY			• KENT	•		• OLAFSON			• WHALEN		
• CRABTREE			• KINGSBURY			• OLSEN			• ZIMBLEMAN		
• DICK			• KLOUBEC			• OLSON, A. #11					
• DIETZ			• KNUDSON			• OLSON, D. #13			• MR. SPEAKER		
• DOTZENROD			• KOLAND			• OPEDAHL					
• DUROD			• KOSY			• PELTIER					
• EAGLES			• KRETSCHMAR			• PETERSON					
• FREBERG			• KUCHERA			• POMEROY, E. #24					
• GATES			• LANG			• POMEROY, G. #42					
• GERL			• LARSON, B. #12			• REED					
• GOETZ			• LARSON, G. #29			• REITEN					
• GORDER			• LARSON, H. #7			• RETZER					
• GUNDERSON			• LIPSIEA			• RICE					
• GUNSCHE			• MARSDEN			• RICHARD					
• HANSON, L. #48			• MARTIN			• RICHIE					
• HANSON, O. #3			• MARTINSON			• RIEHL					
• HAUGLAND			• MATCHIE			• RUED					
• HAUSAUER, A. #49			• MATHENY			• SCHINDLER					
• HAUSAUER, R. #25			• MATTSON			• SOLBERG					
• HEDSTROM			• MEIERS			• SORUM					
• HEIGAARD			• MELBY			• STRINDEEN					
• HILL			• MERTENS			• SWIONTEK					

So the bill passed and the title was agreed to.

House Bill No. 1549. -- A Bill for an Act to amend and reenact sections 57-54-14 and 57-54-19 of the North Dakota Century Code, relating to transferring a portion of motor fuel taxes collected to a state boat fund; to provide an appropriation; and to provide an effective date.

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 ayes, 38; nays, 54; absent and not voting 8.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION						ROLL CALL			1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• ANDERSON, C. #7			• HOFFNER			• METZ			• THOMPSON		
• ANDERSON, R. #36			• HORGAN			• MEYER			• TIMM		
• BACKES			• HOUMANN			• MOORE			• UNHJEM		
• BERG			• HUGHES			• MOUM			• VANDER VORST		
• BERGER			• HUWE	•		• MURPHY	•		• VIG		
• BLACK			• JACOBSEN, R.			• MUSHIK			• WAGNER		
• BOYUM			• JACOBSON, I.			• NAGEL			• WALD		
• BROKAW			• KELLY			• NICHOLAS			• WENTZ		
• CONMY			• KENT	•		• OLAFSON			• WHALEN		
• CRABTREE			• KINGSBURY			• OLSEN			• ZIMBLEMAN		

• DICK	• KLOUBEC	• OLSON, A. #11	•
• DIETZ	• KNUDSON	• OLSON, D. #13	• MR. SPEAKER
• DOTZENROD	• KOLAND	• OPEDAHL	
• DUBORD	• KOSKI	• PELTIER	
• EAGLES	• KRETSCHMAR	• PETERSON	
• FREBORG	• KUCHERA	• POMEROY, E. #24	
• GATES	• LANG	• POMEROY, G. #42	
• GERL	• LARSON, B. #12	• REED	
• GOETZ	• LARSON, G. #29	• REITEN	
• GORDER	• LARSON, H. #7	• RETZER	
• GUNDERSON	• LIPSIEA	• RICE	
• GUNSCHE	• MARSDEN	• RICHARD	
• HANSON, L. #48	• MARTIN	• RICHIE	
• HANSON, O. #7	• MARTINSON	• RIEHL	
• HAUGLAND	• MATCHIE	• RUED	
• HAUSAUER, A. #49	• MATHENY	• SCHINDLER	
• HAUSAUER, R. #25	• MATTSON	• SOLBERG	
• HEDSTROM	• MEIERS	• SORUM	
• HEGAARD	• MELBY	• STRINDEN	
• HILL	• WERTENS	• SWIONTEK	

So the bill was declared lost.

MOTION

Rep. Kretschmar moved that the House waive the reading of the title to House Bill No. 1551, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1551. — A Bill for an Act to create and enact a new section to chapter 54-24.2 of the North Dakota Century Code, relating to the definition of "other public funds" for purposes of state aid to public libraries; and to amend and reenact sections 40-38-02, 40-38-06, 40-38-08, 40-38-11, 54-24.2-04, and 54-24.2-05 of the North Dakota Century Code, relating to a library fund, vouchers, and donations for public library services; joint public library services by cities and counties; and maintenance of local effort and limitations for state aid to public libraries; and to declare an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 91; nays, 0; absent and not voting 9.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• ANDERSON, C. #7			• HOFFNER			• METZ			• THOMPSON		
• ANDERSON, R. #26			• HORGAN			• MEYER			• TIMM		
• BACKES			• HOUMANN			• MOORE			• UNHJEM		
• BERG			• HUGHES			• MOUM			• VANDER VORST		
• BERGER			• HUWE			• MURPHY			• VIG		
• BLACK			• JACOBSEN, R.			• MUSHIK			• WAGNER		
• BOYUM			• JACOBSON, I.			• NAGEL			• WALD		
• BROKAW			• KELLY			• NICHOLAS			• WENTZ		
• CONMY			• KENT			• OLAFSON			• WHALEN		
• CRABTREE			• KINGSBURY			• OLSEN			• ZIMBLEMAN		
• DICK			• KLOUBEC			• OLSON, A. #11					
• DIETZ			• KNUDSON			• OLSON, D. #13			• MR. SPEAKER		
• DOTZENROD			• KOLAND			• OPEDAHL					
• DUBORD			• KOSKI			• PELTIER					
• EAGLES			• KRETSCHMAR			• PETERSON					
• FREBORG			• KUCHERA			• POMEROY, E. #24					
• GATES			• LANG			• POMEROY, G. #42					
• GERL			• LARSON, B. #12			• REED					
• GOETZ			• LARSON, G. #29			• REITEN					
• GORDER			• LARSON, H. #7			• RETZER					
• GUNDERSON			• LIPSIEA			• RICE					
• GUNSCHE			• MARSDEN			• RICHARD					
• HANSON, L. #48			• MARTIN			• RICHIE					
• HANSON, O. #7			• MARTINSON			• RIEHL					
• HAUGLAND			• MATCHIE			• RUED					
• HAUSAUER, A. #49			• MATHENY			• SCHINDLER					
• HAUSAUER, R. #25			• MATTSON			• SOLBERG					
• HEDSTROM			• MEIERS			• SORUM					
• HEGAARD			• MELBY			• STRINDEN					
• HILL			• WERTENS			• SWIONTEK					

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

House Bill No. 1590. -- A Bill for an Act to amend and reenact section

15-38-17 of the North Dakota Century Code, relating to the teachers' professional practices commission.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 59; nays, 36; absent and not voting 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• ANDERSON, C. #7			• HOFFNER			• METZ			• THOMPSON		
• ANDERSON, R. #36			• HORGAN			• MEYER			• TIMM		
• BACKES		•	• HOUMANN			• MOORE			• UNHJEM		
• BERG		•	• HUGHES			• MOUM			• VANDER VORST		
• BERGER		•	• HUWE			• MURPHY			• VIG		
• BLACK		•	• JACOBSEN, R.			• MUSHIK			• WAGNER		
• BOYUM			• JACOBSON, I.			• NAGEL			• WALD		
• BROKAW		•	• KELLY			• NICHOLAS			• WENTZ		•
• CONNY			• KENT			• OLAPSON			• WHALEN		•
• CRABTREE			• KINGSBURY			• OLSEN			• ZIMBLEMAN		
• DICK			• KLOUBEC			• OLSON, A. #11					
• DIETZ			• KNUDSON			• OLSON, D. #13			• MR. SPEAKER		
• DOTZENROD			• KOLAND			• OPEDAHL					
• DUBORD		•	• KOSKI			• PELTIER					
• EAGLES			• KRETSCHMAR			• PETERSON					
• FREBORG			• KUCHERA			• POMEROY, E. #24					
• GATES		•	• LANG			• POMEROY, G. #42					
• GERL		•	• LARSON, B. #12			• REED					
• GOETZ			• LARSON, G. #29			• REITEN					
• GORDER			• LARSON, H. #7			• RETZER					
• GUNDERSON			• LIPSIEA			• RICE					
• GUNSCH			• MARSDEN			• RICHARD					
• HANSON, L. #48		•	• MARTIN			• RICHE					
• HANSON, O. #73			• MARTINSON			• RIEHL					
• HAUGLAND		•	• MATCHEE			• RUED					
• HAUSAUER, A. #49			• MATHENY			• SCHINDLER					
• HAUSAUER, R. #25			• MATTSON			• SOLBERG					
• HEDSTROM			• MEIERS			• SORUM					
• HEIGAARD			• MELBY			• STRINDEN					
• HILL		•	• MERTENS			• SWIONTEK					

So the bill passed and the title was agreed to.

MOTION

Rep. Hedstrom moved that the House reconsider its action whereby House Bill No. 1441 was passed, which motion prevailed.

SECOND READING OF HOUSE BILL

House Bill No. 1441. -- A Bill for an Act to amend and reenact section 5-01-06 of the North Dakota Century Code, relating to the recovery of damages resulting from intoxication, and providing for recovery of wrongful death damages.

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 ayes, 46; nays, 51; absent and not voting 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• ANDERSON, C. #7			• HOFFNER			• METZ			• THOMPSON		
• ANDERSON, R. #36			• HORGAN			• MEYER			• TIMM		
• BACKES		•	• HOUMANN			• MOORE			• UNHJEM		
• BERG		•	• HUGHES			• MOUM			• VANDER VORST		
• BERGER		•	• HUWE			• MURPHY			• VIG		
• BLACK		•	• JACOBSEN, R.			• MUSHIK			• WAGNER		
• BOYUM			• JACOBSON, I.			• NAGEL			• WALD		
• BROKAW			• KELLY			• NICHOLAS			• WENTZ		•
• CONNY			• KENT			• OLAPSON			• WHALEN		•
• CRABTREE			• KINGSBURY			• OLSEN			• ZIMBLEMAN		
• DICK			• KLOUBEC			• OLSON, A. #11					
• DIETZ			• KNUDSON			• OLSON, D. #13			• MR. SPEAKER		
• DOTZENROD			• KOLAND			• OPEDAHL					
• DUBORD		•	• KOSKI			• PELTIER					
• EAGLES			• KRETSCHMAR			• PETERSON					
• FREBORG			• KUCHERA			• POMEROY, E. #24					
• GATES		•	• LANG			• POMEROY, G. #42					

GERL	LARSON, B. #12	REED
GOETZ	LARSON, G. #29	REITEN
GORDER	LARSON, H. #7	RETZER
GUNDERSON	LIPSIEA	RICE
GUNSCH	MARSDEN	RICHARD
HANSON, L. #48	MARTIN	RICHIE
HANSON, O. #2	MARTINSON	RIEHL
HAUGLAND	MATCHIE	RUED
HAUSAUER, A. #49	MATHENY	SCHINDLER
HAUSAUER, R. #25	MATTON	SOLBERG
HEDSTROM	MEIERS	SORUM
HEGAARD	MELBY	STRINDEN
HILL	MERTENS	SWIONTEK

So the bill was declared lost.

MOTIONS

Rep. Strinden moved that House Bills Nos. 1047 and 1527 be laid over one legislative day, which motion prevailed.

Rep. Strinden moved that the House stand in recess for fifteen minutes, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1629. -- A Bill for an Act to amend and reenact sections 54-34.2-02, 54-34.2-03, 54-34.2-04, and 54-34.2-05 of the North Dakota Century Code, relating to the purpose and definitions applicable to the Indian development fund and development project eligibility and applications for funds.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 28; nays, 64; absent and not voting 8.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION						ROLL CALL			1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
ANDERSON, C. #7			HOFFNER			METZ			THOMPSON		
ANDERSON, R. #36			HORGAN			MEYER			TIMM		
BACKES			HUHMANN			MOORE			UNHJEM		
BERG			HUGHES			MOUM			VANDER VORST		
BERGER			HUWE			MURPHY			VIG		
BLACK			JACOBSEN, R.			MUSHIK			WAGNER		
BOYUM			JACOBSON, I.			NAGEL			WALD		
BROKAW			KELLY			NICHOLAS			WENTZ		
CONMY			KENT			OLAFSON			WHALEN		
CRABTREE			KINGSBURY			OLSEN			ZIMBLEMAN		
DICK			KLOUBEC			OLSON, A. #11					
DIETZ			KNUPSON			OLSON, D. #13			MR. SPEAKER		
DOTZENROD			KOLAND			OPREHAI					
DUBORD			KOSKI			PELTIER					
EAGLES			KRETSCHMAR			PETERSON					
FREBERG			KUCHERA			POWEROY, E. #24					
GATES			LANG			POWEROY, G. #42					
GERL			LARSON, B. #12			REED					
GOETZ			LARSON, G. #29			REITEN					
GORDER			LARSON, H. #7			RETZER					
GUNDERSON			LIPSIEA			RICE					
GUNSCH			MARSDEN			RICHARD					
HANSON, L. #48			MARTIN			RICHIE					
HANSON, O. #2			MARTINSON			RIEHL					
HAUGLAND			MATCHIE			RUED					
HAUSAUER, A. #49			MATHENY			SCHINDLER					
HAUSAUER, R. #25			MATTON			SOLBERG					
HEDSTROM			MEIERS			SORUM					
HEGAARD			MELBY			STRINDEN					
HILL			MERTENS			SWIONTEK					

So the bill was declared lost.

House Bill No. 1636. -- A Bill for an Act to provide an appropriation to the North Dakota industrial school to indemnify Mr. Robert Meyer of Solen, North Dakota, and Mr. Joseph Waliser of Selfridge, North Dakota, for property and other losses suffered due to the acts of residents of the North Dakota industrial school.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 40; nays, 52; absent and not voting 8.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
•			•			•					•
•	ANDERSON, C. #7		•	HOFFNER		•	METZ				•
•	ANDERSON, R. #36	•	•	HORGAN	•	•	MEYER	•			•
•	BACKES	•	•	HOUMANN	•	•	MOORE	•			•
•	BERG	•	•	HUGHES	•	•	MOUM	•			•
•	BERGER	•	•	HUWE	•	•	MURPHY	•	•		•
•	BLACK	•	•	JACOBSEN, R.	•	•	MUSHIK	•	•		•
•	BOYUM	•	•	JACOBSON, I.	•	•	NAGEL	•			•
•	BROKAW	•	•	KELLY	•	•	NICHOLAS	•			•
•	CONNY	•	•	KENT	•	•	OLAFSON	•			•
•	CRABTREE	•	•	KINGSBURY	•	•	OLSEN	•			•
•	DICK	•	•	KLOUBEC	•	•	OLSON, A. #11	•			•
•	DIETZ	•	•	KNUDSON	•	•	OLSON, D. #13	•			•
•	DOTZENROD	•	•	KOLAND	•	•	OPEDAHL	•			•
•	DUBORD	•	•	KOSKI	•	•	PELTIER	•			•
•	EAGLES	•	•	KRETSCHMAR	•	•	PETERSON	•			•
•	FREBORG	•	•	KUCHERA	•	•	POMEROY, E. #24	•			•
•	GATES	•	•	LANG	•	•	POMEROY, G. #42	•			•
•	GERL	•	•	LARSON, B. #12	•	•	REED	•			•
•	GOETZ	•	•	LARSON, G. #29	•	•	REITEN	•			•
•	GORDER	•	•	LARSON, H. #7	•	•	RETZER	•			•
•	GUNDERSON	•	•	LIPSIEA	•	•	RICE	•			•
•	GUNSCHE	•	•	MARTIN	•	•	RICHARD	•			•
•	HANSON, L. #48	•	•	MARTINSON	•	•	RICHIE	•			•
•	HANSON, O. #2	•	•	MATCHIE	•	•	RIEHL	•			•
•	HAUGLAND	•	•	MATHENY	•	•	RUED	•			•
•	HAUSAUER, A. #49	•	•	MATTSON	•	•	SCHINDLER	•			•
•	HAUSAUER, R. #25	•	•	MEIERS	•	•	SOLBERG	•			•
•	HEDSTROM	•	•	MELBY	•	•	SORUM	•			•
•	HEIGAARD	•	•	MERTENS	•	•	STRINDEN	•			•
•	HILL	•				•	SWIONTEK	•			•

So the bill was declared lost.

MOTION

Rep. Koland moved that the House reconsider its action whereby House Bill No. 1538 failed to pass, which motion failed on a verification vote.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution No. 3041. — A concurrent resolution urging continued discussion and cooperation among state agencies, federal agencies, and the interested public to resolve expeditiously the conflict over mitigation acreage for federally assisted development projects and develop an acceptable wildlife habitat preservation and management plan for the state.

Which has been read.

The question being on the final adoption of the resolution, so the House Concurrent Resolution No. 3041 was declared adopted on a voice vote.

SECOND READING OF HOUSE BILLS

House Bill No. 1055. — A Bill for an Act to amend and reenact subsection 1 of section 57-51-15 of the North Dakota Century Code to allocate a portion of the first one percent of the oil and gas gross production tax for use by the highway commissioner on secondary roads.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 10; nays, 81; absent and not voting 9.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
•			•			•					•
•	ANDERSON, C. #7		•	HOFFNER		•	METZ				•
•	ANDERSON, R. #36	•	•	HORGAN	•	•	MEYER	•			•
•	BACKES	•	•	HOUMANN	•	•	MOORE	•			•
•	BERG	•	•	HUGHES	•	•	MOUM	•			•
•	BERGER	•	•	HUWE	•	•	MURPHY	•	•		•
•	BLACK	•	•	JACOBSEN, R.	•	•	MUSHIK	•	•		•
•	BOYUM	•	•	JACOBSON, I.	•	•	NAGEL	•			•

BROKAW	•	KELLY	•	NICHOLAS	•	WENTZ	•
CONNY	•	KENT	•	OLAFSON	•	WHALEN	•
CRABTREE	•	KINGSBURY	•	OLSEN	•	ZIMBLEMAN	•
DICK	•	KLUOBEC	•	OLSON, A. #11	•		
DIETZ	•	KNUDSON	•	OLSON, D. #13	•	MR. SPEAKER	•
DOTZENROD	•	KOLAND	•	OPEDAH	•		
DuBORD	•	KOSKI	•	PELTIER	•		
EAGLES	•	KRETSCHMAR	•	PETERSON	•		
FREBERG	•	KUCHERA	•	POWEROY, E. #24	•		
GATES	•	LANG	•	POWEROY, G. #42	•		
GERL	•	LARSON, B. #12	•	REED	•		
GOETZ	•	LARSON, G. #29	•	REITEN	•		
GORDER	•	LARSON, H. #7	•	RETZER	•		
GUNDERSON	•	LIPSIEA	•	RICE	•		
GUNSCH	•	MARSDEN	•	RICHARD	•		
HANSON, L. #48	•	MARTIN	•	RICHIE	•		
HANSON, O. #3	•	MARTINSON	•	RIEHL	•		
HAUGLAND	•	MATCHIE	•	RUED	•		
HAUSAUER, A. #49	•	MATHENY	•	SCHINDLER	•		
HAUSAUER, R. #25	•	MATTSON	•	SOLBERG	•		
HEDSTROM	•	MEIERS	•	SORUM	•		
HEGAARD	•	MELBY	•	STRINDE	•		
HILL	•	MERTENS	•	SWIONTEK	•		

So the bill was declared lost.

House Bill No. 1056. — A Bill for an Act to amend and reenact subsection 2 of section 57-51-15 of the North Dakota Century Code to increase the monetary brackets for allocation of the oil and gas gross production tax.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 0; nays, 94; absent and not voting 6.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
ANDERSON, C. #7	•		HOFFNER	•		METZ	•		THOMPSON	•	
ANDERSON, R. #34	•		MORGAN	•		MEYER	•		TIMM	•	
BACKES	•		MUWMANN	•		MOORE	•		UNHJEM	•	
BERG	•		HUGHES	•		MOUM	•		VANDER VORST	•	
BERGER	•		HUWE	•		MURPHY	•		VIG	•	
BLACK	•		JACOBSEN, R.	•		MUSHIK	•		WAGNER	•	
BOYUM	•		JACOBSEN, I.	•		NAGEL	•		WALD	•	
BROKAW	•		KELLY	•		NICHOLAS	•		WENTZ	•	
CONNY	•		KENT	•		OLAFSON	•		WHALEN	•	
CRABTREE	•		KINGSBURY	•		OLSEN	•		ZIMBLEMAN	•	
DICK	•		KLUOBEC	•		OLSON, A. #11	•				
DIETZ	•		KNUDSON	•		OLSON, D. #13	•		MR. SPEAKER	•	
DOTZENROD	•		KOLAND	•		OPEDAH	•				
DuBORD	•		KOSKI	•		PELTIER	•				
EAGLES	•		KRETSCHMAR	•		PETERSON	•				
FREBERG	•		KUCHERA	•		POWEROY, E. #24	•				
GATES	•		LANG	•		POWEROY, G. #42	•				
GERL	•		LARSON, B. #12	•		REED	•				
GOETZ	•		LARSON, G. #29	•		REITEN	•				
GORDER	•		LARSON, H. #7	•		RETZER	•				
GUNDERSON	•		LIPSIEA	•		RICE	•				
GUNSCH	•		MARSDEN	•		RICHARD	•				
HANSON, L. #48	•		MARTIN	•		RICHIE	•				
HANSON, O. #3	•		MARTINSON	•		RIEHL	•				
HAUGLAND	•		MATCHIE	•		RUED	•				
HAUSAUER, A. #49	•		MATHENY	•		SCHINDLER	•				
HAUSAUER, R. #25	•		MATTSON	•		SOLBERG	•				
HEDSTROM	•		MEIERS	•		SORUM	•				
HEGAARD	•		MELBY	•		STRINDE	•				
HILL	•		MERTENS	•		SWIONTEK	•				

So the bill was declared lost.

House Bill No. 1057. -- A Bill for an Act to amend and reenact subsection 3 of section 57-51-15 of the North Dakota Century Code to change the allocation of that portion of the oil and gas gross production tax which goes to counties.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 2; nays, 94; absent and not voting 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1981 LEGISLATURE		

YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
ANDERSON, C. #7	•		HOFFNER	•		METZ	•		THOMPSON	•	
ANDERSON, R. #36	•		HORGAN	•		MEYER	•		TIMM	•	
BACKES	•		HOUWMANN	•		MOORE	•		UNHJEM	•	
BERG	•		HUGHES	•		MOUM	•		VANDER VORST	•	
BERGER	•		HUWE	•		MURPHY	•		VIG	•	
BLACK	•		JACOBSEN, R.	•		MUSHIK	•		WAGNER	•	
BOYUM	•		JACOBSON, I.	•		NAGEL	•		WALD	•	
BROKAW	•		KELLY	•		NICHOLAS	•		WENTZ	•	
CONMY	•		KENT	•		OLAFSON	•		WHALEN	•	
CRABTREE	•		KINGSBURY	•		OLSEN	•		ZIMBLEMAN	•	
DICK	•		KLOUBEC	•		OLSON, A. #11	•				
DIETZ	•		KNUDSON	•		OLSON, D. #13	•		MR. SPEAKER	•	
DOTZENROD	•		KOLAND	•		OPEDAHL	•				
DuBORD	•		KOSKI	•		PELTIER	•				
EAGLES	•		KRETSCHMAR	•		PETERSON	•				
FREBORG	•		KUCHERA	•		POMEROY, E. #24	•				
GATES	•		LANG	•		POMEROY, G. #42	•				
GERL	•		LARSON, B. #12	•		REED	•				
GOETZ	•		LARSON, G. #29	•		REITEN	•				
GORDER	•		LARSON, H. #7	•		RETZER	•				
GUNDERSON	•		LIPSIEA	•		RICE	•				
GUNSCH	•		MARSDEN	•		RICHARD	•				
HANSON, L. #48	•		MARTIN	•		RICHIE	•				
HANSON, O. #3	•		MARTINSON	•		RIEHL	•				
HAUGLAND	•		MATCHIE	•		RUED	•				
HAUSAUER, A. #49	•		MATHEHY	•		SCHINDLER	•				
HAUSAUER, R. #25	•		MATTSON	•		SOLBERG	•				
HEDSTROM	•		MEIERS	•		SORUM	•				
HEGAARD	•		MELBY	•		STRINDEN	•				
HILL	•		MERTENS	•		SWIONTEK	•				

So the bill was declared lost.

House Bill No. 1127. -- A Bill for an Act to prohibit campaign contributions by corporations, cooperative corporations, and associations; to repeal sections 16-20-05, 16-20-08, 16-20-09, 16-20-10, and 16-20-12 of the North Dakota Century Code, relating to campaign contributions by corporations and cooperative corporations; and to provide a penalty.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 90; nays, 5; absent and not voting 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
ANDERSON, C. #7	•		HOFFNER	•		METZ	•		THOMPSON	•	
ANDERSON, R. #36	•		HORGAN	•		MEYER	•		TIMM	•	
BACKES	•		HOUWMANN	•		MOORE	•		UNHJEM	•	
BERG	•		HUGHES	•		MOUM	•		VANDER VORST	•	
BERGER	•		HUWE	•		MURPHY	•		VIG	•	
BLACK	•		JACOBSEN, R.	•		MUSHIK	•		WAGNER	•	
BOYUM	•		JACOBSON, I.	•		NAGEL	•		WALD	•	
BROKAW	•		KELLY	•		NICHOLAS	•		WENTZ	•	
CONMY	•		KENT	•		OLAFSON	•		WHALEN	•	
CRABTREE	•		KINGSBURY	•		OLSEN	•		ZIMBLEMAN	•	
DICK	•		KLOUBEC	•		OLSON, A. #11	•				
DIETZ	•		KNUDSON	•		OLSON, D. #13	•		MR. SPEAKER	•	
DOTZENROD	•		KOLAND	•		OPEDAHL	•				
DuBORD	•		KOSKI	•		PELTIER	•				
EAGLES	•		KRETSCHMAR	•		PETERSON	•				
FREBORG	•		KUCHERA	•		POMEROY, E. #24	•				
GATES	•		LANG	•		POMEROY, G. #42	•				
GERL	•		LARSON, B. #12	•		REED	•				
GOETZ	•		LARSON, G. #29	•		REITEN	•				
GORDER	•		LARSON, H. #7	•		RETZER	•				
GUNDERSON	•		LIPSIEA	•		RICE	•				
GUNSCH	•		MARSDEN	•		RICHARD	•				
HANSON, L. #48	•		MARTIN	•		RICHIE	•				
HANSON, O. #3	•		MARTINSON	•		RIEHL	•				
HAUGLAND	•		MATCHIE	•		RUED	•				
HAUSAUER, A. #49	•		MATHEHY	•		SCHINDLER	•				
HAUSAUER, R. #25	•		MATTSON	•		SOLBERG	•				
HEDSTROM	•		MEIERS	•		SORUM	•				
HEGAARD	•		MELBY	•		STRINDEN	•				
HILL	•		MERTENS	•		SWIONTEK	•				

So the bill passed and the title was agreed to.

