

FIFTY-FOURTH DAY

Bismarck, March 23, 1981

The House convened at 9:00 a. m., with Speaker Peterson presiding. Prayer was offered by Reverend Daniel J. Wissmann, Good Shepherd Lutheran Church, Bismarck, North Dakota.

Roll was called and all members were present except Reps. Gerl, Kloubec, B. Larson, Mattson, Reiten, Richard and Richie.

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 Fifty-third

Day and recommends that the same be corrected as follows:

On page 1919, after line 16, insert the following:

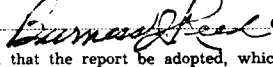
"SIGNING OF BILLS AND RESOLUTIONS

The Chief Clerk announced that the Speaker signed the following:

House Memorial Resolution A.

ROY GILBREATH, Chief Clerk"

And when so corrected recommends that the same be approved.

Rep. Metz  Chairman moved that the report be adopted, which motion prevailed.

MESSAGES TO THE SENATE
House Chamber

Mr. President: I have the honor to return herewith the following, which the House has amended:

- Senate Bill No. 2035
- Senate Bill No. 2046
- Senate Bill No. 2130
- Senate Bill No. 2203
- Senate Bill No. 2207
- Senate Bill No. 2233
- Senate Bill No. 2249
- Senate Bill No. 2323
- Senate Bill No. 2363

ROY GILBREATH, Chief Clerk

House Chamber

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

Senate Bill No. 2081

Senate Bill No. 2415

ROY GILBREATH, Chief Clerk

REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Concurrent Resolution No. 3005

and find the same correctly }
 Re } Engrossed

Representative _____ Vig _____
 motion prevailed, and the report was adopted.

Craig M. Riche Chairman
 moved that the report be adopted, which

MESSAGES 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 Concurrent Resolution No. 3005

House Concurrent Resolution No. 3083

ROY GILBREATH, Chief Clerk

House Chamber

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

Senate Bill No. 2202

Senate Concurrent Resolution No. 4002

Senate Concurrent Resolution No. 4004

Senate Concurrent Resolution No. 4008

Senate Concurrent Resolution No. 4016

Senate Concurrent Resolution No. 4085

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to transmit herewith the following on which the House has adopted the conference committee report and subsequently passed:

House Bill No. 1132

House Bill No. 1184

House Bill No. 1411

Very respectfully,

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendments to:

House Bill No. 1064

House Bill No. 1197

House Bill No. 1249

House Bill No. 1313

House Bill No. 1424

House Bill No. 1497
House Bill No. 1502
House Bill No. 1504
House Bill No. 1512
House Bill No. 1532
House Bill No. 1541
House Bill No. 1554
House Bill No. 1635
House Concurrent Resolution No. 3053
And subsequently passed the same.

Very respectfully,

ROY GILBREATH, Chief Clerk
House Chamber

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendments to:

House Bill No. 1516

And subsequently failed to pass the same.

Very respectfully,

ROY GILBREATH, Chief Clerk
House Chamber

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to:

House Bill No. 1127

House Bill No. 1177

House Bill No. 1225

House Bill No. 1276

House Bill No. 1284

House Bill No. 1290

And the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

House Bill No. 1127

Reps.:

Rep. Conmy

Rep. Houmann

Rep. Matchie

House Bill No. 1177

Reps.:

Rep. Hughes

Rep. Murphy

Rep. Kelly

House Bill No. 1225

Reps.:

Rep. Conmy

Rep. Houmann

Rep. Matchie

House Bill No. 1276

Reps.:

Rep. Murphy

Rep. Timm

Rep. Richard

House Bill No. 1284

Reps.:

Rep. A. Olson

Rep. Martin

Rep. Kelly

House Bill No. 1290

Reps.:

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Rep. Goetz
Rep. Moore
Rep. Riehl
Very respectfully,

ROY GILBREATH, Chief Clerk
House Chamber

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to:

House Bill No. 1371
House Bill No. 1473
House Bill No. 1536
House Bill No. 1542
House Bill No. 1651

And the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

House Bill No. 1371

Reps.:

Rep. Swiontek
Rep. Hedstrom
Rep. E. Pomeroy
House Bill No. 1473

Reps.:

Rep. C. Anderson
Rep. Wentz
Rep. Heigaard
House Bill No. 1536

Reps.:

Rep. Kloubec
Rep. Kretschmar
Rep. G. Pomeroy
House Bill No. 1542

Reps.:

Rep. Nicholas
Rep. Matheny
Rep. Riehl
House Bill No. 1651

Reps.:

Rep. Mattson
Rep. A. Hausauer
Rep. Berg

Very respectfully,

ROY GILBREATH, Chief Clerk
House Chamber

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

Senate Bill No. 2079

Reps.:

Rep. Hill
Rep. Kent
Rep. Richard
Senate Bill No. 2141

Reps.:

Rep. Peltier
Rep. Metz
Rep. Gerl

Very respectfully,

ROY GILBREATH, Chief Clerk
MESSAGE TO THE SENATE

Mr. President: I have the honor to inform you that the House has reconsidered the action by which it did concur in the Senate amendments to House Bill No. 1525, and subsequently did not concur in the Senate amendments to House Bill No. 1525, and the Speaker has appointed as a Conference Committee to meet with a like committee from the Senate the following:

Rep. Kloubec
Rep. Vander Vorst
Rep. B. Larson
Very respectfully,

ROY GILBREATH, Chief Clerk
SIXTH ORDER OF BUSINESS

Rep. R. Anderson moved that the amendments to House Bill No. 1189 as recommended by the Conference Committee as printed on pages 1931 through 1933 of the House Journal be adopted, which motion prevailed.

Rep. D. Olson moved that the amendments to House Bill No. 1231 as recommended by the Conference Committee as printed on page 1934 of the House Journal be adopted, which motion prevailed.

Rep. Dietz moved that the amendments to House Bill No. 1568 as recommended by the Conference Committee as printed on page 1934 of the House Journal be adopted.

MOTIONS

Rep. Koski moved that the Conference Committee amendments to House Bill No. 1568 be laid on the table, which motion failed.

The question then being on the motion of Rep. Dietz to adopt the amendments as recommended by the Conference Committee, which motion prevailed.

Rep. Wagner moved that the amendments to Senate Bill No. 2196 as recommended by the committee on Appropriations as printed on page 1947 of the House Journal be adopted, which motion prevailed.

MOTION

Rep. Strinden moved that Senate Bill No. 2392 be laid over over legislative day, which motion prevailed.

Rep. Wagner moved that the amendments to Senate Bill No. 2399 as recommended by the committee on Appropriations as printed on page 1948 of the House Journal be adopted, which motion prevailed.

MOTION

Rep. Strinden moved that the rules be suspended and that Senate Bills Nos. 2196 and 2399, containing the amendments just adopted, be placed on second reading and final passage to be voted on immediately, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2196. — A Bill for an Act to amend and reenact section 15-40.2-08 of the North Dakota Century Code, providing for the state to pay for educating handicapped children when neither a parent nor a legal guardian is residing in 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, 98; nays, 0; absent and not voting, 2.

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			• 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					
• 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			• 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.

Senate Bill No. 2399. — A Bill for an Act to provide for the creation of a state waterbank program and to empower the commissioner of agriculture to administer the Act.

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, 20; 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			• 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					
• 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			• 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. Strinden moved that Senate Bills Nos. 2196 and 2399 be messaged to the Senate immediately, which motion prevailed.

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MESSAGE FROM THE SENATE
Senate Chamber

Mr. Speaker: I have the honor to return herewith the following:
House Concurrent Resolution No. 3041
Which the President has signed.

LEO LEIDHOLM, Secretary

MESSAGES FROM THE SENATE
Senate Chamber

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

House Bill No. 1050
House Bill No. 1105
House Bill No. 1190
House Bill No. 1204
House Bill No. 1418
House Bill No. 1466
House Bill No. 1653

LEO LEIDHOLM, Secretary

SENATE AMENDMENTS TO HOUSE BILL NO. 1050

On page 2, of the engrossed bill, line 13, after the word
"health", delete the words "responsible for licensing hospitals
under"

On page 2, of the engrossed bill, line 14, delete the words
"chapter 23-16"

And renumber the lines accordingly

SENATE AMENDMENTS TO HOUSE BILL NO. 1105

On page 1 of the engrossed bill, line 3, after the word "classification"
delete the comma and the words "encouraging qualified young"

On page 1 of the engrossed bill, delete lines 4, 5, and 6

On page 1 of the engrossed bill, line 7, delete the words "consider
serving the public by seeking a judgeship "

On page 2 of the engrossed bill, after line 12, insert the
following new section:

"SECTION 3. APPLICATION OF ACT. The provisions
of this Act shall not apply to any termination, other
than by death, during the period of July 1, 1981, to June 30,
1983, or to the provision of any benefit, other than a death
benefit, for any termination of employment during that
period. No member of the public employees retirement system
shall earn or be entitled to any rights or interest, vested
or otherwise, in the benefits provided by this Act, except
as provided in this section, prior to July 1, 1983."

and renumber the lines, sections, and pages accordingly

SENATE AMENDMENTS TO HOUSE BILL NO. 1190

On page 1 of the engrossed bill, line 1, delete everything after the words, "A BILL" and insert the following: "for an Act to amend and reenact section 20.1-03-12 and subsections 6 through 9 of section 20.1-03-12 of the North Dakota Century Code, relating to the schedule of fees for licenses and permits; and to provide an effective date.

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

SECTION 1. AMENDMENT. Section 20.1-03-12 of the 1979 Interim Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

20.1-03-12. SCHEDULE OF FEES FOR LICENSES AND PERMITS.

The various license and permit fees shall be as follows:

1. For a resident, age nineteen and over small game hunting license, five six dollars, and for a resident, under the age of nineteen small game hunting license, three dollars.
2. For a nonresident small game hunting license, ~~forty~~ fifty dollars.
3. For a resident big game hunting license ~~ten~~ eighteen dollars.
4. For a nonresident big game hunting license sixty one hundred dollars, and for a nonresident bow license, thirty one hundred dollars.
5. For a resident fur-bearer license, five seven dollars.
6. ~~Repeated by S.L. 1977, ch. 207, § 4.~~
7. For a resident fishing license, five dollars, except that for a resident sixty-five years or over or a resident totally or permanently disabled, the license fee shall be one dollar.
8. 7. For a nonresident fishing license, ten dollars.
9. 8. For a nonresident short-term fishing license, two dollars.
10. 9. For a resident husband and wife fishing license, eight dollars.
11. 10. For a nonresident nongame hunting license, fifteen dollars.
12. 11. For resident and nonresident special permits to hunt deer in certain restricted areas, one dollar.
13. 12. For a wild turkey permit, ~~three~~ five dollars.
14. 13. For an annual general game license, ~~one-dollar~~ three dollars.
15. 14. For a permit to propagate and, domesticate or possess protected birds-and-animals wildlife, ~~one-dollar~~ five dollars.
16. 15. For a license to a nonresident buyer or shipper of green furs, or his agent, five hundred dollars.
17. 16. For a license to a resident buyer or shipper of green furs, five eight dollars for each place of business maintained by him within this state.
18. 17. For a license to a resident traveling agent, buyer, or

shipper of green furs, ~~fifteen~~ twenty dollars.

