

FIFTY-EIGHTH DAY

Bismarck, March 27, 1981

The House convened at 9:00 a. m., with Speaker Peterson presiding.
Prayer was offered by Reverend David Mann, Evangel Temple
Assembly of God, Bismarck, North Dakota.

Roll was called and all members were present except Reps. B.
Larson, Murphy, 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-seventh Day

day and recommends that the same be corrected as follows:

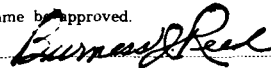
On page 2133, line 43, after the word "to" insert the
following: ", and the emergency clause was declared carried"

On page 2134, line 74, after the word "to" insert the
following: ", and the emergency clause was declared carried"

On page 2137, line 49, after the word "to" insert the
following: ", and the emergency clause was declared carried"

On page 2147, line 46, after the word "to" insert the
following: ", and the emergency clause was declared carried"

And when so corrected recommends that the same be approved.

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

SECOND READING OF HOUSE BILLS

House Bill No. 1009. — A Bill for an Act making an appropriation for
defraying the expenses of the Grafton state school and San Haven of
the state of North Dakota; providing for a transfer of oil extraction tax
funds; and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the
roll was called and there were ayes, 86; nays, 7; absent and not voting,
7.

REGULAR SESSION			ROLL-CALL						1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• ANDERSON, C. #7			• HOFFNER			• METZ			• THOMPSON		
• ANDERSON, R. #36			• HORGAN			• MEYER			• TIMM		
• BACKES			• HOUMANN			• MOORE			• UNHJEM		
• BERG			• HUGHES		•	• MOUM			• VANDER VORST		
• BERGER			• HUWE			• MURPHY			• VIG		
• BLACK			• JACOBSEN, R.			• MUSHIK			• WAGNER		
• BOYUM			• JACOBSON, I.			• NAGEL			• WALD		
• BROKAW		•	• KELLY			• NICHOLAS			• WENTZ	•	
• CONHY			• KENT			• OLAFSON			• WHALEN		
• CRABTREE			• KINGSBURY			• OLSEN			• ZIMBLEMAN		
• DICK			• KLOUBEC			• OLSON, A. #11					
• DIETZ			• KNUDSON			• OLSON, D. #13			•		
• DOTZENROD			• KOLAND			• OPEDAH			• MR. SPEAKER		
• 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, and the emergency clause was declared carried.

House Bill No. 1011. — A Bill for an Act making an appropriation for defraying the expenses of the state penitentiary and various divisions thereof of the state of North Dakota; and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 85; nays, 10; absent and not voting, 5.

REGULAR SESSION			ROLL-CALL						1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• ANDERSON, C. #7			• HOFFNER			• METZ			• THOMPSON		
• ANDERSON, R. #36			• HORGAN			• MEYER			• TIMM		
• BACKES			• HOUMANN			• MOORE			• UNHJEM		
• BERG			• HUGHES		•	• MOUM			• VANDER VORST		
• BERGER			• HUWE			• MURPHY			• VIG		
• BLACK			• JACOBSEN, R.			• MUSHIK			• WAGNER		
• BOYUM			• JACOBSON, I.			• NAGEL			• WALD		
• BROKAW		•	• KELLY			• NICHOLAS			• WENTZ	•	
• CONHY			• KENT			• OLAFSON			• WHALEN		
• CRABTREE			• KINGSBURY			• OLSEN			• ZIMBLEMAN		
• DICK			• KLOUBEC			• 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			• 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, and the emergency clause was declared carried.

House Bill No. 1013. — A Bill for an Act making an appropriation for defraying the expenses of the state hospital of the state of North Dakota; and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 96; nays, 0; absent and not voting, 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• ANDERSON, C. #7			• HOFFNER			• NETZ			• THOMPSON		
• ANDERSON, R. #24			• 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					
• DOTZENROD			• KOLAND			• OPEDAHL			• MR. SPEAKER		
• 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. #40			• MARTIN			• RICHIE					
• HANSON, O. #7			• MARTINSON			• RIEHL					
• HAUGLAND			• MATCHIE			• RUED					
• HAUSAUER, A. #49			• MATHEWY			• SCHWOLER					
• HAUSAUER, R. #25			• MATTSOEN			• SOLBERG					
• HEDSTROM			• MEIERS			• SORUM					
• HEGAARD			• MELBY			• STRINDEN					
• HILL			• MERTENS			• SWINTEK					

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

House Bill No. 1021. — A Bill for an Act making an appropriation for defraying the expenses of the pardon board and the parole and probation office of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 95; nays, 2; absent and not voting, 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• ANDERSON, C. #7			• HOFFNER			• METZ		•	• THOMPSON		
• ANDERSON, R. #24			• 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	• RUED
• HAUSAUER, A. #49	• MATHEWY	• SCHINDLER
• HAUSAUER, R. #75	• MATTSON	• SOLBERG
• HEDSTROM	• MEIERS	• SORUM
• HEIGAARD	• MELBY	• STRINDEN
• HILL	• MERTENS	• SWIONTEK

So the bill passed and the title was agreed to.

House Bill No. 1565. — A Bill for an Act to create and enact a new section to chapter 57-02 of the North Dakota Century Code, relating to a homestead credit for special assessments for persons sixty-five years of age or older or who are permanently and totally disabled and who have limited income; to provide for an appropriation; and to provide an effective date.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 89; nays, 10; 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			• HOFNER			• 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. #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. #48			• MARTIN			• RICHIE					
• HANSON, O. #3		•	• MARTINSON			• RIEHL					
• HAUGLAND			• MATCHIE			• RUED					
• HAUSAUER, A. #49			• MATHEWY			• SCHINDLER					
• HAUSAUER, R. #75			• 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 Concurrent Resolution No. 4033 be moved to the afternoon calendar, which motion prevailed.

SECOND READING OF SENATE BILL

Senate Bill No. 2039. — A Bill for an Act to transfer moneys from the accumulated and undivided profits of the North Dakota mill and elevator association to the general fund of the state of North Dakota.

Which has been read.

ROLL CALL

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

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1981 LEGISLATURE		

YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• ANDERSON, C. #7			• HOFFNER			• WETZ			• THOMPSON		
• ANDERSON, R. #36			• HORGAN			• MEYER			• TIMM		
• BACKES			• HOUMANN			• MOORE			• UNHJEM		
• BERG			• HUGHES			• MQUAN			• VANDER VORST		
• BERGER			• HUWE			• MURPHY			• VIG		
• BLACK			• JACOBSEN, R			• MUSHIK			• WAGNER		
• BOYUM			• JACOBSON, J			• NAGEL			• WALD		
• BROKAW			• KELLY			• NICHOLAS			• WENTZ		
• CONMY			• KENT			• OLAFSON			• WHALEN		
• CRABTREE			• KINGSBURY			• OLSEN			• ZIMBLEMAN		
• DICK			• KLOUBEC			• OLSON, A. #11					
• DIETZ			• KNUDSON			• OLSON, D. #12					
• DOTZENROD			• KOLAND			• OPEDAHL			• MR. SPEAKER		
• DuBORD			• KOSKI			• PELTIER					
• EAGLES			• KRETSCHMAR			• PETERSON					
• FREDBERG			• KUCHERA			• POWEROY, E. #24					
• GATES			• LANG			• POWEROY, G. #42					
• GERL			• LARSON, B. #12			• RED					
• GOETZ			• LARSON, G. #29			• REITEN					
• GORDER			• LARSON, H. #1			• RETZER					
• GUNDERSON			• LIPSIEA			• RICE					
• GUNSC			• MARSDEN			• RICHARD					
• HANSON, #48			• MARTIN			• RICHIE					
• HANSON, O. #2			• MARTINSON			• RIEHL					
• HAUGLAND			• MATCHIE			• RUED					
• HAUSAUER, A. #19			• 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.

MESSAGES FROM THE SENATE

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

Senate Bill No. 2001

Senate Bill No. 2203

Senate Bill No. 2438

Senate Concurrent Resolution No. 4016

Very respectfully,

LEO LEIDHOLM, Secretary

Mr. Speaker: I have the honor to transmit herewith the following on which the Senate has adopted the conference committee report:

Senate Concurrent Resolution No. 4087

Very respectfully,

LEO LEIDHOLM, Secretary

MOTIONS

Rep. Wagner moved that the House do concur in the Senate amendments to House Bill No. 1341, which motion prevailed.

Rep. Strinden moved that the rules be suspended and that House Bill No. 1341 be placed on the eleventh order for second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE BILL

House Bill No. 1341. — An Act for an Act for a conditional transfer of funds to a state capital construction fund; and providing an appropriation for the construction, remodeling, and equipping of, or for additions to, buildings of state agencies, departments, and 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, 75; nays, 25; 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	• MOUN	• 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. #46	• MARTIN	• RICHIE	
• HANSON, G. #3	• MARTINSON	• RIEHL	
• HAUGLAND	• MATCHEE	• RIED	
• HAUSAUER, A. #49	• MATHENY	• SCHWIDLER	
• HAUSAUER, R. #25	• MATTSON	• SOLBERG	
• HEDSTROM	• MEIERS	• SORUM	
• HEGAARD	• MELBY	• STRINDEN	
• HILL	• MERTENS	• SWINTEK	

So the bill passed and the title was agreed to.

MOTION

Rep. Strinden moved that the House suspend the rules, dispense with the reading of the titles, and place the following Senate Bills on the fourteenth order for second reading and final passage, after action taken on the sixth order: Senate Bills Nos. 2005, 2009, 2010, 2012, 2018, 2153, and 2253, which motion prevailed.

SIXTH ORDER OF BUSINESS

Rep. Wagner moved that the amendments to Senate Bill No. 2005 as recommended by the committee on Appropriations as printed on pages 2167 through 2172 of the House Journal be adopted, which motion prevailed.

SECOND READING OF SENATE BILL

Senate Bill No. 2005. — A Bill for an Act making an appropriation for defraying the expenses of the various institutions under the supervision of the board of higher education of the state of North Dakota; and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 78; nays, 22; 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			• HOPFNER			• METZ			• THOMPSON		
• ANDERSON, R. #24	•		• HORGAN			• MEYER			• TIMM		
• BACKES		•	• HOUMANN			• MOORE			• UNKLEIN		
• BERG			• HUGHES			• MOUN			• 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	•				
• DOTZENROD			• KOLAND			• OPEDAHL			• MR. SPEAKER		
• 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. #46	•		• MARTIN			• RICHIE	•				
• HANSON, G. #3			• MARTINSON			• RIEHL					

● HAUGLAND	● MATCHIE	● RUED
● HAUSAUER, A. #49	● MATHENY	● SCHINDLER
● HAUSAUER, R. #75	● MATTSON	● SOLBERG
● HEDSTROM	● MEIERS	● SORUM
● HEIGAARD	● MELBY	● STRINDEN
● HILL	● MERTENS	● SWIONTEK

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

SIXTH ORDER OF BUSINESS

Rep. Wagner moved that the amendments to Senate Bill No. 2009 as recommended by the committee on Appropriations as printed on pages 2172 through 2175 of the House Journal be adopted, which motion prevailed.

SECOND READING OF SENATE BILL

Senate Bill No. 2009. — A Bill for an Act making an appropriation for defraying the expenses of the extension division and the experiment stations of North Dakota state university of agriculture and applied science; and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 92; nays, 3; absent and not voting, 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● ANDERSON, C. #7			● HOFNER			● HETZ			● THOMPSON		
● ANDERSON, R. #26			● HORGAN			● MEYER			● TIMM		
● BACKES			● HOUMANN			● MOORE			● UNHJEM		
● BERG			● HUGHES			● MOUM			● VANDER VORST		
● BERGER			● MUWE			● 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. #73					
● 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. #7			● MARTINSON			● RIEHL					
● HAUGLAND			● MATCHIE			● RUED					
● HAUSAUER, A. #49			● MATHENY			● SCHINDLER					
● HAUSAUER, R. #75			● MATTSON			● SOLBERG					
● HEDSTROM			● MEIERS			● SORUM					
● HEIGAARD			● MELBY			● STRINDEN					
● HILL			● MERTENS			● SWIONTEK					

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

SIXTH ORDER OF BUSINESS

Rep. Wagner moved that the amendments to Senate Bill No. 2010 as recommended by the committee on Appropriations as printed on pages 2175 through 2179 of the House Journal be adopted, which motion prevailed.

SECOND READING OF SENATE BILL

Senate Bill No. 2010. — A Bill for an Act making an appropriation for defraying the expenses of the department of health of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 67; nays, 30; absent and not voting, 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES									
REGULAR SESSION			ROLL CALL				1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	
ANDERSON, C. #7	•		HOFFNER	•		METZ	•		• THOMPSON
ANDERSON, R. #36	•		HORGAN	•		MEYER	•		• TIMM
BACKES	•		HUOMANN	•		MOORE	•		• UNHJEW
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	•		MARSDEN	•		RICHARD	•		
HANSON, L. #48	•		MARTIN	•		RICHIE	•		
HANSON, G. #13	•		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.

SIXTH ORDER OF BUSINESS

Rep. Wagner moved that the amendments to Senate Bill No. 2012 as recommended by the committee on Appropriations as printed on pages 2179 and 2180 of the House Journal be adopted, which motion prevailed.

SECOND READING OF SENATE BILL

Senate Bill No. 2012. — A Bill for an Act making an appropriation for defraying the expenses of the governor's council on human resources of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 69; nays, 29; absent and not voting, 2.

NORTH DAKOTA HOUSE OF REPRESENTATIVES									
REGULAR SESSION			ROLL CALL				1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	
ANDERSON, C. #7	•		HOFFNER	•		METZ	•		• THOMPSON
ANDERSON, R. #36	•		HORGAN	•		MEYER	•		• TIMM
BACKES	•		HUOMANN	•		MOORE	•		• UNHJEW
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	•		MARSDEN	•		RICHARD	•		

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

So the bill passed and the title was agreed to.

SIXTH ORDER OF BUSINESS

Rep. Wagner moved that the amendments to Senate Bill No. 2018 as recommended by the committee on Appropriations as printed on page 2180 of the House Journal be adopted, which motion prevailed.

SECOND READING OF SENATE BILL

Senate Bill No. 2018. — A Bill for an Act making an appropriation for defraying the expenses of the department of banking and financial institutions of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 88; nays, 8; absent and not voting, 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● ANDERSON, C. #7		●	● HOFFNER			● METZ			● THOMPSON		
● ANDERSON, R. #54			● 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			● NICHOLA	●		● WENTZ		
● CONMY			● KENT			● OLAFSON			● WHALEN		
● CRABTREE			● KINGSBURY			● OLSEN			● ZIMBLEMAN		
● DICK			● KLOUBEC			● OLSON, A. #11					
● DIETZ			● KNUDSON			● OLSON, D. #73			● MR. SPEAKER		
● DOTZENROD			● KOLAND			● OPEDAHL					
● DuBORD			● KOSKI			● PELTIER					
● EAGLES			● KRETSCHMAR			● PETERSON					
● FREBORG			● KUCHER			● POMEROY, E. #24					
● GATES			● LANG			● POMEROY, G. #42					
● GERL			● LARSON, B. #12		●	● REED					
● GOETZ			● LARSON, G. #29			● REITEN					
● GORDER			● LARSON, H. #7		●	● RETZER					
● GUNDERSON			● LIPSIEA			● RICE					
● GUNSCHE			● MARSDEN			● RICHARD					
● HANSON, L. #48			● MARTIN			● RICHIE	●				
● HANSON, O. #3			● MARTINSON			● RIEHL					
● HAUGLAND			● MATCHIE			● RUED					
● HAUSAUER, A. #49			● MATHENY			● SCHINDLER					
● HAUSAUER, R. #25			● MATTON			● SOLBERG					
● HEDSTROM			● MEIERS			● SORUM					
● HEIGAARD			● MELBY			● STRINDEN					
● HILL			● MERTENS			● SWIONTEK					

So the bill passed and the title was agreed to.

SIXTH ORDER OF BUSINESS

Rep. Wagner moved that the amendments to Senate Bill No. 2153 as recommended by the committee on Appropriations as printed on page 2181 of the House Journal be adopted, which motion prevailed.

SECOND READING OF SENATE BILL

Senate Bill No. 2153. — A Bill for an Act to provide a statement of legislative intent; to amend and reenact sections 15-59-06 and 15-59-08 of the North Dakota Century Code, relating to the state cooperation in special education and levy limitations for special education programs.

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, 26; absent and not voting, 2.

<input type="checkbox"/> HEDSTROM	<input type="checkbox"/> MEIERS	<input type="checkbox"/> SORUM
<input type="checkbox"/> HEGGAARD	<input type="checkbox"/> MELBY	<input type="checkbox"/> STRINDEN
<input type="checkbox"/> HILL	<input type="checkbox"/> MERTENS	<input type="checkbox"/> SWIONTEK

So the bill passed and the title was agreed to.

APPOINTMENT OF A CONFERENCE COMMITTEE

Speaker Peterson announced the appointment of the following to a new Conference Committee on Senate Bill No. 2249:

- Rep. Hughes
- Rep. Moore
- Rep. Berg

REPORTS OF STANDING COMMITTEES

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

Bill No. 2060, has had the same under consideration and recommends, by a vote of
 Ayes, 14; Nays, 4; Absent, 1, that the same

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

be amended as follows:

On page 1, line 1 of the reengrossed bill, delete the words "and to"

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

On page 1, line 4 of the reengrossed bill, delete the words "individuals; and to provide an appropriation"

On page 6 of the reengrossed bill, delete lines 14 through 16

On page 7 of the reengrossed bill, delete lines 9 through 35


On page 8 of the reengrossed bill, delete lines 1 through 16

And renumber the lines, pages and sections accordingly

STATEMENT OF PURPOSE OF AMENDMENT

Deletes the appropriation and the authority to provide grants to home health agencies.

And when so amended, recommends the same do pass.