House Bill No. 1153. -- A Bill for an Act to amend and reenact subsection 1 of section 15-59-01 of the North Dakota Century Code, relating to the definition of an exceptional child.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 93; nays, 4; absent and not voting 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• ANDERSON, C. #7			• HOFFNER		•	• METZ			• THOMPSON		
• ANDERSON, R. #36			• HORGAN			• MEYER			• TIMM		
• BACKES			• HOUMANN			• MOORE			• UNHJEM		•
• BERG			• HUGHES		•	• MOUN	•		• VANDER VORST		
• BERGER			• HUWE		•	• MURPHY			• VIG		
• BLACK			• JACOBSEN, R.			• MUSHIK			• WAGNER		•
• BOYUM			• JACOBSON, I.		•	• NAGEL			• WALD		
• BROKAW			• KELLY			• NICHOLAS			• WENTZ	•	
• CONMY			• KENT			• OLAFSON			• WHALEN		
• CRABTREE			• KINGSBURY			• OLSEN			• ZIMBLEMAN		
• DICK			• KLOUBEC			• OLSON, A. #11					
• DIETZ			• KNUDSON			• OLSON, D. #13			• MR. SPEAKER		
• DOTZENROD			• KOLAND			• OPEDAHL					
• DuBORD			• KOSKI			• PELTIER					
• EAGLES			• KRETSCHMAR			• PETERSON					
• FREBERG			• KUCHERA			• POWERDY, E. #24					
• GATES			• LANG			• POWERDY, G. #42					
• GERL			• LARSON, B. #12		•	• REED					
• GOETZ			• LARSON, G. #29			• REITEN					
• GORDER			• LARSON, H. #7			• RETZER					
• GUNDERSON			• LIPSIEA			• RICE					
• GUNSCH			• MARSDEN			• RICHARD					
• HANSON, L. #48			• MARTIN			• RICHIE					
• HANSON, G. #3			• MARTINSON			• RIEHL					
• HAUGLAND			• MATCHIE		•	• RUED					
• HAUSAUER, A. #19			• MATHENY			• SCHINDLER					
• HAUSAUER, R. #25			• MATTSOON			• SOLBERG					
• HEDSTROM			• MEIERS			• SORUM					
• HEGAARD			• MELBY			• STRINDEN					
• HILL			• MERTENS			• SWIONTEK					

So the bill passed and the title was agreed to.

MOTION

Rep. Kretschmar moved that the House waive the reading of the title to House Bill No. 1160, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1160. — A Bill for an Act to create and enact a new subdivision to subsection 1 of section 57-38-01.2 of the North Dakota Century Code to provide for a reduction in North Dakota taxable income for payments by an individual for federal social security and self-employment taxes; to amend and reenact subdivision c of subsection 1 of section 57-38-01.2 of the North Dakota Century Code to delete references to federal social security and self-employment taxes; and to provide an effective date.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays 50; absent and not voting 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• ANDERSON, C. #7			• HOFFNER			• METZ			• THOMPSON		
• ANDERSON, R. #36			• HORGAN			• MEYER			• TIMM		•
• BACKES			• HOUMANN			• MOORE			• UNHJEM		•
• BERG			• HUGHES		•	• MOUN	•		• VANDER VORST		
• BERGER			• HUWE		•	• MURPHY			• VIG		
• BLACK			• JACOBSEN, R.			• MUSHIK			• WAGNER		•
• BOYUM			• JACOBSON, I.		•	• NAGEL			• WALD		
• BROKAW			• KELLY			• NICHOLAS			• WENTZ	•	
• CONMY			• KENT			• OLAFSON			• WHALEN		
• CRABTREE			• KINGSBURY			• OLSEN			• ZIMBLEMAN		
• DICK			• KLOUBEC			• OLSON, A. #11					
• DIETZ			• KNUDSON			• OLSON, D. #13			• MR. SPEAKER		
• DOTZENROD			• KOLAND			• OPEDAHL					
• DuBORD			• KOSKI			• PELTIER					
• EAGLES			• KRETSCHMAR			• PETERSON					
• FREBERG			• KUCHERA			• POWERDY, E. #24					

• GATES	• LANG	• POMEROY, G. #12
• GERL	• LARSON, B. #12	• REED
• GOETZ	• LARSON, G. #29	• REITEN
• GORDER	• LARSON, H. #7	• RETZER
• GUNDERSON	• LIPSIEA	• RICE
• GUNSCH	• MARSDEN	• RICHARD
• HANSON, L. #48	• MARTIN	• RICHIE
• HANSON, O. #3	• MARTINSON	• RIEHL
• HAUGLAND	• MATCHIE	• RUED
• HAUSAUER, A. #49	• MATHENY	• SCHINDLER
• HAUSAUER, R. #25	• MATTSON	• SOLBERG
• HEDSTROM	• MEIERS	• SORUM
• HEGAARD	• MELBY	• STRINDEN
• HILL	• MERTENS	• SWIONTEK

So the bill was declared lost.

MOTION

Rep. Kretschmar moved that the House waive the reading of the title to House Bill No. 1196, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1196. — A Bill for an Act to create and enact sections 54-17-07.3, 54-17-07.4, 54-17-07.5, 54-17-07.6, and 54-17-07.7 of the North Dakota Century Code, relating to the industrial commission acting as a state housing finance agency; a home mortgage finance program; a mobile home and manufactured housing finance program; a multifamily housing finance program; housing revenue bonds; allocation of housing revenue bonds; grants, contributions, loans, or other aid; and terms of loans; to amend and reenact sections 54-17-01, 54-17-07.1, and 54-17-07.2 of the North Dakota Century Code, relating to the industrial commission acting as a state housing finance agency; an advisory board; and to housing revenue bonds; and to declare an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 79; nays, 17; absent and not voting 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• ANDERSON, C. #7		•	• HOFFNER			• METZ					• THOMPSON
• ANDERSON, R. #38			• JORGAN			• MEYER			• TIMM		
• BACKES			• HOUMANN			• MOORE			• UNHJEM		
• BERG			• HUGHES			• MOUM			• VANDER VORST		
• BERGER			• HUWE			• MURPHY			• VIG		
• BLACK			• JACOBSEN, R.			• MUSHIK			• WAGNER		
• BOYUM			• JACOBSEN, I.			• NAGEL			• WALD		
• BROKAW			• KELLY			• NICHOLAS			• WENTZ		
• CONMY			• KENT			• OLAFSON			• WHALEN		
• CRABTREE			• KINGSBURY			• OLSEN			• ZIMBLEMAN		
• DICK			• KLOUBEC			• OLSON, A. #11					
• DIETZ			• KNUDSON			• OLSON, D. #13			• MR. SPEAKER		
• DOTZENROD			• KOLAND			• OPEDAHL					
• DUBORO			• KOSKI			• PELTIER					
• EAGLES			• KRETSCHMAR			• PETERSON					
• FREBORG			• KUCHERA			• POMEROY, E. #12					
• GATES			• LANG			• POMEROY, G. #12					
• GERL			• LARSON, B. #12			• REED					
• GOETZ			• LARSON, G. #29			• REITEN					
• GORDER			• LARSON, H. #7			• RETZER					
• GUNDERSON			• LIPSIEA			• RICE					
• GUNSCH			• MARSDEN			• RICHARD					
• HANSON, L. #48			• MARTIN			• RICHIE					
• HANSON, O. #3			• MARTINSON			• RIEHL					
• HAUGLAND			• MATCHIE			• RUED					
• HAUSAUER, A. #49			• MATHENY			• SCHINDLER					
• HAUSAUER, R. #25			• MATTSON			• SOLBERG					
• HEDSTROM			• MEIERS			• SORUM					
• HEGAARD			• MELBY			• STRINDEN					
• HILL			• MERTENS			• SWIONTEK					

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

House Bill No. 1217. — A Bill for an Act to amend and reenact sections 53-04-03, 53-04-04, and 53-04-06 of the North Dakota Century

Code, relating to the license requirements for amusement games or devices.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 77; nays, 14; absent and not voting 9.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● ANDERSON, C. #7			● HOFFNER			● METZ		●	● THOMPSON		
● ANDERSON, R. #34			● HORGAN			● MEYER	●		● THOM		
● BACKES			● MOUMANN			● MOORE		●	● UNHJEM		
● BERG			● HUGHES			● MOUM		●	● VANDER VORST		
● BERGER			● HUWE	●		● MURPHY		●	● VIG		
● BLACK			● JACOBSEN, R.			● MUSHIK			● WAGNER	●	
● BOYUM			● JACOBSON, I.			● NAGEL		●	● WALD	●	
● BROKAW		●	● KELLY			● NICHOLAS			● WENTZ	●	
● CONMY			● KENT		●	● OLAFSON			● WHALEN		
● CRABTREE			● KINGSBURY		●	● OLSEN			● ZIMBLEMAN		
● DICK			● KLOUBEC			● OLSON, A. #11					
● DIETZ			● KNUDSON			● OLSON, D. #13		●	● MR. SPEAKER		
● DOTZENROD			● KOLAND			● OPEDAHL					
● DUBORD			● KOSKI			● PELTIER					
● EAGLES			● KRETSCHMAR			● PETERSON					
● FREBORG			● KUCHERA			● POMEROY, E. #24					
● GATES			● LANG			● POMEROY, G. #42					
● GERL			● LARSON, B. #12			● REED					
● GOETZ			● LARSON, G. #29			● REITEN					
● GORDER		●	● LARSON, H. #7			● RETZER					
● GUNDERSON		●	● LIPSIEA			● RICE					
● GUNSCH			● MARS DEN			● RICHARD					
● HANSON, L. #48			● MARTIN			● RICHIE	●				
● HANSON, O. #7			● MARTINSON		●	● RUD.					
● HAUGLAND			● MATCHIE			● SCHINDLER					
● HAUSAUER, A. #49			● MATHENY			● SOLBERG					
● HAUSAUER, R. #15			● MATTSON			● SORUM		●			
● HEDSTROM			● MEIERS			● STRINDEN					
● MEIGAARD			● MELBY			● SWONTEK					
● HILL			● MERTENS								

So the bill passed and the title was agreed to.

House Bill No. 1244. -- A Bill for an Act to create and enact a new section to chapter 57-38 of the North Dakota Century Code, providing that individual income tax brackets be adjusted each year to prevent tax increases due solely to inflation.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 36; nays, 60; absent and not voting 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● ANDERSON, C. #7			● HOFFNER			● METZ		●	● THOMPSON		
● ANDERSON, R. #34			● HORGAN			● MEYER			● THOM		
● BACKES			● MOUMANN			● MOORE		●	● UNHJEM		
● BERG			● HUGHES			● MOUM		●	● VANDER VORST		
● BERGER			● HUWE	●		● MURPHY		●	● VIG		
● BLACK			● JACOBSEN, R.			● MUSHIK			● WAGNER	●	
● BOYUM			● JACOBSON, I.			● NAGEL		●	● WALD	●	
● BROKAW			● KELLY			● NICHOLAS			● WENTZ	●	
● CONMY			● KENT		●	● OLAFSON			● WHALEN		
● CRABTREE			● KINGSBURY		●	● OLSEN			● ZIMBLEMAN		
● DICK			● KLOUBEC			● OLSON, A. #11		●			
● DIETZ			● KNUDSON			● OLSON, D. #13		●	● MR. SPEAKER		
● DOTZENROD			● KOLAND			● OPEDAHL					
● DUBORD			● KOSKI			● PELTIER					
● EAGLES			● KRETSCHMAR			● PETERSON					
● FREBORG			● KUCHERA			● POMEROY, E. #24					
● GATES			● LANG			● POMEROY, G. #42					
● GERL			● LARSON, B. #12			● REED					
● GOETZ			● LARSON, G. #29			● REITEN					
● GORDER			● LARSON, H. #7			● RETZER					
● GUNDERSON			● LIPSIEA			● RICE					
● GUNSCH			● MARS DEN			● RICHARD					
● HANSON, L. #48			● MARTIN			● RICHIE					

HANSON, O. #7	•	MARTINSON	•	RIEHL	•
HAUGLAND	•	MATCHIE	•	RUED	•
HAUSAUER, A. #49	•	MATHENY	•	SCHINDLER	•
HAUSAUER, R. #25	•	MATTSON	•	SOLBERG	•
HEDSTRÖM	•	MEIERS	•	SORUM	•
HEGGAARD	•	MELBY	•	STRINDEN	•
HILL	•	MERTENS	•	SWIONTEK	•

So the bill was declared lost.

House Bill No. 1261. — A Bill for an Act to allow mobile home owners to locate storm shelters on the lots on which their mobile homes are located in mobile home parks and to provide for the ownership of mobile home storm shelters.

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 ayes, 36; nays, 60; absent and not voting 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
ANDERSON, C. #7	•		•	HOFFNER	•	METZ	•		•	THOMPSON	•
ANDERSON, R. #36	•		•	HORGAN	•	MEYER	•		•	TIMM	•
BACKES	•		•	HOUWMANN	•	MOORE	•		•	UNHJEM	•
BERG	•		•	HUGHES	•	MOUM	•		•	VANDER VORST	•
BERGER	•		•	HUWE	•	MURPHY	•		•	VIG	•
BLACK	•		•	JACOBSEN, R.	•	MUSHIK	•		•	WAGNER	•
BOYUM	•		•	JACOBSON, I.	•	NAGEL	•		•	WALD	•
BROKAW	•		•	KELLY	•	NICHOLAS	•		•	WENTZ	•
CONMY	•		•	KENT	•	OLAFSON	•		•	WHALEN	•
CRABTREE	•		•	KINGSBURY	•	OLSEN	•		•	ZIMBLEMAN	•
DICK	•		•	KLOUBEC	•	OLSON, A. #11	•		•		
DIETZ	•		•	KNUDSON	•	OLSON, D. #13	•		•	MR. SPEAKER	•
DOTZENROD	•		•	KOLAND	•	OPEDAHL	•		•		
DuBORD	•		•	KOSKI	•	PELTIER	•		•		
EAGLES	•		•	KRETSCHMAR	•	PETERSON	•		•		
FREBERG	•		•	KUCHERA	•	POMEROY, E. #24	•		•		
GATES	•		•	LANG	•	POMEROY, G. #42	•		•		
GERL	•		•	LARSON, B. #12	•	RED	•		•		
GOETZ	•		•	LARSON, G. #29	•	REITEN	•		•		
GORDER	•		•	LARSON, H. #1	•	RETZER	•		•		
GUNDERSON	•		•	LIPSIEA	•	RICE	•		•		
GUNSCH	•		•	MARSDEN	•	RICHARD	•		•		
HANSON, L. #48	•		•	MARTIN	•	RICHIE	•		•		
HANSON, O. #7	•		•	MARTINSON	•	RIEHL	•		•		
HAUGLAND	•		•	MATCHIE	•	RUED	•		•		
HAUSAUER, A. #49	•		•	MATHENY	•	SCHINDLER	•		•		
HAUSAUER, R. #25	•		•	MATTSON	•	SOLBERG	•		•		
HEDSTRÖM	•		•	MEIERS	•	SORUM	•		•		
HEGGAARD	•		•	MELBY	•	STRINDEN	•		•		
HILL	•		•	MERTENS	•	SWIONTEK	•		•		

So the bill was declared lost.

House Bill No. 1264. — A Bill for an Act to repeal subdivision c of subsection 3 of section 15-40.1-06 of the North Dakota Century Code, relating to deduction of oil and gas bonus payments from foundation aid payments for schools.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 7; nays, 88; absent and not voting 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
ANDERSON, C. #7	•		•	HOFFNER	•	METZ	•		•	THOMPSON	•
ANDERSON, R. #36	•		•	HORGAN	•	MEYER	•		•	TIMM	•
BACKES	•		•	HOUWMANN	•	MOORE	•		•	UNHJEM	•
BERG	•		•	HUGHES	•	MOUM	•		•	VANDER VORST	•
BERGER	•		•	HUWE	•	MURPHY	•		•	VIG	•
BLACK	•		•	JACOBSEN, R.	•	MUSHIK	•		•	WAGNER	•
BOYUM	•		•	JACOBSON, I.	•	NAGEL	•		•	WALD	•
BROKAW	•		•	KELLY	•	NICHOLAS	•		•	WENTZ	•
CONMY	•		•	KENT	•	OLAFSON	•		•	WHALEN	•
CRABTREE	•		•	KINGSBURY	•	OLSEN	•		•	ZIMBLEMAN	•
DICK	•		•	KLOUBEC	•	OLSON, A. #11	•		•		
DIETZ	•		•	KNUDSON	•	OLSON, D. #13	•		•	MR. SPEAKER	•

• DOTZENROD	• KOLAND	• OPEDAHL
• DUBORD	• KOSKI	• PELTIER
• EAGLES	• KRETSCHMAR	• PETERSON
• FREBBORG	• KUCHERA	• POMEROY, E. #24
• GATES	• LANG	• POMEROY, G. #42
• GERL	• LARSON, B. #112	• REED
• GOETZ	• LARSON, G. #29	• REITEN
• GORDER	• LARSON, H. #7	• RETZER
• GUNDERSON	• LIPSIEA	• RICE
• GUNSCH	• MARSDEN	• RICHARD
• HANSON, L. #48	• MARTIN	• RICHIE
• HANSON, O. #3	• MARTINSON	• RIEHL
• HAUGLAND	• MATCHIE	• RUED
• HAUSAUER, A. #49	• MATHENY	• SCHINDLER
• HAUSAUER, R. #25	• MATTSOON	• SOLBERG
• HEDSTROM	• MEIERS	• SORUM
• HEIGAARD	• MELBY	• STRINDEN
• HILL	• MERTENS	• SWONTEK

So the bill was declared lost.

House Bill No. 1420. -- A Bill for an Act to create a limited special trust fund for the North Dakota national guard tuition waiver and grant programs; and providing an appropriation - transfer.

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 ayes, 95; nays, 0; absent and not voting 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• ANDERSON, C. #7			• HOFFNER			• METZ			• THOMPSON		
• ANDERSON, R. #36			• HORGAN			• MEYER			• TIMM		
• BACKES			• HOLMANN			• MOORE			• UNHJEM		
• BERG			• HUGHES			• HOUM			• VANDER VORST		
• BERGER			• HUWE			• MURPHY			• VIC		
• BLACK			• JACOBSEN, R.			• MUSHIK			• WAGNER		
• BOYUM			• JACOBSON, I.			• NAGEL			• WALD		
• BROKAW			• KELLY			• NICHOLAS			• WENTZ		
• CONMY			• KENT			• OLAFSON			• WHALEN		
• CRABTREE			• KINGSBURY			• OLSEN			• ZIMBLEMAN		
• DICK			• KLOUBEC			• OLSON, A. #11					
• DIETZ			• KNUDSON			• OLSON, D. #13			• MR. SPEAKER		
• DOTZENROD			• KOLAND			• OPEDAHL					
• DUBORD			• KOSKI			• PELTIER					
• EAGLES			• KRETSCHMAR			• PETERSON					
• FREBBORG			• KUCHERA			• POMEROY, E. #24					
• GATES			• LANG			• POMEROY, G. #42					
• GERL			• LARSON, B. #112			• REED					
• GOETZ			• LARSON, G. #29			• REITEN					
• GORDER			• LARSON, H. #7			• RETZER					
• GUNDERSON			• LIPSIEA			• RICE					
• GUNSCH			• MARSDEN			• RICHARD					
• HANSON, L. #48			• MARTIN			• RICHIE					
• HANSON, O. #3			• MARTINSON			• RIEHL					
• HAUGLAND			• MATCHIE			• RUED					
• HAUSAUER, A. #49			• MATHENY			• SCHINDLER					
• HAUSAUER, R. #25			• MATTSOON			• SOLBERG					
• HEDSTROM			• MEIERS			• SORUM					
• HEIGAARD			• MELBY			• STRINDEN					
• HILL			• MERTENS			• SWONTEK					

So the bill passed and the title was agreed to.

House Bill No. 1422. -- A Bill for an Act to amend and reenact section 6-03-13.1, and subsection 1 of section 6-03-13.2 of the North Dakota Century Code, relating to bank drive-in facilities and limitations on bank drive-in facilities.

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 ayes, 80; nays, 18; absent and not voting 2.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• ANDERSON, C. #7			• HOFFNER			• METZ			• THOMPSON		

• ANDERSON, R. #34	• HORGAN	• MEYER	• TIMM
• BACKES	• HOUMANN	• MOORE	• UNHJEM
• BERG	• HUGHES	• MOUM	• VANDER VORST
• BERGER	• HUWE	• MURPHY	• VIG
• BLACK	• JACOBSEN, R.	• MUSHIK	• WAGNER
• BOYUM	• JACOBSON, I.	• NAGEL	• WALD
• BROKAW	• KELLY	• NICHOLAS	• WENTZ
• CONNY	• KENT	• OLAFSON	• WHALEM
• CRABTREE	• KINGSBURY	• OLSEN	• ZIMBLEMAN
• DICK	• KLOUBEC	• OLSON, A. #11	
• DIETZ	• KNUDSON	• OLSON, D. #13	• MR. SPEAKER
• DOTZENROD	• KOLAND	• OPEDAHL	
• DuBORD	• KOSKI	• PELTIER	
• EAGLES	• KRETSCHMAR	• PETERSON	
• FREBERG	• KUCHERA	• POWEROY, E. #24	
• GATES	• LANG	• POWEROY, G. #42	
• GERL	• LARSON, B. #12	• REED	
• GOETZ	• LARSON, G. #29	• REITEN	
• GORDER	• LARSON, H. #7	• RETZER	
• GUNDERSON	• LIPSIEA	• RICE	
• GUNSCH	• MARSDEN	• RICHARD	
• HANSON, L. #44	• MARTIN	• RICHIE	
• HANSON, O. #3	• MARTINSON	• RIEHL	
• HAUGLAND	• MATCHIE	• RUED	
• HAUSAUER, A. #49	• MATHENY	• SCHINDLER	
• HAUSAUER, R. #33	• MATTSON	• SOLBERG	
• HEDSTROM	• MEIERS	• SORUM	
• HEGGAARD	• MELBY	• STRINDEN	
• HILL	• MERTENS	• SWIONTEK	

So the bill passed and the title was agreed to.

FIRST READING OF HOUSE BILL

Reps. Backes and Strinden introduced:


House Bill No. 1654. — A Bill for an Act to establish a North Dakota centennial commission, to set forth its powers and duties, to provide for payment of commissioners' expenses, and to provide for termination of the commission.

Was read the first time and referred to the committee on Delayed Bills.

REPORT OF PROCEDURAL COMMITTEES

Mr. Speaker: Your Procedural Committee on Delayed Bills

recommends that HB #1654 be introduced



Earl Strinden

Chairman

Rep. Kretschmar moved that the report be adopted, which motion

prevailed and the report was adopted.

ANNOUNCEMENT

Speaker Peterson announced that House Bill No. 1654 was assigned to the Committee on State and Federal Government.

MOTIONS

Rep. Kretschmar moved that the absent member be excused, which motion prevailed.

Rep. Kretschmar moved that the House be on the fifth order of business, and at the conclusion of the fifth order, the House be on the thirteenth order of business, and at the conclusion of the thirteenth order, the House stand adjourned until 12:30 p.m., Wednesday, February 18, 1981, which motion prevailed.