- 19- 18. For an annual license to practice taxidermy, ~~two~~ four dollars.
- 20- 19. For a permit to ship, by a person having a resident hunting license, during the respective open seasons, not to exceed in any one season twenty-five game birds, to points within this state other than his home or to points outside of this state, ~~one-dollar~~ three dollars.
- 21- 20. For a permit to make collections of protected birds and animals for scientific purposes, ~~twenty-five-cents-~~ two dollars.
- 22- 21. For a permit to ship live protected birds or animals to points either within or outside this state, ~~one-dollar~~ two dollars per permit. A permit shall be attached to each shipment.
- 23- 22. For a motorboat certificate of number and license, ~~three-dollars~~ the following license fees shall be used:
Each motorboat under sixteen feet in length, and all canoes, regardless of length, powered by a motor, six dollars. Each motorboat sixteen feet in length and over excluding canoes, fifteen dollars. It is the intent of the legislative assembly that the increase in motorboat license fees, as provided in this section be used for providing matching funds for construction and installation of boat launching facilities.
- 24- 23. To operate watercraft used for hire, the following license fees shall apply for three years:
- Class 1. Each craft capable of carrying two adults of average weight, ~~one-dollar~~ six dollars.
 - Class 2. Each craft capable of carrying three adults of average weight, ~~one-dollar~~ six dollars.
 - Class 3. Each craft capable of carrying four adults of average weight, ~~one-dollar~~ six dollars.
 - Class 4. Each craft capable of carrying five adults of average weight, ~~one-dollar~~ six dollars.
 - Class 5. Each craft capable of carrying up to eight adults of average weight, ~~one-dollar-and fifty-cents~~ nine dollars.
 - Class 6. Each craft capable of carrying up to ten adults of average weight, ~~two~~ twelve dollars.
 - Class 7. Each craft capable of carrying up to fifteen adults of average weight, ~~five~~ twenty-four dollars.
 - Class 8. Each craft capable of carrying sixteen or more adults of average weight, ~~ten~~ thirty dollars.
- 25- 24. For the taking of undesirable fish from the waters of this state pursuant to section 20.1-06-05, ~~five~~ six dollars for each hoop-net or trap, ~~one-dollar~~ two dollars for each setline, and ~~five~~ six dollars for each seine of fifty feet [15.24 meters] or any fraction thereof.
- 26- 25. For a license to erect, have and maintain on the ice in this state a fishhouse used or to be used to protect one while ice fishing or a dark house used or to be used for spearfishing, five dollars for each unit.
- 27- 26. For an annual license to peddle fish species abounding in waters of this state, ~~one-dollar~~ three dollars.

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- ~~28~~ 27. For an annual license to sell minnows or other live bait at wholesale, ~~twenty-five~~ thirty dollars.
- ~~29~~ 28. For an annual license to sell minnows or other live bait at retail, ~~five~~ eight dollars.
- ~~30~~ 29. For an annual license to operate a private fish hatchery, ~~twenty-five~~ thirty dollars.
- ~~31~~ 30. For a resident commercial frog license, fifty dollars.
- ~~31-1~~ 31. For a nonresident commercial frog license, two hundred dollars.
- ~~31-2~~ 32. For a resident frog license, three dollars.
- ~~31-3~~ 33. For a resident husband and wife frog license, five dollars.
- ~~32~~ 34. For a shooting preserve operating permit:
- a. One hundred dollars, if the shooting preserve consists of an area of six hundred forty acres [259 hectares] or less, or
 - b. One hundred dollars, if the shooting preserve consists of an area of more than six hundred forty acres [259 hectares], plus fifty cents per acre [.40 hectare] for each acre [.40 hectare] over six hundred forty acres [259 hectares].
- ~~33~~ 35. For an annual license to guide, one hundred dollars.
- ~~34~~ 36. For a nonresident waterfowl hunting license ~~five~~ eight dollars.

The fees for these licenses and permits shall be deposited with the state treasurer and credited to the game and fish fund.

SECTION 2. AMENDMENT. Subsections 6 through 9 of section 20.1-03-12 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

- ~~7~~ For a resident fishing license, ~~five~~ six dollars; except that a resident sixty-five years or over or a resident totally or permanently disabled, the license fee shall be ~~one dollar~~ two dollars.
- ~~8~~ 7. For a nonresident fishing license, ~~ten~~ fifteen dollars.
- ~~9~~ 8. For a nonresident short-term fishing license ~~two~~ four dollars.
- ~~10~~ 9. For a resident husband and wife fishing license ~~eight~~ ten dollars.

SECTION 3. EFFECTIVE DATE. Section 2 of this Act shall become effective on May 1, 1982."

And renumber the lines, sections, and pages accordingly

SENATE AMENDMENTS TO HOUSE BILL NO. 1204

On page 4, of the engrossed bill, line 18, after the word "dollars", insert the words "or such greater amount as federal regulations may specify"

On page 8, of the engrossed bill, line 29, after the word "beds", insert the words "by ten beds or ten percent, whichever is less in any two-year period"

- On page 8, of the engrossed bill, line 30, after the word "categories" insert the words "by ten beds or ten percent, whichever is less in any two-year period"
- On page 10, of the engrossed bill, line 16, after the word "the" delete the word "determination", and insert in lieu thereof the word "documentation"
- On page 10, of the engrossed bill, line 19, after the word "council", insert the words "in its determination of need"

And renumber the lines and pages accordingly

SENATE AMENDMENTS TO HOUSE BILL NO. 1418

- On page 1, of the engrossed bill, line 3, after the second comma insert the following: "25-12-02,"
- On page 1, of the engrossed bill, line 13, after the first comma insert the following: "local mill levy for support of mental health and retardation service units,"
- On page 1, of the engrossed bill, line 27, delete the following: "chapter 25-12 and", and after the second comma insert the following: "25-12-01, 25-12-02, 25-12-03, 25-12-04, 25-12-05,"
- On page 3, of the engrossed bill, line 8, after the word "include" insert the following: "the state hospital,"
- On page 3, of the engrossed bill, line 17, delete the words "and alcoholism and drug abuse"
- On page 3, of the engrossed bill, line 18, delete the following: ", including the state hospital"
- On page 3, of the engrossed bill, after line 24, insert the following new subdivision:

"e. Alcoholism and drug abuse division."
- On page 4, of the engrossed bill, line 32, following the second "by", delete the words "and accountable to"
- On page 4, of the engrossed bill, line 33, following the word "services", insert the following language "in consultation with the regional human service council. The regional director shall be accountable to the executive director"
- On page 5, of the engrossed bill, line 18, after the word "possessing" insert the following: "a degree of doctor of psychiatry, when such an individual can be employed, and when this is not possible, an individual possessing"
- On page 7, of the engrossed bill, line 21, following the word "psychiatrist", delete the following ", who may also be the"
- On page 7, of the engrossed bill, delete all of line 22
- On page 7, of the engrossed bill, line 23, delete the word "division"
- On page 8, of the engrossed bill, line 1, overstrike the hyphen and word "EXCEPTIONS"
- On page 8, of the engrossed bill, line 4, overstrike the language "However, if"
- On page 8, of the engrossed bill, line 5, overstrike the entire line
- On page 8, of the engrossed bill, line 6, overstrike the words

- "the expenses thereof," and on the same line delete the word "that", and overstrike the remainder of line
- On page 8, of the engrossed bill, line 7, overstrike the words "care and be provided with a special attendant in", and delete the word "a", and overstrike the word "manner"
- On page 8, of the engrossed bill, line 8, overstrike the words "as may be agreed upon by the superintendent. In" and delete the word "these"
- On page 8, of the engrossed bill, overstrike lines 9 through 11
- On page 8, of the engrossed bill, line 12, overstrike the words "portions or all of the expenses of", delete the word "that" and overstrike "patient and the"
- On page 8 of the engrossed bill, line 13, overstrike the words "superintendent shall cause the account of", delete the word "that", and overstrike "patient to"
- On page 8, of the engrossed bill, overstrike lines 14 and 15
- On page 8, of the engrossed bill, line 16, delete the words "department of human services" and overstrike "for all money or property which
- On page 8, of the engrossed bill, line 17, overstrike "shall come into" delete "the superintendent's" and overstrike "hands for the purpose"
- On page 8, of the engrossed bill, overstrike lines 18 and 19
- On page 8, of the engrossed bill, line 23, overstrike the word "AND" and delete the word "ALCOHOLISM"
- On page 8, of the engrossed bill, line 24, delete the words "AND DRUG ABUSE"
- On page 8, of the engrossed bill, line 26, overstrike the word "and", and delete the words "alcoholism and"
- On page 8, of the engrossed bill, line 27, delete the words "drug abuse" and overstrike the comma
- On page 8, of the engrossed bill, line 30, delete the following words "the director of which shall be a certified"
- On page 8, of the engrossed bill, delete all of line 31
- On page 8, of the engrossed bill, line 32, delete the word "hospital" and overstrike the comma
- On page 9, of the engrossed bill, line 13, overstrike the following: ", mental retardation,"
- On page 9, of the engrossed bill, delete lines 16 through 18
- On page 9 of the engrossed bill, after line 29, insert the following new section:

"SECTION 14. AMENDMENT. Section 25-12-02 of the 1979 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

25-12-02. LOCAL SUPPORT - LICENSING.

1. ~~A mental-health-and-retardation-service-unit comprising-only-one-political-subdivision-may receive-aid-from-such-political-subdivision-to the-extent-that-its-governing-body-agrees-to participate---if-a-mental-health-or-retardation service-unit-comprises~~ regional human service

~~center comprising more than one political sub-
division, the unit shall~~ may receive aid from the
political subdivisions in proportion to the assessed
valuation of each political subdivision or in such
other manner as their governing bodies shall agree.

2. The governing body of any such political subdivisions
for the purpose of operating, ~~maintaining,~~ or parti-
cipating in the operation and maintenance of mental
~~health and retardation service units or providing~~
~~such services by contract in accordance with this~~
chapter a regional human service center, may by
resolution of the governing body thereof submit the
question of the authorization of a tax upon all
taxable property in the political subdivision of
not to exceed three-quarters of one mill to the
electorate of the political subdivision at any
special or regular election. If such levy shall
be approved by the majority of the electors voting
thereon, a tax not in excess of that authorized may
be levied by the governing body of the political sub-
division for the purpose of providing ~~services~~
financial assistance as authorized in this chapter
section. Such levy, when authorized, shall be over
and above any mill levy limitation provided by law,
provided, however, there shall not be more than one
election per year on the mill levy.

~~3. The mental health and retardation division of the
state department of health is hereby authorized to
license mental health and retardation service units
established pursuant to this chapter. The division
shall promulgate standards, rules, and regulations~~

~~for the operation of the mental health and
retardation facilities licensed hereunder in
accordance with chapter 28-32 and may, in
accordance with chapter 28-32, suspend the license
of any facility which does not remain in compli-
ance with the standards, rules, and regulations
so promulgated. No mental health and retardation
service unit may operate after July 1, 1975, with-
out a license issued hereunder.~~

On page 15, of the engrossed bill, line 13, overstrike the word
"in"

On page 15, of the engrossed bill, line 14, overstrike the entire line

On page 15, of the engrossed bill, line 15, overstrike the word and
comma "amended"

On page 20, of the engrossed bill, line 19, overstrike the numerals
and comma "54-03-20.2"

On page 20, of the engrossed bill, line 20, overstrike the numerals
and comma "54-42-01"

On page 21, of the engrossed bill, line 18, delete the letter and
period "u", and overstrike the words "The merit system council"
and the period.