 Chairman

SENATE REP. VERNON E. WAGNER
 Bill No. 2060 was placed on the 6th
 order of business on the calendar for the succeeding legislative day.

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

Bill No. 2372, has had the same under consideration and recommends, by a vote of
 Ayes, 16; Nays, 0; Absent, 3, that the same

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

be amended as follows:

Delete the following amendments adopted by the House:

" On page 1 of the engrossed bill, line 4, delete the following: "to authorize the issuance of revenue bonds;"

On page 1 of the engrossed bill, line 5, delete the word "an" and insert in lieu thereof the words "a transfer and"

On page 3 of the engrossed bill, delete lines 31 through 35 and insert in lieu thereof the following:

"SECTION 5. TRANSFER AND APPROPRIATIONS. There is hereby transferred from the undivided profits of the North Dakota mill and elevator association, and appropriated to North Dakota state university for the construction and equipping of a facility at North Dakota state university for use by the northern crops institute, the sum of \$1,500,000, or so much thereof as may be necessary. The moneys shall be transferred from the undivided profits of the North Dakota mill and elevator association upon order of the state industrial commission at such time or times as may be requested by the board of higher education, or its designee."

On page 4 of the engrossed bill, delete lines 1 through 16 "

On page 1 of the engrossed bill, line 4, delete the words and semicolon "to authorize the issuance of revenue bonds;"

On page 3 of the engrossed bill, delete lines 31 through 35 and insert in lieu thereof the following new section:

"SECTION 5. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds, private funds, or other income to the northern crops institute of the state of North Dakota, for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1981, and ending June 30, 1983, as follows:

Operating expenses	\$ 100,000
Equipment	200,000
Total all funds	300,000
Less other funds appropriated	<u>\$ 240,000</u>
Total general fund transfer and appropriation"	60,000

On page 4 of the engrossed bill, delete lines 1 through 16

And renumber the lines and pages accordingly

And when so amended, recommends the same do pass.

RLP. VERNOR E. WAGNER Chairman

SENATE Bill No. 2372 was placed on the 6th order of business on the calendar for the succeeding legislative day.

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

Bill No. 2007, has had the same under consideration and recommends, by a vote of

Ayes, 18; Nays, 0; Absent, 1, that the same

do pass.

do not pass.

be placed on calendar without recommendation.

be amended as follows:

- On page 1 of the engrossed bill, line 24, delete the numerals "2,144,350" and insert in lieu thereof the numerals "2,439,531"
- On page 1 of the engrossed bill, line 25, delete the numerals "1,742,601" and insert in lieu thereof the numerals "1,414,273"
- On page 1 of the engrossed bill, line 27, delete the numerals "24,000" and insert in lieu thereof the numerals "90,200"
- On page 1 of the engrossed bill, line 28, delete the numerals "4,009,551" and insert in lieu thereof the numerals "4,042,604"
- On page 2 of the engrossed bill, line 1, delete the numerals "2,545,075" and insert in lieu thereof the numerals "2,578,128"
- On page 2 of the engrossed bill, line 9, delete the numerals "2,064,204" and insert in lieu thereof the numerals "2,021,294"
- On page 2 of the engrossed bill, line 10, delete the numerals "1,054,370" and insert in lieu thereof the numerals "1,097,370"
- On page 2 of the engrossed bill, line 11, delete the numerals "6,068,036" and insert in lieu thereof the numerals "6,111,036"
- On page 2 of the engrossed bill, line 12, delete the numerals "11,456,634" and insert in lieu thereof the numerals "11,446,687"
- On page 2 of the engrossed bill, delete line 13 and insert in lieu thereof the following line:
- "Grand total all funds appropriated \$17,557,723"
- On page 2 of the engrossed bill, after line 26, insert the following:
- "SECTION 4. APPROPRIATION - LOAN. There is hereby appropriated out of the general fund in the state treasury, \$200,000, or so much thereof as may be necessary, to the department of accounts and purchases for the purpose of making a loan to Lake Region junior college to pay operating expenses during the year ending June 30, 1983. The director of the department of accounts and purchases shall make such loan funds available to Lake Region junior college only upon budget section approval. Such amounts received pursuant to this appropriation by Lake Region junior college shall be paid to the state treasurer on or before July 1, 1983, at a simple rate of interest of ten percent per annum."
- On page 2 of the engrossed bill, delete lines 27 through 33
- And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

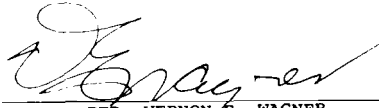
Lake Region Junior College

The salaries and wages line item of Lake Region Junior College is increased by \$295,181 and the operating expenses line item is reduced by \$328,328. This represents a transfer of fringe benefits originally in the operating expenses line item to the salaries and wages line item and a further reduction of operating expenses by \$33,147. The land, structures, and major improvements line item is increased by \$66,200 for repairs including repair of driveway and parking lot surfaces. The estimated income line of Lake Region Junior College is increased by \$33,053. The general fund appropriation is not changed from engrossed Senate Bill No. 2007. Also, there is \$200,000 appropriated to the Department of Accounts and Purchases to make a loan to Lake Region Junior College to pay operating expenses during the year ending June 30, 1983.

UND-Williston Center

This amendment deletes \$43,000 from the estimated income line of UND-Williston Center and adds \$43,000 to the general fund appropriation for ten percent salary increases provided January 1, 1981 at UND-Williston.

And when so amended, recommends the same do pass.



Chairman

SENATE REP. VERNON E. WAGNER
 Bill No. 2007 was placed on the 6th
 order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on Appropriations to whom was referred SENATE
 Bill No. 2011, has had the same under consideration and recommends, by a vote of
 Ayes, 16; Nays, 2; Absent, 1, that the same

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

On page 1 of the engrossed bill, line 2, after the word "board" insert the following: ", the human service centers, and the industrial commission"

On page 1 of the engrossed bill, delete lines 15 and 16

On page 1 of the engrossed bill, line 17, delete the numerals "20,272,672" and insert in lieu thereof the numerals "19,189,691"

On page 1 of the engrossed bill, line 18, delete the numerals "9,845,198" and insert in lieu thereof the numerals "9,407,923"

On page 1 of the engrossed bill, line 19, delete the numerals "3,137,649" and insert in lieu thereof the numerals "2,440,117"

On page 1 of the engrossed bill, line 20, delete the numerals "217,893" and insert in lieu thereof the numerals "185,000"

On page 1 of the engrossed bill, line 21, delete the numerals "279,541,278" and insert in lieu thereof the numerals "271,569,405"

On page 1 of the engrossed bill, line 22, delete the numerals "313,014,690" and insert in lieu thereof the numerals "302,792,136"

On page 1 of the engrossed bill, line 23, delete the numerals "231,841,372" and insert in lieu thereof the numerals "223,560,274"

On page 1 of the engrossed bill, line 24, delete the numerals "81,173,318" and insert in lieu thereof the numerals "79,231,862"

On page 1 of the engrossed bill, delete lines 25 and 26, and insert the following:

"SECTION 2. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and/or other income, to the social service board and the state department of health of the state of North Dakota for the purpose of defraying the expenses of the deinstitutionalization program, for the biennium beginning July 1, 1981, and ending June 30, 1983, as follows:"

On page 1 of the engrossed bill, line 27, delete the numerals "631,514" and insert in lieu thereof the numerals "477,538"

- On page 1 of the engrossed bill, line 28, delete the numerals "394,113" and insert in lieu thereof the numerals "415,636"
- On page 2 of the engrossed bill, line 2, delete the numerals "22,518" and insert in lieu thereof the numerals "18,388"
- On page 2 of the engrossed bill, line 3, delete the numerals "16,533,234" and insert in lieu thereof the numerals "15,328,787"
- On page 2 of the engrossed bill, line 4, delete the numerals "17,654,277" and insert in lieu thereof the numerals "16,313,247"
- On page 2 of the engrossed bill, line 5, delete the numerals "6,804,999" and insert in lieu thereof the numerals "5,465,784"
- On page 2 of the engrossed bill, line 6, delete the numerals "10,849,278" and insert in lieu thereof the numerals "10,847,463"
- On page 2 of the engrossed bill, delete lines 7 through 14 and insert in lieu thereof the following:

"SECTION 3. APPROPRIATION. There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$3,610,312, or so much thereof as may be necessary, and \$2,913,936 in special funds, or so much thereof as may be necessary, to the human service centers of the state of North Dakota, for the biennium beginning July 1, 1981, and ending June 30, 1983, as follows:

BADLANDS HUMAN SERVICE CENTER, DICKINSON

Salaries and wages	\$2,237,957
Operating expenses	568,130
Equipment	<u>13,300</u>
Total all funds	\$2,819,387
Less estimated income	<u>1,359,950</u>
Total general fund appropriation	\$1,459,437

NORTHWEST HUMAN RESOURCE CENTER, WILLISTON

Salaries and wages	\$1,711,754
Operating expenses	391,328
Equipment	<u>14,779</u>
Total all funds	\$2,117,861
Less estimated income	<u>660,639</u>
Total general fund appropriation	\$1,457,222

LAKE REGION HUMAN SERVICE CENTER, DEVILS LAKE

Salaries and wages	\$1,293,456
Operating expenses	284,744
Equipment	<u>8,800</u>
Total all funds	\$1,587,000
Less estimated income	<u>893,347</u>
Total general fund appropriation	\$ 693,653

SECTION 4. HUMAN SERVICE CENTERS. The control over the appropriations in section 3 of this Act shall be transferred to the department of human services upon the effective date of House Bill No. 1418.

SECTION 5. HUMAN SERVICE CENTERS - TRANSFERS. With the approval of the governor the director of the department of human services shall have the authority to make such transfers and allocations between the state office and the human service centers, and between the human service centers as may be necessary to effectively and efficiently implement a comprehensive plan for provision of human services through the regional human service centers."

On page 2 of the engrossed bill, after line 14, insert the following:

"SECTION 6. DEINSTITUTIONALIZATION - ALLOCATION OF APPROPRIATION. In order to effectively and efficiently implement the deinstitutionalization plan, no funds appropriated in section 2 of this Act may be expended by the social service board or the division of mental health and retardation of the department of health, or their successor agency, except within the limitations of such allocations as may be approved by the governor."

On page 2 of the engrossed bill, delete lines 21 through 26

On page 3 of the engrossed bill, delete lines 1 through 12

On page 3 of the engrossed bill, delete lines 18 through 31 and insert the following:

"SECTION 10. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated from special funds derived from federal funds and/or other income to the industrial commission of the state of North Dakota for the purpose of defraying the expenses of the housing assistance program, for the biennium beginning July 1, 1981, and ending June 30, 1983, as follows:

Salaries and wages	\$ 556,257
Operating expenses	98,744
Data processing	28,292
Equipment	500
Grants	<u>7,872,000</u>

Total special fund appropriation \$8,555,793

SECTION 11. APPROPRIATION. It is hereby appropriated, in addition to any other appropriations, \$200,000, or so much thereof as may be necessary, out of any moneys received from administrative fees charged by the state housing finance agency, to the industrial commission of the state of North Dakota for the biennium beginning July 1, 1981, and ending June 30, 1983, for the purpose of administering the housing assistance program.

SECTION 12. DEPARTMENT OF HUMAN SERVICES - STAFF LEVELS - REDUCTIONS - BUDGET SECTION REVIEW. The director of the department of human services, while establishing the department on the state and regional level, shall reduce the number of positions in the total system by ten employees by June 30, 1983. In addition, the director shall periodically report to the budget section on the progress made in implementing the provisions of House Bill No. 1418 and the reduction in staff levels required by this section.

Grand total general fund appropriation S.B. 2011	\$ 93,689,637
Grand total special funds appropriation S.B. 2011	\$240,695,787
Grand total all funds appropriated S.B. 2011	\$334,385,424"

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment reflects the following adjustments to Section 1 of Engrossed Senate Bill No. 2011:

Description	Salaries And Wages	Operating Expenses	Data Processing	Equipment	Grants	Total	General Fund	Estimated Income
1. Deletion of noncontributory retirement plan	\$ (653,997)					\$ (653,997)	\$ (412,914)	\$ (241,083)
2. Deletion of funds for Housing Assistance Program (appropriated to Industrial Commission in Section 10)	(556,257)	\$ (98,744)	\$ (28,292)	\$ (500)	\$ (7,872,000)	(8,555,793)	0	(8,555,793)
3. Change in funding for vocational rehabilitation grants						0	(1,012,798)	1,012,798
4. Reduction in travel for the Social Service Board as a result of House Bill No. 1418		(49,293)				(49,293)	(23,661)	(25,632)

5. Reduction in rent for new office building as a result of the state's purchase of the building	(250,234)			(250,234)	(250,234)		
6. Reduction in grants to provide that only 50 percent of the matching funds for the fuel assistance program be general funds				(468,800)	(468,800)	(468,800)	
7. Adjustment to reflect a transfer of items more properly reflected in Section 2 of this bill	(125,227)	(34,544)		369,927	209,156	100,395	108,1761
8. Addition of 3 FTE to provide a Director of Human Services, a Director of Economic Assistance, and a State Hospital Director	352,500	7,500			260,000	260,000	

Description	Salaries and Wages	Operating Expenses	Data Processing	Equipment	Grants	Total	General Fund	Estimated Income
9. Additional funds to provide for monthly allocation of "Case and Counsel"		\$ 18,800				\$ 18,800	\$ 18,800	
10. Reduction in equipment				\$(32,393)		(32,393)	(12,244)	\$ (20,149)
11. Reduction to delete funding for mechanization of the data collection system for the economic assistance program		(30,760)	\$(669,240)			(700,000)	(140,000)	(560,000)
Total	\$(1,087,981)	\$(437,275)	\$(697,532)	\$(32,393)	\$(7,971,873)	\$(10,222,554)	\$(1,941,456)	\$(4,281,298)

This amendment allows \$185,000 for equipment and intends that existing equipment be used as much as possible in the relocation of the Social Service Board in the new office building and that the Social Service Board make use of available conference rooms in the Capitol in lieu of furnishing new rooms in the new office building.

The grants line item includes amounts to provide an incentive for counties to join in collocation. It is the intent of the Legislative Assembly that \$10,000 of such amount be made available to the Morton County Social Service Board to assist it should it collocate with Bismarck-Mandan in their collocation arrangements.

Within the Social Service Board appropriation the following amounts are allocated to the area social service centers:

	Bismarck	Devils Lake	Fargo	Grand Forks	Jamestown	Minot
Salaries and wages	\$434,796		\$346,661	\$658,858	\$425,771	\$ 690,734
Operating expenses	220,114	\$5,078	183,274	175,804	170,542	491,027
Equipment			875	2,847	100	4,700
Total all funds	\$654,910	\$5,078	\$530,810	\$837,509	\$596,413	\$1,186,461
Less estimated income	432,241	3,351	350,334	575,124	393,632	877,981
Total general fund appropriation	\$222,669	\$1,727	\$180,476	\$262,385	\$202,781	\$ 308,480

Adjustments to the deinstitutionalization appropriation in Section 2 of engrossed Senate Bill No. 2011 are as follows:

1. A vacant position included to maintain work activity in the amount of \$61,432 in general funds is deleted.
2. Two new positions, a human service program administrator III (\$48,244) and a secretary II (\$26,031) which were included as two developmental disability council positions are deleted along with \$2,223 in equipment moneys for the two positions. These moneys are all federal funds. Also, a human service program administrator, a secretary II, and a training coordinator were deleted totalling \$110,276, \$82,707 of special funds and \$27,569 of general funds.
3. Funds for a new position, a clerk for the ICF/MR licensure process, is deleted from the deinstitutionalization budget in Senate Bill No. 2011 but is transferred to the Health Department budget in Senate Bill No. 2010. The funds deleted are \$23,924 in salaries of which \$5,981 is general funds and \$17,943 is federal funds, \$46,041 in operating expenses of which \$34,531 is federal funds and \$11,510 is general funds, and \$1,478 in equipment of which \$1,108 is federal funds and \$370 is general funds.
4. Funds included for child development service are reduced by \$472,500 in grants, \$10,000 in operating expenses,

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and \$429 in equipment. These moneys are all general funds. There remains \$672,000 in the grants line item for child development services during the next biennium which represents one-half the original budget request in the grants line for child development services.

5. General funds of \$320,000 are deleted from the grants line item which were included to purchase services from eight case managers for developmentally disabled persons.
6. There is a transfer of \$43,020 from the grants line to the operating expenses line which represents a reimbursement for indirect costs which are more appropriately included in the operating expenses line item.
7. The salaries and wages line item is reduced by \$9,296, \$4,427 from the general fund and \$4,869 from special funds, to delete funds for a noncontributory retirement plan.
8. This amendment substitutes \$1,012,798 of general fund moneys for federal funds for vocational rehabilitation grants and for the grants appropriated to the Vocational Rehabilitation Division of the Social Service Board in Section 1; \$1,012,798 of federal funds are substituted for general fund moneys.
9. The salaries and wages line item is increased by \$125,227, \$60,109 from the general fund and \$65,118 from special funds, the operating expenses line item is increased by \$34,544, \$16,581 from the general fund and \$17,963 from special funds, and the grants line item is decreased by \$368,927, \$177,085 from the general fund and \$191,842 from special funds, to reflect a transfer from Section 1 of this bill.