REQUEST

Speaker Peterson asked Rep. Solberg to come to the rostrum to preside.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on Appropriations to whom was referred HOUSE

Bill No. 1001, has had the same under consideration and recommends, by a vote of

Ayes, 13; Nays, 4; Absent, 2, that the same

do pass. do not pass. be placed on calendar without recommendation.

be amended as follows:

- On page 1, line 17, delete the numerals "741,133" and insert in lieu thereof the numerals "831,000"
- On page 1, line 18, delete the numerals "111,890" and insert in lieu thereof the numerals "155,090"
- On page 1, line 23, delete the numerals "1,201,023" and insert in lieu thereof the numerals "1,334,090"
- On page 1, line 25, delete the numerals "871,023" and insert in lieu thereof the numerals "1,004,090"
- On page 2, line 8, delete the numerals "46,003" and insert in lieu thereof the numerals "53,054"
- On page 2, line 11, delete the numerals "56,563" and insert in lieu thereof the numerals "63,614"
- On page 2, line 14, delete the numerals "655,023" and insert in lieu thereof the numerals "708,245"
- On page 2, line 19, delete the numerals "798,226" and insert in lieu thereof the numerals "851,448"
- On page 2, line 27, delete the numerals "145,906" and insert in lieu thereof the numerals "153,837"
- On page 2, line 30, delete the numerals "341,356" and insert in lieu thereof the numerals "349,287"
- On page 2, line 33, delete the numerals "186,929" and insert in lieu thereof the numerals "194,860"
- On page 3, line 1, delete the numerals "3,220,861" and insert in lieu thereof the numerals "3,694,674"
- On page 3, line 2, delete the numerals "905,045" and insert in lieu thereof the numerals "1,263,305"
- On page 3, line 3, delete the numerals "22,900" and insert in lieu thereof the numerals "44,589"
- On page 3, line 4, delete the numerals "176,900" and insert in lieu thereof the numerals "179,400"
- On page 3, after line 4, insert the following:
- | | |
|---------|----------|
| "Grants | 747,000" |
|---------|----------|
- On page 3, line 7, delete the words "general fund appropriation" and insert in lieu thereof the words "all funds", and delete the numerals "4,475,706" and insert in lieu thereof the numerals "6,078,968"
- On page 3, after line 7, insert the following:
- | | |
|-----------------------------------------------|----------------|
| "Less estimated income | <u>730,000</u> |
| Total general fund transfer and appropriation | \$5,348,968" |
- On page 3, line 10, delete the numerals "2,350,118" and insert in lieu thereof the numerals "2,498,985"

JOURNAL OF THE HOUSE

- On page 3, line 14, delete the numerals "2,710,870" and insert in lieu thereof the numerals "2,859,737"
- On page 3, line 17, delete the numerals "428,942" and insert in lieu thereof the numerals "459,310"
- On page 3, line 21, delete the numerals "505,158" and insert in lieu thereof the numerals "535,526"
- On page 3, line 24, delete the numerals "5,480,472" and insert in lieu thereof the numerals "5,567,380"
- On page 3, line 25, delete the numerals "1,427,838" and insert in lieu thereof the numerals "1,341,985"
- On page 3, line 27, delete the numerals "31,440" and insert in lieu thereof the numerals "27,400"
- On page 3, line 28, delete the numerals "7,894,346" and insert in lieu thereof the numerals "7,891,361"
- On page 3, line 31, delete the numerals "710,791" and insert in lieu thereof the numerals "908,406"
- On page 3, line 32, delete the numerals "84,008" and insert in lieu thereof the numerals "103,128"
- On page 4, line 1, delete the numerals "826,023" and insert in lieu thereof the numerals "1,042,758"
- On page 4, line 4, delete the numerals "320,638" and insert in lieu thereof the numerals "336,820"
- On page 4, line 5, delete the numerals "122,734" and insert in lieu thereof the numerals "127,091"
- On page 4, line 7, delete the numerals "443,872" and insert in lieu thereof the numerals "464,411"
- On page 4, line 8, delete the numerals "41,250" and insert in lieu thereof the numerals "45,607"
- On page 4, line 9, delete the numerals "402,622" and insert in lieu thereof the numerals "418,804"
- On page 4, line 12, delete the numerals "3,221,395" and insert in lieu thereof the numerals "3,359,822"
- On page 4, line 17, delete the numerals "9,923,359" and insert in lieu thereof the numerals "10,061,786"
- On page 4, line 18, delete the numerals "5,356,176" and insert in lieu thereof the numerals "5,425,389"
- On page 4, line 19, delete the numerals "4,567,183" and insert in lieu thereof the numerals "4,636,397"
- On page 4, line 22, delete the numerals "1,453,834" and insert in lieu thereof the numerals "1,526,375"
- On page 4, line 26, delete the numerals "3,083,278" and insert in lieu thereof the numerals "3,155,819"
- On page 4, line 27, delete the numerals "318,342" and insert in lieu thereof the numerals "181,193"
- On page 4, line 28, delete the numerals "2,764,936" and insert in lieu thereof the numerals "2,974,626"
- On page 5, delete lines 5 through 10, and insert in lieu thereof the following:

	EXPENSE	EXPENSE
	PAYMENT	PAYMENT
<u>"OFFICIAL</u>	<u>1981</u>	<u>1982</u>

Governor	\$10,000	\$ 10,000
Secretary of state	10,000	10,000
Attorney general	10,000	10,000
Superintendent of public instruction	10,000	10,000
Tax commissioner	10,000	10,000
Insurance commissioner	10,000	10,000
Public service commissioners	44,500	44,500
Agriculture commissioner	10,000	10,000
State auditor	10,000	10,000
State treasurer	10,000	10,000
Labor commissioner	10,000	10,000
Total general fund appropriation for state officers' expense payments		\$289,000"

On page 5, line 13, delete the numerals "29,000" and insert in lieu thereof the numerals "289,000"

On page 5, line 16, delete the numerals "26,539,363" and insert in lieu thereof the numerals "28,561,967"

On page 5, line 17, delete the numerals "6,200,195" and insert in lieu thereof the numerals "6,866,616"

On page 5, line 18, delete the numerals "32,739,558" and insert in lieu thereof the numerals "35,428,583"

On page 6, after line 2, insert the following:

"SECTION 6. INTENT. It is the intent of the legislative assembly that \$142,160 included in the agriculture commissioner general fund appropriation in subdivision 15 of section 1 for salaries and wages and operating expenses for a research analyst and marketing specialist be expended only if federal funds are not available for these positions during the 1981-83 biennium. If federal funds are available for these positions, it is the intent of the legislative assembly that the emergency commission approve receipt of such funds by the agricultural commissioner.

SECTION 7. NONCONTRIBUTORY RETIREMENT PLANS. For the agencies named in this Act the following amounts are included in the salaries and wages line items to fund noncontributory state employee retirement programs.

Governor's office	\$ 27,798
Lieutenant governor	3,725
Secretary of state	23,138
Secretary of state - records management and microfilming	4,996
Attorney general	122,266
State auditor	82,706
State treasurer	14,885
Tax commissioner	167,756
Insurance commissioner	30,024
Labor commissioner	11,234
Public service commission	106,135
Agriculture commissioner	<u>48,882</u>
Total	\$643,545

The amounts referred to in this section shall not be used for any purpose other than to fund noncontributory retirement programs for state employees. If the forty-seventh legislative assembly does not provide by statute for noncontributory retirement programs for state employees, such amounts shall remain in each salaries and wages line item until such line item is canceled on July 30, 1983."

On page 6, line 3, delete the numeral "6" and insert in lieu thereof the numeral "8"

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:Governor's Office

Salaries and wages of the Governor's office are increased by \$89,867 to provide funds for an additional position. The addition of this attorney, who is presently chairing the Natural Resources Council, to the Governor's office is related to the discontinuance of a separate appropriation for the Natural Resources Council. The salaries and wages line item amount of \$831,000 includes \$27,798 for the state to fund a conversion to a noncontributory retirement plan for employees. The operating expenses line item is increased by \$44,000 to allow those operating expenses relating to the additional position.

Lieutenant Governor

Salaries and wages of the Lieutenant Governor are increased by \$7,051 to allow funding for the continuation of the 10 percent emergency salary increase and for salary increases of nine percent for the first year of the biennium and eight percent for the second year of the biennium. The salaries and wages line item of \$53,054 includes \$3,725 for the state to fund a conversion to a noncontributory retirement plan for employees.

Secretary of State

Salaries and wages of the Secretary of State are increased by \$31,521 to provide funds for the continuation of the 10 percent emergency salary increase and for salary increases of nine percent for the first year of the biennium and eight percent for the second year of the biennium with funds for fringe benefits including \$23,138 for the state funding of the employees' share of PERS. The salaries and wages line item of the Secretary of State is also increased by \$21,701 to provide funds for an additional clerk-typist.

Salaries and wages of the Secretary of State - Records Management and Microfilming are increased by \$7,931 to provide funds for the continuation of the 10 percent emergency salary increase and for salary increases of nine percent for the first year of the biennium and eight percent for the second year of the biennium with funds for fringe benefits including \$4,996 for the state funding of the employees' share of PERS.

Attorney General

The salaries and wages of the Attorney General's office are increased by \$473,813. This amount is arrived at by adding \$166,352 to provide funds for the continuation of the 10 percent emergency salary increase and for salary increases of nine percent for the first year of the biennium and eight percent for the second year of the biennium. In addition, \$307,461 is included for the transfer of the salaries and wages of 5.5 FTE from the Law Enforcement Council, which will provide funds for the establishment of a Law Enforcement Training and Statistics Division in the Attorney General's office as proposed in House Bill No. 1509. The salaries and wages line item of \$3,694,674 includes \$122,266 for the state to fund a conversion to a noncontributory retirement plan for employees.

The operating expenses line item is increased by \$358,260. The amount is arrived at by adding \$50,000 to increase the Drug Enforcement Unit's investigative fund to \$150,000, and by adding \$308,260 for the operating expenses relating to the Law Enforcement Council.

The data processing line item is increased by \$21,689 for the data processing expenses relating to the Law Enforcement Council.

The equipment line item is increased by \$2,500 for the equipment relating to the Law Enforcement Council.

A grants line item of \$747,000 is added for the grants relating

to the Law Enforcement Council.

The estimated income line item is increased by \$730,000 to reflect the LEAA grants relating to the Law Enforcement Council.

State Auditor

Salaries and wages of the State Auditor's office are increased by \$148,867 which will allow funds for the continuation of the 10 percent emergency salary increase and for salary increases of nine percent for the first year of the biennium and eight percent for the second year of the biennium. The salaries and wages line item amount of \$2,498,985 includes \$82,706 for the state to fund a conversion to a noncontributory retirement plan for employees.

State Treasurer

Salaries and wages of the State Treasurer are increased by \$30,368 to allow funding for the continuation of the 10 percent emergency salary increase and for salary increases of nine percent for the first year of the biennium and eight percent for the second year of the biennium. The salaries and wages line item of \$459,310 includes \$14,885 for the state to fund a conversion to a noncontributory retirement plan for employees.

Tax Commissioner

Salaries and wages of the State Tax Commissioner are increased by \$266,541 to allow funding for the continuation of the 10 percent emergency salary increase and for salary increases of nine percent for the first year of the biennium and eight percent for the second year of the biennium. Also, salaries and wages are reduced by \$179,633, operating expenses by \$85,853, and equipment by \$4,040 to delete funds for the requested 4.0 FTE new positions associated expenses which were approved by the executive budget. The positions deleted are 3.0 FTE tax auditors in the Sales and Special Taxes Division, .5 FTE industrial appraiser in the Property and Utility Tax Division, and .5 FTE industrial appraiser for the State Board of Equalization. Funds in the amount of \$53,020 are allowed in the State Board of Equalization program for the purpose of payment of professional fees. The salaries and wages line item of \$5,567,380 includes \$167,756 for the state to fund a conversion to a noncontributory retirement plan for employees.

Insurance Commissioner

Salaries and wages of the Insurance Commissioner are increased by \$121,276 to adjust salaries for current employees, to provide for the continuation of the 10 percent emergency salary increase where applicable, and for salary increases of nine percent for the first year of the biennium and eight percent for the second year of the biennium with funds for fringe benefits including \$30,024 for the state funding of the employees' share of PERS. Also, a professional government intern and administrator position were upgraded to actuary positions. Salaries and wages are also increased by \$94,029 for two new positions, a public information officer and a policyholder claims investigator. Salaries and wages are decreased by \$17,690 for temporary salaries which are deleted. Therefore, the total salary line item is increased by \$197,615.

The amendment also increases the operating expenses line by \$19,120 for additional travel.

Labor Commissioner

Salaries and wages for the Labor Commissioner are increased by \$16,182 from the general fund to provide funds for the continuation of the 10 percent emergency salary increase and for salary increases of nine percent for the first year of the biennium and eight percent for the second year of the biennium with funds for fringe benefits. Salaries and wages include \$11,234 of fringe benefits to fund a conversion to a noncontributory retirement plan. Operating expenses and estimated income are increased by \$4,357

of federal funds to be used to investigate employment discrimination cases prior to July 1, 1981.

Public Service Commission

Salaries and wages of the Public Service Commission are increased by \$138,427, of which \$69,213 is from federal funds and \$69,214 is from the general fund, to allow funding for the continuation of the 10 percent emergency salary increase and for salary increases of nine percent for the first year of the biennium and eight percent for the second year of the biennium. The salaries and wages line item of \$3,359,822 includes \$106,135 for the state to fund a conversion to a noncontributory retirement plan for employees.

Agriculture Commissioner

The salaries and wages line item of the Agriculture Commissioner is increased by \$72,541 which will allow funds for the continuation of the 10 percent emergency salary increase and for salary increases of nine percent for the first year of the biennium and eight percent for the second year of the biennium. The salaries and wages line item amount of \$1,526,375 includes \$48,882 for the state to fund a conversion to a noncontributory retirement plan for employees.


The estimated income line item is reduced \$137,149. This reduction is arrived at by adding \$5,011 for the adjustment to the salary line item; and by subtracting \$142,160 of federal funds for a research analyst and marketing specialist since this amount is being added to the general fund appropriation.

State Officers' Expense Payments

The purpose of this amendment is to provide annual salary and unvouchered expense allowances for 1981 and 1982 for elected state officials according to the following schedule:

	Annual Statutory Salary 1981 and 1982	Proposed Annual Unvouchered Expense Allowance	Total
Governor	\$47,000	\$ 10,000	\$57,000
Secretary of State	33,500	10,000	43,500
Attorney General	38,000	10,000	48,000
Superintendent of Public Instruction	34,000	10,000	44,000
Tax Commissioner	33,500	10,000	43,500
Insurance Commissioner	33,500	10,000	43,500
Public Service Commissioner	33,500	10,000	43,500
Public Service Commissioner	30,000	13,500	43,500
Public Service Commissioner	22,500	21,000	43,500
Agriculture Commissioner	33,500	10,000	43,500
State Auditor	33,500	10,000	43,500
State Treasurer	33,500	10,000	43,500
Labor Commissioner	33,500	10,000	43,500
		<u>\$144,500</u>	
		x 2	
Total Expense Allowance 1981 and 1982		<u>\$289,000</u>	

And when so amended, recommends the same do pass.


 REP. VERNON E. WAGNER Chairman

HOUSE Bill No. 1001 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred HOUSE

Bill No. 1006, has had the same under consideration and recommends, by a vote of

Ayes, 13; Nays, 6; Absent, 0, that the same

do pass. do not pass. be placed on calendar without recommendation.

be amended as follows:

On page 1, line 3, delete the semicolon and insert in lieu thereof the following: ", to set out special contingency fund guidelines; making an appropriation to the permanent fund of the common schools for transfer of title of the judicial wing and state office building to the state; to amend and reenact section 10 of chapter 139 of the 1977 Session Laws of North Dakota, relating to the transfer of title to the office building;"

On page 1, line 18, delete the numerals "2,792,797" and insert in lieu thereof the numerals "2,902,188"

On page 1, line 19, delete the numerals "2,576,728" and insert in lieu thereof the numerals "2,578,108"

On page 1, line 22, delete the numerals "3,050,800" and insert in lieu thereof the numerals "3,288,100"

On page 1, line 23, delete the underscoring

On page 1, after line 23, insert the following line item:

"Special education contingency fund 300,000"

On page 1, line 24, delete the numerals "9,152,144" and insert in lieu thereof the numerals "9,800,215"

On page 2, delete lines 4 through 6

On page 2, after line 20, insert the following:

"SECTION 4. SPECIAL EDUCATION CONTINGENCY FUND - GUIDELINES. The money in the special education contingency fund shall be used by the state-operated schools under the control of the director of institutions for expenses incurred for services to handicapped individuals which are not provided for in the normal budget of the school. These services shall be provided pursuant to contracts between the state-operated school and the handicapped individual's local school district. The contracts shall be approved by the local school district, the superintendent of the state-operated school, and the superintendent of public instruction. However, any transfer of moneys in this fund must first be approved by the emergency commission. If the transferred funds are used to establish additional positions to provide educational or related services to a particular handicapped individual at the state-operated school, those additional positions shall be terminated when the handicapped individual leaves the state-operated school.

SECTION 5. APPROPRIATION TO THE PERMANENT FUND OF THE COMMON SCHOOLS. There is hereby appropriated out of any moneys in the lands and minerals trust fund in the state treasury, not otherwise appropriated, the sum of \$11,750,000, or so much thereof as may be necessary as determined by the budget section of the legislative council, to the permanent fund of the common schools for the purpose of effecting the transfer of title to the judicial wing and state office building as provided by section 6 of this Act effective upon approval of the budget section of the legislative council.

SECTION 6. AMENDMENT. Section 10 of chapter 139 of the 1977 Session Laws of North Dakota is hereby amended and reenacted to read as follows:

SECTION 10. TRANSFER OF TITLE - LEGISLATIVE COUNCIL BUDGET SECTION APPROVAL. ~~At the end of the construction cost-amortization-period-of-fifty-years~~ After approval of the

budget section of the legislative council and upon deposit of the amount appropriated and approved under section 5 of this Act, the title in the office building shall be transferred from the permanent fund of the common schools to the state of North Dakota. Such rentals as may be charged after the expiration-of-the-amortization-period transfer of title shall be deposited in the state general fund. The director of institutions shall be responsible for maintenance of the building after the expiration-of-the-amortization-period title is transferred to the state.

SECTION 7. NONCONTRIBUTORY RETIREMENT PLANS. For the agency named in this Act the following amount is included in the salaries and wages line item to fund noncontributory state employee retirement programs.

Director of institutions \$86,110

The amount referred to in this section shall not be used for any purpose other than to fund noncontributory retirement programs for state employees. If the forty-seventh legislative assembly does not provide by statute for noncontributory retirement programs for state employees, such amount shall remain in the salaries and wages line item until such line item is canceled on July 30, 1983.

Grand total general fund appropriation H.B. 1006	\$12,927,940
Grand total special funds appropriation H.B. 1006	\$14,045,838
Grand total all funds appropriated H.B. 1006	\$26,973,778

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

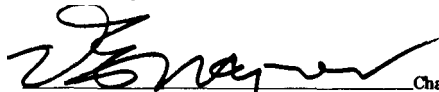
Director of Institutions

Salaries and wages of the Director of Institutions are increased by \$84,102 to provide funds for the continuation of the 10 percent emergency salary increase and for salary increases of nine percent for the first year of the biennium and eight percent for the second year of the biennium. Salaries and wages are also increased by \$25,289 to provide funds for a current .5 FTE employee to be changed to a 1.0 FTE Administrative Officer I. (This position is for a full-time assistant to serve as the Governor's residence coordinator.) The salaries and wages line item amount of \$2,902,188 includes \$86,110 for the state to fund a conversion to a noncontributory retirement plan for employees. Operating expenses are increased by \$273,000 due to estimated increases in electrical consumption, and decreased by \$271,620 to delete funds for space rental for the judicial wing and state office building. Rental funds will not be necessary as these amendments provide for transfer of title of the building to the state. The capital improvements line item is increased a total of \$237,300, of which \$46,300 is for furnishings and repairs to the Governor's residence and \$191,000 is for Capitol renovation.

The new special education contingency fund line item provides \$300,000 to be used by the state-operated schools under the control of the Director of Institutions for expenses incurred for services to handicapped individuals which are not provided for in the normal budget of the schools.

The new section regarding the judicial wing and state office building appropriates \$11,750,000 from the lands and minerals trust fund to the permanent fund of the common schools for transfer of title of the building to the state.

And when so amended, recommends the same do pass.



Chairman

HOUSE

REP. VERNON E. WAGNER

Bill No. 1006 was placed on the 6th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred HOUSE

Bill No. 1007, has had the same under consideration and recommends, by a vote of

Ayes, 19; Nays, 0; Absent, 0, that the same

do pass. do not pass. be placed on calendar without recommendation.

be amended as follows:

On page 1, after line 3, after the word "Dakota" and before the period insert a semicolon and words "; and declaring an emergency"

On page 1, line 16, delete the numerals "3,347,203" and insert in lieu thereof the numerals "3,483,529"

On page 1, line 17, delete the numerals "983,306" and insert in lieu thereof the numerals "981,328"

On page 1, line 21, delete the numerals "4,575,334" and insert in lieu thereof the numerals "4,709,682"

On page 1, line 22, delete the numerals "1,101,430" and insert in lieu thereof the numerals "1,203,697"

On page 1, line 23, delete the numerals "3,473,904" and insert in lieu thereof the numerals "3,505,985"

On page 2, after line 2, insert the following:

"SECTION 3. NONCONTRIBUTORY RETIREMENT PLAN. For the agency named in this Act \$110,554 is included in the salaries and wages line item to fund a noncontributory employee retirement plan. The amount referred to in this section shall not be used for any purpose other than to fund a noncontributory retirement program for state employees. If the forty-seventh legislative assembly does not provide by statute for a noncontributory retirement program for state employees, such amount shall remain in the salaries and wages line item until such line item is canceled on July 30, 1983.

SECTION 4. EMERGENCY. The line item entitled "capital improvements" in section 1 of this Act is hereby declared to be an emergency measure and shall be in effect from and after its passage and approval."

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

The Industrial School salaries and wages are increased a total of \$228,388. The amount of \$136,326 is added which allows funds for continuation of the 10 percent emergency salary increase and for salary increases of nine percent for the first year of the biennium and eight percent for the second year of the biennium. The salaries and wages appropriation includes funds for nine additional positions which are six building supervisors, one instructor II, and two counselor I's. The salaries and wages line item amount of \$3,575,591 includes \$110,554 for the state to fund a conversion to a noncontributory retirement plan for employees.

The operating expense line item is reduced \$1,978 in accordance with legislative guidelines for nine percent annual inflation increases. The operating expense line item includes \$232,300 for natural gas, \$56,354 for electricity, \$48,120 for heating fuel oil, and \$191,947 for food.

The estimated income line item is increased \$102,267 by adding \$85,000 for additional income from state land funds, by adding \$5,324 for revised estimates of miscellaneous income, and by adding \$11,942 for adjustments for recommended salary increases.

And when so amended, recommends the same do pass.

 Chairman

HOUSE REP. VERNON E. WAGNER
Bill No. 1007 was placed on the 6th
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred _____

Bill No. 1010, has had the same under consideration and recommends, by a vote of
Ayes, 15; Nays, 3; Absent, 1, that the same

do pass. do not pass. be placed on calendar
without recommendation.

be amended as follows:

On page 1, line 15, delete the numerals "1,240,720" and insert
in lieu thereof the numerals "1,286,163"

On page 1, line 19, delete the numerals "1,737,209" and insert
in lieu thereof the numerals "1,782,652"

On page 2, after line 5, insert the following:

"SECTION 4. NONCONTRIBUTORY RETIREMENT PLAN. For the
agency named in this Act \$39,812 is included in the salaries and
wages line item to fund a noncontributory employee retirement
plan. The amount referred to in this section shall not be used
for any purpose other than to fund a noncontributory retirement
program for state employees. If the forty-seventh legislative
assembly does not provide by statute for a noncontributory retire-
ment program for state employees, such amounts shall remain in
the salaries and wages line item until such line item is canceled
on July 30, 1983."

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

The salaries and wages line item of the State Radio Communications is
increased by \$45,443 which will allow funds for the continuation of the
10 percent emergency salary increase and for salary increases of nine
percent for the first year of the biennium and eight percent for the
second year of the biennium. The salaries and wages line item amount
of \$1,286,163 includes \$39,812 for the state to fund a conversion to a
noncontributory retirement plan for employees.

And when so amended, recommends the same do pass.

 Chairman

HOUSE REP. VERNON E. WAGNER
Bill No. 1010 was placed on the 6th
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred _____

Bill No. 1011, has had the same under consideration and recommends, by a vote of
Ayes, 16; Nays, 2; Absent, 2, that the same

do pass. do not pass. be placed on calendar
without recommendation.

be amended as follows:

On page 1, line 19, delete the numerals "5,490,926" and insert
in lieu thereof the numerals "5,781,136"

On page 1, line 20, delete the numerals "2,696,489" and insert

in lieu thereof the numerals "2,683,034"

On page 1, line 24, delete the numerals "16,451,187" and insert in lieu thereof the numerals "16,727,942"

On page 1, line 25, delete the numerals "566,100" and insert in lieu thereof the numerals "587,823"

On page 1, line 26, delete the numerals "15,885,087" and insert in lieu thereof the numerals "16,140,119"

On page 2, line 1, delete the numerals "698,564" and insert in lieu thereof the numerals "725,699"

On page 2, line 2, delete the numerals "4,150,400" and insert in lieu thereof the numerals "4,099,575"

On page 2, line 5, delete the numerals "7,779,192" and insert in lieu thereof the numerals "7,755,502"

On page 2, line 6, delete the numerals "5,147,664" and insert in lieu thereof the numerals "5,123,974"

On page 2, line 8, delete the numerals "18,516,615" and insert in lieu thereof the numerals "18,771,647"

On page 2, line 9, delete the numerals "5,713,764" and insert in lieu thereof the numerals "5,711,797"

On page 2, line 10, delete the numerals "24,230,379" and insert in lieu thereof the numerals "24,483,444"

On page 2, after line 24, insert the following:

"SECTION 4. NONCONTRIBUTORY RETIREMENT PLANS. For the agencies named in this Act the following amounts are included in the salaries and wages line items to fund non-contributory state employee retirement programs.

State Penitentiary	\$173,281
Roughrider Industries	<u>23,623</u>
Total	\$196,904

The amounts referred to in this section shall not be used for any purpose other than to fund noncontributory retirement programs for state employees. If the forty-seventh legislative assembly does not provide by statute for non-contributory retirement programs for state employees, such amounts shall remain in each salary and wages line item until such line item is canceled on July 30, 1983."