On page 22 of the engrossed bill, line 10, delete the word "mental"

On page 22 of the engrossed bill, line 11, delete the words "health
and"

- On page 25 of the engrossed bill, line 13, delete the words "health and"
- On page 27 of the engrossed bill, line 25, after the word "subdivisions" insert an underscored comma
- On page 29 of the engrossed bill, line 13, delete the word "section" and insert in lieu thereof the word "sections"
- On page 29 of the engrossed bill, line 14, delete the following: "chapter 25-12, and sections" and insert in lieu thereof the following: "25-12-01, 25-12-03, 25-12-04, 25-12-05,"
- On page 29 of the engrossed bill, after line 16, insert the following new section:

"SECTION 38. DELAYED REPEAL. Section 25-12-02 of the North Dakota Century Code is repealed effective January 1, 1983, and the mill levy authorized thereunder shall not be levied for property tax years beginning on and after January 1, 1983."

And renumber the lines, sections, and pages accordingly

SENATE AMENDMENTS TO HOUSE BILL NO. 1466

- On page 1 of the engrossed bill, line 3, delete the word "management" and insert in lieu thereof the word "resource"
- On page 1 of the engrossed bill, line 11, delete the numerals "200,000" and insert in lieu thereof the numerals "500,000"
- On page 1 of the engrossed bill, line 12, delete the second comma and insert in lieu thereof the words "contract fund"
- On page 1 of the engrossed bill, line 13, delete the word "management" and insert in lieu thereof the word "resource"
- On page 1 of the engrossed bill, line 17, delete the word "management" and insert in lieu thereof the word "resource"
- On page 1 of the engrossed bill, line 19, after the period insert the following: "A portion of the moneys appropriated herein shall be used to develop a priority list of projects, including preliminary engineering analysis and cost estimates, which are necessary to resolve the surface water management problems in the Red River watershed to the greatest extent possible. The priority list of projects shall be developed to provide a basis for future appropriations to the state water commission for cost sharing with the Red River joint water resource board for the construction of such projects. The funds herein appropriated shall not be expended until provisions for local funds from mill levies or assessments are made to match funds from this appropriation."
- On page 1 of the engrossed bill, delete lines 20 through 28
- On page 2 of the engrossed bill, delete lines 1 through 3
- And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment reduces the total appropriation in the bill from \$1 million to \$500,000. It is the purpose of this amendment to clearly express that a portion of the funds appropriated in this bill shall be used to develop a priority list of necessary projects to resolve surface water management problems in the Red River watershed, including the preliminary engineering analysis and cost estimates. This priority list can then be presented to future legislative assemblies for possible cost sharing with the Red River Joint Water Resource Board to construct such projects.

SENATE AMENDMENTS TO HOUSE BILL NO. 1653

- On page 1 of the engrossed bill, line 1, delete the words "to create and enact a new section to chapter"
- On page 1 of the engrossed bill, delete lines 2 and 3
- On page 1 of the engrossed bill, line 6, delete the semicolon and and words "; and to provide a contingent"
- On page 1 of the engrossed bill, line 7, delete the words "effective date"
- On page 1 of the engrossed bill, line 16, overstrike the words "twenty-one thousand" and immediately thereafter insert the words "twenty-six thousand two hundred"
- On page 1 of the engrossed bill, line 18, overstrike the words "twenty-one thousand five hundred" and immediately thereafter insert the words "twenty-six thousand eight hundred twenty-five"
- On page 1 of the engrossed bill, line 21, overstrike the words "twenty-two thousand eight hundred" and immediately thereafter insert the words "twenty-eight thousand four hundred forty-six"
- On page 1 of the engrossed bill, line 23, overstrike the words "twenty-seven thousand"
- On page 1 of the engrossed bill, line 24, overstrike the words "six hundred" and immediately thereafter insert the words "thirty-four thousand four hundred thirty-five"
- On page 2 of the engrossed bill, line 5, overstrike the words and comma "On July 1,", delete the numeral "1981", and overstrike the last comma
- On page 2 of the engrossed bill, overstrike line 6
- On page 2 of the engrossed bill, line 7, overstrike the words "jurisdiction shall be increased", and delete the word "nineteen"
- On page 2 of the engrossed bill, overstrike line 8
- On page 2 of the engrossed bill, line 9, overstrike the words and comma "actually being paid such judge as of June 30,", delete the numerals "1981", and overstrike the period and the word "On"
- On page 2 of the engrossed bill, line 10, overstrike the words and comma "July 1,", delete the numerals "1982", and overstrike the comma and words ", the salary of each judge of a county court"
- On page 2 of the engrossed bill, line 11, overstrike the words "of increased jurisdiction shall be increased"
- On page 2 of the engrossed bill, line 12, delete the word "eight", and overstrike the words "percent over the total base salary and discretionary"
- On page 2 of the engrossed bill, line 13, overstrike the words and comma "increase actually being paid such judge as of June 30,"
- On page 2 of the engrossed bill, delete lines 14 through 32
- And renumber the lines and pages accordingly

MESSAGE TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendments to:

Senate Bill No. 2021

Senate Bill No. 2061

Senate Bill No. 2068
 Senate Bill No. 2118
 Senate Bill No. 2135
 Senate Bill No. 2142
 Senate Bill No. 2149
 Senate Bill No. 2184
 Senate Bill No. 2187
 Senate Bill No. 2230
 Senate Bill No. 2247
 Senate Bill No. 2274
 Senate Bill No. 2301
 Senate Bill No. 2308
 Senate Bill No. 2322
 Senate Bill No. 2338
 Senate Bill No. 2356
 Senate Bill No. 2377
 Senate Bill No. 2419
 Senate Bill No. 2424

Senate Concurrent Resolution No. 4043

and subsequently passed the same, but refused to concur in the House amendment to:

Senate Bill No. 2038
 Senate Bill No. 2117
 Senate Bill No. 2152
 Senate Bill No. 2160
 Senate Bill No. 2213
 Senate Bill No. 2286

and the President has appointed as a conference committee to act with a like committee from the House on:

Senate Bill No. 2038

Senators:

Senator Thane
 Senator Naaden
 Senator Tallackson
 Senate Bill No. 2117

Senators:

Senator Tennefos
 Senator Mutch
 Senator Parker
 Senate Bill No. 2152

Senators:

Senator Adams
 Senator Cussons
 Senator Peterson
 Senate Bill No. 2160

Senators:

Senator Nelson
 Senator Quail
 Senator Redlin
 Senate Bill No. 2213

Senators:

Senator Erickson
 Senator Mutch
 Senator Dykshoorn
 Senate Bill No. 2286

Senators:

Senator Holmberg
 Senator Lodoen
 Senator Berube
 Very respectfully,

LEO LEIDHOLM, Secretary

MESSAGE TO THE HOUSE
 Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to:

Senate Bill No. 2358
 Senate Bill No. 2364
 Senate Bill No. 2374
 Senate Bill No. 2394
 Senate Bill No. 2404

and the President has appointed as a conference committee to act with a like committee from the House on:

Senate Bill No. 2358

Senators:

Senator Goodman
 Senator Wright
 Senator Shablow
 Senate Bill No. 2364

Senators:

Senator Adams
 Senator Goodman
 Senator Shablow
 Senate Bill No. 2374

Senators:

Senator Lodoen
 Senator Holmberg
 Senator Shablow
 Senate Bill No. 2394

Senators:

Senator Tierney
 Senator Nelson
 Senator Berube
 Senate Bill No. 2404

Senators:

Senator Melland
 Senator Thane
 Senator Walsh
 Very respectfully,

LEO LEIDHOLM, Secretary

MOTIONS

Rep. Strinden moved that the House stand in recess until 11:30 a.m., which motion prevailed.

The House reconvened pursuant to recess taken, with Speaker Peterson presiding.

Rep. Swiontek moved that the House do concur in the Senate amendments to House Concurrent Resolution No. 3055, which motion prevailed.

Rep. Strinden moved that the rules be suspended and that House Concurrent Resolution No. 3055 be placed at the top of the eleventh order for second reading and final passage, which motion prevailed.

SECOND READING OF
 HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution No. 3055. — A concurrent resolution to create a new article IV of the Constitution of the State of North Dakota, relating to the legislative assembly; to repeal the present article IV of the Constitution of the State of North Dakota, relating to the legislative assembly; and to provide an effective date.

STATEMENT OF INTENT

This amendment creates a new article to the constitution providing for a legislative assembly that consists of a senate and house of representatives and establishes terms of office and the number of allowable legislators in each house. Provides for qualifications of legislators, legislative district organization, and reorganization based on one-man one-vote principles, legislative procedures, and restrictions upon legislators serving in other state offices.

The amendment also repeals the present article IV of the Constitution of the State of North Dakota, and provides that these changes will take effect on December 1, 1984.

Was read the second time.

ROLL CALL

The question being on the final adoption of the resolution, as amended, the roll was called and there were ayes, 90; nays, 8; absent and not voting, 2.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	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			
• CONNY			• KENT		• OLAFSON			• WHALEN			
• CRABTREE			• KINGSBURY	•	• OLSEN			• ZIMBLEMAN			
• DICK			• KLUBBEC		• OLSON, A. #11						
• DIETZ			• KNUDSON		• OLSON, D. #13			• MR. SPEAKER			
• DOTZENROD			• KOLAND		• OPEDAH						
• 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	•		• WARSDEN		• RICHARD						
• HANSON, L. #48			• WARTIN		• RICHIE						
• HANSON, O. #3			• WATINSON		• RIEHL						
• HAUGLAND			• WATCHIE		• RUED						
• HAUSAUER, A. #49	•		• WATHENY		• SCHINDLER						
• HAUSAUER, R. #25			• WATTSON		• SOLBERG						
• HEDSTROM			• WEIERS		• SORUM						
• HEIGAARD			• MELBY		• STRINDEN						
• HILL			• MERTENS		• SWIDONTEK						

So the House Concurrent Resolution No. 3055 was declared adopted.

MOTIONS

Rep. Goetz moved that the House reconsider its action whereby it did not concur in the Senate amendments to House Bill No. 1290, and that the House do concur in the Senate amendments to House Bill No. 1290, and that the Conference Committee on House Bill No. 1290 be dissolved, which motion prevailed.

Rep. Knudson moved that the House reconsider its action whereby it did not concur in the Senate amendments to House Bill No. 1227, and that the House do concur in the Senate amendments to House Bill No. 1227, and that the Conference Committee on House Bill No. 1227 be dissolved, which motion prevailed.

Rep. A. Hausauer moved that the House reconsider its action

whereby it did not concur in the Senate amendments to House Bill No. 1651, and that the House do concur in the Senate amendments to House Bill No. 1651, and that the Conference Committee on House Bill No. 1651 be dissolved, which motion prevailed.