The following schedule is the adjusted deinstitutionalization programs:

<u>Program</u>	<u>Total Funds</u>	<u>General Fund</u>	<u>Special Funds</u>
<u>Social Service Board</u>			
Vocational rehabilitation	\$ 4,907,580	\$ 4,907,580	
Adult group homes	159,771	76,690	\$ 83,081
Community facilities - 200 beds	5,961,900	2,205,903	3,755,997
Hospital, physician, drugs, 4 case managers at the local level	493,852	182,725	311,127
Staff to modify MMIS (4 FTE)	206,994	78,421	128,573
	<u>Total Funds</u>	<u>General Fund</u>	<u>Special Funds</u>
<u>Health Department</u>			
Maintain work activity, etc.	\$ 2,387,241	\$ 2,067,676	\$ 319,565
Provide services and support to families to keep individuals at home	285,000	285,000	
Infant screening, evalua- tion and training	672,000	672,000	
Health Department personnel	471,479	74,286	397,193
Data processing	55,000	49,500	5,500
Indirect costs	43,020		43,020
Transitional living for mentally ill (13 existing and 24 new during the second year	669,410	247,682	421,728
Grand Total	<u>\$16,313,247</u>	<u>\$10,847,463</u>	<u>\$5,465,784</u>

The amounts included for each program, by line item appropriation, are as follows:

FRIDAY, MARCH 27, 1981

2203

Line Item	Vocational Rehabilitation	Social Service Board	Health Department	Total
Salaries and wages		\$ 279,351	\$ 198,187	\$ 477,538
Operating expenses		64,279	351,357	415,636
Data processing		17,898	55,000	72,898
Equipment		5,127	13,261	18,388
Grants	\$4,907,580	6,455,862	3,965,345	15,328,787
Total	\$4,907,580	\$6,822,517	\$4,583,150	\$16,313,247

The new Section 3 appropriates \$6,524,248, \$3,610,312 from the general fund and \$2,913,936 in special funds to the human service centers, by line item for each center. This replaces the purchase of service agreements allowed in the Senate version.

The new Section 10 appropriates moneys for the administration of the housing assistance program to the Industrial Commission that was deleted from the Social Service Board's appropriation.

The new Section 11 appropriates \$200,000 of surplus administrative fees to the Industrial Commission for related administrative costs.



Chairman

REP. VERNON E. WAGNER

SENATE

Bill No.

2011 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. 1002
- House Bill No. 1092
- House Bill No. 1365
- House Bill No. 1605
- House Concurrent Resolution No. 3069

LEO LEIDHOLM, Secretary

SENATE AMENDMENTS TO HOUSE BILL NO. 1002

- 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 subsections 1 and 3 of section 7 of initiated measure No. 6 to change the allocation of the proceeds of the oil extraction tax; and declaring an emergency"
- On page 1 of the engrossed bill, line 15, delete the numerals "4,775,770" and insert in lieu thereof the numerals "4,620,168"
- On page 1 of the engrossed bill, line 19, delete the numerals "19,308,128" and insert in lieu thereof the numerals "19,558,128"
- On page 1 of the engrossed bill, line 20, delete the numerals "352,333,544" and insert in lieu thereof the numerals "388,704,876"
- On page 1 of the engrossed bill, line 25, delete the numerals "428,924,022" and insert in lieu thereof the numerals "465,389,752"
- On page 1 of the engrossed bill, line 26, delete the numerals "191,580,498" and insert in lieu thereof the numerals "238,849,135"
- On page 1 of the engrossed bill, line 27, delete the numerals "237,343,524" and insert in lieu thereof the numerals "226,540,617"
- On page 2 of the engrossed bill, line 17, delete the numerals "138,600,000" and insert in lieu thereof the numerals "169,266,667"

On page 2 of the engrossed bill, delete lines 22 through 31 and insert in lieu thereof the following new sections:

"SECTION 5. AMENDMENT. Subsections 1 and 3 of section 7 of initiated measure No. 6 as adopted by the people at the general election in 1980 are hereby amended and reenacted to read as follows:

1. ~~Forty-five Sixty~~ percent shall be allocated to the state school aid program for use in accordance with the provisions of chapter 15-40.1 of the North Dakota Century Code. It is the intent of the electors ~~that other appropriations made by the legislative assembly for state aid to schools in accordance with chapter 15-40.1 of the North Dakota Century Code when added to the amount allocated under this subsection shall not exceed seventy percent of the funds required to meet the educational cost per pupil in elementary and secondary education as determined under the provisions of that chapter~~ and the legislative assembly that the allocation made by this subsection shall not exceed seventy percent of the educational cost per pupil in public elementary and secondary education as determined under the provisions of chapter 15-40.1. Should the allocation exceed seventy percent, the balance of the allocation above seventy percent shall be deposited in the general fund. Should the allocation not exceed seventy percent, it is the intent of the electors and the legislative assembly that other appropriations made by the legislative assembly for state aid to schools in accordance with chapter 15-40.1, when added to the amount allocated under this subsection, shall provide at least seventy percent of the funds required to meet the educational cost per pupil in public elementary and secondary education as determined under the provisions of chapter 15-40.1.
3. ~~Forty-five Thirty~~ percent shall be allocated and credited to the state's general fund for general state purposes ~~and as an offset for the reduction in income tax revenue and for the replacement of the county twenty-one mill property tax credit for school as provided in section 10 of this Act.~~

SECTION 6. OIL EXTRACTION TAX COLLECTIONS. Effective on and after April 1, 1981, collections from the state oil extraction tax shall be allocated in accordance with section 5 of this Act.

SECTION 7. FEDERAL REVENUE SHARING APPROPRIATION. There is hereby appropriated to the department of public instruction, from moneys not otherwise appropriated, the sum of \$700,000 of federal revenue sharing funds, or such greater amounts as may be available, for the purpose of using such funds in the foundation aid grant line item in section 1 of this Act, during the biennium beginning July 1, 1981, and ending June 30, 1983. The moneys appropriated in this section are reflected in the estimated income line item in section 1 of this Act.

SECTION 8. EMERGENCY. Sections 5 and 6 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 is reduced \$155,602, of which \$98,030 is estimated income and \$57,572 is from the general fund to delete funds for the noncontributory retirement plan.

The special education line item is increased \$250,000 for the fiscal impact of Senate Bill No. 2153.

The foundation program line item is calculated as follows:

Per-pupil payments:

1981-82		
125,343.42 Wt. Units X \$1,425 =		\$178,614,374
6,500 Kgtn Units X \$670 =		4,355,000
1982-83		
124,296.69 Wt. Units X \$1,591 =		197,756,034
7,000 Kgtn Units X \$748 =		<u>5,236,000</u>
Total Per-Pupil Payments		\$385,961,408

Transportation:

1981-82		
1,600,000 Miles @ .34	\$ 544,000	
23,500,000 Miles @ .68	15,980,000	
7,234,000 Pupils @ .19	1,374,460	
1982-83		
1,600,000 Miles @ .38	608,000	
23,500,000 Miles @ .76	17,860,000	
7,100,043 Pupils @ .19	<u>1,349,008</u>	
Total Transportation		<u>37,715,468</u>
Total Payments		\$423,676,876
Less Adjustment for 20-Mill District Contribution		<u>34,972,000</u>
Total Foundation Program Line Item		\$388,704,876
Less:		
60 Percent of Oil Extraction Tax		169,266,667
1/2 of Estimate of Oil and Gas Bonuses		16,000,000
Revenue Sharing		<u>700,000</u>
General Fund Appropriation		<u>\$202,738,209</u>

SENATE AMENDMENTS TO HOUSE BILL NO. 1092

On page 1 of the engrossed bill, line 17, delete the word "fifty" and insert in lieu thereof "twenty-five"

On page 1 of the engrossed bill, line 20, delete the word "sixty-six" and insert in lieu thereof "ninety-one"

And renumber the lines accordingly

On page 1 of the reengrossed bill, line 1, after the word "reenact" insert the following: "section 15-40.1-02,"

On page 1 of the reengrossed bill, line 2, after the numeral "15-40.1-06" insert a comma, delete the word "section" and insert in lieu thereof the word "sections", and after the numeral "15-40.1-16" insert the following: "and 15-44-03"

On page 1 of the reengrossed bill, line 4, delete the first

word "to" and insert in lieu thereof the word "of", and after the word "percent" and before the semicolon insert the following: "of the cost of education, what constitutes state school aid, and distribution of the state tuition fund"

On page 1 of the reengrossed bill, delete line 5 and insert in lieu thereof the following: "sections 15-44-04, 15-44-05, 15-44-07, and 15-44-08 of the North Dakota Century Code, relating to apportionment of tuition funds by counties, withholding of tuition funds, and the use and accounting of tuition funds; providing an appropriation; and providing an effective date."

On page 1 of the reengrossed bill, delete lines 6 and 7

On page 1 of the reengrossed bill, after line 9, insert the following new section:

"SECTION 1. AMENDMENT. Section 15-40.1-02 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

15-40.1-02. STATE SCHOOL AID - APPROPRIATION. All payments authorized by this chapter shall be made by the state treasurer out of the general fund of the state within the limits of legislative appropriation. Funds distributed to each school district pursuant to article IX, section 2 of the constitution are hereby appropriated and shall constitute state aid to meet the educational cost per pupil in elementary and secondary schools."

On page 2 of the reengrossed bill, delete lines 6 through 35 and insert in lieu thereof the following:

"15-40.1-16. AID FOR TRANSPORTATION. There shall be paid from the county equalization fund and from state funds to each school district providing school bus transportation in contract school buses or in district-owned and operated school buses, and to school districts with students riding commercial buses to and from school within the incorporated limits of a city the following amounts:

1. For school buses transporting pupils who live outside the incorporated limits of the city in which the school the pupil is enrolled is located, a sum equal to twenty thirty-four cents per mile [1.61 kilometers] during the first year of the 1981-83 biennium and thirty-eight cents during the second year of the 1981-83 biennium for school buses having a capacity of sixteen or fewer pupils and forty sixty-eight cents per mile [1.61 kilometers] during the first year of the 1981-83 biennium and seventy-six cents per mile the second year of the 1981-83 biennium for school buses having a capacity of seventeen or more pupils. In addition, those school districts qualifying for payments for buses having a capacity of seventeen or more pupils shall be entitled to an amount equal to fifteen nineteen cents per day for each public school pupil living outside the city limits who is transported in such buses, ~~provided that no such payment shall be made for any pupil who lives within the incorporated limits of a city with a population in excess of two hundred fifty and an area in excess of two square miles {518.00 hectares} in which the school in which he is enrolled is located except as provided in section 15-40-1-16-1.~~
2. For pupils who ride school buses or commercial

buses to or from school and who live within the incorporated limits of the city in which the school the pupil is enrolled is located, a sum equal to nine and one-half cents per pupil per one-way trip. However, no payment shall be made under this subsection for a student who rode on a vehicle for which payments are claimed under subsection 1 of this section.

The mileage payments provided for in this section shall be made to each school district for transporting pupils to and from school. Such payments shall be made only to school districts operating school buses in accordance with the laws of this state relating to standards for school buses, and to the qualifications of school bus drivers. Certification as to the compliance with the laws of this state in regard to school buses and their drivers shall be made in such manner and in such detail as the superintendent of public instruction may require at the time an application is made for payments provided under this section."

On page 3 of the reengrossed bill, delete lines 1 through 6

On page 3 of the reengrossed bill, after line 6, insert the following new sections:

"SECTION 4. AMENDMENT. Section 15-44-03 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

15-44-03. CERTIFICATE BY DEPARTMENT OF ACCOUNTS AND PURCHASES - APPORTIONMENT BY SUPERINTENDENT OF PUBLIC INSTRUCTION - WARRANT - ~~NOTICE-TO-COUNTY-TREASURERS~~ PAYMENT. The department of accounts and purchases on or before the third Monday in February, ~~May~~ April, August, October, and ~~November~~ December in each year, shall certify to the superintendent of public instruction the amount of the state tuition fund. The superintendent shall apportion such fund ~~immediately~~ among the several ~~counties~~ school districts of the state in proportion to the number of children of school age residing in each as shown by the last enumeration provided for by law, and shall certify to the department of accounts and purchases, ~~and state treasurer, and to the county treasurer and county superintendent of schools of each county,~~ the amount apportioned to the respective ~~counties~~ school districts. Immediately upon receipt of the apportionment from the superintendent of public instruction, the department of accounts and purchases shall ~~prepare and issue a warrant, signed by the state auditor, upon the state treasurer for the full amount of the state tuition fund apportioned to the several counties and shall deliver the same to the state treasurer, taking his receipt therefor.~~ The department of accounts and purchases shall notify the several county treasurers of the amount due their respective counties and that the warrant has been issued therefor. ~~The state treasurer, upon such warrant, shall pay the amount due the several counties to the respective county treasurers~~ pay each school district the amount to which it is entitled from the state tuition fund and such payments shall be combined with and paid at the same time as per-pupil payments pursuant to section 15-40.1-05.

SECTION 5. REPEAL. Section 15-44-07 and 15-44-08 of the North Dakota Century Code and sections 15-44-04 and 15-44-05 of the 1977 Pocket Supplement to the North Dakota Century Code are hereby repealed.

SECTION 6. APPROPRIATION. There is hereby appropriated for distribution by the department of accounts and purchases out of any moneys in the state

tuition fund in the state treasury, not otherwise appropriated, the sum of \$29,877,400, or such additional sums as become available, to the public schools of this state as provided in article IX, section 2 of the Constitution of the State of North Dakota and chapter 15-44 of the North Dakota Century Code, for the biennium beginning July 1, 1981, and ending June 30, 1983.

SECTION 7. EFFECTIVE DATE. Section 1 of this Act shall be effective on and after July 1, 1983."

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

The bill is amended to provide for appropriation of the amounts estimated for the state tuition fund for distribution among public schools for the coming biennium and for the combining of those payments with foundation program payments. In addition, the bill provides that effective July 1, 1983, moneys distributed from the state tuition fund pursuant to Article IX, Section 2 of the Constitution shall constitute state aid for elementary and secondary schools. The bill is also amended to make the language in Section 15-40.1-16 conform to the language of that section in Senate Bill No. 2245 which has already passed both houses.

SENATE AMENDMENTS TO HOUSE BILL NO. 1365

On page 1, line 1, after the words "A BILL" delete the remainder of the bill and insert in lieu thereof the following: "for an ACT to create and enact a new section to chapter 39-04 and a new section to chapter 54-27 of the North Dakota Century Code, relating to an additional fee for motor vehicle registration and distribution of the additional registration fee to supplement township road and bridge funds; and to provide an appropriation.

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

SECTION 1. A new section to chapter 39-04 of the North Dakota Century Code is hereby created and enacted to read as follows:

ADDITIONAL REGISTRATION FEES FOR MOTOR VEHICLES - DEPOSIT OF FUNDS. In addition to all other registration fees provided for in this chapter, a motor vehicle registration fee shall be paid and collected on the renewal of annual registration as follows:

1. Five dollars for all passenger vehicles, including buses for hire, hearses, and ambulances.
2. Five dollars for all trucks or combinations of trucks and trailers up to twelve thousand pounds [5443.11 kilograms] gross weight.
3. Ten dollars for all trucks or combinations of trucks and trailers from twelve thousand one pounds to twenty-eight thousand pounds [5443.56 kilograms to 12700.59 kilograms] gross weight.
4. Fifteen dollars for all trucks or combinations of trucks and trailers from twenty-eight thousand one pounds to fifty thousand pounds [12701.04 kilograms to 22679.62 kilograms] gross weight.

5. Twenty-five dollars for all trucks or combinations of trucks and trailers exceeding fifty thousand pounds [22679.62 kilograms] gross weight.

The fees collected pursuant to this section shall be deposited with the state treasurer to the credit of the township road and bridge fund and the highway tax distribution fund as provided by section 2 of this Act.

SECTION 2. A new section to chapter 54-27 of the North Dakota Century Code is hereby created and enacted to read as follows:

DEPOSIT OF ADDITIONAL MOTOR VEHICLE REGISTRATION FEES - TOWNSHIP ROAD AND BRIDGE FUND - HIGHWAY TAX DISTRIBUTION FUND - STATE TREASURER TO ALLOCATE AND DISTRIBUTE FUNDS. Sixty-three percent of the moneys collected from the additional registration fees required by section 1 of this Act shall be deposited in a special township road and bridge fund in the state treasury. The state treasurer shall distribute the funds in the township road and bridge fund annually before January fifteenth to township road and bridge funds or to the appropriate county fund in the case of unorganized townships. Eighty percent of the distribution is to be based upon the proportionate number of miles [kilometers] of township roads within the organized or unorganized township as compared with the total number of miles [kilometers] of township roads in the state. The remaining twenty percent of the distribution is to be based upon the proportionate population within the organized or unorganized township as compared to the total population of the state. These funds are to be used for the construction or maintenance of township roads and may not be used to purchase road building or road maintenance equipment. The remaining twenty-seven percent of the moneys collected from the additional registration fees not deposited in the special township road and bridge fund is to be deposited in the highway tax distribution fund for transfer and allocation as provided by section 54-27-19.

SECTION 3. APPROPRIATION. There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$30,000,000 to the highway tax distribution fund in the state treasury for transfer to the fund by the director of the department of accounts and purchases for distribution in accordance with section 54-27-19 during the biennium beginning July 1, 1981, and ending June 30, 1983. Twenty-five percent of the appropriation shall be transferred to the fund on July 1, 1981; twenty-five percent shall be transferred to the fund on January 1, 1982; twenty-five percent shall be transferred to the fund on July 1, 1982; and the remaining twenty-five percent shall be transferred to the fund on January 1, 1983.

SECTION 4. LEGISLATIVE INTENT CONCERNING THE APPROPRIATION PROVIDED BY SECTION 3. It is the intent of the members of the legislative assembly that the appropriation by section 3 of this Act is in lieu of any increase in motor vehicle registration fees, other than the increase in fees provided by this Act, and in lieu of any increase in the motor vehicle fuel tax imposed pursuant to section 57-54-08. It is the additional intent of the members of the legislative assembly that the portion of the appropriation provided by section 3 of this Act received by the state highway department is to be used by the highway commissioner to match federal funds available for highway maintenance and construction."

And renumber the lines and pages accordingly

SENATE AMENDMENTS TO HOUSE BILL NO. 1365

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 create and enact a new section to chapter 57-52 and a new section to chapter 57-54 of the North Dakota Century Code to provide an additional three cent per gallon tax on certain special fuels and motor vehicle fuels; to provide a distribution formula for the revenues generated by these taxes; to amend and reenact sections 39-04-19 and 57-53-02 of the North Dakota Century Code, relating to motor vehicle registration fees and the special fuel excise tax; and to provide an expiration date.