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

State Penitentiary

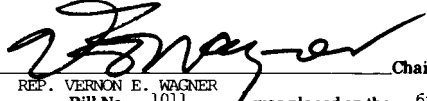
The salaries and wages line item of the State Penitentiary is increased a total of \$290,210. Of this amount, \$229,159 will provide funds for the continuation of the 10 percent emergency salary increase and for salary increases of nine percent for the first year of the biennium and eight percent for the second year of the biennium. The salaries and wages line item amount of \$5,781,136 includes \$173,281 for the state to fund a conversion to a non-contributory retirement plan for employees. The salaries and wages line item is also increased by \$61,051 for a psychiatric social worker position. The operating expense line item is reduced \$13,459 by subtracting \$51,955 in accordance with legislative guidelines for nine percent annual inflationary increases; and by adding \$38,500 for vocational training laboratories. The operating expense line item includes \$309,581 for natural gas, \$122,429 for electricity, \$63,890 for heating fuel oil, and

\$672,340 for food. The estimated income line item is increased \$21,723 for additional amounts of federal reimbursement for federal prisoners and for sale of meals to employees.

Roughrider Industries

The salaries and wages line item for the Roughrider Industries is increased by \$27,135 which will allow funds for the continuation of the 10 percent emergency salary increase and for salary increases of nine percent for the first year of the biennium and eight percent for the second year of the biennium. The salaries and wages line item amount of \$725,699 includes \$23,623 for the state to fund a conversion to a noncontributory retirement plan for employees. The operating expense line item is reduced \$50,825 in accordance with legislative guidelines for nine percent annual inflation increases.

And when so amended, recommends the same do pass.


Chairman
REP. VERNON E. WAGNER
Bill No. 1011

HOUSE Bill No. 1011 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred HOUSE

Bill No. 1012, has had the same under consideration and recommends, by a vote of

Ayes, 10; Nays, 7; Absent, 2, that the same

do pass. do not pass. be placed on calendar without recommendation.

be amended as follows:

- On page 1, line 14, delete the numerals "981,889" and insert in lieu thereof the numerals "1,016,949"
- On page 1, line 15, delete the numerals "744,199" and insert in lieu thereof the numerals "785,459"
- On page 1, line 19, delete the numerals "2,916,438" and insert in lieu thereof the numerals "2,992,758"
- On page 1, line 20, delete the numerals "960,059" and insert in lieu thereof the numerals "943,157"
- On page 1, line 21, delete the numerals "1,956,379" and insert in lieu thereof the numerals "2,049,601"
- On page 2, after line 13, insert the following:

"SECTION 5. NONCONTRIBUTORY RETIREMENT PLAN. For the agency named in this Act \$30,813 is included in the salaries and wages line item to fund a noncontributory employee retirement plan. The amount referred to in this section shall not be used for any purpose other than to fund a noncontributory retirement program for state employees. If the forty-seventh legislative assembly does not provide by statute for a noncontributory retirement program for state employees, such amounts shall remain in the salaries and wages line item until such line item is canceled on July 30, 1983."

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Salaries and wages for the Library Commission are increased by \$35,060 which will allow funds for continuation of the 10 percent emergency salary increase and for salary increases of nine percent for the first year of the biennium and eight percent for the second year of the biennium. The salaries and wages line item

amount of \$1,016,949 includes \$30,813 for the state to fund a conversion to a noncontributory retirement plan for employees.

The operating expense line item is increased \$41,260 by adding \$1,000 for hardware rental for the educational telephone network, \$21,600 to continue the library's teletype network, \$6,000 for Advisory Council travel, \$3,400 for continuing education, and \$9,260 for printing costs for the Telephone Access Program Existence System.

The estimated income line item is reduced \$16,902 and the general fund appropriation increased by the same amount due to a decrease in estimated miscellaneous funds for the educational information center.

And when so amended, recommends the same do pass.



Chairman

REP. VERNON E. WAGNER

HOUSE

Bill No. 1017

6th

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

Mr. Speaker: Your Committee on Appropriations to whom was referred HOUSE

Bill No. 1013 has had the same under consideration and recommends, by a vote of

Ayes, 19; Nays, 0; Absent, 0, that the same

do pass. do not pass. be placed on calendar without recommendation.

be amended as follows:

On page 1, line 15, delete the numerals "31,271,003" and insert in lieu thereof the numerals "31,512,962"

On page 1, line 16, delete the numerals "5,181,883" and insert in lieu thereof the numerals "5,318,951"

On page 1, line 18, delete the numerals "248,280" and insert in lieu thereof the numerals "574,636"

On page 1, line 19, delete the numerals "11,489,523" and insert in lieu thereof the numerals "10,489,523"

On page 1, line 20, delete the numerals "48,487,997" and insert in lieu thereof the numerals "48,193,380"

On page 1, line 21, delete the numerals "9,031,000" and insert in lieu thereof the numerals "9,693,000"

On page 1, line 22, delete the numerals "39,456,997" and insert in lieu thereof the numerals "38,500,380"

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

"SECTION 2. NONCONTRIBUTORY RETIREMENT PLAN. For the agency named in this Act §996.141 is included in the salaries and wages line item to fund a noncontributory employee retirement program. The amount referred to in this section shall not be used for any purpose other than to fund a noncontributory retirement program for state employees. If the forty-seventh legislative assembly does not provide by statute for a noncontributory retirement program for state employees, such amounts shall remain in each salaries and wages line item until such line item is canceled on July 30, 1983."

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Salaries and wages of the State Hospital are increased by \$761,863

to provide funds for the continuation of the 10 percent emergency salary increase and for salary increases of nine percent for the first year of the biennium and eight percent for the second year of the biennium with funds for fringe benefits including \$996,141 for the state funding of the employees' share of PERS. Salaries and wages are reduced by \$519,904 for new positions not allowed including a secretary in the adolescent unit (\$21,733); a storekeeper (\$32,170); seven psychologists (\$340,976); and inventory clerk (\$35,141); a clerk in the adolescent unit (\$20,875); a .25 clerk in the social work program (\$4,985); and \$64,024 for four nurses phased in during the second year of the biennium for a total reduction in new employees of \$519,904. A physician is included in the new positions allowed rather than three psychologist positions allowed in the Governor's budget.

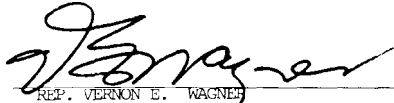
The operating expense line item is increased by \$289,387 for the following items:

Travel	\$ 23,994
Natural gas	94,018
Communications	11,380
Repair services	573
M.D. consultant fees	31,917
Building and hardware supplies	50,827
Heating fuel oil and coal	76,040
Manufacturing supplies	<u>638</u>
Total Increases	\$289,387

Operating expenses are decreased by \$152,319 to provide for nine percent inflation increases per year. The equipment line item is increased by \$141,356 to provide for a 15 percent increase on the 1979-81 appropriation for equipment. The equipment line is also increased by \$185,000 to provide for a firetruck to be used jointly by the State Hospital and the city of Jamestown. The capital improvements line is decreased by \$1 million to provide for a \$8 million 150-bed ward building to reflect new estimates provided for construction of the building.

This amendment also increases the estimated income line by \$148,000 for additional anticipated interest and income from the University and School Lands account. The estimated income line is also increased by \$514,000 for additional estimated patient collections.

And when so amended, recommends the same do pass.


 _____ Chairman
 REP. VERNON E. WAGNER

HOUSE Bill No. 1013 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on SOCIAL SERVICES AND VETERANS AFFAIRS to whom was referred HOUSE

Bill No. 1050, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 0; Absent, 0, that the same

do pass. do not pass. be placed on calendar without recommendation.
 be amended as follows:

On page 1, line 6, delete the words "the mental health and"

On page 1, line 7, delete the words "retardation division of"

On page 1, line 15, overstrike the words "are nonprofit entities, operating", and after the word "operating" insert the word "operate"

On page 1, line 16, delete the word "providing" and insert in lieu

thereof the word "provide"

On page 1, line 18, overstrike the word "serving", and after the word "the" insert the word "serve"

On page 2, line 11, overstrike the words "state mental health"

On page 2, line 12, overstrike the words "and retardation"

On page 2, line 13, after the word "health" insert the following: "responsible for licensing hospitals under chapter 23-16"

On page 2, line 21, overstrike the word "in", and after the word "in" insert the words "by rules adopted under"

On page 3, line 11, overstrike the words "at least"

On page 3, line 12, overstrike the words "once every six months"

On page 3, after line 12, insert the following new subsection:

"6. The provider is in compliance with rules adopted by the division under this chapter."

On page 5, line 30, overstrike the words "state mental health"

On page 5, line 31, overstrike the words "and retardation division of the"

On page 6, line 10, overstrike the words "MENTAL HEALTH AND RETARDATION"

On page 6, line 11, overstrike the word "DIVISION", and after the word "DIVISION" insert the words "DEPARTMENT OF HEALTH"

On page 6, line 18, overstrike the words "state mental"

On page 6, line 19, overstrike the words "health and retardation division of the"

On page 6, line 26, overstrike the words "mental health and retardation"

On page 6, line 27, overstrike the words "of the state department of health"

On page 7, line 5, overstrike the words "state mental health and retardation"

On page 7, line 6, overstrike the words "division of the"

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

Brynhild Haugland Chairman
Rep. Haugland

HOUSE Bill No. 1050 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred HOUSE

Bill No. 1051 has had the same under consideration and recommends, by a vote of

Ayes, 13; Nays, 5; Absent, 1, that the same

do pass. do not pass. be placed on calendar without recommendation.

Vernon F. Wagner Chairman
REP. VERNON F. WAGNER

HOUSE Bill No. 1051 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on JUDICIARY

to whom was referred HOUSE

Bill No. 1061, has had the same under consideration and recommends, by a vote of

Ayes, 14; Nays, 0; Absent, 1, that the same

do pass. do not pass. be placed on calendar without recommendation.

be amended as follows:

On page 1, line 19, delete the following: "30-26-05.1,"

On page 1, line 21, delete the following: "32-09-03, 32-09-10,"

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

On page 2, line 4, after the word "justice" insert the following: "; and to provide an effective date"

On page 46, delete lines 24 through 33

On page 47, line 7, after the word "increased" insert the following: "jurisdiction."

On page 49, delete lines 26 through 35

On page 50, delete lines 1 through 31

On page 65, after line 19, insert the following new section:

"SECTION 110. EFFECTIVE DATE. Sections 1 through 71, 75, and 79 through 112 shall become effective on January 1, 1983."

And renumber the lines, sections, and pages accordingly

And when so amended, recommends the same do pass.



Chairman

Rep. Conmy

HOUSE

Bill No. 1061

was placed on the 6th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on JUDICIARY

to whom was referred HOUSE

Bill No. 1062, has had the same under consideration and recommends, by a vote of

Ayes, 10; Nays, 2; Absent, 3, that the same

do pass. do not pass. be placed on calendar without recommendation.

be amended as follows:

On page 2, line 24, delete the word "official" and insert in lieu thereof "officer"

On page 3, line 24, overstrike the words "and the"

On page 3, line 25, overstrike the words "other officer may employ counsel to represent him"

And renumber the lines, sections, and pages accordingly

And when so amended, recommends the same do not pass.



Chairman

Rep. Conmy

HOUSE Bill No. 1062 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on JUDICIARY

to whom was referred HOUSE

Bill No. 1066, has had the same under consideration and recommends, by a vote of Ayes, 12; Nays, 1; Absent, 2, that the same

do pass. do not pass. be placed on calendar without recommendation.

[Handwritten signature]

HOUSE Bill No. 1066 Rep. Conmy Chairman was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on JUDICIARY

to whom was referred HOUSE

Bill No. 1069, has had the same under consideration and recommends, by a vote of Ayes, 14; Nays, 0; Absent, 1, that the same

do pass. do not pass. be placed on calendar without recommendation.

[Handwritten signature]

HOUSE Bill No. 1069 Rep. Conmy Chairman was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred HOUSE

Bill No. 1084, has had the same under consideration and recommends, by a vote of Ayes, 19; Nays, 0; Absent, 0, that the same

do pass. do not pass. be placed on calendar without recommendation.

[Handwritten signature]

HOUSE REP. VERNON E. WAGNER Chairman Bill No. 1084 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on SOCIAL SERVICES AND VETERANS AFFAIRS

to whom was referred HOUSE

Bill No. 1121, has had the same under consideration and recommends, by a vote of Ayes, 14; Nays, 1; Absent, 0, that the same

do pass. do not pass. be placed on calendar without recommendation.

be amended as follows:

On page 1, line 27, remove the overstrike over the word "send"

On page 1, line 28, remove the overstrike over the words "notice-of the-arrears-by"

- On page 2, line 1, delete the words "notify the" and overstrike the word "person"
- On page 2, line 2, overstrike the words "ordered to make the support or alimony payments" and delete the word "of"
- On page 2, delete lines 3 and 4
- On page 2, line 5, delete the words "Dakota Rules of Civil Procedure" and overstrike the period and word ". Upon"
- On page 2, line 6, overstrike the words "receipt of", delete the words "proof of service of the", and overstrike the word "notice"
- On page 2, delete line 7
- On page 2, line 8, delete the words "Civil Procedure" and overstrike the commas and words ", the clerk of court shall, if payment"
- On page 2, overstrike line 9
- On page 2, line 10, overstrike the words "clerk after ten days from the date of" and delete the words "receipt of the"
- On page 2, line 11, overstrike the words "proof of", delete the words "service of the", overstrike the word and comma "notice," and after the comma insert the following: "first-class mail, with affidavit of service, to the person required to make the payments, or"

And renumber the lines accordingly

And when so amended, recommends the same do pass.

Bugsby Haugland Chairman
Rep. Haugland

HOUSE Bill No. 1121 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on FINANCE & TAXATION

to whom was referred HOUSE

Bill No. 1177, has had the same under consideration and recommends, by a vote of

Ayes, 14; Nays, 1; Absent, 1, that the same

- do pass. do not pass. be placed on calendar without recommendation.

be amended as follows:

- On page 1, line 2, following the section number "57-38-01" insert " and one new subdivision to subsection 1 of section 57-38-01.3"
- On page 1, line 4, delete the first "and", and after "trusts," insert "and corporations,"
- On page 1, line 11, delete "and", and after "trusts," insert "and corporations,"
- On page 1, line 15 after "1980" insert "; provided that the deduction for a corporation shall not exceed the amount provided in section 2 of this Act"
- On page 1, after line 22, insert the following new section:
"SECTION 2. A new subdivision to subsection 1 of section 57-38-01.3 of the 1979 Supplement is hereby created and enacted to read as follows:

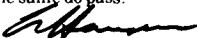
Increased by the amount of crude oil windfall profit tax, enacted as Public Law No. 96-223 [94 Stat. 229], which exceeds the sum of one

million dollars."

On page 1, line 23, delete "2" and insert in lieu thereof "3"

And renumber the lines sections and pages accordingly.

And when so amended, recommends the same do pass.



Rep. A. Hausauer Chairman

HOUSE Bill No. 1177 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on JUDICIARY

to whom was referred HOUSE

Bill No. 1178, has had the same under consideration and recommends, by a vote of

Ayes, 11; Nays, 4; Absent, 0, that the same

do pass. do not pass. be placed on calendar without recommendation.

be amended as follows:

On page 1, line 21, after the word "old", insert the following: "or after records have been audited, whichever occurs later" and on the same line, delete "following which" and insert in lieu thereof "governing body's proceedings"

On page 1, line 23, delete the colon and insert in lieu thereof an underscored period

On page 1, delete lines 24, 25, and 26

And renumber the lines, sections, and pages accordingly

And when so amended, recommends the same do pass.



Rep. Conmy Chairman

HOUSE Bill No. 1178 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on FINANCE & TAXATION

to whom was referred HOUSE

Bill No. 1199, has had the same under consideration and recommends, by a vote of

Ayes, 13; Nays, 3; Absent, 0, that the same

do pass. do not pass. be placed on calendar without recommendation.

be amended as follows:

On page 1, line 11, delete "a." and "or" and after "trusts," insert "or corporations,"

On page 2, delete lines 12 through 21

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.



Rep. A. Hausauer

Chairman

HOUSE Bill No. 1199 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on SOCIAL SERVICES AND VETERANS AFFAIRS

to whom was referred HOUSE

Bill No. 1204, has had the same under consideration and recommends, by a vote of

Ayes, 12; Nays, 3; Absent, 3, that the same

do pass. do not pass. be placed on calendar without recommendation.

be amended as follows:

On page 2, line 33, delete the comma

On page 3, line 15, after the second word "expenditure" delete the comma and insert the words "of one hundred fifty thousand dollars or such greater amount as federal regulations may specify,"

On page 3, line 35, after the word and period "facility." insert the following sentence: "Construction shall not include changes required by state or federal health and safety regulatory agencies."

On page 4, line 12, delete the colon and insert in lieu thereof a comma and the word "when"

On page 4, delete lines 13 through 15

On page 4, line 16, delete "b. When"

On page 4, line 22, after the word "under" insert "North Dakota Administrative Code"

On page 4, line 26, after the period insert the following sentence: "The term does not include the offices of private physicians or dentists, whether for individual or group practice."

On page 4, line 31, after the word "in" insert "North Dakota Administrative Code"

On page 4, line 32, delete the word "clinically" and insert in lieu thereof the word "institutionally"

On page 5, line 23, insert the following new subsection:

"14. "Inpatient" means a patient who has been formally admitted at least overnight to a hospital or other health facility which is responsible for his room and board for the purpose of receiving diagnostic or other health services."

On page 5, line 24, delete the numeral "14" and insert "15"

On page 6, line 3, delete the words "studies, surveys,"

On page 6, line 10, delete the numeral "15" and insert "16" and on the same line insert the word "Incremental" before the words "Operating costs", and also on the same line delete the word "Operating" and insert in lieu thereof the word "operating"

On page 6, line 11, delete the word "necessary" and insert "necessary"

On page 6, line 17, delete the numeral "16" and insert "17"

On page 6, line 22, delete the numeral "17" and insert "18"

On page 6, line 28, after the period, insert the following sentence: "This does not include the offices of private physicians or dentists, whether for individual or group practice."

On page 6, line 29, delete "18" and insert "19"

On page 6, line 31, delete "19" and insert "20"

- On page 7, line 10, delete "20" and insert "21"
- On page 7, line 13, delete "21" and insert "22"
- On page 7, line 19, delete "22" and insert "23"
- On page 8, line 2, delete "with or without"
- On page 8, line 3, delete "conditions,"
- On page 8, line 7, delete the words "that exceeds the"
- On page 8, line 8, delete "capital expenditure minimum"
- On page 8, line 9, delete the words "studies, surveys,"
- On page 8, line 11, delete "(including staff effort and consulting and other"
- On page 8, line 12, delete "services)"
- On page 8, line 15, delete "(of any"
- On page 8, line 16, delete "amount)"
- On page 8, line 30, delete the words "(in any amount)"
- On page 8, line 34, delete the words "(in any amount)"
- On page 9, line 11, after the word "of", delete the word "the" and insert "a"
- On page 10, after line 5, insert the following new subsection:
"4. Any state agency construction project subject to the provisions of this chapter, the determination of need established through legislative procedure, finalized by appropriation, shall be accepted by the state health council without any formal reviews."
- On page 11, delete lines 14 through 18
- On page 14, line 13, after the word "made", insert the following sentence:
"A notice of intent must be filed with the department when a health care facility is acquired"
- On page 14, line 20, after the word "conditions" insert the words "consistent with criteria prescribed in state law and regulations"
- On page 16, line 30, after the word "hearing", insert the words "before the council"

And renumber the lines, subsections and pages accordingly

And when so amended, recommends the same do pass.

 Chairman
 Rep/ Haugland

HOUSE Bill No. 1204 Rep/ Haugland was placed on the 6th.
 order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on JUDICIARY

to whom was referred HOUSE

Bill No. 1218, has had the same under consideration and recommends, by a vote of

Ayes, 11; Nays, 2; Absent, 2, that the same

do pass. do not pass. be placed on calendar without recommendation.

be amended as follows:

On page 1, delete lines 9 through 20

On page 2, line 2, delete the words "or anything of value"

On page 2, line 4, delete the third comma

- On page 2, delete lines 5 through 7
- On page 2, line 8, delete the word "state"
- On page 2, line 26, delete the comma and the words ", or in the furtherance of or to"
- On page 2, delete lines 27 and 28
- On page 2, line 29, delete the words "submitted to the electors of this state"
- On page 3, line 17, delete the comma and the words ", or in" and insert in lieu thereof a period
- On page 3, delete lines 18 through 22
- On page 3, line 27, delete the words "AND COMMITTEES"
- On page 3, line 29, delete the words "or any political committee"
- On page 3, delete line 30
- On page 3, line 31, delete the word "office"
- On page 4, line 1, delete the word and comma "association,"
- On page 4, line 8, delete the word "within" and insert in lieu thereof the following: ". Within"
- On page 4, line 22, delete the words and commas ", political committees,"
- On page 4, line 27, delete the words "or political committee"
- On page 4, line 30, delete the comma and words ", or committee"
- On page 5, line 8, delete the comma and words ", as specified in"
- On page 5, line 9, delete the following: "section 3,"

And renumber the lines, sections, and pages accordingly

And when so amended, recommends the same do pass.



Rep. County Chairman

HOUSE Bill No. 1218 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on JUDICIARY

to whom was referred HOUSE

Bill No. 1231, has had the same under consideration and recommends, by a vote of

Ayes, 11; Nays, 0; Absent, 4, that the same

do pass. do not pass. be placed on calendar without recommendation.

be amended as follows:

On page 2, line 23, delete the words "Notary's County" and insert in lieu thereof "County where signed"

And renumber the lines, sections, and pages accordingly

And when so amended, recommends the same do pass



Rep. Conmy Chairman

HOUSE Bill No. 1231 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on NATURAL RESOURCES

to whom was referred HOUSE

Bill No. 1248, has had the same under consideration and recommends, by a vote of

Ayes, 10; Nays, 6; Absent, 0, that the same

do pass. do not pass. be placed on calendar without recommendation.

be amended as follows:

On page 1, line 1, after the word "to" delete the remainder of the bill and insert in lieu thereof the words "amend and reenact section 61-01-22 of the North Dakota Century Code, relating to drainage of lands during times of flooding; and relating to the penalty of drainage violations."

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

SECTION 1. AMENDMENT. Section 61-01-22 of the 1979 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

61-01-22. PERMIT TO DRAIN WATERS REQUIRED - PENALTY. Any person, before draining water from a pond, slough, or lake, or any series thereof, which drains an area comprising eighty acres [32.37 hectares] or more into a watercourse, as defined by section 61-01-06, shall first secure a permit to do so. The permit application shall be submitted to the state engineer. After receipt, the state engineer shall consider the application in such detail as he deems necessary and proper. The state engineer shall refer the application to the board of commissioners of the water management resource district or districts within which is found a majority of the watershed or drainage area of the pond, slough, or lake for their consideration and approval, but decision. However, the state engineer may

require that applications proposing drainage of statewide or interdistrict significance be returned to him for final approval. A permit shall not be granted until an:

1. an An investigation shall disclose that the quantity of water which will be drained from the pond, slough, or lake, or any series thereof, will not flood or adversely affect lands or property of lower proprietors other landowners. If the investigation shall show shows that the proposed drainage will flood or adversely affect lands of lower or property of other landowners, the board of commissioners of the water management district a permit shall not issue a permit be issued until flowage easements are obtained. Such flowage easements shall be filed for record in the office of the register of deeds of the county or counties in which such lands are situated. An owner of land proposing to drain shall undertake and agree to pay the expenses incurred in making the required investigation.
2. The state water resources policy as set forth in section 61-01-26 has been duly considered.
3. Appropriate controls or other such devices shall be installed, operated, and maintained by the owner of the drain in accordance with a plan approved by the appropriate water resource district.

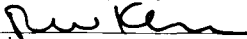
The provisions of this section shall not be construed to apply to the construction or maintenance of any existing or prospective drain constructed under the supervision of a state or federal agency, as determined by the state engineer, or to any drain constructed prior to 1975. Any person draining, or causing to be drained, water of a pond, slough, or lake, or any series thereof, which drains an area comprising eighty acres [32.37 hectares] or more, into a watercourse, without first securing a permit to do so, as provided by in violation of this section, shall be liable for all damage sustained by any person caused by such draining, drainage

and shall be guilty of an infraction.

~~When temporary ponding of water occurs due to spring runoff or heavy rains, an area not in excess of eighty acres (32-37 hectares) may be drained without the necessity of securing a permit."~~

And renumber the lines, section, and pages accordingly

And when so amended, recommends the same: do not pass.

 Chairman

Rep. Kloubec

HOUSE Bill No. 1248 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred HOUSE

Bill No. 1255, has had the same under consideration and recommends, by a vote of Ayes, 15; Nays, 0; Absent, 4, that the same

do pass. do not pass. be placed on calendar without recommendation.

 Chairman

REP. VERNON F. WAGNER

HOUSE Bill No. 1255 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on FINANCE & TAXATION

to whom was referred HOUSE

Bill No. 1284, has had the same under consideration and recommends, by a vote of Ayes, 13; Nays, 3; Absent, 0, that the same

do pass. do not pass. be placed on calendar without recommendation.

be amended as follows:

On page 1, line 11, delete "one"

On page 1, line 12, delete "thousand two hundred dollars," and insert in lieu thereof "five hundred dollars" and on the same line after "person" insert "or one thousand dollars if a joint return is filed,"

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

 Chairman

Rep. A. Hausauer

HOUSE Bill No. 1284 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on EDUCATION

to whom was referred HOUSE

Bill No. 1302, has had the same under consideration and recommends, by a vote of

Ayes, 12 ; Nays, 3 ; Absent, 1 , that the same

do pass. [X] do not pass. be placed on calendar without recommendation.

Rep. J. Knudson Chairman

HOUSE Bill No. 1302 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on NATURAL RESOURCES

to whom was referred HOUSE

Bill No. 1320 , has had the same under consideration and recommends, by a vote of

Ayes, 14 ; Nays, 2 ; Absent, 0 , that the same

do pass. [X] do not pass. be placed on calendar without recommendation.