APPOINTMENTS OF CONFERENCE COMMITTEES

Speaker Peterson appointed the following to a Conference Committee on Senate Bill No. 2213:

- Rep. D. Olson
- Rep. Gunderson
- Rep. Richard

Speaker Peterson appointed the following to a Conference Committee on Senate Bill No. 2358:

- Rep. Moore
- Rep. Crabtree
- Rep. Richard

Speaker Peterson appointed the following to a Conference Committee on Senate Bill No. 2394:

- Rep. Schindler
- Rep. H. Larson
- Rep. Berger

MOTION

Rep. Conmy moved that the House not concur on Senate amendments to House Bill No. 1277, and that a Conference Committee be appointed to meet with a like committee from the Senate, which motion prevailed.

APPOINTMENT OF A CONFERENCE COMMITTEE

Speaker Peterson appointed the following to a Conference Committee on House Bill No. 1277:

- Rep. Kretschmar
- Rep. Conmy
- Rep. Heigaard

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 March 20, 1981, I signed the following House Bills:

- House Bill: 1037
- House Bill: 1307
- House Bill: 1392
- House Bill: 1422
- House Bill: 1447
- House Bill: 1458
- House Bill: 1615
- House Bill: 1634

Sincerely,
 ALLEN I. OLSON
 Governor

The Honorable James Peterson
 Speaker of the House
 House Chambers
 Bismarck, North Dakota 58505
 Dear Mr. Speaker:

This is to inform you that on March 19, 1981, I signed the following House Bills:

- House Bill: 1262
- House Bill: 1410
- House Bill: 1562
- House Bill: 1645
- House Bill: 1655

Sincerely,
ALLEN I. OLSON
 Governor

SECOND READING OF HOUSE BILLS

House Bill No. 1328. — A Bill for an Act to create and enact a new section to chapter 57-15 and a new subdivision to subsection 3 of section 57-15-06 of the North Dakota Century Code, to exempt from county tax limitations and to authorize a county tax for use in constructing, equipping, operating, and maintaining regional or county corrections centers.

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, 8; 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	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.			• MUSHK			• WAGNER					
• BOYUM			• JACOBSON, I.			• NAGEL			• WALD					
• BROKAW			• KELLY			• NICHOLAS			• WENTZ					
• CONMY			• KENT			• OLAFSON		•	• WHALEN					
• CRABTREE			• KINGSBURY		•	• OLSEN			• ZIMBLEMAN					
• DICK			• KLDOBEC			• OLSON, A. #11		•						
• DIETZ			• KNUDSON			• OLSON, D. #13			• MR SPEAKER					
• DOTZENROD			• KOLAND			• OPEDAHLL								
• DUBORD			• KOSKI			• PELTIER								
• EAGLES			• KRETSCHMAR			• PETERSON								
• FREIBORG			• 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		•	• MATHENY			• SCHINDLER								
• HAUSAUER, R. #25			• MATTSON			• SOLBERG								
• HEGSTRON			• MEIERS			• SORUM								
• HEGAARD			• MELBY			• STRINDEN								
• HILL			• MERTENS			• SWONTEK								

So the bill passed and the title was agreed to.

House Bill No. 1435. — A Bill for an Act to amend and reenact section 15-59-07, subsection 3 of section 25-04-05, and sections 25-04-05.2, 25-07-04 of the North Dakota Century Code, relating to transportation costs to and from state institutions.

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, 97; nays, 3; absent and not voting, 0.

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			● 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			● REED					
● GOETZ			● LARSON, G. #29			● REITEN					
● GORDER			● LARSON, H. #7			● RETZER					
● GUNDERSON			● LIPSIEA			● RICE					
● GUNSCHE			● MARSDEEN			● RICHARD					
● HANSON, L. #48			● MARTIN			● RICHIE					
● HANSON, O. #3			● MARTINSON			● RIEHL					
● HAUGLAND			● MATCHIE			● RUED					
● HAUSAUER, A. #9			● MATHENY			● SCHINDLER					
● HAUSAUER, R. #25			● MATTSON			● SOLBERG					
● HEDSTROM			● MEIERS			● SORUM					
● HEKGAARD			● MELBY			● STRINDEN					
● HILL			● MERTENS			● SWIONTEK					

So the bill passed and the title was agreed to.

MOTION

Rep. Strinden moved that House Bill No. 1593 be laid over until this afternoon on the eleventh order, which motion prevailed.

MESSAGE TO THE SENATE

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has amended:

Senate Bill No. 2196

Senate Bill No. 2399

ROY GILBREATH, Chief Clerk

REPORT OF PROCEDURAL COMMITTEE

The committee on Enrollment and Engrossment respectfully reports that:

H. C. R. No. 3041

was delivered to the ~~CLERK~~ Secretary of State ~~XXXXXXXXXX~~ at the hour of

9:54 o'clock A.M., March 23, 1981

Craig M. Richie
Rep. Craig Richie Chairman.

SECOND READING OF HOUSE BILL

House Bill No. 1657. — A Bill for an Act to authorize the director of institutions to enter into contractual or lease agreements allowing the extraction of gravel or other commercial materials on state penitentiary land; permitting the acquisition of replacement lands; providing for the disposition of proceeds for such agreements; and providing an appropriation.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were yeas, 3; nays, 97; absent and not voting, 0.

REGULAR SESSION			NORTH DAKOTA HOUSE OF REPRESENTATIVES						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. #34	●		● HORGAN			● MEYER			● TIMM		

1970

JOURNAL OF THE HOUSE

BACKES	•	HOUAMAN	•	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	•
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	•		
FREDBORG	•	KUCHERA	•	POMEROY, E. #74	•		
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. #46	•	MARTIN	•	RICHIE	•		
HANSON, O. #3	•	MARTINSON	•	RIEHL	•		
HAUGLAND	•	MATCHIE	•	RUED	•		
HAUSAUER, A. #49	•	MATHENY	•	SCHINDLER	•		
HAUSAUER, R. #23	•	MATTSON	•	SOLBERG	•		
HEDSTROM	•	MEIERS	•	SORUM	•		
HEGAARD	•	MELBY	•	STRINDEN	•		
HILL	•	MERTENS	•	SWIONTEK	•		

So the bill was declared lost.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on AGRICULTURE

to whom was referred SENATE

Bill No. 2438 has had the same under consideration and recommends, by a vote of

Ayes, 9; Nays, 3; Absent, 3, that the same

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

Rep. Nicholas

Chairman

SENATE Bill No. 2438 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on JOINT CONSTITUTIONAL REVISION

to whom was referred SENATE CONCURRENT RESOLUTION

No. 4041, has had the same under consideration and recommends, by a vote of

Ayes, 8; Nays, 2; 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 following: ", previously designated as section 2 of article 54"

On page 1, delete line 4

On page 1, line 5, delete the words "the renumbered Constitution"

On page 1, after line 7, insert the following:

"STATEMENT OF INTENT

The purpose of this amendment is to substitute the speaker of the house of representatives for the president of the North Dakota educational association, as a member of the nominating group, which also includes the chief justice of the supreme court and the superintendent of public instruction, and which provides lists of names to the governor from which the governor is to nominate members to the state board of higher education."

MONDAY, MARCH 23, 1981

1971

On page 1, line 12, delete the following: ", previously designated as section 2 of article 54"

On page 1, delete line 13

On page 1, line 14, delete the following: "the renumbered Constitution,"

On page 1, line 16, delete the word "primary" and insert in lieu thereof the word "general"

On page 1, line 18, delete the following: ", previously" and insert in lieu thereof a period

On page 1, delete lines 19 and 20

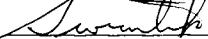

On page 1, line 22, delete the comma

On page 1, delete lines 23 and 24

On page 1, line 25, delete the following: "renumbered Constitution,"

And renumber the lines and pages accordingly

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

 Co-Chairman  Co-Chairman

Rep. Swiontek Sen. Wenstrom

SENATE CONCURRENT RESOLUTION No. 4041 was placed on the 6th order of business on the calendar for the succeeding legislative day.

MESSAGES FROM THE SENATE

Senate Chamber

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

House Bill No. 1040

House Bill No. 1293

LEOLEIDHOLM, Secretary

SENATE AMENDMENTS TO HOUSE BILL NO. 1040

On page 1 of the engrossed bill, line 3, after the word "Dakota" and before the period insert the following: "; and to amend and reenact section 20.1-02-17.2 of the North Dakota Century Code, relating to lands acquired by the game and fish department"

On page 1 of the engrossed bill, line 15, delete the numerals "5,321,590" and insert in lieu thereof the numerals "5,156,222"

On page 1 of the engrossed bill, line 16, delete the numerals "2,621,925" and insert in lieu thereof the numerals "2,646,925"

On page 1 of the engrossed bill, line 19, delete the numerals "745,850" and insert in lieu thereof the numerals "945,850"

On page 1 of the engrossed bill, line 21, delete the numerals "110,000" and insert in lieu thereof the numerals "135,000"

On page 1 of the engrossed bill, line 25, delete the numerals "11,312,657" and insert in lieu thereof the numerals "11,397,289"

On page 1 of the engrossed bill, after line 25, insert the following new section:

"SECTION 2. HABITAT RESTORATION - APPROPRIATION. There is hereby appropriated the sum of \$505,000, or such lesser amounts as may be collected pursuant to House Bill No. 1520, to the game and fish department to lease privately owned lands for wildlife habitat to reestablish wildlife population during the biennium beginning July 1, 1981, and ending June 30, 1983. These funds shall be spent only for purposes and utilizing guidelines as

outlined in House Bill No. 1520."

On page 1 of the engrossed bill, delete lines 26 through 28

On page 2 of the engrossed bill, delete lines 1 through 7

On page 2 of the engrossed bill, after line 21, insert the following:

"SECTION 5. AMENDMENT. Section 20.1-02-17.2 of the 1979 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

20.1-02-17.2. LANDS ACQUIRED BY GAME AND FISH DEPARTMENT TO QUALIFY AS GARRISON-DIVERSION-MITIGATION-LANDS. Lands Any lands to be acquired by the game and fish department shall ~~qualify as mitigated acres (hectares) required by the federal fish and wildlife service in regard to the Garrison Diversion Project~~ first be presented to the appropriate federal agency for consideration as mitigation and enhancement acreage for ~~federally assisted projects.~~"

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment reduces the salaries and wages line item of the Game and Fish Department by \$165,368 which is the amount included to fund a noncontributory state employee retirement program.

This amendment increases the operating expenses line item by \$25,000, the capital improvements line item by \$200,000, and noxious weed control line item by \$25,000 for the following enhancements:

Operating Expenses:

Trees	\$10,000
Seed, grass, etc.	10,000
Signs	5,000
Total	<u>\$25,000</u>

Capital Improvements - Wildlife Development:

Roads and trails	\$ 62,000
Feeders and grain bins	13,000
Fences	25,000
Total	<u>\$100,000</u>

Capital Improvements - Fishing Areas:

Bank erosion control	\$ 10,000
Hypolimnetic drawdowns for water quality improvement	14,000
Roads and trails	15,000
Parking lots	5,000
Toilets	6,000
Dam repair	50,000
Total	<u>\$100,000</u>

Noxious weed control - chemicals \$ 25,000

This amendment also adds a new section appropriating \$505,000 to be collected pursuant to House Bill No. 1520 to be spent for restoration of wildlife habitat.