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

SECTION 1. A new section to chapter 57-52 of the North Dakota Century Code is hereby created and enacted to read as follows:

ADDITIONAL TAX ON SPECIAL FUELS - EXEMPTIONS - COLLECTION. There is hereby imposed, in addition to any other tax imposed by this chapter, a tax of three cents per gallon on the sale or delivery of special fuel to any special fuel user, except that special fuel used for aircraft, heating, agricultural, industrial, or railroad purposes shall be exempt from the tax imposed by this section. The tax imposed by this section shall be collected from the special fuel user by the special fuel dealer and paid over to the state tax commissioner as provided in this chapter. However, the tax imposed by this section shall in no case be refundable, except as provided in section 57-52-15, and shall be distributed as provided by section 3 of this Act.

SECTION 2. A new section to chapter 57-54 of the North Dakota Century Code is hereby created and enacted to read as follows:

ADDITIONAL TAX ON MOTOR VEHICLE FUELS - EXEMPTION - COLLECTION. There is hereby imposed, in addition to any other tax imposed by this chapter, a tax of three cents per gallon on all motor vehicle fuel sold or used in this state except for fuel used in aircraft. The tax imposed by this section shall be collected by the dealer from the consumer on all sales. Sales of fuel in the original package may be made to a licensed dealer who shall have the option of collecting the tax imposed by this section, but on sales in the original package to persons other than licensed dealers, the dealer shall be liable for the tax thereon. This tax shall be collected as provided for in this chapter but in no case shall it be refundable, except as provided in section 57-54-24. Revenues generated by the tax provided for in this section shall be distributed as provided in section 3 of this Act.

SECTION 3. DISTRIBUTION OF ADDITIONAL TAXES ON MOTOR VEHICLE FUELS AND SPECIAL FUELS. All revenues collected by the state tax commissioner under the provisions of section 1 and section 2 of this Act shall be transferred to the state treasurer who shall distribute them as follows:

1. Seventy-three percent of these moneys shall be credited to the state highway tax distribution fund created by section 54-27-19.

2. The remaining twenty-seven percent shall be distributed to township road and bridge funds or to the appropriate county fund in the case of unorganized townships. Each township, or county in the case of unorganized townships, shall receive a sum based upon the proportionate number of miles of township roads within the organized or unorganized township as compared with the total number of miles of township roads in the state. These funds are to be used for the construction or maintenance of township roads and may not be used to purchase road building or road maintenance equipment. No township, or county in the case of unorganized townships, shall receive any funds under this subsection unless that township is levying, for the current budget year, at least ninety-five percent of the mill levies authorized by law. If a township is not levying at the ninety-five percent level, the moneys to which they would be entitled under this subsection shall instead be deposited by the state treasurer in the highway tax distribution fund. The state treasurer may adopt rules, pursuant to chapter 28-32, necessary to the administration of this subsection.

SECTION 4. AMENDMENT. Section 39-04-19 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

39-04-19. MOTOR VEHICLE REGISTRATION FEES AND MILE TAX. Motor vehicles required to pay registration fees or a mile tax shall pay the following fees:

1. Nonresidents electing to pay mile tax in lieu of registration, when authorized to do so by the commissioner, shall pay a fee of ten dollars for a trip permit which shall be valid for a period of seventy-two hours. All fees collected under the provisions of this subsection shall be credited to the highway construction fund.
2. Motor vehicles required to be registered in this state shall be furnished license plates upon the payment of the following annual fees; however, if a motor vehicle first becomes subject to registration other than at the beginning of the registration period, such fees shall be prorated on a monthly basis. The minimum fee charged hereunder shall be five dollars:
 - a. Passenger motor vehicles including buses for hire, hearses, and ambulances:

YEARS REGISTERED

Cross Weights	YEARS REGISTERED				
	1st, 2nd, and 3rd Years	4th, 5th, and 6th Years	7th, 8th, and 9th Years	10th and Subsequent Years	
17999-27999	6-32-00	6-25-00	6-19-00	6-15-00	
27000-27399	34-00	27-00	20-00	15-00	
27400-27799	36-00	29-00	22-00	15-00	
27800-27199	38-00	30-00	23-00	16-00	
37200-37599	42-00	33-00	25-00	17-00	
37600-37999	46-00	37-00	28-00	19-00	
47000-47499	56-00	45-00	34-00	23-00	
47500-47999	72-00	57-00	43-00	29-00	
57000-57999	100-00	80-00	60-00	40-00	
67000-67999	130-00	104-00	78-00	52-00	
77000-77999	160-00	128-00	96-00	64-00	

8,000-8,999	190.00	152.00	114.00	76.00
9,000-and-over	220.00	176.00	132.00	88.00
1,999 or less	\$ 42.00	\$ 35.00	\$ 29.00	\$ 25.00
2,000-2,399	44.00	37.00	30.00	25.00
2,400-2,799	46.00	39.00	32.00	25.00
2,800-3,199	48.00	40.00	33.00	26.00
3,200-3,599	52.00	43.00	35.00	27.00
3,600-3,999	56.00	47.00	38.00	29.00
4,000-4,499	66.00	55.00	44.00	33.00
4,500-4,999	82.00	67.00	53.00	39.00
5,000-5,999	110.00	90.00	70.00	50.00
6,000-6,999	140.00	114.00	88.00	62.00
7,000-7,999	170.00	138.00	106.00	74.00
8,000-8,999	200.00	162.00	124.00	86.00
9,000 and over	230.00	186.00	142.00	98.00

In addition to the fees required in this subsection and section 49-18-32, all motor buses used for the transportation of persons for hire over the highways of this state which have a seating capacity of more than seven passengers shall pay an annual additional license fee of twelve dollars for each passenger capacity in excess of seven. Motor passenger buses operating exclusively within the corporate limits of any city shall not be required to pay this fee.

- b. School buses, buses owned and operated by religious, charitable, or nonprofit organizations and used exclusively for religious, charitable, or other public nonprofit purposes, and trucks or combination trucks and trailers, including commercial and noncommercial trucks, except those trucks or combinations of trucks and trailers which qualify for registration under subsection 5:

YEARS REGISTERED

Gross Weights	1st, 2nd, and 3rd Years	4th and 5th Years	6th and 7th Years	8th and Subsequent Years
0--4,000	626.00	621.00	616.00	615.00
4,001--6,000	31.00	25.00	20.00	15.00
6,001--8,000	36.00	29.00	23.00	15.00
8,001--10,000	41.00	34.00	26.00	16.00
10,001--12,000	47.00	38.00	29.00	18.00
12,001--14,000	52.00	42.00	32.00	20.00
14,001--16,000	57.00	46.00	35.00	22.00
16,001--18,000	62.00	50.00	38.00	24.00
18,001--20,000	68.00	55.00	42.00	26.00
20,001--22,000	73.00	59.00	45.00	27.00
22,001--24,000	78.00	63.00	48.00	29.00
0- 4,000	\$36.00	\$31.00	\$26.00	\$25.00
4,001- 6,000	41.00	35.00	30.00	25.00
6,001- 8,000	46.00	39.00	33.00	25.00
8,001-10,000	51.00	44.00	36.00	26.00
10,001-12,000	57.00	48.00	39.00	28.00
12,001-14,000	62.00	52.00	42.00	30.00
14,001-16,000	72.00	61.00	50.00	37.00
16,001-18,000	77.00	65.00	53.00	39.00
18,001-20,000	83.00	70.00	57.00	41.00
20,001-22,000	88.00	74.00	60.00	42.00
22,001-24,000	93.00	78.00	63.00	44.00

YEARS REGISTERED

Gross Weights	1st, 2nd, 3rd, and 4th Years	5th, 6th, 7th, 8th, and 9th Years	10th and Subsequent Years
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24,001--26,000	\$--176.00	6--141.00	6--123.00
26,001--28,000	211.00	169.00	148.00
28,001--30,000	246.00	197.00	172.00
30,001--32,000	281.00	225.00	197.00
32,001--34,000	316.00	253.00	221.00
34,001--36,000	351.00	281.00	246.00
36,001--38,000	386.00	309.00	270.00
38,001--40,000	421.00	337.00	295.00
40,001--42,000	456.00	365.00	319.00
42,001--44,000	491.00	393.00	344.00
44,001--46,000	526.00	421.00	368.00
46,001--48,000	561.00	449.00	393.00
48,001--50,000	596.00	477.00	417.00
50,001--52,000	631.00	505.00	442.00
52,001--54,000	666.00	533.00	466.00
54,001--56,000	701.00	561.00	491.00
56,001--58,000	736.00	589.00	515.00
58,001--60,000	771.00	617.00	540.00
60,001--62,000	806.00	645.00	564.00
62,001--64,000	841.00	673.00	589.00
64,001--66,000	876.00	701.00	613.00
66,001--68,000	911.00	729.00	638.00
68,001--70,000	946.00	757.00	662.00
70,001--72,000	981.00	785.00	687.00
72,001--74,000	1,016.00	813.00	711.00
74,001--76,000	1,051.00	841.00	736.00
76,001--78,000	1,086.00	869.00	760.00
78,001--80,000	1,121.00	897.00	785.00
80,001--82,000	1,156.00	925.00	809.00
82,001--84,000	1,191.00	953.00	833.00
84,001--86,000	1,226.00	981.00	857.00
86,001--88,000	1,261.00	1,009.00	881.00
88,001--90,000	1,296.00	1,037.00	905.00
24,001- 26,000	\$ 191.00	\$ 156.00	\$ 138.00
26,001- 28,000	226.00	184.00	163.00
28,001- 30,000	261.00	212.00	187.00
30,001- 32,000	301.00	245.00	217.00
32,001- 34,000	336.00	273.00	241.00
34,001- 36,000	371.00	301.00	266.00
36,001- 38,000	406.00	329.00	290.00
38,001- 40,000	441.00	357.00	315.00
40,001- 42,000	476.00	385.00	339.00
42,001- 44,000	511.00	413.00	364.00
44,001- 46,000	546.00	441.00	388.00
46,001- 48,000	581.00	469.00	413.00
48,001- 50,000	616.00	497.00	437.00
50,001- 52,000	666.00	540.00	477.00
52,001- 54,000	701.00	568.00	501.00
54,001- 56,000	736.00	596.00	526.00
56,001- 58,000	771.00	624.00	550.00
58,001- 60,000	806.00	652.00	575.00
60,001- 62,000	841.00	680.00	599.00
62,001- 64,000	876.00	708.00	624.00
64,001- 66,000	911.00	736.00	648.00
66,001- 68,000	946.00	764.00	673.00
68,001- 70,000	981.00	792.00	697.00
70,001- 72,000	1,016.00	820.00	722.00
72,001- 74,000	1,051.00	848.00	746.00
74,001- 76,000	1,086.00	876.00	771.00
76,001- 78,000	1,121.00	904.00	795.00
78,001- 80,000	1,156.00	932.00	820.00
80,001- 82,000	1,191.00	960.00	844.00
82,001- 84,000	1,226.00	1,020.00	894.00
84,001- 86,000	1,331.00	1,080.00	944.00
86,001- 88,000	1,401.00	1,140.00	994.00
88,001- 90,000	1,471.00	1,200.00	1,044.00

<u>90,001- 92,000</u>	<u>1,541.00</u>	<u>1,260.00</u>	<u>1,094.00</u>
<u>92,001- 94,000</u>	<u>1,611.00</u>	<u>1,320.00</u>	<u>1,144.00</u>
<u>94,001- 96,000</u>	<u>1,681.00</u>	<u>1,380.00</u>	<u>1,194.00</u>
<u>96,001- 98,000</u>	<u>1,751.00</u>	<u>1,440.00</u>	<u>1,244.00</u>
<u>98,001-100,000</u>	<u>1,821.00</u>	<u>1,500.00</u>	<u>1,294.00</u>
<u>100,001-102,000</u>	<u>1,891.00</u>	<u>1,560.00</u>	<u>1,344.00</u>
<u>102,001-104,000</u>	<u>1,961.00</u>	<u>1,620.00</u>	<u>1,394.00</u>
<u>104,001-105,500</u>	<u>2,031.00</u>	<u>1,680.00</u>	<u>1,444.00</u>

c. Motorcycles:

- (1) Without sidecar, six dollars per motorcycle.
- (2) With sidecar, ten dollars per unit.

d. A house car shall be subject to registration at the corresponding rate prescribed for trucks under subdivision b of subsection 2, and the registrar shall issue distinctive plates for each house car registered.

3. Motor vehicles acquired by disabled veterans under the provisions of Public Law 79-663 as codified into 38 U.S.C. 1901 shall be exempt from the payment of state sales or use tax and, if paid, such veterans shall be entitled to a refund. This exemption shall also apply to any passenger motor vehicle or pickup truck not exceeding ten thousand pounds [4535.92 kilograms] gross weight subsequently purchased or acquired by such a disabled veteran, provided that it shall be allowed only with respect to one such motor vehicle owned by such a disabled veteran at any one time.
4. Every trailer, semitrailer, and farm trailer required to be registered under this chapter shall be furnished registration plates upon the payment of one of the following annual fees:
 - a. Ten dollars for trailers and farm trailers which are not semitrailers, including trailers which are offered for lease or rent to the public.
 - b. Ten dollars per axle, limited to a maximum of thirty dollars, for semitrailers and farm trailers which are semitrailers, when the gross weight, not including the weight of the towing vehicle, does not exceed twenty-four thousand pounds [10886.22 kilograms].
 - c. Ten dollars for semitrailers when the gross weight, not including the weight of the towing vehicle, exceeds twenty-four thousand pounds [10886.22 kilograms].

Every trailer, semitrailer, or farm trailer not required to be registered under this chapter shall be furnished an identification plate upon the payment of a fee of five dollars.

5. Trucks or combinations of trucks and trailers weighing from 24,001 to 82,000 pounds [10886.66 to 37194.57 kilograms] which are used as farm vehicles only, shall be entitled to registration pursuant to the following fee schedule and the provisions of this subsection. Farm vehicles shall be considered, for the purpose of this subsection, as trucks or combinations of trucks and trailers weighing

from 24,001 to 82,000 pounds [10886.66 to 37194.57 kilograms] owned, or leased for a minimum period of one year by a bona fide resident farmer who uses such vehicles exclusively for transporting his own property or other property on a farm work exchange basis with other farmers between farms and the usual local trading places but not in connection with any commercial retail or wholesale business being conducted from such farms, nor otherwise for hire.

YEARS REGISTERED

Gross Weights	1st, 2nd, and 3rd Years	4th and 5th Years	6th and 7th Years	8th and Subsequent Years
247001-267000	6-06.00	6-69.00	6-52.00	6-31.00
267001-287000	96.00	77.00	50.00	35.00
287001-307000	106.00	85.00	64.00	39.00
307001-327000	116.00	93.00	70.00	43.00
327001-347000	126.00	101.00	76.00	47.00
347001-367000	136.00	109.00	82.00	51.00
367001-387000	146.00	117.00	88.00	55.00
387001-407000	156.00	125.00	94.00	59.00
407001-427000	166.00	133.00	100.00	63.00
427001-447000	176.00	141.00	106.00	67.00
447001-467000	186.00	149.00	112.00	71.00
467001-487000	196.00	157.00	118.00	75.00
487001-507000	206.00	165.00	124.00	79.00
507001-527000	216.00	173.00	130.00	83.00
527001-547000	226.00	181.00	136.00	87.00
547001-567000	236.00	189.00	142.00	91.00
567001-587000	246.00	197.00	148.00	95.00
587001-607000	256.00	205.00	154.00	99.00
607001-627000	266.00	213.00	160.00	103.00
627001-647000	276.00	221.00	166.00	107.00
647001-667000	286.00	229.00	172.00	111.00
667001-687000	296.00	237.00	178.00	115.00
687001-707000	306.00	245.00	184.00	119.00
707001-727000	316.00	253.00	190.00	123.00
727001-747000	326.00	261.00	196.00	127.00
747001-767000	336.00	269.00	202.00	131.00
767001-787000	346.00	277.00	208.00	135.00
787001-807000	356.00	285.00	214.00	139.00
807001-827000	366.00	293.00	220.00	143.00
24,001-26,000	\$101.00	\$ 84.00	\$ 67.00	\$ 46.00
26,001-28,000	111.00	92.00	73.00	50.00
28,001-30,000	121.00	100.00	79.00	54.00
30,001-32,000	136.00	113.00	90.00	63.00
32,001-34,000	146.00	121.00	96.00	67.00
34,001-36,000	156.00	129.00	102.00	71.00
36,001-38,000	166.00	137.00	108.00	75.00
38,001-40,000	176.00	145.00	114.00	79.00
40,001-42,000	186.00	153.00	120.00	83.00
42,001-44,000	196.00	161.00	126.00	87.00
44,001-46,000	206.00	169.00	132.00	91.00
46,001-48,000	216.00	177.00	138.00	95.00
48,001-50,000	226.00	185.00	144.00	99.00
50,001-52,000	251.00	208.00	165.00	118.00
52,001-54,000	261.00	216.00	171.00	122.00
54,001-56,000	271.00	224.00	177.00	126.00
56,001-58,000	281.00	232.00	183.00	130.00
58,001-60,000	291.00	240.00	189.00	134.00
60,001-62,000	301.00	248.00	195.00	138.00
62,001-64,000	311.00	256.00	201.00	142.00
64,001-66,000	321.00	264.00	207.00	146.00
66,001-68,000	331.00	272.00	213.00	150.00
68,001-70,000	341.00	280.00	219.00	154.00
70,001-72,000	351.00	288.00	225.00	158.00
72,001-74,000	361.00	296.00	231.00	162.00
74,001-76,000	371.00	304.00	237.00	166.00
76,001-78,000	381.00	312.00	243.00	170.00

<u>78,001-80,000</u>	<u>391.00</u>	<u>320.00</u>	<u>249.00</u>	<u>174.00</u>
<u>80,001-82,000</u>	<u>401.00</u>	<u>328.00</u>	<u>255.00</u>	<u>178.00</u>

6. A motor vehicle registered in subsection 5 may be used for custom combining operations by displaying identification issued by the motor vehicle department and upon payment of a fee of twenty-five dollars.