[X] be amended as follows:

On page 1, line 6, delete the words "to establish a burning permit"

On page 1, line 7, delete the word "system,"

On page 2, delete lines 5 through 8

On page 3, delete lines 13 through 18

On page 4, line 5, delete the words "October thirty-first" and insert in lieu thereof the words "November thirtieth"

On page 4, delete lines 11 through 34

On page 5, line 21, delete the words "When an order to restrict open fires is issued, no"

On page 5, delete lines 22 through 25

And renumber the lines, subsections, sections, and pages accordingly. And when so amended, recommends the same do not pass.

Rep. Kloubec Chairman

HOUSE Bill No. 1320 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on SOCIAL SERVICES AND VETERANS AFFAIRS

to whom was referred HOUSE

Bill No. 1332 , has had the same under consideration and recommends, by a vote of

Ayes, 13 ; Nays, 2 ; Absent, 0 , that the same

do pass. do not pass. be placed on calendar without recommendation.

[X] be amended as follows:

On page 1, line 13, after the word "EXCEPTIONS" and before the period insert the words " - REFERRALS TO ADDICTION FACILITIES"

On page 1, line 23, after "dollars" insert the following: ". The court may, under this section, refer the person to an outpatient

addiction facility licensed by the department of health for evaluation and appropriate counseling or treatment "

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

Roy H. Haugland Chairman
Rep. Haugland

HOUSE Bill No. 1332 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on JUDICIARY

to whom was referred HOUSE

Bill No. 1335, has had the same under consideration and recommends, by a vote of

Ayes, 8; Nays, 5; Absent, 2, that the same

do pass. do not pass. be placed on calendar without recommendation.

be amended as follows:

On page 1, line 1, after the words "A BILL" delete the remainder of the bill and insert in lieu thereof the following: "for an Act to create and enact a new section to chapter 47-10 of the North Dakota Century Code, relating to the inclusion of a mineral interest in the transfer of a surface estate."

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

SECTION 1. A new section to chapter 47-10 of the North Dakota Century Code is hereby created and enacted to read as follows:

TRANSFER OF SURFACE - MINERAL INTEREST INCLUDED - LIMITATION.

1. No person holding legal title in a surface estate and all or a portion of the mineral estate underlying that surface may sever title to their estates, except that:
 - a. A person may transfer or convey title to a mineral interest if the mineral interest transferred or conveyed exceeds twenty mineral acres.
 - b. A person who conveys or transfers a surface estate in excess of forty acres may reserve, transfer or convey any or all of the mineral interests in excess of twenty acres.
2. No person holding title to a mineral interest may transfer or convey less than twenty acres. For the purpose of this section, "mineral" means and includes any valuable inert or lifeless substance formed or deposited in its present position through natural agencies and which is found within the earth or beneath the soil.

This section shall not apply to those surface and mineral interests of less than twenty acres acquired before the enactment of this section, or to any plot of land within the limits of any organized city."

And renumber the lines, sections, subsections, and pages accordingly

And when so amended, recommends the same do not pass

Bob Conmy Chairman
Rep. Conmy

HOUSE Bill No. 1335 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on SOCIAL SERVICES AND VETERANS AFFAIRS

to whom was referred HOUSE

Bill No. 1371, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 0; Absent, 0, that the same

do pass. do not pass. be placed on calendar without recommendation.

X be amended as follows:

On page 1, line 12, after the word "successor" insert a comma and words ", or which may be set by the supreme court by rule or special order specifically superseding the compensation herein provided"

On page 1, line 14, delete the word "five" and insert in lieu thereof the word "three"

On page 1, line 16, delete the hyphen and the word "one"

On page 1, line 17, delete the word "three" and insert in lieu thereof the word "five"

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

Bryghild Haugland Chairman Rep. Haugland

HOUSE Bill No. 1371 was placed on the 6th. order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on SOCIAL SERVICES AND VETERANS AFFAIRS

to whom was referred HOUSE

Bill No. 1384, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 0; Absent, 0, that the same

do pass. do not pass. be placed on calendar without recommendation.

X be amended as follows:

On page 1, line 8, delete the words "amended and reenacted" and insert in lieu thereof "created and enacted"

On page 1, line 11, delete the words and commas, "health, welfare, or educational"

On page 1, delete lines 13 through 17 and insert in lieu thereof the following: "subdivision, the agency shall inform the deaf person of his right to a qualified interpreter to interpret or translate the action of any personnel providing such service and to assist the deaf person in communicating with each other person. The interpreter shall be appointed, at the expense of the agency, upon the request of the deaf person or the deaf person's parent or guardian, if the deaf person is a minor."

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

Bryghild Haugland Chairman Rep. Haugland

HOUSE Bill No. 1384 was placed on the 6th. order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on NATURAL RESOURCES

to whom was referred HOUSE

Bill No. 1395, has had the same under consideration and recommends, by a vote of

Ayes, 13; Nays, 2; Absent, 1, that the same

do pass. do not pass. be placed on calendar without recommendation.

be amended as follows:

On page 1, line 15, remove the overstrike over the words "~~for any period of~~" and, after the word "ten", insert the word "fourteen" and remove the overstrike over the word "~~consecutive~~"

On page 1, line 16, remove the overstrike over the words "~~days or any two periods of~~" and, after the word "five", insert the word "seven" and also remove the overstrike over the words "~~consecutive days each and~~"

On page 1, line 17, remove the overstrike over the words "~~A license authorizing two~~"

On page 1, line 18, after the word "five", insert the word "seven" and remove the overstrike over the words "~~day hunting periods may allow hunting in a different zone~~"

On page 1, line 19, remove the overstrike over the words "~~during each period~~" and also remove the overstrike from the word "~~shall~~"

On page 1, line 20, delete the word "may"

And renumber the lines, sections, and pages accordingly

And when so amended, recommends the same do pass.



Chairman

Rep. Kloubec

HOUSE Bill No. 1395 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on INDUSTRY, BUSINESS AND LABOR

to whom was referred HOUSE

Bill No. 1397, has had the same under consideration and recommends, by a vote of

Ayes, 9; Nays, 7; Absent, 0, that the same

do pass. do not pass. be placed on calendar without recommendation.



Chairman

Rep. Rued

HOUSE Bill No. 1397 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on SOCIAL SERVICES AND VETERANS AFFAIRS

to whom was referred HOUSE

Bill No. 1400, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 0; Absent, 0, that the same

do pass. do not pass. be placed on calendar without recommendation.

be amended as follows:

On page 3, line 14, after the period, insert the words:

"In addition, a pharmacist shall not substitute drug products in the following dosage forms: enteric coated tablets, controlled release products, injectable suspensions other than antibiotics, suppositories containing active ingredients for which systemic absorption is necessary for therapeutic activity, and different delivery systems for aerosol and nebulizer drugs. In the event that any drug listed above is, subsequent to the effective date of this subsection, determined to be therapeutically equivalent, then the previously mentioned substitution ban shall be automatically removed for that drug."

On page 4, line 15, after the word "a" overstrike the word "generic"

On page 4, line 16, overstrike the word "name" and insert the word "different"

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

Brynhild Haugland Chairman
Rep. Haugland

HOUSE Bill No. 1400 was placed on the 6th.
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on JUDICIARY
to whom was referred HOUSE

Bill No. 1410, has had the same under consideration and recommends, by a vote of
Ayes, 11; Nays, 1; Absent, 3, that the same

do pass. do not pass. be placed on calendar without recommendation.
 be amended as follows:

On page 1, line 12, delete the words "fifty thousand four hundred fifty-seven" and insert in lieu thereof the words "forty-nine thousand nine hundred"

On page 1, line 14, delete the words "fifty-five thousand five hundred three" and insert in lieu thereof the words "fifty-three thousand nine hundred"

On page 1, line 24, delete the words "forty-seven thousand three hundred eleven" and insert in lieu thereof the words "forty-six thousand nine hundred"

On page 1, line 26, delete the words "fifty-two thousand forty-two" and insert in lieu thereof the words "fifty thousand six hundred"

And renumber the lines, sections, and pages accordingly

And when so amended, recommends the same do pass.

Bob Low Chairman
Rep. Conny

HOUSE Bill No. 1410 was placed on the 6th.
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on SOCIAL SERVICES AND VETERANS AFFAIRS

to whom was referred HOUSE

Bill No. 1418, has had the same under consideration and recommends, by a vote of

Ayes, 10; Nays, 5; Absent, 0, that the same

do pass. do not pass. be placed on calendar without recommendation.

be amended as follows:

On page 1, line 1, after the words "A BILL" delete the remainder of the bill and insert in lieu thereof the following: "for an Act to create a department of human services; to amend and reenact sections 25-01-01.1, 25-02-04, 25-02-09, 25-10-01, 25-10-04, 27-21-01, subsection 5 of section 39-08-01, section 50-01.1-01, subsection 1 of section 50-01.1-04, sections 50-06-01, 50-06-01.1, 50-06-05.1, 50-06-06.2, 50-06.1-01, subsection 1 of section 50-09-01, sections 50-10-01, 50-24.1-03, 50-26-01, 50-26-04, subsection 1 of section 54-07-01.2, sections 54-38-01, 54-38-05, 54-40-09, 54-42-06, and 54-44.3-19 of the North Dakota Century Code, relating to the developmental disabilities council, the superintendent of the state hospital, care of patients at the state hospital, the mental health and retardation division of the state health department, the state youth authority, penalty for driving under the influence of intoxicating liquors or controlled substances, definitions of state and county social service boards, the creation of multicounty welfare districts, powers and duties of the social service board, use of federal funds for clinic services, the division of vocational rehabilitation, definition of state agency for administration of aid to dependent children, definition of state agency for aid to crippled children, county share of medical assistance, the governor's council on human resources, governor's power to appoint majority of certain board members, the division on alcoholism and drug abuse, human service centers, agencies subject to the merit system, and authority of merit system board to provide service to cities and political subdivisions; to repeal chapter 25-12 and sections 1-01-48, 25-10-05, 50-06-02, 50-06-03, 50-06-03.1, 50-06-04, 50-06-07, 50-06-08, 50-06-09, 50-06-10, 50-06-13, 54-40-10, and 54-40-11 of the North Dakota Century Code, relating to the division of child welfare, mental health and retardation service units, members of the social service board, the executive director of the social service board, report of the social service board to the governor, certification for human service centers, and collocation of human service centers with county social service boards; authorizing the legislative council to make some statutory revisions; and to provide an appropriation.

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

SECTION 1. DEPARTMENT OF HUMAN SERVICES - CREATION. The North Dakota department of human services is hereby created to assume the functions, powers, and duties of the following governmental agencies:

1. The social service board of North Dakota, including all of the statutory authority and responsibilities set out in chapters 27-21, 50-06, 50-06.1, 50-09, 50-10, 50-11, 50-11.1, 50-12, 50-18, 50-19, 50-20, 50-21, 50-24.1, and 50-25.1.
2. The governor's council on human resources as established by chapter 50-26.
3. The mental health and retardation division of

JOURNAL OF THE HOUSE

the department of health as established by chapter 25-10, including the state hospital and any other institutions under the jurisdiction of the mental health and retardation division.

4. The division of alcoholism and drug abuse of the department of health as established by chapter 54-38.
5. The state council on developmental disabilities as established by section 25-01-01.1.

SECTION 2. EXECUTIVE DIRECTOR - APPOINTMENT - COMPENSATION. The executive director of the department of human services shall be appointed by, and shall serve at the pleasure of, the governor. The executive director shall take the oath of office required of civil officers by section 44-01-05 and shall be bonded as required of civil officers by section 44-01-06. The executive director shall receive compensation in the amount established by the governor within the limits of legislative appropriations.

SECTION 3. STRUCTURE OF THE DEPARTMENT. The department of human services shall include an office of human services, an office of economic assistance and county administration, administrative and fiscal support services as the executive director deems necessary, and as many other subdivisions as the executive director may deem appropriate, or as may be provided by law.

1. The office of human services shall contain the following divisions:
 - a. Developmental disabilities division.
 - b. Mental health and alcoholism and drug abuse division, including the state hospital.
 - c. Social services division, including an aging services unit and a children and family services unit.
 - d. Vocational rehabilitation division, including regional vocational rehabilitation offices collocated with regional human service centers.
2. The office of economic assistance and county administration shall include the following divisions:
 - a. Public assistance division, including a food stamp unit, a housing assistance unit, an assistance payments unit, an energy assistance unit, and a child support unit.
 - b. Medical assistance division.

Regional supervisors of economic assistance shall be collocated with regional human service centers and shall be responsible for maintaining a close working relationship between county social service boards and regional human service centers. The executive director of the department of human services shall be responsible for consulting with and maintaining a close working relationship with the department of health; with the director of institutions and the superintendents of the Grafton state school, the school for the deaf, and the school for the blind to develop programs for developmentally disabled persons; and with the superintendent of public instruction to maximize the use of resource persons in regional human service centers in the provision of special education services.

SECTION 4. REGIONAL HUMAN SERVICE CENTERS - LICENSURE - COLLOCATION WITH COUNTY SOCIAL SERVICE BOARDS. Human services shall be delivered through regional human service centers in the areas designated by the governor's executive order 49 dated September 18, 1969. Services provided by regional human service centers shall include those services formerly provided by mental health and retardation service units and area social service centers. The regional human service centers shall be subject to licensing by the state department of human services. The department shall adopt rules and standards for the licensing and operation of the regional human service centers. No human service center may operate without a license issued hereunder. Regional human service centers are authorized to receive federal and other funds available to finance, in whole or in part, the services and operations of the centers. Any county social service board collocating its offices with a regional human service center shall, within the limits of legislative appropriations, be reimbursed up to fifty percent of the amount expended for space costs in excess of the amount provided by the federal government.

SECTION 5. DIRECTOR OF REGIONAL CENTER - MEDICAL DIRECTOR. Each regional human service center shall be headed by a regional director appointed by and accountable to the executive director of the department of human services. Each regional director shall have the authority to employ the staff necessary to discharge the center's responsibilities. The regional director shall also have authority, subject to the approval of the executive director of the department and within the limit of legislative appropriations, to make contractual arrangements with public or private agencies or with individuals and organizations to discharge the regional human service center's service delivery responsibilities. The staff of each regional human service center shall include a qualified medical professional who shall be designated as the medical director of the center. The medical director shall be primarily responsible for coordinating mental health and medically related services. The medical director's position may be part time or full time as determined appropriate by the regional director, with the concurrence of the executive director. At the discretion of the executive director, the regional director of a center, if qualified therefor, could also be appointed medical director of that center. As used in this section, "qualified medical professional" means an individual possessing at least a medical degree.

SECTION 6. OFFICE AND OFFICE EQUIPMENT. The department of human services shall be provided with suitable offices in the state capitol. The department may purchase through the department of accounts and purchases, out of the funds appropriated, any furniture, office and filing equipment, office supplies, stationery, and postage necessary for the efficient conduct of department business.

SECTION 7. BIENNIAL REPORT TO GOVERNOR AND DEPARTMENT OF ACCOUNTS AND PURCHASES. The department of human services shall submit to the governor and the department of accounts and purchases a biennial report as prescribed by section 54-06-04.

SECTION 8. AUTHORITY TO ADOPT RULES. The department of human services may adopt rules necessary to carry out its responsibilities under this Act. All rules adopted shall be published in the North Dakota Administrative Code. Rules adopted by agencies prior to the effective date of this Act which relate to functions or agencies covered by this Act shall remain in effect until such time as they are specifically amended or repealed by the department.

JOURNAL OF THE HOUSE

SECTION 9. AMENDMENT. Section 25-01-01.1 of the 1979 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

25-01-01.1. STATE COUNCIL ON DEVELOPMENTAL DISABILITIES. There is hereby created and shall be maintained in the state department of ~~health human services~~ a state council on developmental disabilities consisting of one representative of each of the following departments, divisions, institutions, and organizations designated by the head of such agency or organization:

1. Office of superintendent of public instruction.
2. ~~Social-service-board-of~~ North Dakota department of human services.
3. State department of health.
4. Grafton state school.
5. Job service North Dakota.
6. Director of institutions.
7. ~~Community-mental-health-and-retardation-and human-service-center~~

The council shall have consumer representation in conformity with federal regulations regarding developmental disabilities. All members of the council shall be appointed by the governor from the list of designees provided by agency heads pursuant to this section. The council shall select its own officers who shall serve for a term of two years commencing on October first of each year. Meetings shall be held at least twice a year or at the call of the chairman or upon notice in writing signed by not less than three members of the council. A simple majority of the council shall constitute a quorum and shall have authority to act upon any matter coming before the council. Members of the council shall be reimbursed in the same manner and at the same rate provided by law for other state officials.

The council shall assist in the development of the state plan for developmental disabilities, monitor and evaluate the implementation of such state plan, review and comment on all state plans in the state which relate to programs affecting persons with developmental disabilities, provide protection and advocacy to developmentally disabled individuals when requested by a state department, division, institution, or organization, and establish a committee on professional standards and certification that will develop rules and regulations for the certification of developmental disability professionals. The council shall also perform studies and surveys of the needs of the developmentally disabled persons in North Dakota, and shall facilitate coordination of the activities of all state departments, divisions, agencies, and institutions having responsibilities in the field of developmental disabilities.

SECTION 10. AMENDMENT. Section 25-02-04 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

25-02-04. SUPERINTENDENT TO POSSESS CERTAIN QUALIFICATIONS - EMPLOYEES. The superintendent of the state hospital shall be a certified psychiatrist, who may also be the director of the mental health and alcoholism and drug abuse division. He ~~The superintendent~~ shall appoint with the approval of the ~~state-mental-health-and-retardation-division~~ executive director of the department

of human services an assistant superintendent of administration who shall be under his supervision and who shall be a qualified and experienced hospital administrator. The superintendent shall appoint and employ the professional staff and define their qualifications and duties. The assistant superintendent shall employ such other personnel as may be necessary and shall define their qualifications and duties.

SECTION 11. AMENDMENT. Section 25-02-09 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

25-02-09. CARE OF PATIENTS TO BE IMPARTIAL - EXCEPTIONS. All patients at the state hospital shall be provided with equal care and treatment in accordance with the different degrees or conditions of mental and physical health. However, if relatives or friends of any patient shall request it and pay the expenses thereof, ~~such that~~ patient may receive special care and be provided with a special attendant in ~~such a~~ manner as may be agreed upon by the superintendent. In ~~all such~~ these cases, the charges for special care and attendants shall be paid quarterly in advance. The relatives or friends of any patient in the hospital shall have the privilege of paying any portion or all of the expenses of ~~such that~~ patient and the superintendent shall cause the account of ~~such that~~ patient to be credited with any sums so paid. The superintendent shall account to the state ~~mental health and retardation division~~ department of human services for all money or property which shall come into ~~his~~ the superintendent's hands for the purpose of furnishing extra care or treatment to any patient at the state hospital.

SECTION 12. AMENDMENT. Section 25-10-01 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

25-10-01. ~~STATE MENTAL HEALTH AND RETARDATION ALCOHOLISM AND DRUG ABUSE DIVISION~~. There is hereby established within the state department of health human services a division to be known as the state mental health and retardation alcoholism and drug abuse division, such division to be under the direction and supervision of a certified psychiatrist who shall be appointed by the state health officer with the approval of the state health council the director of which shall be a certified psychiatrist, and may also be the superintendent of the state hospital, to perform the following functions in the field of mental health:

1. Cooperate in providing services to state and local departments and agencies and other groups for programs of prevention of mental illness, mental retardation, and other psychiatric disabilities.
2. Assist in providing informational and educational services regarding mental health to the public and lay and professional groups.
3. Assist in providing consultative services to schools, courts, and health and welfare agencies, both public and private.
4. Assist in providing outpatient diagnostic and treatment services.
5. Assist in providing rehabilitation services for patients suffering from mental or emotional disorders, mental retardation, and other psychiatric conditions, particularly those who have received prior treatment in an inpatient facility.

6. Assume the duties of the former division of alcoholism and drug abuse as set forth in chapter 54-38.

The above services shall be undertaken by the state department of health human services to the extent funds are available to the department for the performance of these functions.

SECTION 13. AMENDMENT. Section 25-10-04 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

25-10-04. TRANSFER OF INSTITUTIONS UNDER THE DIRECTOR OF INSTITUTIONS. The administration and control of the state hospital at Jamestown is hereby transferred from the director of institutions to ~~the mental health and retardation division of~~ the state department of health human services.

SECTION 14. AMENDMENT. Section 27-21-01 of the 1979 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

27-21-01. CREATION OF STATE YOUTH AUTHORITY - DIRECTOR. A state youth authority is hereby created and established with ~~such~~ the powers and duties ~~as are~~ prescribed by this chapter. The state youth authority shall be created within the ~~social service board~~ department of human services, and its chief administrative officer shall be the executive director of the ~~social service board~~ department of human services, or his designee.

SECTION 15. AMENDMENT. Subsection 5 of section 39-08-01 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

5. The court may, upon a conviction of a person under this section, but prior to sentencing, refer ~~him~~ the person to an addiction facility licensed by the North Dakota state department of health for diagnosis. Upon receipt of the results of this diagnosis, the court may impose a sentence as prescribed in this section or it may sentence the person to treatment in a facility approved by the North Dakota state department of ~~health, division of alcoholism and drug abuse~~ human services.

SECTION 16. AMENDMENT. Section 50-01.1-01 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

50-01.1-01. DEFINITIONS. As used in this chapter, unless the context or subject matter otherwise requires:

1. "State board" ~~shall mean the social service board of North Dakota~~ means the department of human services.
2. "County board" ~~shall mean~~ means the county ~~welfare~~ social service boards.

SECTION 17. AMENDMENT. Subsection 1 of section 50-01.1-04 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

1. A plan for the creation of a multicounty welfare district prepared by a county board shall provide for the method of operation of the consolidated office, its administration, its location, the disbursements from public funds, and the accountability of funds and manner of reporting receipts and disbursements.

The plan shall provide that all services provided by county officials to county boards under the provisions of this code shall be provided by those county officials residing within the same county wherein the office of the multicounty welfare district is located. The plan shall also provide for the distribution of property owned by each of the county boards affected by the consolidation. ~~Such~~ The plan may also provide that the ~~program supervisor regional director of a state-board area-social~~ regional human service center shall serve as the director of the multicounty welfare district.

SECTION 18. AMENDMENT. Section 50-06-01 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

50-06-01. DEFINITION. Whenever the word "board" is used in this chapter, it shall mean the ~~social-service board-of-North-Dakota~~ department of human services.

SECTION 19. AMENDMENT. Section 50-06-01.1 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

50-06-01.1. ~~SOCIAL-SERVICE-BOARD-OF-NORTH-DAKOTA DEPARTMENT OF HUMAN SERVICES TO BE SUBSTITUTED FOR PUBLIC WELFARE BOARD OF NORTH DAKOTA AND SOCIAL SERVICE BOARD OF NORTH DAKOTA, MEMBERS OF BOARD, AND EXECUTIVE DIRECTOR.~~ Wherever the terms "public welfare board of North Dakota", "social service board of North Dakota", "executive director of the public welfare board", or "executive director of the social service board", "member of the public welfare board", or "member of the social service board", or any derivative of those terms which, when used in context indicates an intention to refer to those persons or that board, shall appear in the North Dakota Century Code, the term "~~social-service-board-of-North-Dakota~~" "department of human services", or the term "executive director of the ~~social-service-board~~ department of human services", as the case may be, shall be substituted therefor. It is the intent of the legislative assembly that the ~~social-service-board-of-North-Dakota~~ department of human services shall be substituted for, shall take any action previously to be taken by, and shall perform any duties previously to be performed by the public welfare board of North Dakota or by the social service board of North Dakota.

SECTION 20. AMENDMENT. Section 50-06-05.1 of the 1979 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

50-06-05.1. POWERS AND DUTIES OF THE BOARD DEPARTMENT. The ~~social-service-board-of~~ North Dakota department of human services shall have the following powers and duties to be administered by ~~such-board~~ the department through its state office or through regional ~~offices~~ human service centers or otherwise as directed by it:

1. To act as the official agency of the state in any social welfare or human service activity initiated by the federal government not otherwise by law made the responsibility of another state agency.
2. To administer, allocate, and distribute any state and federal funds that may be made available for the purpose of providing financial assistance, care, and services to eligible persons and families who do not have

JOURNAL OF THE HOUSE

sufficient income or other resources to provide a reasonable subsistence compatible with decency and health.

3. To provide preventive, rehabilitative, and other ~~social~~ human services to help families and individuals to retain or attain capability for independence or self-care.
4. To do needed research and study in the causes of social problems and to define appropriate and effective techniques in providing preventive and rehabilitative services.
5. To provide for the study, and to promote the well-being of deprived, unruly, and delinquent children.
6. To provide for the placing and supervision of children in need of substitute parental care, subject to the control of any court having jurisdiction and control of any such child.
7. To recommend appropriate social legislation to the legislative assembly.
8. To direct and supervise county social service board activities as may be financed in whole or in part by or with funds allocated or distributed by the ~~board~~ department.
9. To inform the public as to social conditions and ways of meeting social needs.
10. To secure, hold, and administer for the purpose for which it is established, any property and any funds donated to it either by will or deed, or otherwise, or through court order or otherwise available to the ~~board~~ department, and to administer said funds or property in accordance with the instructions in the instrument creating them or in accordance with the instructions in the court order or otherwise.
11. To formulate standards and make appropriate inspections and investigations in accordance with such standards in connection with all licensing activities delegated by law to the ~~board~~ department including child-care facilities, nonmedical adult-care facilities and maternity homes, and persons or organizations receiving and placing children, and to require such facilities, persons, and organizations to submit ~~such~~ reports and information as the board may determine necessary.
12. To permit the making of any surveys of ~~social welfare~~ human service needs and activities if deemed by the ~~board~~ department to be necessary and expedient.
13. To issue subpoenas, administer oaths, and compel attendance of witnesses and production of documents or papers whenever the ~~board~~ department deems it necessary in making the investigations provided for herein or in the discharge of its other duties. A subpoena shall not be issued to compel the production of documents or papers relating to any private child-caring or child-placing agency or maternity hospital or to compel the attendance as a witness of any officer or employee of ~~such~~ those facilities except upon the order of a

judge of the district court of the judicial district in which the facilities are located.