It also amends Section 20.1-02-17.2 to provide that any lands acquired by the Game and Fish Department shall first be presented to the appropriate federal agency for consideration as mitigation and enhancement acreage for federally assisted projects.

On page 2 of the engrossed bill, delete lines 5 through 17

And renumber the lines, sections, and pages accordingly

Senate Chamber

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

House Bill No. 1003
House Bill No. 1005
House Bill No. 1022
House Bill No. 1023
House Bill No. 1024
House Bill No. 1051
House Bill No. 1444

LEO LEIDHOLM, Secretary

SENATE AMENDMENTS TO HOUSE BILL NO. 1003

On page 1 of the engrossed bill, line 4, delete the semicolon and words "; and declaring an emergency"

On page 1 of the engrossed bill, line 18, delete the numerals "1,653,518" and insert in lieu thereof the numerals "1,598,868"

On page 1 of the engrossed bill, delete line 21

On page 1 of the engrossed bill, line 23, delete the numerals "4,651,862" and insert in lieu thereof the numerals "3,597,212"

On page 1 of the engrossed bill, line 24, delete the numerals "1,278,236" and insert in lieu thereof the numerals "1,266,229"

On page 1 of the engrossed bill, line 25, delete the numerals "3,373,626" and insert in lieu thereof the numerals "2,330,983"

On page 1 of the engrossed bill, line 28, delete the numerals "4,905,163" and insert in lieu thereof the numerals "4,750,322"

On page 2 of the engrossed bill, line 3, delete the numerals "12,513,091" and insert in lieu thereof the numerals "12,358,250"

On page 2 of the engrossed bill, line 6, delete the numerals "712,840" and insert in lieu thereof the numerals "689,702"

On page 2 of the engrossed bill, line 10, delete the numerals "1,007,035" and insert in lieu thereof the numerals "983,897"

On page 2 of the engrossed bill, line 11, delete the numerals "657,759" and insert in lieu thereof the numerals "644,570"

On page 2 of the engrossed bill, line 12, delete the numerals "349,276" and insert in lieu thereof the numerals "339,327"

On page 2 of the engrossed bill, line 13, delete the numerals "3,722,902" and insert in lieu thereof the numerals "2,670,310"

On page 2 of the engrossed bill, line 14, delete the numerals "14,449,086" and insert in lieu thereof the numerals "14,269,049"

On page 2 of the engrossed bill, line 15, delete the numerals "18,171,988" and insert in lieu thereof the numerals "16,939,359"

On page 2 of the engrossed bill, delete lines 30 through 35

On page 3 of the engrossed bill, delete lines 1 through 13

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Department of Accounts and Purchases

The salaries and wages line item for the Department of Accounts and Purchases is reduced by \$54,650, of which \$12,007 is from other funds and \$42,643 is from the general fund, to delete funds associated with the state funding a conversion to a noncontributory retirement plan for employees.

This amendment also deletes the \$1 million general fund appropriation for the statewide accounting and reporting system. The Legislative Assembly recognizes that revisions to the state accounting system are desirable but that the revisions may need to be delayed because of fiscal constraints on the state's general fund.

Central Data Processing

The salaries and wages line item of Central Data Processing is reduced by \$154,841 to delete funds for the noncontributory retirement plan.

Central Personnel Division

The salaries and wages line item for the Central Personnel Division is reduced by \$23,138, of which \$13,189 is from other funds and \$9,949 is from the general fund, to delete funds for the noncontributory retirement plan.

On page 2 of the reengrossed bill, after line 33, insert the following:

"SECTION 5. OUT-OF-STATE TRAVEL. The legislative assembly encourages all state agencies and institutions to not expend funds for out-of-state travel during the 1981-83 biennium which exceed out-of-state travel expenditures for the 1979-81 biennium. The department of accounts and purchases shall make a report to the budget section of the legislative council of expenditures by departments for out-of-state travel during the first year of the 1981-83 biennium including the personnel involved and purposes of the travel."

And renumber the lines and pages accordingly

SENATE AMENDMENTS TO HOUSE BILL NO. 1005

On page 1, line 12, delete the numerals "30,350,000" and insert in lieu thereof the numerals "29,377,000"

On page 1, line 13, delete the numerals "30,350,000" and insert in lieu thereof the numerals "29,377,000"

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment reduces the appropriation for Personal Property Tax Replacement by \$973,000 to provide for seven percent annual increases.

SENATE AMENDMENTS TO HOUSE BILL NO. 1022

On page 1 of the engrossed bill, line 14, delete the numerals "1,689,000" and insert in lieu thereof the numerals "1,635,689"

On page 1 of the engrossed bill, line 15, delete the numerals "2,423,417" and insert in lieu thereof the numerals "2,367,147"

- On page 1 of the engrossed bill, line 19, delete the numerals "10,794,539" and insert in lieu thereof the numerals "10,704,958"
- On page 1 of the engrossed bill, line 20, delete the numerals "9,729,379" and insert in lieu thereof the numerals "9,677,333"
- On page 1 of the engrossed bill, line 21, delete the numerals "1,065,160" and insert in lieu thereof the numerals "1,027,625"
- On page 2 of the engrossed bill, delete lines 9 through 18
- And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

The salaries and wages line item is reduced \$53,311, of which \$26,655 is from the general fund and \$26,656 is estimated income, to delete funds for the noncontributory retirement plan. The operating expenses line item is reduced \$36,270, of which \$10,880 is from the general fund and \$25,390 is estimated income, in accordance with nine percent per year guidelines regarding inflation.

SENATE AMENDMENTS TO HOUSE BILL NO. 1023

- On page 1 of the engrossed bill, line 2, after the word "Dakota" and before the period insert the following: "; and declaring an emergency"
- On page 1 of the engrossed bill, line 14, delete the numerals "1,954,484" and insert in lieu thereof the numerals "1,895,809"
- On page 1 of the engrossed bill, line 15, delete the numerals "1,374,992" and insert in lieu thereof the numerals "1,368,852"
- On page 1 of the engrossed bill, line 22, delete the numerals "5,481,476" and insert in lieu thereof the numerals "5,416,661"
- On page 1 of the engrossed bill, line 23, delete the numerals "2,824,110" and insert in lieu thereof the numerals "2,791,487"
- On page 1 of the engrossed bill, line 24, delete the numerals "2,657,366" and insert in lieu thereof the numerals "2,625,174"
- On page 1 of the engrossed bill, line 27, delete the words "surplus funds on deposit" and insert in lieu thereof the words "the sinking fund for the state of North Dakota general obligation bonds, Vietnam conflict adjusted compensation series."
- On page 1 of the engrossed bill, delete line 28
- On page 2 of the engrossed bill, delete lines 9 through 18
- On page 2 of the engrossed bill, line 33, delete the numerals "486,000" and insert in lieu thereof the numerals "243,000"
- On page 2 of the engrossed bill, line 33, delete the words "Vietnam veterans adjusted" and insert in lieu thereof the words "sinking fund for the state of North Dakota general obligation bonds, Vietnam conflict adjusted compensation series, and \$243,000 of the interest earned in the national guard tuition trust fund,"
- On page 2 of the engrossed bill, line 34, delete the words "compensation fund"
- On page 3 of the engrossed bill, line 5, delete the numerals "2,657,366" and insert in lieu thereof the numerals "2,625,174"
- On page 3 of the engrossed bill, line 6, delete the numerals "3,310,110" and insert in lieu thereof the numerals "3,277,487"

On page 3 of the engrossed bill, line 7, delete the numerals "5,967,476" and insert in lieu thereof the numerals "5,902,661"

On page 3 of the engrossed bill, after line 7, insert the following:

"SECTION 6. EMERGENCY. The portion of the capital improvement funds in the amount of \$240,000 for the construction of local armories and the portion of capital improvement funds in the amount of \$180,000 for a steam heating plant at Camp Grafton as appropriated in section 1 of this Act, together with section 4 of this Act, are hereby declared to be emergency measures and shall be in full force and effect from and after their passage and approval."

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

The salaries and wages line item of the Adjutant General is reduced by \$58,675, of which \$32,623 is from other funds and \$26,052 is from the general fund, to delete funds associated with the state funding a conversion to a noncontributory retirement plan for employees.

The operating expenses line item is reduced by \$6,140 from the general fund to reflect legislative guidelines of nine percent per year.

This amendment also appropriates funds from the sinking fund for the state of North Dakota general obligation bonds, Vietnam conflict adjusted compensation series, rather than from the Vietnam veterans adjusted compensation fund. One-half of the \$486,000 appropriated for the tuition waiver program is appropriated from the National Guard tuition trust fund rather than from the adjusted compensation fund.

SENATE AMENDMENTS TO HOUSE BILL NO. 1024

On page 1 of the engrossed bill, line 15, delete the numerals "877,494" and insert in lieu thereof the numerals "851,565"

On page 1 of the engrossed bill, line 16, delete the numerals "301,440" and insert in lieu thereof the numerals "292,643"

On page 1 of the engrossed bill, line 19, delete the numerals "1,211,334" and insert in lieu thereof the numerals "1,176,608"

On page 1 of the engrossed bill, line 20, delete the numerals "832,114" and insert in lieu thereof the numerals "806,152"

On page 1 of the engrossed bill, line 21, delete the numerals "379,220" and insert in lieu thereof the numerals "370,456"

On page 2 of the engrossed bill, delete lines 3 through 12

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

The salaries and wages line item of Disaster Emergency Services is reduced \$25,929, of which \$17,165 is from other funds and \$8,764 is from the general fund, to delete funds for the non-contributory retirement plan.

Operating expenses are reduced \$8,797 from other funds to reflect nine percent per year limitations regarding inflation.

SENATE AMENDMENTS TO HOUSE BILL NO. 1051

On page 1 of the engrossed bill, line 19, delete the words "TRANSFER AND DEPOSIT OF FUNDS" and insert in lieu thereof "LEGISLATIVE INTENT"

On page 1 of the engrossed bill, line 22, delete the words "legislative appropriations" and insert in lieu thereof "the payment due North Dakota from Minnesota under the authority contained in chapter 15-10.1

On page 1 of the engrossed bill, line 23, delete the words "for that purpose"

And renumber the lines accordingly

On page 1 of the reengrossed bill, line 2, after the word "Minnesota" and before the period insert the following: "; and to provide an effective date"

On page 1 of the reengrossed bill, after line 25, insert the following new section:

"SECTION 3. EFFECTIVE DATE. If section 3 of Senate Bill No. 2007 relating to the continued availability of appropriations to Lake Region junior college after July 1, 1982, is enacted, then the provisions of this Act shall be effective on and after July 1, 1982."