SECTION 5. AMENDMENT. Section 57-53-02 of the 1979 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

57-53-02. TAX LEVIED. There is hereby levied and imposed a special excise tax on all sales of special fuel which are exempted from the tax imposed under chapter 57-52 to a special fuel user, except special fuel used by aircraft, and on all sales of special fuels which are taxed under chapter 57-52 if that tax is thereafter refunded to a special fuel user. Such sales shall be taxed at the rate of two percent of the sale price of such special fuels, provided, however, that discounts for any purposes allowed and taken on such sales shall not be included as a part of the sale price.

SECTION 6. EXPIRATION DATE. The provisions of sections 1, 2, and 3 of this bill shall be effective through June 30, 1983, and after that date shall be ineffective."

And renumber the lines and pages accordingly

SENATE AMENDMENTS TO HOUSE BILL NO. 1605

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 provide a statement of legislative intent; to provide for the creation of a native American alcohol and drug abuse education program for use by elementary and secondary schools on Indian reservations; to provide an appropriation; and to provide an expiration date.

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

SECTION 1. LEGISLATIVE INTENT. The legislative assembly recognizes the uniqueness of the native American culture and that the alcohol and drug abuse problems being experienced by reservation inhabitants can best be addressed with early education on the reservations. The legislative assembly further recognizes that a great deal of human suffering can be avoided by working to prevent alcohol and drug abuse problems before they occur. With this in mind, the legislative assembly passes this Act appropriating state general funds to help finance alcohol and drug abuse programs in the native American elementary and secondary schools on the reservations within the state.

SECTION 2. NATIVE AMERICAN ALCOHOL AND DRUG ABUSE EDUCATION PROGRAM - DISTRIBUTION OF FUNDS - DEVELOPMENT OF MATERIALS FOR ELEMENTARY AND SECONDARY SCHOOLS ON RESERVATIONS. There is hereby created the native American alcohol and drug abuse education program. Moneys appropriated by the legislative assembly for this purpose shall be distributed by the superintendent of public instruction to elementary and secondary schools operating on Indian reservations in North Dakota. Distributions shall be made at the same time and

according to the same payment schedule as provided by law for foundation program payments, and shall be based on the number of native American students attending each such school as compared to the total number of native American students attending elementary and secondary schools on Indian reservations in the state. The funds shall be used by these schools to implement alcohol and drug abuse education programs which are developed by the office of Indian program development at the university of North Dakota in Grand Forks. These programs shall be developed using, wherever possible, existing materials on this subject. The tribal government on each reservation shall establish priorities for the use of these funds by schools within the respective reservation.

SECTION 3. APPROPRIATION. There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$38,383.68, or so much thereof as may be necessary, to the state treasurer for distribution to the tribal governments of each Indian reservation in North Dakota based upon the number of native American students attending elementary and secondary schools within the reservations, for the establishment of priorities for native American alcohol and drug abuse education programs on the reservations as provided in this Act, and \$345,453.15, or so much thereof as may be necessary, to the superintendent of public instruction for distribution to elementary and secondary schools operating on Indian reservations in the state to implement alcohol and drug abuse education programs as provided in this Act for the biennium beginning July 1, 1981, and ending June 30, 1983. Fifty percent of the funds appropriated by this section shall be available for each school year in the biennium.

SECTION 4. EXPIRATION DATE. This Act shall be effective through June 30, 1983, and after that date shall be ineffective."

And renumber the lines and pages accordingly

SENATE AMENDMENTS TO HOUSE CONCURRENT RESOLUTION NO. 3069

On page 1 of the engrossed resolution, delete lines 1 through 10, and insert in lieu thereof the following: "A concurrent resolution for the amendment of sections 1 and 2 of article IX of the Constitution of the State of North Dakota, relating to the deposit of bonus moneys received from mineral activities on common school lands in the appropriate permanent trust funds, and to the disposition of the interest and income of the common school trust fund and fines collected for violation of state laws.

STATEMENT OF INTENT

The purpose of these amendments is to require any bonuses paid from mineral leases on state lands held in trust for the common schools or for state institutions to be deposited in the appropriate permanent trust funds; and to allow the legislative assembly to determine the method for distributing common school trust fund interest and income to the public schools.

On page 1 of the engrossed resolution, line 13, delete the words and numeral "amendment to section 1" and insert in lieu thereof the words and numerals "amendments to sections 1 and 2"

On page 1 of the engrossed resolution, line 14, delete the word "is" and insert in lieu thereof the word "are"

On page 2 of the engrossed resolution, after line 28, insert the following new section:

"SECTION 2. AMENDMENT. Section 2 of article IX of the Constitution of the State of North Dakota is hereby amended and reenacted to read as follows:

Section 2. The interest and income of this fund together with the net proceeds of all fines for violation of state laws and all other sums which may be added thereto by law, shall be faithfully used and applied each year for the benefit of the common schools of the state, and shall be for this purpose apportioned among and between all the several common school corporations of the state in proportion to the number of children in each of school age, as may be fixed by law, and no part of the fund shall ever be diverted, even temporarily, from this purpose or used for any other purpose whatever than the maintenance of common schools for the equal benefit of all the people of the state, provided however, that if any portion of the interest or income aforesaid be not expended during any year, said portion shall be added to and become a part of the school fund as provided by law."

And renumber the lines and pages accordingly

MOTIONS

Rep. Strinden moved that the votes by which House Bills Nos. 1009, 1011, 1013, 1021, 1341 and Senate Bills Nos. 2005, 2009, 2010, 2012, 2018, 2039, 2153, and 2253 were passed be reconsidered, and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Strinden moved that action taken on House Bills Nos. 1009, 1011, 1013, 1021, 1341, and Senate Bills Nos. 2005, 2009, 2010, 2012, 2018, 2039, 2153, and 2253 be messaged to the Senate immediately, which motion prevailed.

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

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

Rep. Wagner moved that the House reconsider its action whereby it accepted the Committee Report on Senate Bill No. 2011, which motion prevailed.

Rep. Wagner moved that Senate Bill No. 2011 be rereferred to the Committee on Appropriations, which motion prevailed.

Rep. Strinden moved that the rules be suspended and Senate Bills Nos. 2060, 2007 and 2372 reported on the fifth order of business, be heard on the sixth order of business, which motion prevailed.

Rep. Strinden moved that the rules be suspended and that the House dispense with the reading of the titles of Senate Bills Nos. 2060, 2007, and 2372 and that these bills be placed on the fourteenth order for second reading and final passage, after action taken on the sixth order, which motion prevailed.

SIXTH ORDER OF BUSINESS

Rep. Wagner moved that the amendments to Senate Bill No. 2060 as recommended by the committee on Appropriations be adopted, which motion prevailed.

SECOND READING OF SENATE BILL

Senate Bill No. 2060. — A Bill for an Act to license home health agencies.

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, 88; nays, 9; absent and not voting, 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● ANDERSON, C. #7			● HOFFNER			● METZ			● THOMPSON		
● ANDERSON, R. #36			● HORGAN		●	● MEYER			● TIMM		●
● BACKES		●	● HOUMANN			● MOORE			● UNHJEM		
● BERG			● HUGHES			● MOUM			● VANDER VORST		
● BERGER			● HUWE			● MURPHY			● VIG		●
● BLACK			● JACOBSEN, R.			● MUSHIK			● WAGNER		
● BOYUM			● JACOBSON, I.			● NAGEL			● WALD		
● BROKAW		●	● KELLY			● NICHOLAS			● WENTZ		
● CONNY			● KENT			● 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, D. #3			● MARTINSON			● RIEHL					
● HAUGLAND			● MATCHIE			● RUED					
● HAUSAUER, A. #49			● MATHENY			● SCHINDLER					
● HAUSAUER, R. #25			● MATTSON			● SOLBERG		●			
● HEDSTROM			● MEIERS			● SORUM					
● HEGAARD			● MELBY			● STRINDEN					
● HILL			● MERTENS			● SWIONTEK					

So the bill passed and the title was agreed to.

SIXTH ORDER OF BUSINESS

Rep. Wagner moved that the amendments to Senate Bill No. 2372 as recommended by the committee on Appropriations be adopted, which motion prevailed.

SECOND READING OF SENATE BILL

Senate Bill No. 2372. — A Bill for an Act to establish a northern crops institute and northern crops council, to specify the purpose, powers, and duties of the council, and to permit gifts and grants to the institute; and to provide a transfer and appropriation.

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, 92; nays, 4; absent and not voting, 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● ANDERSON, C. #7			● HOFFNER			● METZ			● THOMPSON		
● ANDERSON, R. #36			● HORGAN			● MEYER			● TIMM		●
● BACKES			● 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
● GUNTSCH	● MARS DEN	● 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.

SIXTH ORDER OF BUSINESS

Rep. Wagner moved that the amendments to Senate Bill No. 2007 as recommended by the committee on Appropriations be adopted, which motion prevailed.

SECOND READING OF SENATE BILL

Senate Bill No. 2007. — A Bill for an Act making an appropriation for defraying the expenses of community or junior colleges and the educational center; and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 97; nays, 2; 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. #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			● PELTER					
● 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					
● GUNTSCH			● MARS DEN			● 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, and the emergency clause was declared carried.

MOTION

Rep. O. Hanson moved that the House reconsider its action whereby House Bill No. 1051 passed, which motion failed on a verification vote.

SIXTH ORDER OF BUSINESS

Rep. A. Olson moved that the amendments to House Bill No. 1132 as recommended by the Conference Committee as printed on pages 2164 and 2165 of the House Journal be adopted, which motion prevailed.

Rep. Houmann moved that the amendments to House Bill No. 1225 as recommended by the Conference Committee as printed on page 2159 of the House Journal be adopted, which motion prevailed.

Rep. A. Olson moved that the amendments to House Bill No. 1418 as

recommended by the Conference Committee as printed on page 2160 of the House Journal be adopted, which motion prevailed.

Rep. Timm moved that the amendments to House Bill No. 1497 as recommended by the Conference Committee as printed on page 2162 of the House Journal be adopted, which motion prevailed.

Rep. Richie moved that the amendments to House Bill No. 1509 as recommended by the Conference Committee as printed on pages 2162 through 2164 of the House Journal be adopted, which motion prevailed.

MOTION

Rep. Strinden moved that the House suspend the rules, dispense with the reading of the titles, and place the following House Bills on the eleventh order for second reading and final passage: House Bills Nos. 1132, 1225, 1418, and 1497, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1132. — A Bill for an Act to create and enact nine new sections to chapter 50-11.1 of the North Dakota Century Code, relating to supplemental parental care; to amend and reenact sections 50-11.1-02, 50-11.1-03, 50-11.1-04, 50-11.1-06, 50-11.1-06.1, 50-11.1-07, 50-11.1-08, 50-11.1-09, and 50-11.1-12, relating to supplemental parental care; and to repeal section 50-11.1-05, relating to supplemental parental care.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 80; nays, 18; absent and not voting, 2.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION						1981 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• ANDERSON, C. #1			• HOFFNER			• METZ			• THOMPSON		
• ANDERSON, R. #36			• HORGAN			• MEYER			• TIMM		•
• BACKES		•	• HOUWANN		•	• MOORE			• UNHJEM		
• BERG			• HUGHES			• MOUM			• VANDER VORST		•
• BERGER			• HUWE			• MURPHY		•	• VIG		•
• BLACK		•	• JACOBSEN, R.		•	• MUSHIK			• WAGNER		
• BOYUM			• JACOBSON, I.			• NAGEL			• WALD		•
• BROKAW			• KELLY			• NICHOLA			• 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			• LIPSIEK			• RICE					
• GUNSCHE			• MADSEN		•	• RICHARD		•			
• HANSON, L. #48			• MARTIN			• RICHIE					
• HANSON, O. #3		•	• MARTINSON			• RIEHL					
• HAUGLAND			• MATCHIE			• RUED		•			
• HAUSAUER, A. #49			• MATHENY			• SCHINDLER					
• HAUSAUER, R. #25			• MATTON			• SOLBERG		•			
• HEDSTROM			• MEIERS			• SORUM					
• HEIGAARD			• MELBY			• STRINDEN					
• HILL			• MELTENS			• SWIONTEK					

So the bill passed and the title was agreed to.

House Bill No. 1225. — A Bill for an Act to create and enact chapters 16.1-04, 16.1-09, 16.1-10, 16.1-12, 16.1-14, 16.1-15 and 16.1-16, and sections 16.1-01-02, 16.1-01-03, 16.1-01-04, 16.1-01-05, 16.1-01-06, 16.1-01-07, 16.1-01-08, 16.1-01-09, 16.1-01-10, 16.1-01-11, 16.1-01-12, 16.1-05-01, 16.1-05-02, 16.1-05-03, 16.1-05-04, 16.1-06-01, 16.1-06-02, 16.1-06-03, 16.1-06-04, 16.1-06-06, 16.1-06-08, 16.1-06-09, 16.1-06-10, 16.1-06-11, 16.1-06-12, 16.1-06-13, 16.1-06-14, 16.1-06-15, 16.1-06-16, 16.1-06-17, 16.1-06-18, 16.1-06-19, 16.1-06-20, 16.1-06-21, 16.1-06-22, 16.1-06-23, 16.1-06-24, 16.1-06-25, 16.1-07-01, 16.1-07-02, 16.1-07-03, 16.1-07-04,

● GATES	● LANG	● POMEROY, G #12
● GERL	● LARSON B #12	● REED
● GOETZ	● LARSON, G #29	● REITEN
● GORDER	● LARSON, H #7	● RETTER
● GUNDERSON	● LIPSIA	● RICE
● GUNSCH	● MARSDEN	● RICHARD
● HANSON, L #48	● MARTIN	● RICHIE
● HANSON, O #3	● MARTINSON	● RIEHL
● HAUGLAND	● MATCHE	● 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.

House Bill No. 1418. — A Bill for an Act to create a department of human services; to amend and reenact sections 25-01-01.1, 25-02-04, 25-02-09, 25-10-01, 25-10-04, 25-12-02, 27-21-01, subsection 5 of section 39-08-01, section 50-01.1-01, subsection 1 of section 50-01.1-04, sections 50-06-01, 50-06-01.1, 50-06-05.1, 50-06-06.2, 50-06.1-01, subsection 1 of section 50-09-01, sections 50-10-01, 50-24.1-03, 50-26-01, 50-26-04, subsection 1 of section 54-07-01.2, sections 54-38-01, 54-38-05, 54-40-09, 54-42-06, and 54-44.3-19 of the North Dakota Century Code, relating to the developmental disabilities council, the superintendent of the state hospital, care of patients at the state hospital, the mental health and retardation division of the state health department, local mill levy for support of mental health and retardation service units, the state youth authority, penalty for driving under the influence of intoxicating liquors or controlled substances, definitions of state and county social service boards, the creation of multicounty welfare districts, powers and duties of the social service board, use of federal funds for clinic services, the division of vocational rehabilitation, definition of state agency for administration of aid to dependent children, definition of state agency for aid to crippled children, county share of medical assistance, the governor's council on human resources, governor's power to appoint majority of certain board members, the division on alcoholism and drug abuse, human service centers, agencies subject to the merit system, and authority of merit system board to provide service to cities and political subdivisions; to repeal sections 1-01-48, 25-10-05, 25-12-01, 25-12-02, 25-12-03, 25-12-04, 25-12-05, 50-06-02, 50-06-03, 50-06-03.1, 50-06-04, 50-06-07, 50-06-08, 50-06-09, 50-06-10, 50-06-13, 54-40-10, and 54-40-11 of the North Dakota Century Code, relating to the division of child welfare, mental health and retardation service units, members of the social service board, the executive director of the social service board, report of the social service board to the governor, certification for human service centers, and collocation of human service centers with county social service boards; authorizing the legislative council to make some statutory revisions; and to provide an appropriation.

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, 70; nays, 29; 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 #34			● HORGAN		●	● MEYER		●	● TIMM		
● BACKES		●	● HOUMANN			● MOORE			● UNHJEM		
● BERG			● HUGHES			● MOUM			● VANDER VORST		
● BERGER			● HUWE			● MURPHY			● VIG		
● BLACK			● JACOBSEN, R			● MUSHIK		●	● WAGNER		●
● BOYUM			● JACOBSON, I		●	● NAGEL			● WALD		●

● BROKAW	● KELLY	● NICHOLAS	● WENTZ
● CONMY	● KENT	● OLAFSON	● WHALEN
● CRABTREE	● KINGSBURY	● OLSEN	● ZIMBLEMAN
● DICK	● KLOUBEC	● OLSON, A. #11	
● DIETZ	● KNUDSON	● OLSON, D. #13	● MR SPEAKER
● DOTZEWROD	● 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	● MATTSON	● SOLBERG	
● HEDSTROM	● MEIERS	● SORUM	
● HEIGAARD	● MELBY	● STRINDEN	
● HILL	● MERTENS	● SWIONTEK	

So the bill passed and the title was agreed to.

House Bill No. 1497. — A Bill for an Act to amend and reenact section 57-20-01 and subsection 2 of section 57-26-03 of the North Dakota Century Code, relating to the penalties assessed for delinquent property taxes and redemption from real estate tax sales.