14. To provide insofar as staff resources permit appropriate ~~social~~ human services, including social histories, social or social-psychological evaluations, individual, group, family, and marital counseling, and related consultation, when referred by self, parent, guardian, county social service board, court, physician, or other individual or agency, and when application is made by self (if an adult or emancipated youth), parent, guardian, or agency having custody; also, on the same basis, to provide ~~social~~ human services to children and adults in relation to their placement in or return from the Grafton state school, state hospital, or North Dakota industrial school.
15. To provide marital counseling to individuals ordered to participate in such treatment by the family court.
16. To provide insofar as staff resources permit social services, including social-psychological evaluations, predisposition reports, treatment, probation, and aftercare services when requested by the judge of a juvenile court, all reports to be kept confidential for the use of the judge except as may be disclosed by the judge.
17. To provide insofar as staff resources permit social services, including social-psychological evaluations, predisposition reports, treatment, and probation and parole services, when requested by the judge in a criminal case, all reports to be kept confidential for use by the judge except as may be disclosed by the judge.
18. To act as the official agency of the state in the administration of the food stamp program in conformity with the Food Stamp Act of 1964, as amended, and to direct and supervise county administration of ~~such~~ that program. Provided, however, that the board department with the consent of the legislative council committee on budget may terminate the program should the rate of federal financial participation in administrative costs provided under Public Law 93-347 be decreased or limited, or should the state or counties become financially responsible for all or a portion of the coupon bonus payments under the Food Stamp Act.
19. To administer, allocate, and distribute any funds made available for the making of direct cash assistance payments, housing assistance payments, and rental subsidies under any rental assistance programs initiated by the federal government not otherwise by law made the responsibility of another state agency possessing statewide jurisdiction.

SECTION 21. AMENDMENT. Section 50-06-06.2 of the 1979 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

50-06-06.2. CLINIC SERVICES - PROVIDER QUALIFICATION - UTILIZATION OF FEDERAL FUNDS. Within the limits of legislative appropriation therefor and in accordance with rules ~~and regulations~~ established by the ~~social-service-board~~ department of human services, the ~~board department~~ may defray the costs of preventive diagnostic, therapeutic, rehabilitative, or palliative

JOURNAL OF THE HOUSE

items or services furnished medical assistance eligible individuals by:

- 1--~~Human service centers established under section 54-40-09 which fulfill mental health and social service quality assurance standards jointly prescribed, promulgated, and adopted by the social service board and the state department of health.~~
- 2--~~Mental health and retardation service units established and licensed under chapter 25-12 regional human service centers.~~

Within the limits of legislative appropriations and to the extent permitted by state and federal law and regulations established thereunder, it is the intent of the legislative assembly that federal funds available under title XIX of the Social Security Act [42 U.S.C. 1396 et seq.] be utilized to defray the costs of identifiable mental health clinic services furnished eligible individuals in qualifying regional human service and mental health centers and that federal funds available under title XX of the Social Security Act [42 U.S.C. 1397 et seq.] be utilized to defray the costs of identifiable social services furnished eligible individuals by county social service boards, ~~area social service centers,~~ and regional human service centers.

SECTION 22. AMENDMENT. Section 50-06.1-01 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

50-06.1-01. DEFINITIONS. In this chapter, unless the context or subject matter otherwise requires:

1. "State board" ~~shall mean the social service board of~~ means the North Dakota department of human services.
2. "Division" ~~shall mean~~ means the division of vocational rehabilitation.
3. "Division executive director" ~~shall mean~~ means the director of the division of vocational rehabilitation.
4. "~~Regulations~~" ~~shall mean~~ regulations made "Rules" means rules adopted by the division executive director with the approval of the state board executive director of the department of human services.

SECTION 23. AMENDMENT. Subsection 1 of section 50-09-01 of the 1979 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

1. "State agency" ~~shall mean the social service board of~~ means the North Dakota department of human services.

SECTION 24. AMENDMENT. Section 50-10-01 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

50-10-01. DEFINITIONS. In this chapter unless the context or subject matter otherwise requires:

1. "State agency" ~~shall mean the social service board of~~ means the North Dakota department of human services.
2. "County agency" ~~shall mean~~ means the county ~~welfare board~~ social service boards in this state.

SECTION 25. AMENDMENT. Section 50-24.1-03 of the 1979 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

50-24.1-03. COUNTY SHARE OF MEDICAL ASSISTANCE - REIMBURSEMENT FOR CLINIC SERVICES NOT REQUIRED. Each county in this state shall reimburse the state department for amounts expended for medical assistance in ~~such that~~ county in excess of the amount provided by the federal government, in the amount of fifteen percent. This section shall not be construed to require a county to reimburse the state department for clinic services furnished by ~~mental-health-and-retardation-service-units~~ or ~~regional~~ human service centers, ~~but-it-shall-also-not-be-construed-as-preventing-payments-under-chapter-25-12.~~

SECTION 26. AMENDMENT. Section 50-26-01 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

50-26-01. ESTABLISHMENT OF GOVERNOR'S COUNCIL ON HUMAN RESOURCES - CERTAIN COMMITTEES TO CONSTITUTE - APPOINTMENT. There is hereby established a governor's council on human resources, to be maintained within the department of human services, which shall consist of a committee on aging, a committee on children and youth, a committee on employment of the handicapped, and ~~such~~ other committees ~~who-have~~ having a related interest in human resources ~~as may be appointed.~~ ~~These~~ Each of these committees shall ~~each~~ consist of an executive committee of no more than nine members, each of whom shall be appointed by the governor for a term of three years, staggered so that the terms of one-third of the members of each committee expire July first of each year, except that initial appointments to the committees shall be made on the basis of a one-year term for one-third of the members of each committee; a two-year term for one-third of the members of each committee; and a full three-year term for the remaining members of each committee. Each of the executive committees of the governor's council on human resources may appoint to their committee the chairman of the mayor's committee or his designated representative. A vacancy occurring other than by reason of the expiration of a term shall be filled in the same manner as original appointments, except that such appointment shall be made for the remainder of the unexpired term only.

SECTION 27. AMENDMENT. Section 50-26-04 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

50-26-04. EXECUTIVE COMMITTEE - POWERS - EMPLOYMENT OF EXECUTIVE DIRECTOR. The executive committee of the governor's council on human resources shall consist of the respective chairman and vice chairman of the committees which constitute the council. They shall select a chairman from their membership and shall meet at such times and at such places as the chairman may direct. Members of the executive committee shall receive the same mileage and expenses for performance of their official duties as is provided in section 50-26-03. It shall be the duty of the executive committee to determine the number of meetings each committee shall hold, the areas in which they shall devote their time, and generally, to supervise all functions of any committee. The executive committee shall coordinate all functions of the council with other state departments, agencies, and other organizations and shall assure that the council cooperate with such departments, agencies, and other organizations wherever possible. The executive committee of the governor's council shall, with the approval of the ~~governor~~ executive director of the department of human services,

JOURNAL OF THE HOUSE

appoint a full-time director of the council on human resources whose duty it shall be to assist the committees in any manner authorized by the executive committee of the council. The executive committee of the council may authorize the council director to employ such clerical help as they deem necessary. The compensation of the director and clerical help shall be set by the executive ~~committee of the council~~ director of the department of human services within appropriations by the legislative assembly. A special operating fund for the governor's council on human resources shall be maintained within the state treasury. All expenditures from such fund shall be within the limits of legislative appropriations and shall be made upon vouchers, signed and approved by the ~~chairman of the executive committee~~ director of the department of human services. Upon approval of such vouchers by the ~~state auditing board~~ office of the budget, warrant-checks shall be prepared by the department of accounts and purchases. All moneys received as gifts, donations, or bequests and all federal moneys received shall be deposited in ~~such~~ the special operating fund. The state treasurer shall make periodic transfers upon order of the director of the department of accounts and purchases from the governor's council on human resources general fund appropriation to such special operating fund whenever its balance falls so low as to require supplementation. The executive committee is authorized on behalf of the council to accept any federal funds and any other gifts and money from any source that may be offered to them.

SECTION 28. AMENDMENT. Subsection 1 of section 54-07-01.2 of the 1979 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

1. Notwithstanding the provisions of sections 2-05-01, 4-18.1-04, 4-27-04, 6-01-03, 6-09.1-02, 12-55-01, 12-59-01, 15-21-17, 15-38-17, 15-39.1-05, 15-65-02, 20.1-02-23, 23-01-02, 23-25-02, 36-01-01, 37-18.1-01, ~~50-06-02, 50-06-03, 1~~ 50-26-01, 51-10-13, 54-03-20.2, 54-34-03, 54-42-01, 54-54-02, 55-01-01, 55-06-01, 61-02-04, 61-28-03, and 65-02-01, all members of the following boards and commissions shall, subject to the limitations of this section, be considered to have resigned from such boards and commissions effective January first of the first year of each four-year term of the governor:
 - a. The aeronautics commission.
 - b. The milk stabilization board.
 - c. The dairy products promotion commission.
 - d. The state banking board.
 - e. The state credit union board.
 - f. The advisory board of directors to the Bank of North Dakota.
 - g. The board of pardons.
 - h. The state parole board.
 - i. The state board of public school education.
 - j. The teachers' professional practices commission.
 - k. The board of trustees for the teachers'

fund for retirement.

1. The educational broadcasting council.
 - m. The state game and fish advisory board.
 - n. The health council.
 - o. The air pollution control advisory council.
 - p. The livestock sanitary board.
 - q. The administrative committee on veterans' affairs.
 - r. ~~The social service board of North Dakota.~~
 - s. The governor's council on human resources.
 - t. s. The North Dakota trade commission.
 - u. ~~The legislative compensation commission.~~
 - v. t. The business and industrial development commission.
 - w. u. The merit system council.
 - x. v. The North Dakota council on the arts.
 - y. w. The state historical board.
 - z. x. The Yellowstone-Missouri-Fort Union commission.
 - aa. y. The state water conservation commission.
 - bb. z. The state water pollution control board.
 - cc. aa. The workmen's compensation bureau.

SECTION 29. AMENDMENT. Section 54-38-01 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

54-38-01. DEFINITIONS. In this chapter unless the context or subject matter otherwise requires:

1. "Alcoholic" ~~shall-mean~~ means any person who chronically and habitually uses alcoholic beverages to the extent that he has lost the power of self-control with respect to the use of such beverages, or while chronically or habitually under the influence of alcoholic beverages, endangers public morals, health, safety, or welfare. 1
2. "Department" ~~shall-mean~~ means the state department of health, human services.
3. "Patients" ~~shall-mean~~ means persons who are under the supervision or care of the department. 1
4. "Alcoholism" ~~shall-mean~~ means the pathological condition attendant upon the excessive and habitual use of alcoholic beverages. 1
5. "Division" ~~shall-mean~~ means the division of mental health and alcoholism and drug abuse within the state department of health, human services.
6. "Drug abuse" ~~shall-mean~~ means the use of drugs solely for their stimulant, depressant, or hallucinogenic effect upon the higher functions

JOURNAL OF THE HOUSE

of the central nervous system and not as a therapeutic agent prescribed in the course of medical treatment or in a program of research operated under the direction of a physician or pharmacologist~~,-and~~.

7. "Drug dependent persons" shall mean means any person who has developed a state of psychic or physical dependence, or both, upon a drug following administration of that drug upon a repeated periodic or continuous basis.

SECTION 30. AMENDMENT. Section 54-38-05 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

54-38-05. DUTIES OF DEPARTMENT. The department shall:

1. Study alcoholism and drug abuse and related problems, including methods and facilities available for the care, custody, detention, treatment, employment, and rehabilitation of resident alcoholics and drug dependent persons~~,-~~.
2. Promote meetings and programs for the discussion of alcoholism and drug abuse or any of their aspects, disseminate information on the subject of alcoholism and drug abuse for the guidance and assistance of individuals, courts, and public or private agencies for the prevention of alcoholism and drug abuse, and inform and educate the general public on problems of alcoholism and drug abuse, their prevention and treatment, to the end that alcoholism and drug abuse may be prevented and that persons suffering from alcoholism or drug dependency may be disposed to seek available treatment~~,-~~.
3. Conduct, promote, and finance, in full or in part, studies, investigations, and research, independently or in cooperation with universities, colleges, scientific organizations, and public or private agencies~~,-~~.
4. Accept for examination, diagnosis, guidance, and treatment, insofar as funds permit, any resident of the state coming to the department of his own volition for advice and guidance~~,-~~.
5. Establish, from time to time, policies governing the acceptance, care, and treatment of alcoholics and drug dependent persons~~,-and~~.
- 6.~~--Employ-such-assistants-as-may-be-necessary-The-present-staff-of-chapter-54-38-may-be-transferred-to-the-newly-created-division-of-alcoholism-and-drug-abuse-within-the-state-department-of-health.~~

SECTION 31. AMENDMENT. Section 54-40-09 of the 1979 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

54-40-09. REGIONAL HUMAN SERVICE CENTERS - POWERS - DUTIES. Human Regional human service centers organized under this chapter are those centers established to provide human services otherwise as authorized by law by the state or any of its political subdivisions. The term "human service" means service provided to individuals or their families in need thereof to help them achieve, maintain, or support the highest level of personal

independence and economic self-sufficiency, including health, mental health, education, manpower, social, vocational rehabilitation, aging, food and nutrition, and housing service. Human Regional human service centers shall function as single-collocated regional administrative units established, within the multicounty areas designated by the governor's executive order 49 dated September 18, 1969, to provide for the planning and delivery of human services. Human Regional human service centers shall provide human services to all eligible individuals and families to help them achieve or maintain social, emotional and economic self-sufficiency; prevent, reduce, or eliminate dependency; prevent or remedy the neglect, abuse, or exploitation of children and of adults unable to protect their own interests; aid in the preservation, rehabilitation, and reuniting of families; prevent or reduce inappropriate institutional care by providing for care while institutionalized or providing for community-based or other forms of less restrictive care; and secure referral or admission for institutional care. Human service center boards shall plan and develop health and social resources to assure the effective and efficient delivery of high quality human services fully accessible to all citizens. Human service center boards shall maximize the coordination and integration of services and functions to the fullest extent practicable to avoid unnecessary duplication and overlapping of functions and services. A human service center shall be established upon a majority vote of those commissioners within a multicounty area present at a joint meeting of the boards of county commissioners called by the chairman of the board of county commissioners of the county with the largest population. Following that majority vote, the state department of health, the state social service board, the mental health and retardation service units shall, and other state departments and governmental units performing human service functions within the multicounty area may, pursuant to written agreement entered into by their respective boards or agencies with the center board, identify and delegate the planning and delivery of specified human services within their jurisdiction to the human service center. Human; provide outpatient diagnostic and treatment services; and provide rehabilitation services for patients suffering from mental or emotional disorders, mental retardation, and other psychiatric conditions, particularly for those patients who have received prior treatment in an inpatient facility. Regional human service centers shall deliver such human services in the manner prescribed by the state departments and governmental units accountable for such services department of health and human services. The governing body human service council of a human service center shall be a board of directors council of not more than thirteen members appointed by the boards of county commissioners of the respective counties within the multicounty area region meeting jointly with the director of the regional human service center. The terms of office shall be three two years or less and arranged so that the term of one-third, calculated as nearly as practicable, six members shall expire in one year, the term of one-half, calculated as nearly as practicable, of the remaining members in the next year, at the end of the first year and the term of the remaining seven members shall expire at the end of the third second year. New appointments to the board shall be made in accordance with the procedure adopted by a majority of the commissioners attending a joint meeting of the boards of county commissioners of the multicounty area. Members of each human service council are to be selected on the basis of population from residents of the counties in the region served by the human service center. Each county in the region must have at least one member on the human service council. Members shall elect

from the council membership a chairman and other officers as the council deems necessary. All members of each council shall be residents of the area served by the regional human service center. Vacancies occurring on the board for other than the expiration of a term shall be filled in the same manner as original appointments, except that appointments shall be made only for the unexpired term. Members of the board human service council shall be compensated at the rate of forty-five dollars per day, not to exceed twenty-five days in any one year. The members shall also be paid for mileage and actual expenses incurred in attending meetings and in the performance of their official duties in the amounts provided by law for other state officers. Human-service center boards shall have such powers and duties as authorized in this chapter for political subdivisions of the state, unless otherwise provided in this section. Such powers shall include the power to employ staff to discharge the center's responsibilities. Persons employed will be state employees and all employment practices shall be subject to the state central personnel system. Human service centers shall expend funds in accordance with law and within the limits of legislative appropriations, and shall have access to the services of the state's combined automatic telecommunications system, and the department of accounts and purchases computer, duplicating, accounting, purchasing, and other services rendered by such department to state agencies and institutions. The state social service board, the state department of health, and such other agencies of the state as may have responsibilities in the field of service as provided by human service centers shall provide such centers assistance to the extent that the requests for such services are reasonable and related to the programs of such departments.

SECTION 32. DUTIES OF HUMAN SERVICE COUNCIL. The human service councils of the regional human service centers shall perform the following duties:

1. Assist in needs assessment and the planning and development of health and social resources to assure the effective and efficient delivery of high quality human services fully accessible to all citizens.
2. Review and evaluate services and programs provided by the centers and make periodic reports to the state department of human services together with any recommendations the councils may have for improvement in services, programs, or facilities.
3. Promote cooperation and working agreements with private human service agencies.
4. Review the budgets for submission to the executive director for consideration and submission within the budget request for the state department of human services.
5. Promote local and regional financing from public and private sources.

SECTION 33. AMENDMENT. Section 54-42-06 of the 1979 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

54-42-06. AGENCIES SUBJECT TO MERIT SYSTEM. All personnel employed by the social service board of North Dakota department of human services, the area and county regional offices of such board that department, the job service North Dakota, the North Dakota merit system council, the North Dakota state department of health, and other agencies or political subdivisions as may by

federal laws or regulations be required to be subject to the merit system in order to obtain federal grants-in-aid, shall be covered by the complete merit system provided in this chapter. ~~The merit system council shall provide merit system coverage to mental health and retardation service units, human service centers, and other units resulting from combinations of mental health and retardation service units, area social service centers, and other functions or services of state agencies or political subdivisions upon the request of such centers or units.~~ Merit system coverage shall also be provided to personnel employed as purchasing agents or buyers in the purchasing division of the department of accounts and purchases. Such other agencies, departments or divisions, or positions, shall be placed under the complete or limited merit system in the manner and to the extent the legislative assembly shall by law direct.

SECTION 34. AMENDMENT. Section 54-44.3-19 of the 1979 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

54-44.3-19. BOARD AUTHORITY TO PROVIDE SERVICE TO CITIES AND POLITICAL SUBDIVISIONS. The board may enter into agreement with any city or political subdivision of this state to furnish any of its services and facilities, other than factfinding or conciliation services, and such agreement shall provide for reimbursement to the state of the cost of the services and facilities furnished. All cities and political subdivisions of this state may enter into such agreements. The board and division shall provide coverage to other agencies or political subdivisions as may by federal laws or regulations be required to be subject to a personnel system in order to obtain federal grants-in-aid. The board and division shall provide coverage to ~~mental health and retardation service units, human service centers, and other units resulting from combinations of mental health and retardation service units, area social service centers,~~ and other functions or services of state agencies or political subdivisions upon the request of such centers or units. Such other agencies, departments, or divisions, or positions, shall be placed under the complete or limited board and division personnel plan in the manner and to the extent the legislative assembly shall by law direct.

SECTION 35. LEGISLATIVE COUNCIL - AUTHORITY TO CHANGE REFERENCES TO NEW DEPARTMENT AND TO REDESIGNATE SECTION 54-40-09. The North Dakota legislative council is hereby authorized to delete, where appropriate, references to the social service board of North Dakota or to the executive director of the social service board wherever they appear in the North Dakota Century Code or in the supplements thereto and to replace each deleted reference with a reference to the North Dakota department of human services or to the executive director of the department of human services, as appropriate. The legislative council is also authorized to redesignate and renumber section 54-40-09 of the 1979 Supplement to the North Dakota Century Code to a place in the North Dakota Century Code consistent with the placement of the department of human services. These changes are to be made when any volume or supplement of the North Dakota Century Code is being reprinted.

SECTION 36. REPEAL. Sections 1-01-48, 50-06-02, 50-06-03, 50-06-03.1, 50-06-07, 50-06-08, 50-06-09, and 50-06-10 of the North Dakota Century Code, and section 25-10-05, chapter 25-12, and sections 50-06-04, 50-06-13, 54-40-10, and 54-40-11 of the 1979 Supplement to the North Dakota Century Code are hereby repealed.

SECTION 37. APPROPRIATION. Any moneys appropriated by the forty-seventh legislative assembly to

JOURNAL OF THE HOUSE

the governmental agencies and functions listed in section 1 of this Act shall be considered appropriated to the department of human services for the period beginning July 1, 1981, and ending June 30, 1983. The director of the department of accounts and purchases shall see to the appropriate transfer of accounts."

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

Brynhild Haugland Chairman
Rep. Haugland

HOUSE Bill No. 1418 was placed on the 6th.
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on STATE AND FEDERAL GOVERNMENT

to whom was referred HOUSE

Bill No. 1449, has had the same under consideration and recommends, by a vote of

Ayes, 8; Nays, 7; Absent, 0, that the same

do pass. do not pass. be placed on calendar without recommendation.

be amended as follows:

On page 1, line 7, delete the words "LEGISLATIVE APPROVAL REQUIRED" and insert in lieu thereof the words "CONDITIONS REQUIRED PRIOR TO ISSUANCE OF PERMIT FOR CONSTRUCTION"

On page 1, line 8, delete the word "two" and insert in lieu thereof the word "four"

On page 1, line 9, delete the word "thirty-five" and insert in lieu thereof the following: "plus or minus kilovolts direct current or five hundred", and after the word "kilovolts" insert the following: "alternating current,"

On page 1, line 11, after the word "construction" delete the remainder of the line and insert in lieu thereof the following: "until evidenced by written contractual agreements for power between two or more suppliers of power to North Dakota and the originators of the trans-state transmission facility. The written contractual agreements shall demonstrate the need for additional power by suppliers of power to North Dakota, thereby demonstrating the provision of benefits to North Dakota consumers."

On page 1, delete line 12

And renumber the lines, sections, and pages accordingly

And when so amended, recommends the same do not pass.

[Signature] Chairman
Rep. Martinson

HOUSE Bill No. 1449 was placed on the 6th.
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on JUDICIARY

to whom was referred HOUSE

Bill No. 1450, has had the same under consideration and recommends, by a vote of

Ayes, 10; Nays, 5; Absent, 0, that the same

do pass. do not pass. be placed on calendar without recommendation.



HOUSE Bill No. 1450 Rep. Conmy Chairman
was placed on the 11th
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on SOCIAL SERVICES AND VETERANS AFFAIRS

to whom was referred HOUSE

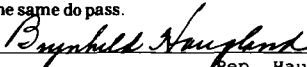
Bill No. 1454, has had the same under consideration and recommends, by a vote of
Ayes, 12; Nays, 0; Absent, 3, that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.
- be amended as follows:

On page 2, line 1, after the word and comma "addition," insert the following: "a resident driver of a motor vehicle transporting"

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.



HOUSE Bill No. 1454 Rep. Haugland Chairman
was placed on the 6th.
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on AGRICULTURE

to whom was referred HOUSE

Bill No. 1461, has had the same under consideration and recommends, by a vote of
Ayes, 15; Nays, 0; Absent, 0, that the same

- do pass.
- do not pass.
- be placed on calendar without recommendation.
- be amended as follows:

On page 1, line 1, delete everything following the words

"A BILL" and insert in lieu thereof the following;

"for an Act concerning agricultural operations, and providing that no such operation shall be deemed a public or private nuisance.

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

SECTION 1. AGRICULTURAL OPERATION - DEEMED NOT NUISANCE.

1. An agricultural operation is not, nor shall it become, a private or public nuisance by any changed conditions in or about the locality

JOURNAL OF THE HOUSE

of such operation after it has been in operation for more than one year, if such operation was not a nuisance at the time the operation began; except that the provisions of this subsection shall not apply when a nuisance results from the negligent or improper operation of any such agricultural operation.

2. As used in this Act, "agricultural operation" means the science and art of production of plants and animals useful to man, by a corporation as provided in chapter 10-06, a partnership, or a proprietorship, and including, to a variable extent, the preparation of these products for man's use and their disposal by marketing or otherwise, and shall include horticulture, floriculture, viticulture, forestry, dairy, livestock, poultry, bee, and any and all forms of farm products, and farm production.
3. The provisions on subsection 1 of this section shall not affect or defeat the right of any person to recover damages for any injury or damage sustained by him on account of any pollution of or change in the condition of the waters of any stream or on account of any overflow of lands of any such person.
4. Any ordinance or resolution of any unit of local government that makes the operation of any agricultural operation a nuisance or provides for the abatement thereof as a nuisance under the circumstances set forth in this section is void; except that the provisions of this subsection shall not apply when a nuisance results from the negligent or improper operation of any such agricultural operation or from an agricultural operation located within the corporate limits of any city as of the effective date of this Act.
5. This section shall not be construed to invalidate any contracts made prior to the enactment of this

Act, but, insofar as contracts are concerned, it is only applicable to contracts and agreements to be made on or after the effective date of this Act.

And renumber the lines, sections, and pages accordingly

And when so amended, recommends the same do pass.