And renumber the lines and pages accordingly

SENATE AMENDMENTS TO HOUSE BILL NO. 1444

On page 1 of the engrossed bill, line 6, after the third comma insert the word "and" and delete the fourth comma and word "and"

On page 1 of the engrossed bill, line 7, delete "38-08.1-06"

On page 1 of the engrossed bill, line 10, after the word "exploration," insert the word "and"

On page 1 of the engrossed bill, line 10, after the word "performed" delete the comma and the word ", and" and insert in lieu thereof a period

On page 1 of the engrossed bill, delete line 11

On page 4 of the engrossed bill, line 22, overstrike the words "register of deeds" and insert in lieu thereof the word "commission"

On page 4 of the engrossed bill, line 34, delete the word "shall" and insert in lieu thereof the word "may"

On page 5 of the engrossed bill, line 1, after the second "exploration" insert the words "permit" subject to such other conditions or restrictions as may be provided by county ordinances established pursuant to chapter 11-33."

On page 5 of the engrossed bill, delete line 2

On page 5 of the engrossed bill, line 3, after the word "show" insert a comma and the words ", at a minimum"

On page 5 of the engrossed bill, line 17, delete the words "not exceed two hundred" and insert in lieu thereof the words "be set by the county commission based on anticipated actual expenses of administering and enforcing provisions of this chapter, and the"

On page 5 of the engrossed bill, delete line 18

On page 5 of the engrossed bill, line 25, after the word "official" delete the period and insert in lieu thereof "or respective surface owner"

On page 6 of the engrossed bill, line 8, following the period insert the following sentence: "The board of county commissioners may also suspend the permit temporarily in those cases where climate and physical conditions are such as to cause harm or damage to roads, bridges, pastures, crops, or similar factors that could cause undue stress to the normal physical well-being within the county. However, the permit suspension time period shall not be included in the one year permit period."

On page 7 of the engrossed bill, delete lines 5 through 21

And renumber the lines and pages accordingly

Senate Chamber

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

House Bill No. 1006

House Bill No. 1033

House Bill No. 1036

House Bill No. 1529

Very Respectfully,

LEO LEIDHOLM, Secretary

SENATE AMENDMENTS TO HOUSE BILL NO. 1006

On page 1 of the engrossed bill, line 24, delete the numerals "2,902,18" and insert in lieu thereof the numerals "2,816,078"

On page 1 of the engrossed bill, line 25, delete the numerals "2,578,108" and insert in lieu thereof the numerals "2,575,885"

On page 1 of the engrossed bill, line 28, delete the numerals "3,288,10" and insert in lieu thereof the numerals "3,166,450"

On page 2 of the engrossed bill, line 3, delete the numerals "9,800,215" and insert in lieu thereof the numerals "9,590,232"

On page 3 of the engrossed bill, delete lines 33 and 34

On page 4 of the engrossed bill, delete lines 1 through 10

On page 4 of the engrossed bill, line 11, delete the numerals "12,927,9" and insert in lieu thereof the numerals "12,717,95,"

On page 4 of the engrossed bill, line 13, delete the numerals "26,973,7" and insert in lieu thereof the numerals "26,763,795"

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

The salaries and wages line item of the Director of Institutions is reduced by \$86,110 to delete funds for the noncontributory retirement plan. The operating expenses line item is reduced by \$2,223 from the previous version to reflect legislative guidelines of nine percent per year.

The capital improvements line item is decreased a total of \$121,650. The total decrease consists of the following: \$50,000 of the \$534,950 allowed for completion of parking lots is deleted; \$10,000 of the \$46,300 added by the House for furnishings and repairs to the Governor's residence is deleted; and \$61,650 of the \$1,561,650 allowed for completion of the remodeling of the Liberty Memorial Building is deleted.

SENATE AMENDMENTS TO HOUSE BILL NO. 1033

On page 1 of the engrossed bill, line 15, delete the numerals "2,643,448" and insert in lieu thereof the numerals "2,587,546"

On page 1 of the engrossed bill, line 22, delete the numerals "15,914,236" and insert in lieu thereof the numerals "15,858,3:"

On page 1 of the engrossed bill, line 23, delete the numerals "10,131,043" and insert in lieu thereof the numerals "10,108,682"

On page 1 of the engrossed bill, line 24, delete the numerals "5,783,193" and insert in lieu thereof the numerals "5,749,652"

On page 2 of the engrossed bill, delete lines 28 through 35 and insert in lieu thereof the following:

"SECTION 6. LEGISLATIVE INTENT. It is the intent of the legislative assembly that the appropriation for capital improvements and grants, benefits, and claims in section 1 of this Act be expended at the discretion of the parks and recreation department and the state outdoor recreation interagency council. The parks and recreation department shall present an itemized list to the 1983 legislative assembly of the amount expended for various projects from these line item appropriations."

On page 3 of the engrossed bill, delete lines 1 and 2

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

The salaries and wages line item is reduced \$55,902, of which \$22,361 is estimated income and \$33,541 is from the general fund, for funds for the noncontributory retirement plan. A section of legislative intent is added allowing expenditures for capital improvements and grants, benefits, and claims, to be made at the discretion of the parks and recreation department and the state outdoor recreation interagency council.

SENATE AMENDMENTS TO HOUSE BILL NO. 1036

On page 1 of the engrossed bill, line 22, delete the numerals "232,109" and insert in lieu thereof the numerals "224,385"

On page 1 of the engrossed bill, line 26, delete the numerals "1,258,050" and insert in lieu thereof the numerals "1,250,326"

On page 2 of the engrossed bill, line 9, delete the numerals "1,845,255" and insert in lieu thereof the numerals "1,790,902"

On page 2 of the engrossed bill, line 14, delete the numerals "2,580,522" and insert in lieu thereof the numerals "2,526,169"

On page 2 of the engrossed bill, line 17, delete the numerals "104,839" and insert in lieu thereof the numerals "101,423"

On page 2 of the engrossed bill, line 20, delete the numerals "253,637" and insert in lieu thereof the numerals "250,221"

On page 2 of the engrossed bill, line 28, delete the numerals "427,140" and insert in lieu thereof the numerals "414,017"

On page 2 of the engrossed bill, line 34, delete the numerals "1,829,973" and insert in lieu thereof the numerals "1,816,850"

On page 3 of the engrossed bill, line 6, delete the numerals "6,764,270" and insert in lieu thereof the numerals "6,685,654"

On page 3 of the engrossed bill, line 7, delete the numerals "7,406,216" and insert in lieu thereof the numerals "7,327,600"

On page 3 of the engrossed bill, delete lines 22 through 35 and insert in lieu thereof the following:

"SECTION 4. POTATO COUNCIL APPROPRIATION. In addition to the funds appropriated to the state potato council in section 1 of this Act, there is hereby appropriated any additional funds available to the council from increased assessments pursuant to the provisions of section 4-10.1-09 of the North Dakota Century Code. Such additional funds

shall only be expended upon approval of the budget section of the legislative council."

On page 4 of the engrossed bill, delete lines 1 through 3

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

The amounts deducted from salaries and wages for the noncontributory retirement plan from the various departments' appropriations are as follows:

Sunflower Council	\$ 7,724
Seed Department	54,353
Agricultural Products Promotion Commission	3,416
Wheat Commission	<u>13,123</u>
Total	\$ 78,616

SENATE AMENDMENTS TO HOUSE BILL NO. 1529

On page 1 of the engrossed bill, line 18, remove the overstrike over the words "~~to-the~~"

On page 1 of the engrossed bill, line 19, remove the overstrike over the words "~~general-fund~~", and delete the following: "as follows:"

On page 1 of the engrossed bill, delete lines 20 through 22

On page 1 of the engrossed bill, line 23, delete the words "general fund"

On page 4 of the engrossed bill, line 31, after the period insert the following: "Provided, however, that in determining the population of any city in which total employment increases by more than two hundred percent seasonally due to tourism, the population of that city for purposes of determining the per capita limitation in this section shall be increased by adding to the population of the city as determined by the last official decennial federal census a number to be determined as follows:

- a. Seasonal employees of state and federal tourist facilities within five miles of the city shall be included by adding the months all such employees were employed during the prior year and dividing by twelve.
- b. Seasonal employees of all private tourist facilities within the city and seasonal employees employed by the city shall be included by adding the months all such employees were employed during the prior year and dividing by twelve.
- c. The number of visitors to the tourist attraction within the city or within five miles of the city which draws the largest number of visitors annually shall be included by taking the smaller of either of the following:
 - (1) The total number of visitors to that tourist attraction the prior year divided by three hundred sixty-five; or
 - (2) Six hundred."

and renumber the lines and pages accordingly

MOTIONS

Rep. Strinden moved that the Conference Committee Report on House Bill No. 1177 be laid over until this afternoon, which motion prevailed.

Rep. Strinden moved that the House stand at recess until 1:30 p.m., which motion prevailed.

The House reconvened at 1:30 p.m. pursuant to recess taken, with Speaker Peterson presiding.

MOTION

Rep. Strinden moved that that portion of House Rule No. 507 pertaining to the deadline by which all Senate Bills and Resolutions must be reported back to the House from committee be suspended and that the date be extended from the Fifty-fourth Legislative Day, Monday, March 23, 1981, until noon of the Fifty-sixth Legislative day, Wednesday, March 25, 1981, which motion prevailed.

REMARKS IN THE JOURNAL

Rep. Peltier: "Mr. Speaker, I request that my remarks be printed in the Journal.

"The purpose of SB 2204 is to provide for the creation of a regional railroad authority and to allow those authorities to plan, acquire and operate railroad lines.

"Why is it needed?

"The Staggers Raid Act of 1980 allows railroads to abandon lines even if they are making a profit.

"This legislation would be one of the very few tools that will allow shippers to buy time in order to make other arrangements for continued railroad operations or for alternate transportation service. It now can be as short as 105 days between application and tearing up a rail line, and after 100 years of rail service more time is needed.

"B.N. has announced that 1/3 of its branch lines will be subject to abandonment and that they will announce this in June of this year.

"Milwaukee has applied for abandonment on the rail line to New England on March 17th of this year.

"I am concerned that an executive in St. Paul will decide to abandon a rail line and overlook such things as lignite deposits that are in the New England area, new loading facilities, as in the Bottineau area or new industries such as the pasta plant in Cando.

"Ladies and Gentlemen, you have to get your agricultural products to market and rail is a necessity. So if lines are to be abandoned, we need time to assess the action and this legislation is one of the few tools to allow this.

"It is to be noted that similar legislation has been adopted in a number of states including Minnesota, South Dakota, and Iowa.

"SB 2204 is permissive legislation which permits local communities to determine their own local needs for continuation of rail service. It is limited to 4 mills. An additional safeguard is the required approval of 60% of the voters.

"Your Transportation Committee urges a 'Do Pass' and trusts that you will concur."

SECOND READING OF SENATE BILLS

Senate Bill No. 2204. — A Bill for an Act to provide for the creation of regional railroad authorities and to empower these authorities to plan, acquire, and operate railroad lines; and to amend and reenact section 10-15-02 of the North Dakota Century Code relating to the purposes for which cooperatives may be organized.

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, 56; nays, 44; absent and not voting, 0.