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, 54; nays, 46; 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. #34			● HORGAN		● NAYS	● MEYER			● TIMM		●
● BACKES	●		● HOUMANN			● MOORE			● UNHJEM		
● BERG	●		● HUGHES			● MOUM			● VANDER VORST		●
● BERGER	●		● HUWE			● MURPHY		●	● VIG		
● BLACK			● JACOBSEN, R.			● MUSHIK		●	● WAGNER		
● BOYUM			● JACOBSON, I.		●	● NAGEL		●	● WALD		
● BROKAW	●		● KELLY			● NICHOLAS		●	● WENTZ		
● CONMY			● KENT			● OLAFSON			● ZIMBLEMAN		●
● CRABTREE	●		● KINGSBURY			● OLSEN					
● DICK			● KLOUBEC			● OLSON, A. #11					
● DIETZ			● KNUDSON			● OLSON, D. #13			● MR SPEAKER		
● DOTZEWROD			● 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			● MATTSON			● 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. 1593

and subsequently passed the same.

Very respectfully,

ROY GILBREATH, Chief Clerk

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. 1058
House Bill No. 1154
House Bill No. 1276
House Bill No. 1284
Very respectfully,

ROY GILBREATH, Chief Clerk

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. 1371
House Bill No. 1473
House Bill No. 1525
House Bill No. 1529
House Bill No. 1536
House Bill No. 1542
House Bill No. 1589
Very respectfully,

ROY GILBREATH, Chief Clerk

House Chamber

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

Senate Concurrent Resolution No. 4041

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. 1072
House Bill No. 1269
House Bill No. 1293
House Bill No. 1591
House Concurrent Resolution No. 3072

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

House Bill No. 1001
House Bill No. 1004
House Bill No. 1008
House Bill No. 1199

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

House Bill No. 1001

Reps.:

Rep. Marsden
Rep. Kuchera
Rep. Mertens
House Bill No. 1004

Reps.:

Rep. Wagner
Rep. R. Hausauer
Rep. Solberg
House Bill No. 1008

Reps.:

Rep. Kuchera
Rep. R. Hausauer

Rep. Mertens
House Bill No. 1199

Reps. :

Rep. A. Olson
Rep. A. Hausauer
Rep. Kelly
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. 2204

Reps. :

Rep. Peltier
Rep. Dan Olson
Rep. Riehl
Senate Bill No. 2347

Reps. :

Rep. A. Olson
Rep. A. Hausauer
Rep. Kelly
Very respectfully,

ROY GILBREATH, Chief Clerk

SIGNING OF BILLS AND RESOLUTIONS

The Chief Clerk announced that the Speaker signed the following:

House Bill No. 1042
House Bill No. 1064
House Bill No. 1184
House Bill No. 1197
House Bill No. 1249
House Bill No. 1267
House Bill No. 1313
House Bill No. 1328
House Bill No. 1411
House Bill No. 1424
House Bill No. 1435
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. 1593
House Bill No. 1635
House Concurrent Resolution No. 3053
House Concurrent Resolution No. 3055

ROY GILBREATH, Chief Clerk

MESSAGE TO THE SENATE

House Chamber

Mr. President: I have the honor to transmit herewith the following:

House Bill No. 1042
House Bill No. 1064
House Bill No. 1184
House Bill No. 1197
House Bill No. 1249

House Bill No. 1267
House Bill No. 1313
House Bill No. 1328
House Bill No. 1411
House Bill No. 1424
House Bill No. 1435
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. 1593
House Bill No. 1635

House Concurrent Resolution No. 3053

House Concurrent Resolution No. 3055

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk

SIGNING OF BILLS AND RESOLUTIONS

The Chief Clerk announced that the Speaker signed the following:

Senate Bill No. 2035
Senate Bill No. 2130
Senate Bill No. 2196
Senate Bill No. 2207
Senate Bill No. 2262
Senate Bill No. 2313
Senate Bill No. 2314
Senate Bill No. 2355
Senate Bill No. 2399
Senate Concurrent Resolution No. 4027

ROY GILBREATH, Chief Clerk

MESSAGES TO THE SENATE

House Chamber

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

Senate Bill No. 2035
Senate Bill No. 2130
Senate Bill No. 2196
Senate Bill No. 2207
Senate Bill No. 2262
Senate Bill No. 2313
Senate Bill No. 2314
Senate Bill No. 2355
Senate Bill No. 2399
Senate Concurrent Resolution No. 4027
Which the Speaker has signed.

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. 1341

And subsequently passed the same.

Very respectfully,

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. 2039

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. 1009

House Bill No. 1011

House Bill No. 1013

House Bill No. 1021

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 new conference committee to act with a like committee from the Senate on:

Senate Bill No. 2249

Reps.:

Rep. Hughes

Rep. Moore

Rep. Berg

Very respectfully,

ROY GILBREATH, Chief Clerk

House Chamber

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

Senate Bill No. 2005

Senate Bill No. 2009

Senate Bill No. 2010

Senate Bill No. 2012

Senate Bill No. 2018

Senate Bill No. 2153

Senate Bill No. 2253

ROY GILBREATH, Chief Clerk

SIGNING OF BILLS AND RESOLUTIONS

The Chief Clerk announced that the Speaker signed the following:

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. 2202

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. 4002
 Senate Concurrent Resolution No. 4004
 Senate Concurrent Resolution No. 4008
 Senate Concurrent Resolution No. 4043
 Senate Concurrent Resolution No. 4085

ROY GILBREATH, Chief Clerk

MESSAGE TO THE SENATE
 House Chamber

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

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. 2202
 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. 4002
 Senate Concurrent Resolution No. 4004
 Senate Concurrent Resolution No. 4008
 Senate Concurrent Resolution No. 4043
 Senate Concurrent Resolution No. 4085
 Which the Speaker has signed.

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 Bill No. 1341

and find the same correctly

} Enrolled

Representative Retzer motion prevailed, and the report was adopted.

Craig M. Richie Chairman
 Craig Richie

SIGNING OF BILLS AND RESOLUTIONS

The Chief Clerk announced that the Speaker signed the following:

House Bill No. 1341

ROY GILBREATH, Chief Clerk
MESSAGE TO THE SENATE
House Chamber

Mr. President: I have the honor to return herewith the following:
House Bill No. 1341

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk
MESSAGE FROM THE SENATE
Senate Chamber

Mr. Speaker: I have the honor to return herewith the following:
House Bill No. 1341

Which the President has signed.

LEO LEIDHOLM, Secretary

REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER:

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

- House Bill No. 1095
- House Bill No. 1227
- House Bill No. 1290
- House Bill No. 1399
- House Bill No. 1568
- House Bill No. 1651
- House Bill No. 1656
- House Concurrent Resolution No. 3083

and find the same correctly } Enrolled

Representative Matchie moved that the report be adopted, which motion prevailed, and the report was adopted.

Craig M. Richie
Craig M. Richie Chairman

REPORT OF PROCEDURAL COMMITTEE

The committee on Enrollment and Engrossment respectfully reports that:

House Bill No. 1341

was delivered to the Governor for his approval at the hour of

1:25 o'clock P.M., March 27, 1981

Craig M. Richie
Rep. Craig Richie Chairman.

MESSAGES FROM THE SENATE

Senate Chamber

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

House Bill No. 1243

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. 2002

Senate Bill No. 2004

Senate Bill No. 2006

Senate Bill No. 2008

Senate Bill No. 2013

Senate Bill No. 2014

Senate Bill No. 2015

Senate Bill No. 2016

Senate Bill No. 2017

Senate Bill No. 2020

Senate Bill No. 2022

Senate Bill No. 2023

Senate Bill No. 2028

Senate Bill No. 2029

Senate Bill No. 2030

Senate Bill No. 2031

Senate Bill No. 2032

Senate Bill No. 2033

Senate Bill No. 2034

Senate Bill No. 2036

Senate Bill No. 2037

Senate Bill No. 2217

Senate Bill No. 2271

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

Senate Bill No. 2019

Senate Bill No. 2025

Senate Bill No. 2092

Senate Bill No. 2289

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

Senate Bill No. 2019

Senators:

Senator Fritzell

Senator Vosper

Senator Walsh

Senate Bill No. 2025

Senators:

Senator Meiland

Senator Hanson

Senator Grotberg

Senate Bill No. 2092

Senators:

Senator Thane

Senator Naaden

Senator Walsh

Senate Bill No. 2289

Senators:

Senator Melland
 Senator Streibel
 Senator Stromme
 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. 1001

Senators:

Senator Melland
 Senator Streibel
 Senator Walsh
 House Bill No. 1004

Senators:

Senator Wenstrom
 Senator Vosper
 Senator Shablow
 House Bill No. 1008

Senators:

Senator Fritzell
 Senator Naaden
 Senator Walsh
 House Bill No. 1199

Senators:

Senator Goodman
 Senator Moore
 Senator Shablow

Very Respectfully,

LEO LEIDHOLM, Secretary

MOTIONS

Rep. Strinden moved that the rules be suspended and that House Bills Nos. 1132, 1225, and 1418, and Senate Bills Nos. 2007, 2060, and 2372 be messaged to the Senate immediately, which motion prevailed.

Rep. Strinden moved that the House stand at recess until 3:30 p.m., which motion prevailed.

The House reconvened pursuant to recess taken, with Rep. Conmy presiding as Acting Speaker.

Rep. Strinden moved that the rules be suspended and that those bills on Conference Committee reports be moved to the sixth order, and then to the eleventh and fourteenth order, and dispense with the reading of the titles of the bills, which motion prevailed.

Report of Conference Committee

Mr. SPEAKER: Your Conference Committee to whom was referred HOUSE Bill No. 1033 has had the same under consideration and recommends:

That the House accede to the Senate amendments and that House Bill 1033 as reengrossed by the Senate be further amended as follows:

On page 2, line 33 of the reengrossed bill, after the word "council" insert the word "respectively"

And renumber lines and pages accordingly

For the Senate
 Sen. Melland
 Sen. Streibel
 Sen. Walsh

For the House
 Rep. Koland
 Rep. Marsden
 Rep. O. Solberg

_____ moved that the report be adopted, which motion

prevailed.

House Bill No. 1033 was placed on the 6th

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

SIXTH ORDER OF BUSINESS

Rep. Koland moved that the amendments to House Bill No. 1033 as recommended by the Conference Committee be adopted, which motion prevailed.

SECOND READING OF HOUSE BILL

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

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 88; nays, 4; absent and not voting, 8.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION				ROLL CALL				1981 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● ANDERSON, C. #7			● HOFFNER			● METZ	●		● THOMPSON		
● ANDERSON, R. #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			● KLOUBEC			● OLSON, A. #11					
● DIETZ			● KNUDSON			● OLSON, D. #13					
● DOTZENROD			● KOLAND			● OPEDAHL			MR. SPEAKER		
● 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			● LIPSIE			● RICE					
● GUNSCH			● MARSDEN			● RICHARD					
● HANSON, L. #48	●		● MARTIN			● RICHIE					
● HANSON, O. #13			● MARTINSON			● RIEHL					
● HAUGLAND			● MATCHIE			● RUED					
● HAUSAUER, A. #49			● MATHENY			● SCHINDLER					
● HAUSAUER, R. #25			● MATTSON	●		● SOLBERG					
● HEDSTROM			● MEIERS			● SDRUM					
● HEIGAARD			● MELBY		●	● STRINDEN					
● HILL			● MERTENS			● SWIONTEK					

So the bill passed and the title was agreed to.

Report of Conference Committee

Mr. SPEAKER: Your Conference Committee to whom was referred HOUSE Bill No. 1204 has had the same under

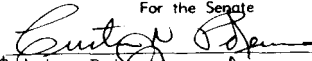
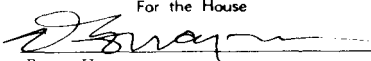
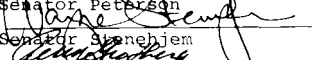
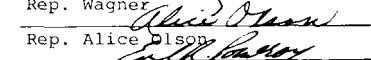
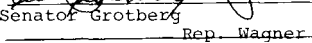
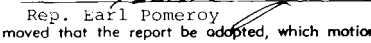
consideration and recommends:

That the House accede to the Senate amendments and that House Bill No. 1204 as reengrossed by the Senate be further amended as follows:

On page 10 of the reengrossed bill, line 22, delete the word "documentation" and insert in lieu thereof the word "determination"

On page 10 of the reengrossed bill, line 25, delete the words "in its determination of need"

And renumber the lines and pages accordingly

For the Senate	For the House
	
Senator Peterson	Rep. Wagner
	
Senator Stenejem	Rep. Alice Olson
	
Senator Grotberg	Rep. Earl Pomeroy

moved that the report be adopted, which motion

prevailed.

HOUSE Bill No. 1204 was placed on the 6th.

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

SIXTH ORDER OF BUSINESS

Rep. Wagner moved that the amendments to House Bill No. 1204 as recommended by the Conference Committee be adopted, which motion prevailed.

SECOND READING OF HOUSE BILL

House Bill No. 1204. — A Bill for an Act to amend and reenact sections 23-17.2-01, 23-17.2-02, 23-17.2-03, 23-17.2-04, 23-17.2-05, 23-17.2-09, 23-17.2-11, 23-17.2-13, 23-17.2-14, and 23-17.2-15 of the North Dakota Century Code, relating to the certification of need for capital expenditures, new institutional health service, and major medical equipment.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 90; nays, 0; absent and not voting, 10.

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			• HOUWANN			• 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					
• DOTZENROD			• KOLAND			• OPEDAHL			MR. SPEAKER		
• 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. #1			• RETZER					
• GUNDERSON			• LIPSIEA			• RICE					
• GUNSCH			• MARSDEN			• RICHARD					

● HANSON, L. #48	● MARTIN	● RICHIE
● HANSON, C. #3	● MARTINSON	● RIEHL
● HAUGLAND	● MATHIE	● RUED
● HAUSAUER, A. #49	● MATHENY	● SCHINDLER
● HAUSAUER, R. #25	● MATTON	● SOLBERG
● HEDSTROM	● MEIERS	● SORUM
● HEIGAARD	● MELBY	● STRINDEN
● HILL	● WERTENS	● SWONTEK

So the bill passed and the title was agreed to.

Report of Conference Committee

Mr. _____ Speaker _____: Your Conference Committee to whom was referred _____ House _____ Bill No. 1218 _____ has had the same under consideration and recommends:

That the House accede to the Senate amendments to engrossed House Bill No. 1218.

For the Senate
 Sen. Stenbjem _____
 Sen. H. Christensen _____
 Sen. Stromme _____

For the House
 Rep. Boyum _____
 Rep. Black _____
 (Refused to sign)
 Rep. Heigaard _____

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

House Bill No. 1218 was placed on the 6th

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

SIXTH ORDER OF BUSINESS

Rep. Boyum moved that the amendments to House Bill No. 1218 as recommended by the Conference Committee be adopted, which motion prevailed.

SECOND READING OF HOUSE BILL

House Bill No. 1218. — A Bill for an Act to provide candidate accountability by requiring the filing of statements of campaign contributions by candidates, political parties, and political committees, the audit of such statements; and to provide a penalty.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 63; nays, 27; absent and not voting, 10.

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			● MORGAN			● MEYER		●	● TIMM		●
● BACKES			● MOUMANN			● MOORE			● UNHJEM		
● BERG		●	● HUGHES			● MOUM			● VANDER VORST		
● BERGER			● HUWE			● MURPHY		●	● VIG		
● BLACK			● JACOBSEN, R.		●	● MUSHIK			● WAGNER		●
● BOYUM			● JACOBSON, I.			● NAGEL		●	● WALD		
● BROKAW			● KELLY			● NICHOLAS			● WENTZ		●
● CONNY			● KENT			● OLAFSON			● WHALEN		
● CRABTREE			● KINGSBURY		●	● OLSEN			● ZIMBLEMAN		
● DICK		●	● KLOUBEC		●	● OLSON, A. #71					
● 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	• MATHIE	• RUED
• HAUSAUER, A. #49	• MATHENY	• SCHINDLER
• HAUSAUER, R. #25	• MATTSOY	• SOLBERG
• HEDSTROM	• MEIERS	• SORUM
• HEGAARD	• MELBY	• STRINDEN
• HILL	• MERTENS	• SWIONTEK

So the bill passed and the title was agreed to.

APPOINTMENTS OF CONFERENCE COMMITTEES

Acting Speaker Conmy appointed the following to a Conference Committee on Senate Bill No. 2289:

Rep. Koland

Rep. Wald

Rep. Solberg

Acting Speaker Conmy appointed the following to a Conference Committee on Senate Bill No. 2025:

Rep. Lipsiea

Rep. Wald

Rep. Mushik

Acting Speaker Conmy appointed the following to a Conference Committee on Senate Bill No. 2092:

Rep. Kingsbury

Rep. R. Hausauer

Rep. Opedahl

Acting Speaker Conmy appointed the following to a Conference Committee on Senate Bill No. 2019:

Rep. Freborg.

Rep. Gunsch

Rep. Opedahl

Report of Conference Committee

Mr. SPEAKER: Your Conference Committee to whom was referred HOUSE Bill No. 1004 has had the same under

consideration and recommends:

That the Senate recede from its amendments and that House Bill No. 1004 be amended as follows:

On page 1, line 2, delete the following: ", and" and insert in lieu thereof a semicolon, and after the word "funds" and before the period insert a semicolon and the words "; and declaring an emergency"

On page 1, line 12, delete the numerals "4,510,000" and insert in lieu thereof the numerals "6,290,000"

On page 1, line 13, delete the numerals "4,510,000" and insert in lieu thereof the numerals "6,290,000"

On page 1, after line 13, insert the following new sections:

"SECTION 2. APPROPRIATION. There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$300,000, or so much thereof as may be necessary, to the state tax commissioner for the purpose of reimbursing the homestead tax credit, for the biennium beginning July 1, 1979, and ending June 30, 1981.

SECTION 3. EMERGENCY. Section 2 of this Act is hereby

Report of Conference Committee

Mr. Speaker : Your Conference Committee to whom was referred
 red House Bill No. 1277 has had the same under

consideration and recommends:

That the Senate recede from its amendments and that House Bill 1277 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 allow nonprofit veterans, charitable, educational, religious, and fraternal organizations, civic and service clubs, and public-spirited organizations to conduct bingo, raffles, pull tabs, jars, punchboards, sports pools and twenty-one; and to provide for definitions, licensure by the attorney general, city and county approval in certain instances, restrictions on the conduct of games, bookkeeping requirements, expense requirements, a tax based on adjusted gross proceeds, examination of books and records, licensure of distributors, form and display of licensure, and rules; to provide a penalty.