R. J. Hall Chairman
Rep. Nicholas

HOUSE Bill No. 1461 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on AGRICULTURE

to whom was referred HOUSE

Bill No. 1464, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 0; Absent, 0, that the same

do pass. do not pass. be placed on calendar without recommendation.

be amended as follows:

On page 1, line 15, overstrike the words "of equal"

On page 1, line 16, overstrike the word "amount"

On page 1, line 22, delete the words "of the property affected by the" and insert in lieu thereof the words "as determined by the most current available North Dakota state university annual land survey."

On page 1, delete line 23

On page 1, line 24, after the letter "b.", delete "A capitalization rate to be adjusted annually" and insert in lieu thereof the following: "A rate using the billing rate of the St. Paul federal land bank farm loan interest rate as of the first day of May."

On page 1, delete lines 25 through 28

On page 2, delete lines 1 and 2

On page 2, line 3, after the word "payment", insert the following: "of fifteen percent of the market value as determined by the North Dakota state university annual land survey"

On page 2, line 7, after the word "country", insert the following: "as determined by the most current available North Dakota state university annual land survey and to be adjusted every five years"

On page 2, line 12, remove the overstrike "five", and delete the "two"

On page 2, line 16, after the period, insert the following: "When a sale of land occurs, the purchaser shall notify the utility of such purchase to be entitled to any benefits remaining under the original easement."

On page 2, line 16, overstrike the word "right-"

On page 2, line 17, overstrike the words "of-way"

And renumber the lines, sections, and pages accordingly

And when so amended, recommends the same do pass.

R. Nichols
Rep. Nicholas

Chairman

HOUSE Bill No. 1454 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on EDUCATION

to whom was referred HOUSE

Bill No. 1498, has had the same under consideration and recommends, by a vote of

Ayes, 11; Nays, 4; Absent, 1, that the same

do pass.

do not pass.

be placed on calendar without recommendation.

be amended as follows:

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 subsection 2 of section 15-38.1-13 of the North Dakota Century Code, relating to the resolution of impasses in professional negotiations in the public schools.

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

SECTION 1. AMENDMENT. Subsection 2 of section 15-38.1-13 of the 1979 Interim Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

2. An impasse may shall be resolved in the following manner:

a--~~The parties may agree upon mediation of the controversy by mutually selecting a mediator or mediators, and agreeing to a distribution of the cost of the mediation.~~

b--~~If mediation fails or is not attempted, the aggrieved school board or representative organization may request the commission to render assistance as provided in this section.~~

(i)--~~Upon request of either contending party, and in the event that the commission determines that an impasse exists between a school board and a representative organization, the commission shall itself act as a factfinder from a list of qualified persons maintained by the commission. If a factfinder is appointed, he shall have such powers as are designated to him by the commission and he shall make his recommendation to the commission. The commission shall consider the facts and make its findings and recommendation, or it shall consider the report and recommendation of its factfinder, and, after such further investigation as it may elect to perform, it shall make its findings and recommendation. Within forty days after the request to render assistance is received, the findings and recommendation of the commission shall be transmitted to the contending parties and if the issue is not then resolved, the commission shall between ten and twenty days~~

~~after-such-transmittal-make-its
findings-and-recommendation-public~~

~~(2)--in-the-event-that-facts-are-found-or
recommendations-made-under-factfinding
procedures-agreed-upon-between-the
contending-parties-and-the-impasse
continues,-the-commission-may-consider
such-findings-and-recommendations
without-instituting-its-own
factfinding-procedures-and-from-them
issue-its-own-findings-and
recommendation-to-the-contending
parties,-and-if-the-issue-is-not-then
resolved-the-commission-shall-between
ten-and-twenty-days-after-such
transmittal-make-its-findings-and
recommendation-public~~

- a. After the declaration by one or both of the parties that an impasse does exist, the parties shall meet and, within five days, select a mediator or mediators, who shall meet with the parties or their representatives, or both, either jointly or separately, and shall take such other steps as may be appropriate in order to persuade the parties to resolve their differences and effect a mutually acceptable agreement. By agreement between the parties, the mediator selected as provided herein may be supplied by the federal mediation and conciliation service or the American arbitration association, with expenses to be shared by the parties.
- b. If five days have elapsed from the time an impasse is declared and no mediator or mediators are selected, either party may request that the commission appoint a mediator. Upon receiving the request, the commission shall within five days appoint a mediator, who shall meet with the parties or their representatives, or both, either jointly or separately, and shall take such other steps as may be appropriate in order to persuade the parties to resolve their differences and effect a mutually acceptable agreement.
- c. If mediation is unable to effect settlement of the controversy within twenty days after appointment of the mediator or mediators, either party may, by written notification to the other, demand that their differences be submitted to the commission. Notwithstanding the right of either party to demand that the issues be submitted to the commission, submission of the issues to the commission must be by mutual consent and if either party makes objection thereto, the resolution of the unresolved issues between the parties shall thereafter be submitted to arbitration as set out in this Act. In the event that the services of the commission are used, the costs shall be borne equally between the parties.
- d. Upon receiving the demand, the commission, or a factfinder appointed by the commission from a list of qualified persons maintained by the commission, shall investigate the facts and the commission shall make its findings and recommendation to the parties,

JOURNAL OF THE HOUSE

either upon its own investigation or upon consideration of the investigation and recommendation of a factfinder appointed by the commission, together with such other investigation as the commission shall choose to make. The findings and recommendation of the commission shall be transmitted to the contending parties within twenty days after the receipt by the commission of the demand for factfinding. The recommendation of the commission as thus determined and transmitted to the parties shall be advisory only, unless the parties have agreed in writing, prior thereto, to make the recommendation binding.

e. In the event that the recommendation has not been made binding, and if no agreement has been reached within ten days after receipt by the parties of the recommendation of the commission, the parties shall, within five days after the conclusion of the ten-day period, each submit to an arbitration panel, as selected according to this subdivision, their respective final offers on matters not yet agreed upon. They shall also stipulate those items which have been agreed upon and which are to be excluded from arbitration. To create a panel, the representative organization shall select one person, the board shall select one person, and those two persons shall within five days select a third person, who shall serve as the panel's chairperson. If the representative organization's panelist and the board's panelist are unable to agree on a third person within five days, the commission shall provide the two parties with a list of five names, and after determining by lot which party strikes the first name, the representative organization's panelist and the board's panelist shall, in turn, each strike a name from the list until only one name remains, and that person shall be the third member of the panel and the chairperson. After a thorough review of the unresolved issues, the panel shall then resolve all such issues by selecting one or the other of the final offers in its entirety. In making its decision, the panel shall be bound to give consideration to all of the following factors:

- (1) Prior negotiations.
- (2) Interests and welfare of the employee group.
- (3) Cost of living.
- (4) Comparison of existing conditions of employment of employee groups and similar groups.
- (5) Salaries, fringe benefits, and other conditions of employment in the state labor market.
- (6) The total financial resources available to the district. Provided, the panel shall not commit the board to expenditures beyond the total

financial resources available to the district.

All costs of the arbitration shall be shared equally by the parties.

f. The board shall accept or reject the decision of the arbitration panel issued pursuant to subdivision e of this subsection within five days of receipt of the panel's written decision.

(1) If the board accepts the panel's decision, the decision shall be final and binding on both parties. A contract shall be issued which incorporates the terms and conditions of the panel's decision on disputed items and the parties' stipulation on undisputed items.

(2) If the board rejects the panel's decision, the board shall submit the question "Shall the decision of the arbitration panel be upheld?" to the electorate of the school district. The board shall cause a legal notice to appear which shall solely contain the last best offers and rationale which both parties submitted to the panel and the decision and rationale of the panel. The election shall be held no sooner than ten days and no later than twenty days after the board's official rejection of the panel's decision.

(a) If the majority of those voting on the question uphold the panel's decision, the decision shall be final and binding on both parties. A contract shall be issued which incorporates the panel's decision on disputed items and the parties' stipulation on undisputed items.

(b) If the majority of those voting on the question do not uphold the panel's decision, the board's last best offer shall be final and binding on both parties. A contract shall be issued which incorporates the board's last best offer on disputed items and the parties' stipulation on undisputed items."

And renumber the lines and pages accordingly

And when so amended, recommends the same do not pass.

HOUSE Rep. J. P. Knudson Chairman
Rep. Knudson 1498 was placed on the 6th
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on JUDICIARY

to whom was referred HOUSE

Bill No. 1508, has had the same under consideration and recommends, by a vote of

Ayes, 8; Nays, 7; Absent, 0, that the same

do pass.

do not pass.

be placed on calendar without recommendation.



Chairman

Rep. Conny

HOUSE Bill No. 1508 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on FINANCE & TAXATION

to whom was referred HOUSE

Bill No. 1512, has had the same under consideration and recommends, by a vote of

Ayes, 14; Nays, 0; Absent, 2, that the same

do pass.

do not pass.

be placed on calendar without recommendation.

be amended as follows:

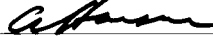
On page 2, line 18, after "terms" insert "and the requirements"

On page 5, after line 15, add the following new subparagraph:

- (e) In computing each amount to be paid as provided in paragraph (1), (2), or (3) of this subdivision for coal severance tax revenue from coal mined during a quarterly period, the treasurer of the coal-producing county shall deduct from the allocation the amount of coal severance tax revenue, if any, that the governmental body in the non-coal-producing county received from the coal mined in the non-coal-producing county during the same quarterly period.

And renumber the lines, subparagraphs and pages accordingly

And when so amended, recommends the same do pass.



Chairman

Rep. A. Hausauer

HOUSE Bill No. 1512 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on FINANCE & TAXATION

to whom was referred HOUSE

Bill No. 1529, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 1; Absent, 0, that the same

do pass.

do not pass.

be placed on calendar without recommendation.

be amended as follows:

On page 1, line 1, delete the word "sections" and insert in lieu thereof the word "section" and delete the second word "and"

On page 1, delete line 2

On page 1, line 3, delete the following: "57-62-03, 57-62-04, 57-62-05, and 57-62-06"

On page 1, line 5, delete the comma and words ", to change the coal development impact"

On page 1, delete lines 6 and 7

On page 1, line 8, delete the words "gas gross production tax", and before the period insert the following: "; and to repeal section 57-51-08 of the North Dakota Century Code, relating to adjustments to the gross production tax rate by the state board of equalization"

On page 1, line 24, after the period delete the remainder of the line

On page 1, delete lines 25 through 27

On page 2, delete lines 1 and 2

On page 2, line 3, delete the following: "c. Fifteen" and insert in lieu thereof the word "Fifty"

On page 2, line 5, remove the overstrike over the word "first", after the word "thousand" insert the words "one million", and remove the overstrike over the words "dollars-of-annual"

On page 2, line 6, delete the word "remaining"

On page 2, line 9, remove the overstrike over the words "seventy-five" and delete the word "sixty"

On page 2, line 10, remove the overstrike over the words "twenty-five" and delete the word "forty"

On page 2, line 11, remove the overstrike over the words "The-second", after the word "thousand" insert the words "one million", and remove the overstrike over the words "dollars-of-annual"

On page 2, remove the overstrike over all of the language in lines 12 through 17

On page 2, line 18, remove the overstrike over the words "section-above", after the word "thousand" insert the words "two million", and remove the overstrike over the words "dollars-from-eit"

On page 2, remove the overstrike over all of the language in lines 19 through 21, and after the period in line 21 insert the following new language: "However, the amount to which each county shall be entitled pursuant to this subsection shall be limited based upon the population of the county according to the last official decennial federal census as follows:

a. Counties having a population of three thousand or less shall receive no more than three million dollars for the first year of the 1981-83 biennium and no more than three million five hundred thousand dollars the second year of that biennium.

b. Counties having a population of over three thousand but less than six thousand shall receive no more than three million five hundred thousand dollars the first year of the 1981-83 biennium and no more than four million dollars the second year of that biennium.

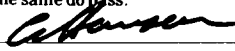
c. Counties having a population of six thousand or more shall receive no more than four million dollars the first year of the 1981-83 biennium and no more than four million five hundred thousand dollars the second year of that biennium.

Any allocations for any county pursuant to this subsection which exceed the applicable limitation for that county as provided in subdivisions a through c shall be deposited instead in the state's general fund."

- On page 2, line 22, overstrike the word "Forty" and after the word "Forty" insert the words "Forty-five"
- On page 3, line 1, overstrike the words "Forty-five" and after the words "Forty-five" insert the words "Thirty-five"
- On page 3, line 8, delete the word "thirty" and insert in lieu thereof the following: "the county average per-pupil cost multiplied by seventy percent, then multiplied by the number of pupils in average daily attendance or the number of children of school age in the school census for the county whichever is greater"
- On page 3, delete lines 9 through 12
- On page 3, line 13, delete the numerals "15-40.1-08" and after the period insert the following new sentence: "Provided, however, that in any county in which the average daily attendance or the school census, whichever is greater, is fewer than four hundred, the county shall be entitled to one hundred twenty percent of the county average per-pupil cost multiplied by number of pupils in average daily attendance or the number of children of school age in the school census for the county, whichever is greater."
- On page 3, line 16, delete the words "forty-five" and insert in lieu thereof the words "thirty-five"
- On page 3, line 18, delete the words "superintendent of public instruction" and insert in lieu thereof the words "county superintendent of schools of each oil-producing county"
- On page 3, line 19, delete the words "of each oil-producing county"
- On page 3, line 20, delete the word "November" and insert in lieu thereof the word "July"
- On page 3, line 22, after the period insert the following new sentence: "As used in this subsection, "average daily attendance means the average daily attendance for the school year immediate preceding the certification by the county superintendent of schools required by this subsection.", and overstrike the word "Fifteen" and after the word "Fifteen" insert the word "Twenty"
- On page 3, line 27, after the period insert the following new sentences: "However, no city shall receive in any fiscal year an amount under this subsection greater than five hundred dollars per capita. Once this level has been reached through distributions under this subsection, all excess funds to which any city would be entitled except for this limitation shall be deposited instead in the county general fund."
- On page 3, delete lines 28 through 35
- On page 4, delete lines 1 through 34
- On page 5, delete lines 1 through 35
- On page 6, delete lines 1 through 35
- On page 7, delete lines 1 through 35
- On page 8, delete lines 1 through 23
- On page 8, after line 23, insert the following new section:

"SECTION 2. REPEAL. Section 57-51-08 of the North Dakota Century Code is hereby repealed."

And renumber the lines, sections and pages accordingly
And when so amended, recommends the same do pass.


Rep. A. Hausauer

Chairman

HOUSE Bill No. 1529 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on NATURAL RESOURCES

to whom was referred HOUSE

Bill No. 1536, has had the same under consideration and recommends, by a vote of

Ayes, 11; Nays, 5; Absent, 0, that the same

do pass. do not pass. be placed on calendar without recommendation.

be amended as follows:

On page 1, line 5, delete "public service"

On page 1, line 6, delete "commission,"

On page 1, line 9, delete the semicolon and word "; and" and insert in lieu thereof a comma

On page 1, line 10, after the word "geologist" and before the semicolon insert the following: ", to provide for the assumption of advisory duties by the water commission, and to provide a procedure for delay of the consolidation provided for by this Act"

On page 1, line 11, delete the word "and", and after the numerals "23-01-07" insert the following: ", and 23-25-02"

On page 4, line 5, after the word "of" insert the following: "air, land, mineral, and", and after the word "water" insert the word "resources"

On page 4, line 9, after the second word "of", insert the following: "air, land, mineral, and", and after the word "water" insert the word "resources"

On page 4, line 12, delete the word "waters" and insert in lieu thereof the word "resources"

On page 4, line 17, delete the words "one year" and insert in lieu thereof the words "two years"

On page 4, line 19, after the period, insert the following: "In addition, the governor may, prior to the initial appointment of a commissioner of resources management, appoint to any position in any department or agency governed by the provisions of this Act any person who may be appointed by the commissioner subsequent to the commissioner's appointment."

On page 5, delete lines 34 and 35

On page 6, delete lines 1 through 21

On page 10, after line 23, insert the following new section:

"SECTION 16. AMENDMENT. Section 23-25-02 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

23-25-02. ~~STATE-AIR-POLLUTION-CONTROL-AGENCY--~~
~~ADVISORY-COUNCIL-~~

~~17--The North Dakota state department of health hereinafter referred to as the department, is hereby designated as the agency to administer and coordinate a statewide program of air pollution control consistent with the provisions of this chapter.~~

2--~~There is hereby established an air pollution control advisory council, hereinafter referred to as the advisory council, of nine members to include the state health officer, the state geologist, the state highway commissioner, and six other members to be appointed by the governor, one of whom shall be a representative of county or municipal government, one a representative of the solid fuels industry, one a representative of the fluid and gas fuels industry, one a representative of the environmental sciences, and two appointed at large.~~

3--~~The term of office for the appointed members of the advisory council shall be six years, but of those four first appointed, two shall serve for two years and two for four years, and the lengths of their terms shall be designated by the governor at the time of appointment.~~

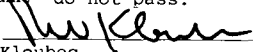
4--~~The advisory council shall select its own chairman from among its members. The state health officer, state geologist and state highway commissioner each may designate a principal deputy or assistant to act in his place and stead. The chief sanitary engineer of the state department of health, or his designated assistant, shall be the principal administrative officer of the council.~~

5--~~The advisory council shall hold at least one regular meeting each year, and such additional meetings as the chairman deems necessary, at a time and place to be fixed by the chairman. Special meetings shall be called by the chairman on the written request of any three members. Five members shall constitute a quorum.~~

6--~~The advisory council~~ COMMISSIONER OF RESOURCES MANAGEMENT - RULES AND REGULATIONS - HEARINGS. The commissioner of resources management shall hold a public hearing to consider and recommend the adoption, amendment, or repeal of rules, regulations, and standards as provided in this chapter. Notice of such public hearing or hearings shall be given by publication of a notice of such hearing or hearings in each of the official county newspapers within the state of North Dakota by at least two publications in each official county newspaper in the state, one week apart, the last publication being at least thirty days prior to the first hearing. The hearing or hearings shall be held in the state capitol in Bismarck and interested parties may present witnesses and other evidence pertinent and relevant to proposed rules, regulations, and standards. The advisory council shall consider any other matters related to the purposes of this chapter and may make recommendations on its own initiative to the department concerning the administration of this chapter."

And renumber the lines, sections, and pages accordingly

And when so amended, recommends the same do not pass.


Rep. Kloubec

Chairman

HOUSE Bill No. 1536 was placed on the 6th
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on AGRICULTURE

to whom was referred HOUSE

Bill No. 1540, has had the same under consideration and recommends, by a vote of

Ayes, 14; Nays, 0; Absent, 1, that the same

do pass. do not pass. be placed on calendar without recommendation.

be amended as follows:

On page 1, line 5, after the numeral "61-02" insert the words
"; and to amend and reenact section 61-02-09 of the North Dakota
Century Code, relating to the state water commission"

On page 1, line 12, after the word "commission" insert the words
", pursuant to appropriate resolution, and in order to carry out
the business of developing the water resources of this state as
provided in this chapter,"

On page 1, line 17, delete ", including the making of loans" and insert
in lieu thereof the following: ". Such construction period
financing may include the costs of construction of works or
projects,"

On page 1, line 18, delete the words "authorized by section 2 of
this Act, the"

On page 1, line 19, after the word "interest", insert a comma

On page 1, line 20, delete the words "The commission may from time to
time,"

On page 1, delete lines 21 through 25

On page 5, line 13, after the word "maturity" insert the words
", however, the first interest payment period may be less than
six months"

On page 5, line 23, after the word "engineer" delete the words, ", or
a facsimile" and insert in lieu thereof a period

On page 5, line 24, delete the word "thereof." and insert in lieu
thereof the following: "The signature of the chairman or
vice-chairman, and the state engineer, and any other signatures
on appurtenant coupons, may be facsimiles."

On page 6, line 15, after the word "commission" insert the words
", other than funds received pursuant to an interim financing
agreement"

On page 7, after line 5, insert the following new section:

"SECTION 14. AMENDMENT. Section 61-02-09 of the North Dakota
Century Code is hereby amended and reenacted to read as follows:

61-02-09. COMMISSION A PUBLIC CORPORATION - AGENCY OF STATE.
The commission shall be a public corporation with all of the powers
and authority possessed by such a corporation in the performance of
its duties. The commission may sue and be sued, plead and be
impleaded, and contract and be contracted with, in its corporate
name. The commission in the exercise of all its powers and in the
performance of all its duties shall be ~~deemed to be an agency~~
of the state of North Dakota functioning in its sovereign and
governmental capacity.

And underscore the first thirteen sections of the bill

And when so amended, recommends the same do pass.


Rep. Nicholas

Chairman

HOUSE

Bill No. 1540

was placed on the 6th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on AGRICULTURE

to whom was referred HOUSE

Bill No. 1543, has had the same under consideration and recommends, by a vote of

Ayes, 11; Nays, 4; Absent, 0, that the same

do pass.

do not pass.

be placed on calendar
without recommendation.

be amended as follows:

On page 1, line 1, after the word "reenact" delete "section 60-02-17 of the" and insert in lieu thereof:

"sections 60-02-07, 60-02-17, and 64-01-05 of the North Dakota Century Code, relating to license fees for public warehouses, storage rates for grain, and the number of pounds per bushel of sunflowers."

On page 1, delete lines 2 and 3

On page 1 after line 5, insert the following section:

"SECTION 1. AMENDMENT. Section 60-02-07 of the 1979 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

60-02-07. PUBLIC WAREHOUSE LICENSE - HOW OBTAINED - FEE. A license must be obtained through the commission to expire on the first day of August of each year for each public warehouse in operation in this state. No license so issued shall describe more than one public warehouse in operation in this state. No license so issued shall describe more than one public warehouse nor grant permission to operate any public warehouse other than the one described therein. The license fee which must accompany the application shall be twenty one hundred dollars for a warehouse of a bushel capacity of one two hundred fifty thousand (5285-86 7047.8 cubic meters) or less, thirty two hundred dollars for a warehouse of a bushel capacity of one two hundred fifty thousand and one to and including three five hundred thousand (5285-89 7047.83 to and including 18571-72 17619.54 cubic meters), ~~forty-dollars-for-a-warehouse of-a-bushei-capacity-of-three-hundred-thousand-and-one to-and-including-four-hundred-thousand-(18571-76-to-and including-14895-63-cubic-meters),~~ fifty-dollars-for-a warehouse-of-a-bushei-capacity-of-four-hundred-thousand

~~and one to and including five hundred thousand (14095.66 to and including 17619.54 cubic meters)~~, and sixty two hundred fifty dollars for a warehouse of a bushel capacity of five hundred thousand and one (17619.57 cubic meters) or more. The fees collected under this section shall be paid into the state treasury and credited to the general fund of the state. If a public warehouseman operates two or more warehouses in the same city or siding, in conjunction with each other and with the same working force, and where but one set of books and records is kept for all such warehouses, and cash slips, scale tickets storage tickets, and checks of but one series are issued for the grain stored therein, only one license shall be required for the operation of all such warehouses. Where two or more warehouses are operated under one license, the license fee shall be based upon the combined bushel capacity of said warehouses."

On page 1, line 6, delete the numeral "1" and insert in lieu thereof the numeral "2"

On page 1, line 19, remove the overstrike over the words "~~7-provided, however, that no storage~~"

On page 1, remove the overstrike over lines 20 through 23

On page 1, line 24, remove the overstrike over the words "~~from the date a warehouse receipt was issued~~" and delete the word "Grain"

On page 1, delete lines 25 through 28

On page 2, line 1, delete the words "days of storage."

On page 2, after line 33, insert the following:

"Section 3. AMENDMENT. Section 64-01-05 of the North Dakota Century Code is hereby amended and reenacted as follows:

64-01-05. STANDARD WEIGHT OF BUSHEL. In contracts for the sale or storage of any of the following articles, the term "bushel" shall mean the number of pounds avoirdupois herein stated:

1. Alfalfa, sixty pounds;
2. Apples, fifty pounds;
3. Apples, dried, twenty-eight pounds;
4. Barley, forty-eight pounds;
5. Beans, sixty pounds;
6. Beans, white runner pole, fifty pounds;
7. Beans, broad windsor, forty-seven pounds;
8. Beans, lima, fifty-five pounds;
9. Blue grass seed, fourteen pounds;
10. Bran, twenty pounds;
11. Beets, sixty pounds;
12. Buckwheat, forty-two pounds;
13. Broom corn seed, thirty pounds;
14. Bromus inermis, fourteen pounds;
15. Corn, shelled, fifty-six pounds;
16. Corn, sweet, forty-eight pounds;

JOURNAL OF THE HOUSE

- 18. Clover seed, sixty pounds;
- 19. Coal, stone, eighty pounds;
- 20. Chestnuts, fifty pounds;
- 21. Cucumbers, forty-eight pounds;
- 22. Carrots, forty-five pounds;
- 23. Cranberries, thirty-six pounds;
- 24. Flaxseed, fifty-six pounds;
- 25. Hempseed, fifty pounds;
- 26. Hickory nuts, fifty pounds;
- 27. Hungarian grass seed, forty-eight pounds;
- 28. Lime, eighty pounds;
- 29. Millet, fifty pounds;
- 30. Oats, thirty-two pounds;
- 31. Onions, fifty-two pounds;
- 32. Onions, bottom sets, thirty-two pounds;
- 33. Onions, top sets, twenty-eight pounds;
- 34. Orchard grass seed, fourteen pounds;
- 35. Potatoes, sweet, forty-six pounds;
- 36. Potatoes, Irish, sixty pounds;
- 37. Peas, sixty pounds;
- 38. Peanuts, twenty-two pounds;
- 39. Peaches, dried, twenty-eight pounds;
- 40. Pears, forty-five pounds;
- 41. Parsnips, forty-two pounds;
- 42. Plastering hair, unwashed, eight pounds;
- 43. Plastering hair, washed, four pounds;
- 44. Rye, fifty-six pounds;
- 45. Rapeseed, fifty pounds;
- 46. Rutabagas, fifty-two pounds;
- 47. Rhubarb, fifty pounds;
- 48. Salt, eighty pounds;
- 49. Speltz, forty pounds;
- 50. Sorghum seed, fifty-seven pounds;
- 51. Sunflowers, twenty-five pounds;
- 51~~r~~ 52. Turnips, sixty pounds;
- 52~~r~~ 53. Timothy seed, forty-five pounds;
- 53~~r~~ 54. Tomatoes, fifty pounds;
- 54~~r~~ 55. Wheat, sixty pounds;
- 55~~r~~ 56. Walnuts, fifty pounds.