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			• JACOBSEN, 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		•			•			
• DOTZEHROD			• KOLAND		•	• OPEDAHL			• MR. SPEAKER					
• DUBORD			• KOSKI		•	• PELTIER								
• EAGLES		•	• KRETSCHMAR		•	• PETERSON								
• FREBERG		•	• KUCHERA		•	• POMEROY, E. #24								
• GATES		•	• LANG		•	• POMEROY, G. #42								
• GERL			• LARSON, B. #12			• REED		•						
• GOETZ		•	• LARSON, G. #79			• 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		•	• MATTSON		•	• SOLBERG								
• HEDSTROM			• MEIERS		•	• SORUM								
• HEIGAARD			• MELBY		•	• STANDEN								
• HILL			• MERTENS		•	• SWIONTEK								

So the bill passed and the title was agreed to.

APPOINTMENTS OF CONFERENCE COMMITTEES

Speaker Peterson appointed the following to a Conference Committee on Senate Bill No. 2038:

- Rep. Kuchera
- Rep. Kingsbury
- Rep. Opedahl

Speaker Peterson appointed the following to a Conference Committee on Senate Bill No. 2117:

- Rep. Vander Vorst
- Rep. Peltier
- Rep. Gerl

Speaker Peterson appointed the following to a Conference Committee on Senate Bill No. 2152:

- Rep. Hedstrom
- Rep. Swiontek
- Rep. Hoffner

Speaker Peterson appointed the following to a Conference Committee on Senate Bill No. 2160:

- Rep. Kretschmar
- Rep. Mattson
- Rep. G. Pomeroy

Speaker Peterson appointed the following to a Conference Committee on Senate Bill No. 2286:

- Rep. Metz
- Rep. Conny
- Rep. Kelly

Speaker Peterson appointed the following to a Conference Committee on Senate Bill No. 2364:

Rep. Goetz
 Rep. Mattson
 Rep. Kelly
 Speaker Peterson appointed the following to a Conference Committee on Senate Bill No. 2404:

Rep. Lipsiea
 Rep. Marsden
 Rep. Mertens

Speaker Peterson appointed the following to a Conference Committee on Senate Bill No. 2374:

Rep. Vander Vorst
 Rep. C. Anderson
 Rep. B. Larson

REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on FINANCE & TAXATION

to whom was referred SENATE

Bill No. 2347, 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 of the engrossed bill, 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 21 of section 57-38-01 and section 57-38-30 of the North Dakota Century Code, relating to the updating of the definition of federal taxable income for individuals, estates, trusts, and corporations, and to corporation income tax rates; and to provide an effective date.

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

SECTION 1. AMENDMENT. Subsection 21 of section 57-38-01 of the 1979 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

21. "Federal Internal Revenue Code of 1954, as amended", "United States Internal Revenue Code of 1954, as amended", and "Internal Revenue Code of 1954, as amended", mean the United States Internal Revenue Code of 1954, as amended to and including December 31, 1978; ~~provided, however, that these terms shall mean the United States Internal Revenue Code of 1954, as amended to and including December 31, 1976, for purposes of determining under this chapter the income tax return filing requirements, deductions for capital gains, allowances of deductions for personal exemptions, low income allowance, and standard deduction for individuals, estates, and trusts, and provided further that the provisions of section 515 of the Revenue Act of 1978 [Pub. L. 95-600, 92 Stat. 2884] postponing the carryover basis rules of sections 1014(d), 1016(a), and 1023 of the United States Internal Revenue Code of 1954, as amended, for property acquired from decedents dying after December 31, 1976 to~~

JOURNAL OF THE HOUSE

property-acquired-from-decedents-dying-after December-31,-1979,-are-hereby-retroactively incorporated-for-the-purposes-of-this-chapter, and-any-further-postponement,-modification,-or repeat-of-these-provisions-by-the-Congress-of the-United-States-shall-be-applicable-for-the purposes-of-this-chapter 1980.

SECTION 2. AMENDMENT. Section 57-38-30 of the 1979 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

57-38-30. IMPOSITION AND RATE OF TAX ON CORPORATIONS. A tax is hereby imposed upon the taxable income of every domestic and foreign corporation received from the sources described in sections 57-38-12, 57-38-13, and 57-38-14, which shall be levied, collected, and paid annually as in this chapter provided, and which shall be computed at the following rates:

- 1. For the first three thousand dollars of taxable income, at the rate of ~~three~~ two percent.
2. On all taxable income above three thousand dollars and not in excess of eight thousand dollars, at the rate of ~~four~~ three percent.
3. On all taxable income above eight thousand dollars and not in excess of ~~fifteen~~ twenty thousand dollars, at the rate of ~~five~~ four percent.
4. On all taxable income above ~~fifteen~~ twenty thousand dollars, and not in excess of ~~twenty-five~~ thirty thousand dollars, at the rate of ~~six~~ five percent.
5. On all taxable income above ~~thirty~~ thirty thousand dollars, and not in excess of ~~fifty~~ fifty thousand dollars, at the rate of ~~six~~ six percent.
6. On all taxable income above ~~twenty-five~~ fifty thousand dollars, at the rate of ~~eight-and-one-half~~ seven percent.

SECTION 3. EFFECTIVE DATE. The provisions of this Act shall be effective for all taxable years beginning on or after January 1, 1981."

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

Rep. A. Hausauer Chairman

SENATE Bill No. 2347 was placed on the 6th order of business on the calendar for the succeeding legislative day.

REPORT OF STANDING COMMITTEE

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

Bill No. 2437, has had the same under consideration and recommends, by a vote of

Ayes, 11; Nays, 8; Absent, 0, that the same

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

REP. VERNON E. WAGNER Chairman

SENATE Bill No. 2437 was placed on the 14th order of business on the calendar for the succeeding legislative day.

MESSAGES FROM THE SENATE

Mr. Speaker: I have the honor to inform you that the President has appointed as a conference committee to act with a like committee from the House on:

House Bill No. 1127

Senators:

Senator Holmberg
Senator Stenehjem
Senator Stromme
House Bill No. 1177

Senators:

Senator Wright
Senator Goodman
Senator Barth
House Bill No. 1225

Senators:

Senator Stenehjem
Senator H. Christensen
Senator Lashkowitz
House Bill No. 1276

Senators:

Senator Peterson
Senator Nelson
Senator Dotzenrod
House Bill No. 1284

Senators:

Senator Goodman
Senator Moore
Senator Shablow
House Bill No. 1290

Senators:

Senator Adams
Senator Goodman
Senator Barth
Very Respectfully,

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendments to:

Senate Bill No. 2262

Senate Bill No. 2355

and subsequently passed the same, but refused to concur in the House amendments to:

Senate Bill No. 2233

Senate Bill No. 2363

and the President has appointed as a conference committee to act with a like committee from the House on:

Senate Bill No. 2233

Senators:

Senator Albers
Senator Iszler
Senator Dotzenrod
Senate Bill No. 2363

Senators:

Senator Tennesfos
Senator Dykshoorn

Senator Lashkowitz
Very respectfully,

LEO LEIDHOLM, Secretary

Mr. Speaker: I have the honor to inform you that the President has appointed as a conference committee to act with a like committee from the House on:

House Bill No. 1371

Senators:

Senator Adams
Senator Stenehjerm
Senator Stromme
House Bill No. 1473

Senators:

Senator H. Christensen
Senator Stenehjerm
Senator Sorum
House Bill No. 1536

Senators:

Senator R. Christensen
Senator Lee
Senator Redlin
House Bill No. 1542

Senators:

Senator Moore
Senator Lee
Senator Shablow
House Bill No. 1651

Senators:

Senator Moore
Senator Wright
Senator Shablow
Very Respectfully,

LEO LEIDHOLM, Secretary

MOTION

Rep. Strinden moved that the House stand at recess until 4:00 p.m., which motion prevailed.

The House reconvened pursuant to recess taken, with Speaker Peterson presiding.

POINT OF PERSONAL PRIVILEGE

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

"This past weekend the Hillsboro Burros, for the fourth time in the last nine years, won the Class B Basketball Title by defeating Edmore 80-53.

"In 20 years as head coach at Hillsboro, Ed Beyer has accumulated a won-lost record of 373-115. The Beyer-coached Burros have won the State Title in 1973, 1974, 1979 and now in 1981 with a record of 25-0.

"The Burros have been in the State Classic eight times, and season after season the Hillsboro fans, coaches, cheerleaders and the entire community have displayed the kind of spirit that championship teams are made of.

"These team players, Mike Anderson, Kevin Kerr, Chris Vettel, Craig Barclay, Paul Sorum, Doug Walters, Bill Christophfer, Kyle Meyer, Brad Stuart, Eric Rotvold, Jim Engel, Brett McSparron, John Hertwig, and Bob Beach; their team managers Tim Hanson and Chuck Breen; cheerleaders, Jill Boeddeker, Susan Diehl, Faye Eisenbeis,

Lynette Olson, Monica Rotvold and Jolene Nelson; and coach Ed Beyer deserve our congratulations.

“I would ask the House to give a rousing round of applause for the Hillsboro Burros on winning the Class B Championship.”

MOTION

Rep. Strinden moved that the House be on the eleventh order of business, and that House Bill No. 1593 be placed at the top of the eleventh order, which motion prevailed.

SECOND READING OF HOUSE BILL

House Bill No. 1593. — A Bill for an Act to create and enact a new section to chapter 26-29 of the North Dakota Century Code, requiring a fire and property insurance rating organization to maintain an office within the state.

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, 27; 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			• HOFFER			• WETZ			• THOMPSON		•
• ANDERSON, R. #36			• HORGAN			• WENYER			• TIMM		
• BACKES			• HOUMANN		•	• WOOD			• UNHJEM		
• BERG			• HUGHES		• BERGER	• HOUM			• 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. #74					
• 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. #46			• 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			• STRINDEN					
• HILL			• MERTENS			• SWONTEK					

So the bill passed and the title was agreed to.

MOTION

Rep. Strinden moved that the rules be suspended and that House Bills Nos. 1189, 1231, and 1568 be placed on the eleventh order for second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1189. — A Bill for an Act to create and enact subsections 12, 13, and 14 to section 43-15-10 and a new section to chapter 43-15 of the North Dakota Century Code, relating to powers of the board of pharmacy and to disciplinary penalties for pharmacists; and to amend and reenact subsection 1 of section 43-15-10 of the North Dakota Century Code, relating to powers of the board of pharmacy.

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, 93; nays, 1; 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
● 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			● 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			● RUD		
● HAUSAUER, A. #49			● MATHENY			● SCHINDLER		
● HAUSAUER, R. #25			● MATTSON			● SOLBERG		
● HEDSTROM			● MEIERS			● SORUM		
● HEIGAARD			● MELBY			● STRINDEK		
● HILL			● MERTENS			● SWIONTEK		

So the bill passed and the title was agreed to.

House Bill No. 1231. — A Bill for an Act to amend and reenact section 16-01-11 of the North Dakota Century Code, relating to initiative, referendum, and recall petitions.

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, 3; 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
● 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			● 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			● RUD		
● HAUSAUER, A. #49			● MATHENY			● SCHINDLER		
● HAUSAUER, R. #25			● MATTSON			● SOLBERG		
● HEDSTROM			● MEIERS			● SORUM		
● HEIGAARD			● MELBY			● STRINDEK		
● HILL			● MERTENS			● SWIONTEK		

So the bill passed and the title was agreed to.