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

SECTION 1. DEFINITIONS.

1. "Adjusted gross proceeds" means gross proceeds less cash prizes or the price of merchandise prizes.
2. "Bona fide guest" means a person who is not a member of an eligible organization, but who is allowed to use the facilities of the organization when invited by a member or the organization in accordance with the eligible organization's bylaws, articles of incorporation, charter, rules, or other written statement.
3. "Charitable organization" means any nonprofit organization operated for the relief of poverty, distress, or other condition of public concern within this state, which has been so engaged within this state for two years.
4. "Civic and service club" means any branch, lodge, or chapter of a nonprofit national or state organization which is authorized by its written constitution, charter, articles of incorporation, or bylaws to engage in a civic or service purpose within this state, which shall have existed in this state for two years. "Civic and service club" also means a similar local nonprofit organization, not affiliated with a state or national organization, which is recognized by resolution adopted by the governing body of the city in which the organization conducts its principal activities, or by the governing body of a county if such organization conducts its principal activities outside the limits of a city but within a county. Such club shall have existed in this state for two years.

5. "Distributor" means a person, firm, corporation, association, or organization which sells, markets, or otherwise distributes raffle tickets, bingo equipment, or any other implements of gambling usable in the lawful conduct of games of chance under this Act, to an organization licensed or authorized to conduct such games of chance under this Act. "Distributor" does not include a resident printer who prints raffle tickets at the request of a licensed or authorized organization, and who sells or otherwise distributes such raffle tickets to such organization.
6. "Educational, charitable, patriotic, fraternal, religious, or other public-spirited uses" are:
 - a. Uses benefiting those organizations which are exempt from federal taxation under section 501(c) (3) of the Internal Revenue Code.
 - b. Uses benefiting an organization registered with the North Dakota secretary of state under chapter 50-22.
 - c. Uses benefiting an indefinite number of persons either by bringing them under the influence of education or religion or relieving them of disease, suffering, or constraint.
 - d. Fraternal uses specified by an organization's constitution, charter, or bylaws not of direct benefit to the eligible organization or any member thereof.
 - e. Uses increasing comprehension of and devotion to the principles upon which the nation was founded, not of direct benefit to the eligible organization or any member thereof.
 - f. The erection or maintenance of public buildings or works.
 - g. Uses otherwise lessening the burden of government.
 - h. Uses benefiting a definite number of persons who are the victims of loss of home or household possessions through explosion, fire, flood, or storm and the losses uncompensated by insurance.
 - i. Uses benefiting a definite number of persons suffering from a seriously disabling disease or injury causing severe loss of income or incurring extraordinary medical expense which is uncompensated by insurance.

Such uses do not include the erection, acquisition, improvement, maintenance, or repair of real, personal, or mixed property unless it is used exclusively for one or more of the stated uses. Uses shall not include any activities consisting of attempts to influence legislation or participation in any political campaign on behalf of any active official or person who is or has been a candidate for public office.

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7. "Educational organization" means any nonprofit public or private elementary or secondary school in this state which has been in existence for two years.
8. "Eligible organization" means bona fide nonprofit veterans, charitable, educational, religious, and fraternal organizations, civic and service clubs, and other public-spirited organizations as defined by this Act, which may be licensed by the attorney general or authorized by the governing body of a city or county to conduct games of chance under this Act.
9. "Entire net proceeds" or "net proceeds" means the adjusted gross proceeds less such expenses, charges, fees, taxes, and deductions as are specifically authorized under this Act.
10. "Fraternal organization" means a nonprofit organization within this state, except college and high school fraternities, which is a branch, lodge, or chapter of a national or state organization and exists for the common business, brotherhood, or other interests of its members. Such organization shall have existed within this state for two years.
11. "Gross proceeds" means all moneys collected or received from games of chance and admissions thereto.
12. "Licensee" means an eligible organization licensed under the provisions of this Act.
13. "Licensing authority" means the attorney general.
14. "Member" means a person who has qualified for and been admitted to membership in an eligible organization pursuant to its bylaws, articles of incorporation, charter, rules, or other written statement, and who pays regular monthly, annual, or other periodic dues or is a fully paid life member of the eligible organization. "Member" includes auxiliary members, but excludes social and honorary members.
15. "Other public-spirited organization" means a nonprofit organization recognized by the governing body of a city or county by resolution as public-spirited and eligible to conduct games of chance under this Act.
16. "Religious organization" means any nonprofit organization, church, body of communicants, or group gathered in common membership for mutual support and edification in piety, worship, and religious observances which has been so gathered or united in this state for two years.
17. "Veterans organization" means any congressionally chartered organization within this state, or any branch or lodge or chapter of a nonprofit national or state organization within this state, the membership of which consists of individuals who were members of the armed services or forces of the United States. Such organizations shall have been in existence in this state for two years.

OF NET PROCEEDS. Nonprofit veterans, charitable, educational, religious, and fraternal organizations, civic and service clubs, and public-spirited organizations, as those terms are defined by this Act, are eligible to conduct games of chance under the conditions of this Act. The entire net proceeds of such games of chance are to be devoted to educational, charitable, patriotic, fraternal, religious, or other public-spirited uses as defined by this Act. Notwithstanding any other provision of this Act, an eligible organization which is not required to be licensed by the attorney general, may use the net proceeds of such games of chance to directly benefit the eligible organization; however, none of the proceeds may be used for capital improvements or the purchase of furnishings. For purposes of this section, a capital improvement is defined as the construction, renovation, remodeling or repair of a building which tends to enhance its value, beauty or utility or to adapt it for further purposes. For purposes of this section, a furnishing is defined as furniture, draperies, or equipment.

SECTION 3. LICENSURE - EXCEPTIONS FOR RAFFLES AND BINGO - CITY AND COUNTY LICENSURE - FEES - SUSPENSION AND REVOCATION.

1. Eligible organizations desiring to conduct games of chance shall annually apply for a license from the attorney general before July first on forms provided by the attorney general and shall include with the application a fifty dollar license fee. However, an eligible organization desiring to conduct raffles or bingo in which the primary prize does not exceed one thousand dollars, and the aggregate does not exceed two thousand dollars, shall apply directly to the governing body of the city in which it conducts its principal activities or, if its principal activities are conducted within a county but outside the limits of a city, it shall apply to the board of county commissioners for a license. Applications for the conduct of raffles and bingo subject to authorization by a city or county shall be made on forms provided by the attorney general and shall be accompanied by a ten dollar permit fee payable to the city or county governing body.
2. The attorney general shall license such organizations which conform to the requirements of this Act by issuing licenses as follows:
 - a. A class A license to an eligible organization licensed as a retail alcoholic beverage dealer in North Dakota that maintains a building for the use of its members and guests, and that offers meals or liquor or both as part of its operation.
 - b. A class B license to any other eligible organization.

The attorney general may deny a class B license to an otherwise eligible organization if the organization is connected, directly or indirectly, to the holder of a North Dakota retail alcoholic beverage license.

3. Games of chance shall be operated or conducted only on premises or sites set forth in the application as follows:
 - a. Class A license applicants shall be limited to one location. A special permit for an alternate location may be granted by the attorney general for a single specific occasion upon written request.
 - b. Class B license applicants shall first secure approval of the proposed site or sites on which it intends to conduct games

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of chance under this Act from the governing body of the city, if within city limits, or the county, if outside city limits, where the site or sites are located. This approval or permit, which may be granted at the discretion of the governing body, must accompany the license application to the attorney general. The governing body may charge a ten dollar fee for this permit.

- c. Rented premises shall be subject to rules adopted by the attorney general.
 - d. Only one eligible organization at a time may conduct games of chance at a specific location.
 - e. Licenses, rules of play and state identification devices shall be displayed on forms and in the manner specified in rules adopted by the attorney general.
4. The attorney general shall have the power, on his or her motion, based on reasonable ground or upon written complaint, to suspend or revoke, under the provisions of chapter 28-32, any license granted under this Act for violations by the licensee, or any officer, director, agent, member, or employee of the licensee, of this Act or any rule or regulation adopted under this Act.

SECTION 4. COLLEGE FRATERNITIES AND SORORITIES ALLOWED TO CONDUCT RAFFLES - USE OF PROCEEDS. A college fraternity or sorority recognized by the administration of a North Dakota college or university shall be eligible to conduct raffles and bingo under the provisions of this Act. The entire net proceeds of such raffles shall be devoted to educational, charitable, patriotic, or other public-spirited uses as defined by this Act.

SECTION 5. CITY APPROVAL FOR RAFFLES. A college fraternity or sorority shall apply in writing to the governing body of the city in which it is located, or to the board of county commissioners where the college is located outside the geographical limits of a city, for permission to conduct a raffle at least thirty days prior to each occasion. The application shall state the time, place, and educational, charitable, patriotic, or other public-spirited uses to which the proceeds will be devoted. The applicant fraternity or sorority shall include a signed acknowledgment by the administration of the college or university that the applicant is a recognized fraternity or sorority. The governing body may at its own discretion, and upon application by a fraternity or sorority, grant permission for raffles and bingo to be held at specifically designated times and places for specific uses covering a one-year period. The governing body may by ordinance or resolution establish authorization fees not to exceed ten dollars for an authorization for one occasion and not to exceed twenty-five dollars for an authorization covering more than one occasion. If the governing body, at its own discretion, chooses to authorize raffles or bingo pursuant to this Act, the governing body may do so by resolution.

SECTION 6. PERSONS PERMITTED TO CONDUCT GAMES OF CHANCE - PREMISES - EQUIPMENT - EXPENSES - COMPENSATION.

- 1. No person, except a member or employee of an eligible organization or a member of an organization auxiliary to an eligible organization, may assist in the holding, operating, or conducting of any game of chance under this Act.

2. No item of expense incurred in connection with the holding, operating, or conducting of any game of chance held, operated, or conducted pursuant to this Act shall be deducted from adjusted gross proceeds, except bona fide expenses in reasonable amounts as provided under section 11. No games of chance shall be conducted with any equipment other than equipment owned by or rented at a reasonable rate from an eligible organization.
3. The governing board of an eligible organization shall be primarily responsible for the proper determination and distribution of the entire net proceeds of any game of chance held in accordance with this Act.
4. The premises where any game of chance is being held, operated, or conducted, or where it is intended that such game will be held, shall be open to inspection by the licensing authority, its agents and employees, by representatives of the governing body authorizing games of chance, and by peace officers of any political subdivision of this state.
5. When any merchandise prize is awarded in a game of chance, its value shall be its current retail price. No merchandise prize shall be redeemable or convertible into cash directly or indirectly.
6. Equipment, prizes, and supplies for games of chance shall not be purchased or sold at prices in excess of the usual price thereof.
7. The entire net proceeds derived from the holding of games of chance must be devoted within three months from the date such proceeds were earned to the uses permitted by this Act. Any organization desiring to hold the net proceeds of games of chance for a period longer than three months from the date such proceeds were earned must apply to the licensing authority or governing body, as the case may be, for special permission, and upon good cause shown, the licensing authority or governing body may grant the request.
8. Only the members of an organization licensed as a class A licensee by the attorney general under this Act and their spouses and bona fide guests may participate in playing games of chance conducted by such licensed organization.
9. No person, firm, corporation, association, or organization convicted of a felony or a class A misdemeanor, or determined by the attorney general to have participated in organized crime or unlawful gambling, shall be permitted to sell, distribute, conduct, or assist in games of chance under this Act.

SECTION 7. GAMES OF CHANCE ALLOWED. Eligible organizations shall be permitted to conduct the following games of chance:

1. Eligible organizations licensed by the attorney general shall be permitted to conduct bingo, raffles, pull tabs, jars, punchboards, twenty-one, and sports pools for professional sports only.
2. College fraternities or sororities may conduct

raffles and bingo.

SECTION 8. PUNCHBOARDS AND JARS - SALE OF CHANCES. No person or organization engaged in the selling of chances from jars or punchboards under this Act shall discard the chances from any jar or punchboard once the contents of such jar or punchboard are offered for sale to eligible participants, unless all of the highest denomination of winners have been sold.

SECTION 9. SPORTS POOLS - CONTROL BY LICENSEE - RULES POSTED. Any licensee or other eligible organization may allow the playing of sports pools on the premises or authorized site. Sports pools shall be allowed for professional sports only. If sports pools are allowed, they shall be conducted and controlled by the licensee or other eligible organization. Any rules affecting the conduct of sports pools or requirements of participants shall be clearly posted. The maximum wager on any sports pool shall not exceed five dollars. The amounts paid to sports pool participants in prizes shall not exceed two-thirds of the gross proceeds.

SECTION 10. TWENTY-ONE - SALE OF CHIPS - REDEMPTION - WAGER - LIMIT - RULES OF PLAY. Any licensee or other eligible organization may conduct and control the playing of the card game twenty-one on the licensee's or eligible organization's premises or authorized site, but at no other location. No money shall be allowed on the table. The licensee or eligible organization shall provide playing chips of various denominations to the participants. Chips shall be redeemed by the licensee or eligible organization for their full value. A maximum limit per wager shall be two dollars and no player may play more than two hands. Only the player actually playing a hand may place a wager on any hand. Twenty-one is a card game played by a maximum of seven players and one dealer. The dealer shall be a representative of the eligible organization sponsoring the game of chance. All players play their hand against the dealer's hand. In order to remain in the hand being dealt, neither the player nor the dealer may play a hand with a count greater than twenty-one. A count of twenty-one obtained with two cards is termed a natural twenty-one and is entitled to an automatic pay out. In the case of matching or tie count between the player and the dealer no winner is declared and both persons keep their wager. Each licensee or eligible organization conducting twenty-one shall post rules relating to the conduct of the game in a conspicuous location near where the game is played.

SECTION 11. STATEMENT OF RECEIPTS - EXPENSES.

1. All moneys collected or received from games of chance and admissions thereto, except cash prizes of one hundred dollars or less paid immediately, shall be deposited in a special account of the eligible organization which shall contain only such money. Cash prizes of more than one hundred dollars, the purchase prices of merchandise prizes, and all expenses for such games of chance shall be withdrawn from such account by consecutively numbered checks duly signed by a specified officer or officers of the eligible organization and payable to a specific person or organization. There shall also be written on the check the nature of the expense or prize for which the check is drawn. No check shall be drawn to "cash" or a fictitious payee.
2. No part of the net proceeds after they have been given over to another organization shall be used by the donee organization to pay any person for services rendered or materials purchased in connection with the conducting of games of chance by the donor organization.

3. No item of expense incurred in connection with holding, operating, or conducting any game of chance pursuant to this Act shall be deducted from adjusted gross proceeds, except bona fide expenses of a reasonable amount actually and necessarily incurred and directly attributable only to the conduct of the games of chance. Bona fide expenses shall not include overhead, capital costs, and general maintenance. Total expenses for games of chance shall not exceed thirty-five percent of the total adjusted gross proceeds from each such occasion. The figure used for adjusted gross proceeds shall be as determined in subsection 1 of section 1 of this Act before any reduction for taxes.
4. Expense payments for games of chance deductible from adjusted gross proceeds shall be made only for the following purposes:
 - a. The purchase of necessary goods, wares, and merchandise.
 - b. The securing of services reasonably necessary for repair of equipment, and for operating or conducting games of chance.
 - c. For rent if the premises or equipment are rented, or for janitorial services if premises are not rented.
 - d. For accountant's fees.
 - e. For license fees.

SECTION 12. TAX BASED ON ADJUSTED GROSS PROCEEDS. A tax of five percent of the total adjusted gross proceeds received by a licensed eligible organization shall be paid to the licensing authority for deposit in the general fund on a quarterly basis in such manner and upon such forms as shall be prescribed by the licensing authority by rule. The figure used for adjusted gross proceeds shall be as determined in subsection 1 of section 1 of this Act before any reduction for expenses. The amount of this tax shall be paid from adjusted gross proceeds and not charged against the percentage limitation of expenses.

SECTION 13. EXAMINATION OF BOOKS AND RECORDS. The licensing authority and its agents, and representatives of the governing body of a city or county with respect to eligible organizations authorized by that governing body, shall have the power to examine or cause to be examined the books and records of any eligible organization licensed or authorized to conduct games of chance under this Act to the extent that such books and records relate to any transaction connected with holding, operating, or conducting any game of chance.

SECTION 14. DISTRIBUTORS - LICENSURE. Every distributor shall annually apply for a license upon a form prescribed by the attorney general before the first day of April in each year and shall submit a one thousand dollar license fee. Each applicant shall provide such necessary and reasonable information as the attorney general may require.

Every nonresident manufacturer or distributor of raffle tickets or equipment for games of chance doing business in this state shall appoint a North Dakota agent who shall be licensed as a distributor. No distributor shall sell, market, or otherwise distribute raffle tickets or equipment for games of chance except to eligible organizations.

Every eligible organization shall acquire all raffle tickets or equipment for games of chance from a distributor licensed under this Act, unless the raffle tickets or equipment for games of chance are printed, manufactured, or constructed by the eligible organization or unless the raffle tickets are obtained from a resident printer who has printed the raffle tickets at the request of the organization. At no time shall any eligible organization print, manufacture, or construct any raffle tickets or equipment for games of chance for sale to any other eligible organization.

No licensed or authorized eligible organization shall be a distributor. No distributor may be a wholesaler of liquor or alcoholic beverages.

The attorney general shall have the power, on his own motion based on reasonable grounds or on written complaint, to suspend or revoke a license in accordance with chapter 28-32 for violation, by the licensee or any officer, director, agent, member, or employee of the licensee, of this Act or any rule adopted under this Act.

SECTION 15. FORM AND DISPLAY OF LICENSE. Each license or authorization required under this Act shall contain a statement of the name and address of the licensee or authorized eligible organization and such other information as the licensing or authorizing authority may designate.