And renumber the lines, sections, and pages accordingly
 And when so amended, recommends the same do pass.

Rep. Nicholas
 _____ Chairman
 Rep. Nicholas

HOUSE _____ Bill No. 1543 _____ was placed on the 6th
 order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on _____ STATE AND FEDERAL GOVERNMENT _____

to whom was referred _____ HOUSE _____

Bill No. 1545 _____, has had the same under consideration and recommends, by a vote of

Ayes, 12 _____; Nays, 0 _____; Absent, 3 _____, that the same

do pass. do not pass. be placed on calendar
 without recommendation.

be amended as follows:

On page 2, line 18, delete "The" and insert in lieu thereof
"Verification by receipt for such foreign travel
 expense shall be required only for the lodging
 expense claimed."

On page 2, delete lines 19 through 20

And renumber the lines, sections, and pages accordingly

And when so amended, recommends the same do pass.

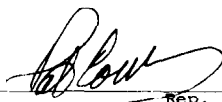

Chairman
Rep. Martinson

HOUSE Bill No. 1545 was placed on the 6th
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on JUDICIARY
to whom was referred HOUSE

Bill No. 1572, has had the same under consideration and recommends, by a vote of
Ayes, 7; Nays, 6; Absent, 2, that the same

do pass. do not pass. be placed on calendar
without recommendation.



Chairman
Rep. Conmy

HOUSE Bill No. 1572 was placed on the 11th
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on JUDICIARY
to whom was referred HOUSE


Bill No. 1578, has had the same under consideration and recommends, by a vote of
Ayes, 8; Nays, 6; Absent, 1, that the same

do pass. do not pass. be placed on calendar
without recommendation.

be amended as follows:

- On page 1, line 1, delete the words "provide safeguards for an individual" and insert in lieu thereof "regulate"
- On page 1, line 2, delete the words "against an unwarranted invasion of privacy by regulating"
- On page 1, line 3, delete the word "personal" and insert in lieu thereof "certain"
- On page 1, line 10, delete the words "INDIVIDUAL RIGHT OF PRIVACY AGAINST"
- On page 1, line 11, delete the word "UNWARRANTED" and on the same line delete the word "PERSONAL" and insert in lieu thereof "CERTAIN"
- On page 1, line 12, after the word "RECORDS" insert the word "PROHIBITED"
- On page 1, line 18, delete the word "personal" and insert in lieu thereof "medical or psychological" and on the same line delete the word "which" and insert in lieu thereof "or information made confidential by law that"

And renumber the lines, sections, and pages accordingly

And when so amended, recommends the same do not pass.

Chairman
Rep. Conmy

House Bill No. 1578 was placed on the 6th
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on EDUCATION

to whom was referred HOUSE

Bill No. 1600, has had the same under consideration and recommends, by a vote of

Ayes, 11; Nays, 5; Absent, 0, that the same

do pass.

do not pass.

be placed on calendar
without recommendation.

be amended as follows:

On page 2, line 21, delete the following "this chapter. Any parent, guardian," and insert in lieu thereof the words "chapter 15-36 and sections 15-38-07, 15-41-06, 15-41-24, and 15-41-25. However,

a. The parent, guardian, or other person having legal custody of a child who is attending a nonpublic school at which the teachers are not legally certified shall be required to demonstrate to the county superintendent of schools and the superintendent of public instruction that the child is receiving instruction and is competent in the areas of language arts, math, science, and social studies. The demonstration shall be through administration of standardized tests appropriate to age and grade levels selected from a list provided by the superintendent of public instruction. The demonstration shall reflect levels of competency comparable to the average competency in the public schools of this state or it must be demonstrated that the child is making as much progress as the child would make if enrolled in a public school.

b. If the superintendent of public instruction determines that the parent, guardian, or other person having legal custody of a child attending a nonpublic school at which the teachers are not legally certified has failed to make the demonstration required by subdivision a of this subsection, the superintendent of public instruction shall give written notice to the parent, guardian, or other person having legal custody. Within one year from the date of the written notice, the demonstration required by subdivision a of this subsection shall be made. If the demonstration is not made, the superintendent of public instruction may order the parent, guardian, or other person having legal custody of the child to enroll the child in an approved school at which the teachers are legally certified."

On page 2, delete lines 22 through 25

And renumber the lines and pages accordingly

And when so amended, recommends the same do not pass.

Rep. J. Knudson Chairman
Rep. Knudson

HOUSE Bill No. 1600 was placed on the 6th
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on NATURAL RESOURCES
to whom was referred HOUSE

Bill No. 1603, has had the same under consideration and recommends, by a vote of

Ayes, 10; Nays, 5; Absent, 1, that the same

do pass.

do not pass.

be placed on calendar
without recommendation.

be amended as follows:

On page 1, line 1, delete the second "and" and insert in lieu thereof a comma

On page 1, line 2, after the word "department" insert the

following: ", and the state forester"


On page 1, line 7, after the word "DEPARTMENTS" insert the following: ", AND THE STATE FORESTER"

On page 1, line 10, delete the second "and" and insert in lieu thereof a comma

On page 1, line 11, after the word "department" insert the following: ", and the state forester"

And renumber the lines, sections, and pages accordingly

And when so amended, recommends the same do not pass.

 Chairman
Rep. Kloubec

HOUSE Bill No. 1603 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on FINANCE & TAXATION

to whom was referred HOUSE

Bill No. 1605, has had the same under consideration and recommends, by a vote of

Ayes, 10; Nays, 6; Absent, 0, that the same

do pass. do not pass. be placed on calendar without recommendation.

be amended as follows:

On page 1, line 1, after the first "to" insert the following language: "provide a statement of legislative intent; and to"

On page 1, line 3, after the word "tax" and before the period insert the following: "for the 1981-83 biennium to the state general fund and to the native American alcohol abuse education fund which latter fund is to be distributed to alcohol abuse education programs on Indian reservations in North Dakota"

On page 1, after line 5, insert the following new section:

"SECTION 1. LEGISLATIVE INTENT. The legislative assembly recognizes that, because of cultural differences between native Americans and other ethnic groups, the alcohol abuse problems facing reservation inhabitants today can best be dealt with primarily on the reservations. The legislative assembly further recognizes that a great deal of human suffering can be avoided by working to prevent the alcohol abuse problems before they occur. It is with these thoughts in mind that the legislative assembly passes this Act authorizing the use of state funds to encourage alcohol abuse programs on the reservations within the state devoted to working toward prevention of this most serious problem."

On page 1, line 9, after the word "TAXES" insert the following: "FOR THE 1981-83 BIENNIUM"

On page 1, line 10, after the word "treasurer" insert the following: "from July 1, 1981, through June 30, 1983,"

On page 1, line 16, delete the words "on or before January"

On page 1, line 17, delete the word and comma "fifteenth,"

On page 1, line 18, after the word "shall" insert the following: "be entitled to"

On page 1, line 22, delete the words "The moneys sent to the" and insert in lieu thereof the following: "However, in order for reservations to receive funds, alcohol abuse education programs

on the reservation must make application to the North Dakota Indian affairs commission showing such information as required based on criteria developed and approved by the commission. The state treasurer shall disburse the funds upon notification by the Indian affairs commission that they have received adequate evidence of proposed expenditures based on the above-mentioned criteria. Before the funds are disbursed, the Indian affairs commission shall provide the state treasurer with reports of expenditures from the previous year. Any moneys in the fund to which reservations are entitled but which are not disbursed, shall be returned to the state general fund at the same time the following year's disbursement is made or at the end of the 1981-83 biennium."

On page 1, delete lines 23 through 26

And renumber the lines, sections, and pages accordingly

And when so amended, recommends the same do pass.



Chairman

Rep. A. Hausauer
Bill No. 1605 was placed on the 6th
HOUSE order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on EDUCATION

to whom was referred HOUSE

Bill No. 1608, has had the same under consideration and recommends, by a vote of

Ayes, 9; Nays, 7; Absent, 0, that the same

do pass. do not pass. be placed on calendar without recommendation.

be amended as follows:

On page 2, delete lines 18 through 21 and insert in lieu thereof the following: "concerning which the following criteria have been verified by the county superintendent of schools and the superintendent of public instruction:"

On page 3, delete lines 4 through 29 and insert in lieu thereof the following:

- "(1) The parent, guardian, or other person having legal custody of a child who is attending a nonpublic school at which the teachers are not legally certified may be required to demonstrate to the county superintendent of schools and the superintendent of public instruction that the child is receiving instruction and is competent in the areas of language arts, math, science, and social studies. Such demonstration may be made through administration of standardized tests appropriate to age and grade levels selected from a list provided by the superintendent of public instruction. Such demonstration must reflect levels of competency comparable to the average competency in the public schools of this state or it must be demonstrated that the child is making as much progress as he or she would if enrolled in a public school.
- (2) If the superintendent of public instruction determines that the parent, guardian, or other person having legal custody of a child attending a nonpublic school at which the teachers are not legally certified has failed to make the demonstration required by paragraph 1, the superintendent of public instruction shall give written notice to the parent, guardian, or other person having legal custody. Within one year from the date of written notice, the demonstration required by paragraph 1 shall be made. If such demonstration is not made, the superintendent of public instruction may order the parent, guardian or other person having legal custody of the child to enroll the child in an approved school at which the teachers are legally certified."

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

Rep. J. Knudson Chairman
Rep. Knudson

HOUSE Bill No. 1608 was placed on the 6th
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on AGRICULTURE
to whom was referred HOUSE

Bill No. 1613, has had the same under consideration and recommends, by a vote of

Ayes, 14; Nays, 0; Absent, 1, that the same

do pass. do not pass. be placed on calendar
without recommendation.

be amended as follows:

On page 1, line 8, delete the words "certain of"

On page 1, line 8, after the word "lands", insert the words
"that are not designated for another department purpose"

On page 1, line 12, delete the comma and the words "subject to the
following" and insert in lieu thereof a period

On page 1, line 13, delete "conditions:"

On page 1, line 14, delete the numeral "1.", and after the word
"may", insert the words ", at its discretion,"

On page 1 delete lines 18 through 21

And renumber the pages and lines accordingly

And when so amended, recommends the same do pass.

Rep. Nicholas Chairman
Rep. Nicholas

HOUSE Bill No. 1613 was placed on the 6th
order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on SOCIAL SERVICES AND VETERANS AFFAIRS
to whom was referred HOUSE

Bill No. 1614, has had the same under consideration and recommends, by a vote of

Ayes, 12; Nays, 3; Absent, 0, that the same

do pass. do not pass. be placed on calendar
without recommendation.

be amended as follows:

On page 1, line 22, delete the numerals "25-15" and insert in lieu
thereof the numerals "25-16"

On page 2, line 6, overstrike the words "a nonprofit" and after the
word "nonprofit" insert the word "an"

And renumber the lines accordingly

And when so amended, recommends the same do pass.

Rep. Haugland Chairman
Rep. Haugland

HOUSE Bill No. 1614 was placed on the 6th
order of business on the calendar for the succeeding legislative day.

JOURNAL OF THE HOUSE

Mr. Speaker: Your Committee on JUDICIARY to whom was referred HOUSE

Bill No. 1619, has had the same under consideration and recommends, by a vote of

Ayes, 11; Nays, 0; Absent, 4, that the same

do pass. do not pass. be placed on calendar without recommendation.

X be amended as follows:

On page 1, line 12, after the word "negligence", insert the words "within three months of the commencement of the action or at such later date as set by the court"

On page 1, line 16, after the word "body", insert a comma and the words ", or other obvious occurrence"

And renumber the lines, sections, and pages accordingly

And when so amended, recommends the same do pass.

[Handwritten signature]

Rep. Conmy Chairman

HOUSE Bill No. 1619 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on NATURAL RESOURCES to whom was referred HOUSE

Bill No. 1626, has had the same under consideration and recommends, by a vote of

Ayes, 10; Nays, 5; Absent, 1, that the same

do pass. do not pass. be placed on calendar without recommendation.

X be amended as follows:

On page 1, line 1, after the words "A BILL" delete the remainder of the bill and insert in lieu thereof the following: "for an Act to provide owners of surface estates with a royalty interest in the minerals underlying the surface."

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

SECTION 1. MINERAL LEASE - SURFACE OWNER ROYALTY. On and after July 1, 1981, all leases for oil and gas shall contain a provision giving the owner of the surface estate of the lands so leased, not less than one percent of the oil and gas produced on the leased premises or the monetary value thereof."

And when so amended, recommends the same do pass.

[Handwritten signature]

Chairman

Rep. Kloubec

HOUSE Bill No. 1626 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on NATURAL RESOURCES to whom was referred HOUSE

Bill No. 1634, has had the same under consideration and recommends, by a vote of

Ayes, 11; Nays, 4; Absent, 1, that the same

do pass. do not pass. be placed on calendar without recommendation.

be amended as follows:

On page 1, line 1, delete the words "create and enact a new subsection to"

On page 1 delete lines 2 through 5

On page 1, line 6, after the numerals "49-22-08" insert the following: "and subsection 1 of section 49-22-13"

On page 1, line 9, after the words "facility" and before the period insert the following: "and to public hearings on site, route, or corridor proposals"

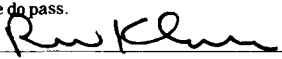
On page 2, delete lines 13 through 21 and insert in lieu thereof the following:

"SECTION 2. AMENDMENT. Subsection 1 of section 49-22-13 of the 1979 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

1. The commission shall hold a public hearing in each county in which any portion of a site, corridor, or route is proposed to be located in an application for a certificate or a permit. At the public hearing, any person may present testimony or evidence relating to the information provided in the application, the criteria developed pursuant to section 49-22-05.1, and the factors to be considered pursuant to section 49-22-09. Where more than one county is involved the commission may hold a consolidated hearing in one or more of the affected counties. A hearing for any county shall not be consolidated if five or more affected landowners in such county file a petition with the commission within ten days of the publication of the notice of hearing."

And renumber the lines, sections, and pages accordingly

And when so amended, recommends the same do pass.

 Chairman

Rep. Kloubec

HOUSE

Bill No. 1634

was placed on the 6th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on FINANCE & TAXATION

to whom was referred HOUSE

Bill No. 1641, has had the same under consideration and recommends, by a vote of

Ayes, 13; Nays, 3; Absent, 0, that the same

do pass. do not pass. be placed on calendar without recommendation.

be amended as follows:

On page 1, line 3, after the word "townships" and before the period insert the following: "; and to amend and reenact section 57-15-20 of the North Dakota Century Code, relating to township tax levy limitations"

On page 1, underscore lines 6 through 28

On page 1, line 6, after the word "LEVIED" and before the period insert the following: "- DEFINITIONS"

On page 1, line 7, delete the comma and word ", in"

On page 1, delete line 8

On page 1, line 9, delete the numerals and comma "57-54-08,"

On page 1, line 10, delete the word "one" and insert in lieu thereof the words "one-half"

On page 1, line 12, delete the words "that chapter" and insert in lieu thereof the words and numerals "chapters 57-50 and 57-52"

On page 1, line 13, after the period insert the following: "For the purposes of this Act:

- 1. "Motor vehicle" means all vehicles, engines, or machines movable or immovable, which are operated in whole or in part by internal combustion of one or more of the motor vehicle fuels defined in chapters 57-52 and 57-54.
- 2. "Motor vehicle fuels" has the same meaning as defined in subsection 2 of section 57-54-03.
- 3. "Special fuel" has the same meaning as defined in subsection 4 of section 57-52-03."

On page 2, underscore lines 1 through 7


On page 2, after line 7, insert the following new section:

"SECTION 3. AMENDMENT. Section 57-15-20 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

57-15-20. TAX LEVY LIMITATIONS IN TOWNSHIPS. The total amount of the annual tax levy in a civil township, ~~exclusive of levies~~ shall not exceed the amount necessary to meet the appropriations included in the township budget of the current fiscal year, including any amounts necessary to pay interest on any bonded debt and to provide a sinking fund to pay and discharge the principal thereof at maturity, shall not exceed such amount as will be produced by a levy of eighteen mills on the dollar of the net taxable assessed valuation thereof.

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.


Rep. A. Hausauer Chairman

HOUSE Bill No. 1641 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on FINANCE & TAXATION

to whom was referred HOUSE

Bill No. 1650, has had the same under consideration and recommends, by a vote of

Ayes, 12; Nays, 4; Absent, 0, that the same

do pass. do not pass. be placed on calendar without recommendation.

be amended as follows:

On page 1, line 19, after the third comma insert the following: "57-38-67, 57-38-68, 57-38-69, 57-38-70,"

On page 1, line 21, after the word "tax" and before the semicolon insert the following: ", including certain adjustments, deductions, and exemptions, individual income tax rates, and income averaging"

On page 6, line 24, delete the word "on" and insert in lieu thereof the word "upon", and after the word "the" insert the words "North Dakota"

On page 6, delete line 25 and insert in lieu thereof the following:

"income earned or received in that taxable year by every resident individual, estate, and trust"

On page 6, delete lines 26 and 27

On page 6, line 28, delete the words "which is derived from sources within this state"

On page 6, line 31, delete the words "of every" and insert in lieu thereof the words "for a resident"

On page 6, line 32, delete the words "and fiduciary" and insert in lieu thereof the following: " , estate, and trust", and delete the words "the amount of" and insert in lieu thereof the following: "determined by multiplying the federal income tax liability by a fraction, the numerator of which is the adjusted gross income taxable to this state and the denominator of which is the total adjusted gross income as reported on the federal income tax return. Interest income from United States obligations and other income not taxable to this state because of federal statutes, United States or state constitutional provisions, and section 7 of this Act shall be excluded from the numerator."

On page 6, delete lines 33 and 34

On page 7, delete lines 1 through 13

On page 7, line 15, delete the words "or part year resident", delete the second word "or" and insert in lieu thereof the following: " , estate, and trust"

On page 7, delete line 16

On page 7, line 17, delete the words "from sources within this state"

On page 7, line 18, delete the word "adjusted"

On page 7, line 19, delete the words " , as determined in subsection 2 of this"

On page 7, line 20, delete the word and comma "section,", and after the second word "the" insert the following: "adjusted gross income derived from sources in this state and the denominator of which is the total adjusted gross income as reported on the federal income tax return. Interest income from United States obligations and other income not taxable to this state because of federal statutes or United States or state constitutional provisions shall be excluded from the numerator."

On page 7, delete lines 21 through 34

On page 8, delete lines 1 through 11

On page 10, line 10, before the word "Interest" insert the numeral and period "1."

On page 10, line 13, delete the words "exempt from income tax" and insert in lieu thereof the words "excluded from the numerator as provided in section 6 of this Act"

On page 10, after line 16, insert the following new subsections:

2. Any landowner who sells land consisting of twenty acres (8.09 hectares) or more to a beginning farmer shall be entitled to exclude from the numerator as provided in section 6 of this Act, income for the year in which the sale occurred in an amount equal to fifty percent of any income realized and otherwise subject to state income tax after consideration of any capital gains treatment, up to a maximum of fifty thousand dollars.

3. Fifty percent of any income received and otherwise

JOURNAL OF THE HOUSE

subject to taxation for state income tax purposes resulting from the rental of any land consisting of twenty acres (8.09 hectares) or more by a landowner to a beginning farmer under any agreement providing for a lease for at least three years shall be excluded from the numerator as provided in section 6 of this Act, provided that no landowner may exclude more than twenty-five thousand dollars pursuant to this subsection in any tax year nor may any landowner claim this exclusion for agreements with more than one beginning farmer for rentals on the same tract or parcel of land.

4. As used in this section:

a. "Agricultural purposes" means production of agricultural crops, livestock or livestock products, poultry or poultry products, and fruit or other horticultural crops.

b. "Beginning farmer" means any person who:

(1) Is a resident of this state.

(2) Receives more than half his annual income from farming, unless the person initially commences farming during the tax year for which a deduction will be claimed under this section.

(3) Intends to use any farmland that he wishes to purchase or rent for agricultural purposes.

(4) Has had adequate training, by experience or education, in the type of farming operation which he wishes to begin on the purchased or rented land.

(5) Has, including his dependents and spouse, if any, a net worth of less than fifty thousand dollars, not including the value of their equity in their principal residence, the value of one personal or family motor vehicle, and the value of their household goods, including furniture, appliances, musical instruments, clothing, and other personal belongings.

c. "Landowner" means any person owning land in North Dakota, except that any person who acquires such land for the purpose of obtaining the income tax deduction provided for in this section shall not be deemed to be a landowner.

5. In order for an individual, estate or trust to qualify for the above stated exclusions, the taxpayer must obtain a notarized statement from the beginning farmer who purchased or rented the land, containing a list of the assets, debts, and net worth of the beginning farmer, together with such other information as the tax commissioner may require. The value placed on any real property located in North Dakota and owned by the buyer shall be the amount listed as the current market value on the most recent real estate tax statement for that particular piece of property. In determining the net worth of any person, including dependents and spouse, if any, for purposes of this section, the value of their equity in their principal residence, the value of one personal or family motor vehicle, and the value of their household goods, including furniture, appliances, musical instruments, clothing, and other personal belongings shall not be included. This statement shall be filed with the taxpayer's income tax return. The taxpayer must also certify that any rental arrangements with any other person was not canceled in order to qualify under subsection 3 of this section."

On page 10, line 35, after the third comma insert the following:
"57-38-67, 57-38-68, 57-38-69, 57-38-70,"

And renumber the lines and pages accordingly

And when so amended, recommends the same do not pass.

A. Hausauer

Chairman

Rep. A. Hausauer

Bill No.

1650

was placed on the

6th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on EDUCATION

to whom was referred HOUSE CONCURRENT RESOLUTION

No. 3024, has had the same under consideration and recommends, by a vote of

Ayes, 14; Nays, 0; Absent, 2, that the same

do pass.

do not pass.

be placed on calendar without recommendation.

be amended as follows:

On page 1, line 2, delete "coverting" and insert in lieu thereof "converting"

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

Rep. F. Khudson

Chairman

Rep. Khudson

HOUSE CONCURRENT RESOLUTION No. 3024 was placed on the 6th

order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on STATE AND FEDERAL GOVERNMENT

to whom was referred HOUSE CONCURRENT RESOLUTION

No. 3051, has had the same under consideration and recommends, by a vote of

Ayes, 15; Nays, 0; Absent, 0, that the same

do pass.

do not pass.

be placed on calendar without recommendation.

Rep. Martinson

Chairman

Rep. Martinson

HOUSE CONCURRENT RESOLUTION No. 3051 was placed on the 11th

order of business on the calendar for the succeeding legislative day.

FIRST READING OF SENATE BILLS

Senate Bill No. 2200. — A Bill for an Act to amend and reenact section 15-47-26 of the North Dakota Century Code, relating to the definition of the word "teacher".

Which was read the first time and referred to the Committee on Education.

Senate Bill No. 2239. — A Bill for an Act to create and enact a new section to chapter 57-61 of the North Dakota Century Code to provide an exemption for coal used for space heating purposes.

Which has been read the first time and referred to the Committee on Finance and Taxation.

Senate Bill No. 2347. — A Bill for an Act to create and enact three new sections to chapter 57-38 and one new subsection to section 57-38.1-01 of the North Dakota Century Code, relating to the simplification of individual income tax returns and computation of tax, providing for credit for income tax paid to another state, beginning farmer

incentives, and defining a corporation; to amend and reenact sections 39-03.1-23 and 54-03-20, subsection 21 of section 57-38-01, subdivision a of subsection 2 and subsection 6 of section 57-38-04, sections 57-38-07, and 57-38-30 of the North Dakota Century Code, relating to exemptions from income tax, legislative pay, definition of Internal Revenue Code, credit for taxes paid to another state, rate of tax on corporations, tax imposed on fiduciaries and exemption from tax; to repeal section 57-38-01.2, subsections 2, 3, and 4 of section 57-38-01.4, sections 57-38-01.5, 57-38-01.6, 57-38-01.9, 57-38-01.10, 57-38-01.11, 57-38-01.12, 57-38-01.13, 57-38-01.14, 57-38-01.15, 57-38-06.1, 57-38-29, subsection 2 of section 57-38-31, and sections 57-38-67, 57-38-68, 57-38-69, 57-38-70, and chapter 57-38.2 of the North Dakota Century Code, relating to the computation of income tax; and to provide an effective date.

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

Senate Bill No. 2383. -- A Bill for an Act to amend and reenact section 27-02-05.1 of the North Dakota Century Code, relating to administration by the supreme court; and to repeal sections 27-02-06, 27-02-25, 27-05-08.1, 27-05-15, 27-05-16, 27-05-17, 27-05-19, 27-05-20, and 27-05-21 of the North Dakota Century Code, relating to the terms of supreme court and district court.

Which was read the first time and referred to the Committee on Judiciary.

Senate Bill No. 2384. -- A Bill for an Act to repeal section 27-01-08 of the North Dakota Century Code, relating to the authority of federal marshals to serve process by mail.

Which was read the first time and referred to the Committee on Judiciary.

Senate Bill No. 2416. -- A Bill for an Act to amend and reenact section 57-15-06.3 of the North Dakota Century Code to increase the tax levy for farm to market and federal aid roads and to provide that excess funds may be used for maintenance of such roads if approved by the electors.

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

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

ROY GILBREATH, Chief Clerk