SECOND READING OF HOUSE BILLS

House Bill No. 1568. — A Bill for an Act to amend and reenact section 46-02-09 of the North Dakota Century Code, relating to bidding requirements for certain public printing contracts.

Which has been read.

MOTION

Rep. Rued moved the previous question, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 73; nays, 27; absent and not voting, 0.

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, T.			• NAGEL			• WALD				
• BROKAW		•	• KELLY		•	• NICHOLAS			• WELTZ				
• 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							
• 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							
• GUNSCH			• MARSDEN			• RICHARD		•					
• HANSON, L. #48		•	• MARTIN			• RICHIE							
• HANSON, O. #3			• MARTINSON			• RIEHL		•					
• HAUGLAND			• MATCHIE		•	• RUED							
• HAUSAUER, A. #49			• MATHENY			• SCHINDLER							
• HAUSAUER, R. #25			• MATTSO			• SOLBERG		•					
• HEDSTROM			• MEIERS		•	• SORUM							
• HEIGAARD		•	• MELBY			• STRINDEN							
• HILL			• MERTENS		•	• SWIONTEK							

So the bill passed and the title was agreed to.

MESSAGES TO THE SENATE

House Chamber

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendments to:

House Bill No. 1328

House Bill No. 1435

House Concurrent Resolution No. 3055

And subsequently passed the same.

Very respectfully,

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

House Bill No. 1277

Reps. :

Rep. Kretschmar

Rep. Conny

Rep. Heigaard

Very respectfully,

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

Senate Bill No. 2213

Reps.:

Rep. Dan Olson

Rep. Gunderson

Rep. Richard

Senate Bill No. 2358

Reps.:

Rep. Moore

Rep. Crabtree

Rep. Richard

Senate Bill No. 2394

Reps.:

Rep. Schindler

Rep. H. Larson

Rep. Berger

Very respectfully,

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

Senate Bill No. 2038

Reps.:

Rep. Kuchera

Rep. Kingsbury

Rep. Opedahl

Senate Bill No. 2117

Reps.:

Rep. Vander Vorst

Rep. Peltier

Rep. Gerl

Senate Bill No. 2152

Reps.:

Rep. Hedstrom

Rep. Swiontek

Rep. Hoffner

Senate Bill No. 2160

Reps.:

Rep. Kretschmar

Rep. Mattson

Rep. G. Pomeroy

Senate Bill No. 2286

Reps.:

Rep. Metz

Rep. Conmy

Rep. Kelly

Senate Bill No. 2364

Reps.:

Rep. Goetz

Rep. Mattson

Rep. Kelly

Very respectfully,

• 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. #72	• REED	•
• GOETZ	• LARSON, G. #79	• 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	• MATHEWY	• SCHINDLER	
• HAUSAUER, R. #35	• MATTON	• SOLBERG	
• HEDSTROM	• MEIERS	• SORUM	
• HEIGAARD	• MELBY	• STRINDEN	•
• HILL	• MERTENS	• SWIONTEK	•

So the motion to reconsider passed.

Rep. Timm moved that the House reconsider its action by which the House did concur with the Senate amendments to House Bill No. 1497, which motion prevailed on a verification vote.

MOTION

Rep. Strinden moved that the House not concur on Senate amendments to House Bill No. 1497, and that a Conference Committee be appointed to meet with a like committee from the Senate, which motion prevailed.

APPOINTMENT OF A CONFERENCE COMMITTEE

Speaker Peterson appointed the following to a Conference Committee on House Bill No. 1497:

Rep. Timm
Rep. Hughes
Rep. Richard

MOTION

Rep. A. Olson moved that the House reconsider its action whereby it did not concur in the Senate amendments to House Bill No. 1095, and that the House do concur in the Senate amendments to House Bill No. 1095, and that the Conference Committee on House Bill No. 1095 be dissolved, which motion prevailed.

APPOINTMENTS OF CONFERENCE COMMITTEES

Speaker Peterson appointed the following to a Conference Committee on Senate Bill No. 2233:

Rep. Nicholas
Rep. Melby
Rep. B. Larson

Speaker Peterson appointed the following to a Conference Committee on Senate Bill No. 2363:

Rep. Timm
Rep. Goetz
Rep. Koski

FIRST READING OF HOUSE CONCURRENT RESOLUTION

Reps. Melby, Hedstrom and D. Olsen introduced:

House Concurrent Resolution No. 3084. — A concurrent resolution urging the United States Congress to propose an amendment to the United States Constitution to protect human life.

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

FIRST READING OF HOUSE BILL

Rep. Strinden introduced:


House Bill No. 1658. — A Bill for an Act to amend and reenact sections 50-22-04.1, 51-15-06.1, and 51-15-07 of the North Dakota Century Code, relating to charitable organizations soliciting contributions, assurances of discontinuance, and receiverships.

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 No. 1658 be introduced.


Chairman
Earl Strinden

Rep. Kretschmar _____ moved that the report be adopted, which motion prevailed and the report was adopted.

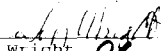
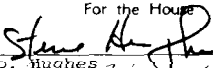
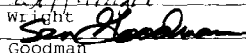
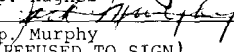
ANNOUNCEMENT

Speaker Peterson announced that House Bill No. 1658 was rereferred to the Committee on Judiciary.

Report of Conference Committee

Mr. _____ SPEAKER _____ : Your Conference Committee to whom was referred _____ HOUSE _____ Bill No. 1177 _____ has had the same under consideration and recommends:

That the House accede to the Senate amendments

For the Senate	For the House
	
Sen. Wright _____	Rep. Hughes _____
	
Sen. Goodman _____	Rep. Murphy _____
(REFUSED TO SIGN)	(REFUSED TO SIGN)
Sen. Barth _____	Rep. Kelly _____
Rep. Hughes _____	

_____ moved that the report be adopted, which motion prevailed.

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

MOTION

Rep. Strinden moved that the rules be suspended and that House Bill No. 1177 be placed before the House on the sixth order of business, which motion prevailed.

SIXTH ORDER OF BUSINESS

Rep. Hughes moved that the amendments to House Bill No. 1177 as recommended by the Conference Committee be adopted, which motion prevailed.

Mr. SPEAKER : Your Conference Committee to whom was referred HOUSE Bill No. 1484 has had the same under

consideration and recommends:

That the Senate recede from its amendments, and that HB 1484 be amended as follows:

On page 1, line 12, following the comma insert the word "and"

On page 1, line 14, after the word "period" delete ", and a class C felony for"

On page 1, delete line 15

On page 1, line 16, delete "month period"

And renumber the lines, sections, and pages accordingly

For the Senate: Parson Sen. Parson, McIntosh Sen. McIntosh, Mitch Sen. Mitch. For the House: Dietz Rep. Dietz, Boetz Rep. Boetz, Riehl Rep. Riehl. Rep. Dietz moved that the report be adopted, which motion

prevailed.

HOUSE Bill No. 1484 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. SPEAKER : Your Conference Committee to whom was referred HOUSE Bill No. 1536 has had the same under

consideration and recommends:

That the House accedes to the Senate amendments and that the bill be further amended as follows:

After the last word in the title and before the period insert the following: "; and to declare an emergency"

In section 4 of the Senate amendments, delete the last sentence of the section and insert in lieu thereof the following sentence: "The industrial commission, within the limits of legislative appropriations, may make arrangements with the board of higher education, subject to the approval of the emergency commission, to transfer equipment, personnel, and material between the commission and the state geologist as necessary to carry out this chapter."

After the last word and period in the bill, insert the following section:

"SECTION 9. EMERGENCY. 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, sections, and pages accordingly

For the Senate
Shirley W. Lee
 Sen. Lee
Ralph Christensen
 Sen. Christensen
R. Redlin
 Sen. Redlin

For the House
Rep. Kloubec
 Rep. Kloubec
Rep. Kretschmar
 Rep. Kretschmar
 (Refused to sign)
Rep. G. Pomeroy
 Rep. G. Pomeroy

Rep. Kloubec moved that the report be adopted, which motion prevailed.

HOUSE Bill No. 1536 was placed on the 6th

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

Mr. Speaker: Your Conference Committee to whom was referred House Bill No. 1563 has had the same under consideration and recommends:

That the Senate recede from its amendments and that House Bill 1563 be further amended as follows:

- On page 1 of the engrossed bill, line 21, delete the last word "and"
- On page 1 of the engrossed bill, line 22, delete the word "exterior" and delete the words "and facilities"
- On page 1 of the engrossed bill, line 23 after the period, delete the words, "The committee shall develop a master plan for the"
- On page 1 of the engrossed bill, delete lines 24, 25, 26, 27, and 28
- On page 2 of the engrossed bill, line 1, delete the words, "section 48-10-01."
- On page 2 of the engrossed bill, line 1, delete the words "least twice" and insert in lieu thereof the words "the call of the chairman"
- On page 2 of the engrossed bill, line 2, delete the words "during each fiscal year", after the word "whenever" insert the words "major interior"

And renumber the lines and pages accordingly

For the Senate
St. Solberg
 Sen. Solberg
Sen. Bakewe
 Sen. Bakewe
J. M. Cussons
 Sen. Cussons

For the House
Rep. Black
 Rep. Black
Rep. Eagles
 Rep. Eagles
Rep. Mushik
 Rep. Mushik

Rep. Black moved that the report be adopted, which motion prevailed.

House Bill No. 1563 was placed on the 6th

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

MOTION

Rep. Martinson moved that the House do concur in the Senate amendments to House Bill No. 1399, which motion prevailed.

MOTION

Rep. Strinden moved that the rules be suspended and that House Bills Nos. 1189, 1231, and 1568 be messaged to the Senate immediately, 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. 1093
 House Bill No. 1108
 House Bill No. 1145
 House Bill No. 1178
 House Bill No. 1180
 House Bill No. 1217
 House Bill No. 1288
 House Bill No. 1292
 House Bill No. 1304
 House Bill No. 1332
 House Bill No. 1343
 House Bill No. 1384
 House Bill No. 1395
 House Bill No. 1404
 House Bill No. 1430
 House Bill No. 1463
 House Bill No. 1520
 House Bill No. 1545
 House Bill No. 1571
 House Bill No. 1619
 House Bill No. 1638
 House Concurrent Resolution No. 3001
 House Concurrent Resolution No. 3031
 House Concurrent Resolution No. 3032
 House Concurrent Resolution No. 3035
 House Concurrent Resolution No. 3039
 House Concurrent Resolution No. 3048
 House Concurrent Resolution No. 3049
 House Concurrent Resolution No. 3051
 House Concurrent Resolution No. 3056
 House Concurrent Resolution No. 3058
 House Concurrent Resolution No. 3062
 House Concurrent Resolution No. 3081

and find the same correctly } Enrolled

Representative L. Hanson *Craig M. Riche* Chairman
 moved that the report be adopted, which motion prevailed, and the report was adopted.

MOTIONS

Rep. Strinden moved that the absent members be excused, which motion prevailed.

Rep. Strinden moved that the House stand adjourned until 9:00 a.m., Tuesday, March 24, 1981, which motion prevailed.

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

ROY GILBREATH, Chief Clerk