Each license or resolution issued for the conduct of any game or games of chance shall be conspicuously displayed at the place where the same is to be conducted at all times during any game of chance and for at least thirty minutes thereafter. The sale of a raffle ticket shall not require the display of the license or authorizing resolution.

SECTION 16. VIOLATION OF ACT - MISDEMEANOR - FORFEITURE OF LICENSE - INELIGIBILITY FOR YEAR. Any person who knowingly makes a false statement in any application for a license or authorizing resolution or in any statement annexed thereto, or who fails to keep sufficient books and records to substantiate the receipts, expenses, or uses resulting from games of chance conducted under this Act, or who falsifies any books or records so far as they relate to any transaction connected with the holding, operating, and conducting of any game of chance, or who violates any of the provisions of this Act, any rule adopted under this Act, or of any term of a license shall be guilty of a class A misdemeanor. If convicted, such organization or person shall forfeit any license or authorizing resolution issued to it pursuant to this Act and shall be ineligible to reapply for a license or authorization for two years thereafter.

SECTION 17. RULES. The licensing authority shall adopt rules in accordance with chapter 28-32, relating to but not limited to methods of play, conduct, and promotion of games of chance; methods, procedures, and minimum standards for accounting and recordkeeping; requiring reports by licensees and authorized organizations; methods of competition and doing business by distributors; and marking or identification of raffle tickets, bingo equipment, jars, pull tabs, punchboards, or any other implements of gambling used or distributed in this state to implement or effectuate the provisions and purposes of this Act; to ensure that the entire net proceeds of games of chance are devoted to educational, charitable, patriotic, fraternal, religious, or other public-spirited uses as defined by this Act; to define capital improvements and furnishings; to protect and promote the public interest; to ensure fair and honest

games of chance; to ensure that fees and taxes are paid; and to seek to prevent or detect unlawful gambling activity.

And renumber the lines, sections and pages accordingly.

<p style="text-align: center;">For the Senate</p> <p><i>Sen. Holtberg</i> Sen. Holtberg</p> <p><i>Sen. Steenhjem</i> Sen. Steenhjem</p> <p><i>Sen. Stromme</i> Sen. Stromme</p>	<p style="text-align: center;">For the House</p> <p><i>Rep. Kretschmar</i> Rep. Kretschmar</p> <p><i>Rep. Conny</i> Rep. Conny</p> <p><i>Rep. Heigaard</i> Rep. Heigaard</p>
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Rep. Kretschmar moved that the report be adopted, which motion

prevailed.

House Bill No. 1277 was placed on the 6th

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

SIXTH ORDER OF BUSINESS

Rep. Kretschmar moved that the amendments to House Bill No. 1277 as recommended by the Conference Committee be adopted, which motion prevailed.

SECOND READING OF HOUSE BILL

House Bill No. 1277. — A Bill for an Act to allow nonprofit veterans, charitable, educational, religious, and fraternal organizations, civic and service clubs, and public-spirited organizations to conduct bingo, raffles, pull tabs, jars, twenty-one, punchboards, and sports pools; and to provide for definitions, licensure by the attorney general, city and county approval in certain instances, restrictions on the conduct of games, bookkeeping requirements, expense requirements, a tax based on adjusted gross proceeds, examination of books and records, licensure of distributors, form and display of licensure, and rules and regulations; and to provide a criminal penalty for the violation of this 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, 63; nays, 28; absent and not voting, 9.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION				ROLL-CALL				1981 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• ANDERSON, C. #1			• HOFFNER			• METZ	•		• THOMPSON		•
• ANDERSON, R. #36			• HORGAN			• MEYER			• THOM		
• 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			• KLOUBEK			• OLSON, A. #11					
• DIETZ			• KNUDSON			• OLSON, D. #13			• MR SPEAKER		
• DOTZENROD			• KOLAND			• OPEDAHN					
• DuBORD			• KOSKI			• PELTIER					
• EAGLES			• KRETSCHMAR			• PETERSON					
• FREBORG			• KUCHERA			• POMEROY, E. #24					
• GATES			• LANG			• POMEROY, G. #42					
• GERL			• LARSON, B. #12			• REED					
• GOETZ			• LARSON, G. #29			• REITEN					
• GORDER			• LARSON, H. #7			• RETZER					
• GUNDERSON			• LIPSIEA			• RICE					
• GUNSCH			• MARS DEN			• 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	• STRINDEN
• HILL	• MERTENS	• SWIONTEK

So the bill passed and the title was agreed to.

MOTION

Rep. Strinden moved that Senate Bill No. 2160 be moved to the top of the calendar, which motion prevailed.

Report of Conference Committees

Mr. Speaker: Your Conference Committee to whom was referred Senate Bill No. 2160 has had the same under consideration and recommends:

that the House recedes from its amendments as follows:

On page 1, of the engrossed bill, remove the overstrikes over the words on lines 24 through 27

On page 2, of the engrossed bill, remove the overstrikes over the words on lines 1 and 2

and further amends as follows:

On page 1, of the engrossed bill, line 17, after the period insert the words "A county auditor, who wishes to act as a license agent, shall be designated as an agent upon such terms and conditions as may be prescribed by the commissioner."

For the Senate
Senator Nelson
Senator Quail
Senator Redlin (absent)
Rep. Kretschmar

For the House
Rep. Kretschmar
Rep. G. Pomeroy
Rep. Mattson

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

APPOINTMENT OF A CONFERENCE COMMITTEE

Acting Speaker Conny appointed the following to a new Conference committee on Senate Bill No. 2160:

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

MESSAGES FROM THE SENATE

Senate Chamber

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

- Senate Bill No. 2101
Senate Bill No. 2370
Senate Bill No. 2389
Senate Bill No. 2394
Senate Bill No. 2417
Senate Bill No. 2431
Senate Bill No. 2437

Which the President has signed and your signature is respectfully requested.

LEO LEIDHOLM, Secretary
Senate Chamber

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

House Bill No. 1039

House Bill No. 1374

LEO LEIDHOLM, Secretary

SENATE AMENDMENTS TO HOUSE BILL NO. 1039

- On page 1 of the engrossed bill, line 14, delete the numerals "223,797" and insert in lieu thereof the numerals "216,727"
- On page 1 of the engrossed bill, line 18, delete the numerals "22,356,957" and insert in lieu thereof the numerals "22,349,887"
- On page 1 of the engrossed bill, line 19, delete the numerals "12,178,479" and insert in lieu thereof the numerals "12,174,944"
- On page 1 of the engrossed bill, line 20, delete the numerals "10,178,478" and insert in lieu thereof the numerals "10,174,943"
- On page 2 of the engrossed bill, delete lines 11 through 20 and insert in lieu thereof the following section:

"SECTION 5. GRANTS, BENEFITS, AND CLAIMS. Section 54-44.1-11 shall not apply to appropriations made for grants, benefits, and claims in section 1 of this Act nor to the grants, benefits, and claims line item in chapter 77 of the 1979 Session Laws."

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

The salaries and wages line item for the Energy Development Impact Office is reduced by \$7,070, \$3,535 from the general fund and \$3,535 from estimated income, to delete funds for a noncontributory retirement plan.

On page 1 of the engrossed bill, line 8, delete the word "energy" and insert in lieu thereof the word "coal"

On page 2 of the engrossed bill, line 2, delete the word "energy" and insert in lieu thereof the word "coal"

And renumber the lines and pages accordingly

SENATE AMENDMENTS TO HOUSE BILL NO. 1374

- 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 section 3 of Senate Bill No. 2323, as approved by the forty-seventh legislative assembly, relating to protection of property taxpayers and taxing districts for 1981 and 1982; to amend and reenact section 57-02-28 of the North Dakota Century Code, as contained in section 8 of Senate Bill No. 2323 as approved by the forty-seventh legislative assembly, sections 57-02-34, 57-12-09, and 57-20-07.1, subdivision m of subsection 1 of section 57-38-01.2, and section 57-38-70 of the North Dakota Century Code, relating to the valuation basis for computation of property taxes, listing of real property for taxation, notice of increased assessment to real estate owners, and mailing of real estate tax statements

by county treasurers, and claim for income tax deductions when land is sold or rented to a beginning farmer; to provide that the provisions of this Act are contingent upon the effectiveness of Senate Bill No. 2323, as approved by the forty-seventh legislative assembly; and to declare an emergency.

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

SECTION 1. AMENDMENT. Section 3 of Senate Bill No. 2323 as enacted by the forty-seventh legislative assembly is hereby amended and reenacted to read as follows:

SECTION 3. PROTECTION OF TAXPAYERS AND TAXING DISTRICTS FOR 1981 AND 1982 - EXCEPTIONS AND LIMITATIONS.

1. Each taxing district may levy in 1981 and 1982 the same amount in dollars as that taxing district levied the prior year plus seven percent, subject to the adjustments provided in this section.
2. No taxing district may levy more taxes expressed in dollars in 1981 and 1982 than the amounts provided in this section.
3. The amount which may be levied by any taxing district in 1981 and 1982 shall be:
 - a. Reduced by an amount equal to the sum determined by the application of the mill levies for that taxing district to the final assessed valuation of any ~~land or taxable improvements to real~~ property which is removed from the assessment rolls of that taxing district after the prior year but was included in the assessment for the prior year.
 - b. Increased by an amount equal to the sum determined by the application of any mill levies authorized by law but not levied by the governing body of the taxing district for the prior year and any mill levies specifically authorized by the electors of that taxing district but not levied for the prior year to the ~~final~~ net assessed valuation of the ~~taxable~~ property in that taxing district.
 - c. Increased by an amount equal to the sum determined by the application of the mill levies for that taxing district to the ~~final~~ net assessed valuation of any ~~land and taxable improvements to real~~ property which was not taxable in the prior year or was omitted from the assessment rolls for that year but which is included in the assessment for the current year.
 - d. Increased to reflect ~~new or~~ increased mill levies authorized by the ~~forty-seventh~~ legislative assembly or if the electors of the taxing district authorize additional levies after the effective date of this Act at either a special or regular election as provided by law.
4. The limitation on the amount which may be levied by a taxing district pursuant to this section shall not apply to the Fargo school district or to any school district in which the

electors have approved unlimited mill levies as provided by law.

5. The provisions of this section shall supersede any applicable mill levy limitations otherwise provided by law for 1981 and 1982, but the provisions of this section shall not apply to any of the following:
 - a. Any irrevocable tax to pay bonded indebtedness levied pursuant to section 16 of article X of the Constitution of North Dakota.
 - b. The one-mill levy for the state medical center authorized by section 10 of article X of the ~~amendments-to-the~~ Constitution of North Dakota.
6. The provisions of this section shall not apply to any city which has adopted a home rule charter unless the provisions of the charter specifically provide that state laws related to property tax levy limitations shall apply.

SECTION 2. AMENDMENT. Section 57-02-28 of the North Dakota Century Code, as contained in section 8 of Senate Bill No. 2323 as approved by the forty-seventh legislative assembly, is hereby amended and reenacted to read as follows:

57-02-28. BASIS FOR COMPUTATION OF TAX. The value of all property subject to a general property tax, not exempted by law nor subject to any gross sales or other lieu tax, to be used in the computation of the tax levied for the payment of any bonded or improvement warrant indebtedness shall be the assessed valuation thereof, but the net value of such property to be used in the computation of all other taxes levied thereon shall be fifty percent of the assessed valuation thereof and the resulting amount shall be known as the taxable or net assessed valuation. Assessors and boards of review shall assess and return all taxable property at its assessed valuation, and the county auditor, after equalization by the state board of equalization, shall make the computation necessary to ascertain said fifty percent value.

SECTION 3. AMENDMENT. Section 57-02-34 of the 1979 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

57-02-34. WHEN AND HOW ASSESSMENT MADE. The assessor shall perform the duties required of him during the twelve-month period prior to April first and in the following manner: He shall determine both the true and full value as defined by law and the assessed value of each tract or lot of real property listed for taxation, and shall enter ~~the value thereof~~ those values in one column separate columns, and the true and full value and assessed value of all improvements and structures taxable thereon in another column separate columns, opposite such description of property, and in another column shall show the total assessed value of the property by adding the totals of the two previous assessed value columns.

SECTION 4. AMENDMENT. Section 57-12-09 of the 1979 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

57-12-09. WRITTEN NOTICE OF INCREASED ASSESSMENT TO REAL ESTATE OWNER. When any assessor has increased the assessed valuation of any lot or tract of land together with any improvements thereon by fifteen percent

or more of the last assessment, written notice of the amount of increase over the last assessment, and the amount of the last assessment shall be delivered by such assessor to the property owner or mailed to him at his last known address except that no such notice need be delivered or mailed if the assessment is increased by less than three hundred dollars. The tax commissioner shall prescribe suitable forms for this notice and such notice shall also show the estimated-market true and full value as defined by law of the property, including such improvements, that the assessor used in making the assessment for the current year and for the year in which the last assessment was made and shall also show the date prescribed by law for the meeting of the local equalization board of the assessment district in which the property is located and the meeting date of the county equalization board. Such notice shall be mailed or delivered to the property owner at least ten days in advance of the meeting date of the local equalization board and shall be mailed or delivered at the expense of the assessment district for which the assessor is employed.

SECTION 5. AMENDMENT. Section 57-20-07.1 of the 1979 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

57-20-07.1. COUNTY TREASURER TO MAIL REAL ESTATE TAX STATEMENT. On or before December twenty-sixth of each year, the county treasurer shall mail a real estate tax statement to the owner of each parcel of real property at his last known address. Such tax statements shall include a dollar valuation of the estimated-current market true and full value as defined by law of the property and the total mill levy applicable. Failure of an owner to receive a statement will not relieve that owner of liability, nor extend the discount privilege past the February fifteenth deadline.

SECTION 6. AMENDMENT. Subdivision m of subsection 1 of section 57-38-01.2 of the 1979 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

- m. Reduced by the amount of interest received during that taxable year on a contract for deed on the sale of eighty or more acres [32.37 or more hectares] of agricultural land to a beginning farmer. The contract for deed must extend for not less than fifteen years and have an annual interest rate of not more than six percent. In order for an individual, estate, or trust to qualify for this reduction, the taxpayer must obtain a notarized statement from the buyer containing a list of the buyer's assets and debts and giving the buyer's net worth, together with such other information as the state tax commissioner may require. The value placed on any real property located in North Dakota and owned by the buyer shall be the amount listed as the current-market true and full value on the most recent real estate tax statement for that particular piece of property. In determining the net worth of any person, including his dependents and spouse, if any, for purposes of this subdivision, the value of their equity in their principal residence, the value of one personal or family motor vehicle, and the value of their household goods, including furniture, appliances, musical instruments, clothing, and other personal belongings shall not be

included. This statement shall be filed along with the income tax return. For the purposes of this subdivision, "beginning farmer" means any person who:

- (1) Is a resident of this state.
- (2) Receives more than half his annual income from farming, unless the person initially commences farming during the tax year for which an adjustment will be claimed under this subdivision.
- (3) Intends to use any farmland that he wishes to purchase or rent for agricultural purposes.
- (4) Has had adequate training, by experience or education, in the type of farming operation which he wishes to begin.
- (5) Has, including the net worth of his dependents and spouse, if any, a net worth of less than fifty thousand dollars.

Provided, however, that each adjustment in the above subdivisions authorized under law shall be allowed only to the extent that the adjustment is allocated and apportioned to North Dakota income.

SECTION 7. AMENDMENT. Section 57-38-70 of the 1979 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

57-38-70. CLAIM FOR INCOME TAX DEDUCTION FOR LAND SALE OR RENTAL TO A BEGINNING FARMER. In order for a taxpayer to qualify for the deductions provided in sections 57-38-67 through 57-38-70, the taxpayer shall file with his state income tax return a notarized statement from the beginning farmer who purchased or rented land from him containing a list of the assets, debts, and net worth of the beginning farmer, together with such other information as the state tax commissioner may require. The value placed on any real property located in North Dakota and owned by the buyer shall be the amount listed as the ~~current-market~~ true and full value on the most recent real estate tax statement for that particular piece of property. In order for a taxpayer to qualify for the deduction for rental income provided in section 57-38-69, the taxpayer shall certify on his tax return that any rental arrangement with any other person was not canceled for the purpose of qualifying for this deduction.

SECTION 8. CONTINGENT EFFECTIVENESS OF ACT. The provisions of this Act shall not become effective if for any reason Senate Bill No. 2323 as approved by the forty-seventh legislative assembly does not become effective, nor shall the provisions of this Act continue in effect if this Act does become effective and any part of Senate Bill No. 2323 as approved by the forty-seventh legislative assembly is disapproved by gubernatorial veto or referral.

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 and pages accordingly

MESSAGES TO THE SENATE

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. 1225

House Bill No. 1418

Very respectfully,

ROY GILBREATH, Chief Clerk

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

Senate Bill No. 2007

Senate Bill No. 2060

Senate Bill No. 2372

ROY GILBREATH, Chief Clerk

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 26, 1981, I forwarded without signature House Bill: 1571.

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 26, 1981, I signed the following House Bills:

House Bill: 1076

House Bill: 1077

House Bill: 1084

House Bill: 1297

House Bill: 1427

House Bill: 1443

House Bill: 1611

House Bill: 1093

House Bill: 1108

House Bill: 1145

House Bill: 1178

House Bill: 1180

House Bill: 1217

House Bill: 1288

House Bill: 1292

House Bill: 1304

House Bill: 1332

House Bill: 1343

House Bill: 1384

House Bill: 1395

House Bill: 1404

House Bill: 1430

House Bill: 1463

House Bill: 1520

House Bill: 1545

House Bill: 1619
House Bill: 1638

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 27, 1981, I signed House Bill 1341.

Sincerely,
ALLEN I. OLSON
Governor

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., Monday, March 30, 1981, which motion prevailed.

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

ROY GILBREATH, Chief Clerk