

SIXTIETH DAY

Bismarck, March 31, 1981

The House convened at 9:00 a. m., with Speaker Peterson presiding.

Prayer was offered by Reverend Conrad Hartsch, Central Christian Church, Bismarck, North Dakota.

Roll was called and all members were present except Reps. Gerl and Gorder.

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-ninth,

day and recommends that the same be corrected as follows:

On page 2269, delete lines 26 through 51

On page 2292, line 48 after the word "procedures" insert the following: ", and declaring an emergency"

And when so corrected recommends that the same be approved.

*Edward J. Real* Chairman

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

MESSAGES TO THE SENATE  
House Chamber

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

Senate Bill No. 2011

ROY GILBREATH, Chief Clerk

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

Senate Bill No. 2038

Very respectfully,

ROY GILBREATH, Chief Clerk

House Chamber

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

House Bill No. 1051

And subsequently passed the same.

Very respectfully,

ROY GILBREATH, Chief Clerk

## SIGNING OF BILLS AND RESOLUTIONS

The Chief Clerk announced that the Speaker signed the following:

House Bill No. 1003	House Bill No. 1190
House Bill No. 1005	House Bill No. 1231
House Bill No. 1006	House Bill No. 1444
House Bill No. 1007	House Bill No. 1466
House Bill No. 1010	House Bill No. 1484
House Bill No. 1012	House Bill No. 1563
House Bill No. 1014	House Bill No. 1648
House Bill No. 1016	
House Bill No. 1019	
House Bill No. 1022	
House Bill No. 1023	
House Bill No. 1024	
House Bill No. 1029	
House Bill No. 1030	
House Bill No. 1031	
House Bill No. 1105	
House Bill No. 1177	
House Bill No. 1189	

ROY GILBREATH, Chief Clerk  
MESSAGE TO THE SENATE  
House Chamber

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

House Bill No. 1003  
House Bill No. 1005  
House Bill No. 1006  
House Bill No. 1007  
House Bill No. 1010  
House Bill No. 1012  
House Bill No. 1014  
House Bill No. 1016  
House Bill No. 1019  
House Bill No. 1022  
House Bill No. 1023  
House Bill No. 1024  
House Bill No. 1029  
House Bill No. 1030  
House Bill No. 1031  
House Bill No. 1105  
House Bill No. 1177  
House Bill No. 1189  
House Bill No. 1190  
House Bill No. 1231  
House Bill No. 1444  
House Bill No. 1466  
House Bill No. 1484  
House Bill No. 1563  
House Bill No. 1648

*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. 2049

Senate Bill No. 2078  
Senate Bill No. 2079  
Senate Bill No. 2122  
Senate Bill No. 2132  
Senate Bill No. 2141  
Senate Bill No. 2158  
Senate Bill No. 2161  
Senate Bill No. 2237  
Senate Bill No. 2291  
Senate Bill No. 2306  
Senate Bill No. 2428  
Senate Concurrent Resolution No. 4067

ROY GILBREATH, Chief Clerk  
MESSAGE TO THE SENATE  
House Chamber

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

Senate Bill No. 2049  
Senate Bill No. 2078  
Senate Bill No. 2079  
Senate Bill No. 2122  
Senate Bill No. 2132  
Senate Bill No. 2141  
Senate Bill No. 2158  
Senate Bill No. 2161  
Senate Bill No. 2237  
Senate Bill No. 2291  
Senate Bill No. 2306  
Senate Bill No. 2428  
Senate Concurrent Resolution No. 4067  
Which the Speaker has signed.

ROY GILBREATH, Chief Clerk  
SIGNING OF BILLS AND RESOLUTIONS

The Chief Clerk announced that the Speaker signed the following:

House Bill No. 1051  
House Bill No. 1072  
House Bill No. 1269  
House Bill No. 1293  
House Bill No. 1591  
House Concurrent Resolution No. 3072

ROY GILBREATH, Chief Clerk  
MESSAGE TO THE SENATE  
House Chamber

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

House Bill No. 1051  
House Bill No. 1072  
House Bill No. 1269  
House Bill No. 1293  
House Bill No. 1591  
House Concurrent Resolution No. 3072  
Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk

**REPORT OF PROCEDURAL COMMITTEE**

Mr. Speaker: Your Procedural Committee on Rules,

appointed to recommend legislative rules, has had the same under consideration and recommends that Joint Rules of the Forty-seventh Legislative Assembly as follows be adopted as the permanent rules:

The following proposed joint rule, for consideration by the Forty-seventh Legislative Assembly, is adopted from Joint Rule 23, adopted by the 1973 and 1975 Legislative Assemblies:

305. JOINT STANDING COMMITTEE ON REAPPORTIONMENT

A joint standing committee on reapportionment shall be created in any session during which the issue of legislative reapportionment must be addressed. The committee shall consist of twelve members with membership consisting of seven members from the House and five members from the Senate. Members shall be appointed by the Speaker of the House and the committee on committees of the Senate, with the first-named member in each house serving as co-chairman. All bills and resolutions relating to redistricting or reapportioning of legislative districts shall be referred to the joint standing committee on reapportionment. The joint standing committee shall first meet at the call of the Senate co-chairman and the chairmanship of each meeting thereafter shall alternate between the co-chairmen. Members of the joint standing committee shall be excused from attending a meeting of any other committee while they are attending a meeting of the joint standing committee. The joint standing committee shall issue joint reports on legislation referred to it, with the report being first presented to the house having possession of the bill, and later presented to the other house if appropriate.

SECTION 1. Joint Rule 901 is hereby created and adopted to read as follows:

901. SPECIAL SESSION LIMITATIONS.

1. The Legislative Assembly shall, during any special session called by the Governor pursuant to Article V, Section 5 of the Constitution, limit itself to consideration of the subjects listed in the text of the gubernatorial call.
2. The Governor, to avail himself of this rule, shall submit the text of his call for a special session to the chairman of the Legislative Council who shall file



it with the Chief Clerk of the House and the Secretary of the Senate immediately after the convening of the special session.

3. The Governor may utilize the executive department bill introduction privilege authorized by Joint Rule 208 for prefilng and introduction of bills dealing with the subjects listed in his written call for a special session. The Legislative Council shall select the house of introduction of any bills introduced pursuant to this subsection.
4. Appropriate standing committees of either house may meet prior to the convening of the special session, and may hold hearings on the bill or bills prefiled pursuant to subsection 3.

  
Chairman

Rep. R. Hausauer moved that the report be adopted, which motion prevailed and the report was adopted.

**REQUEST**

Rep. Backes requested a recorded roll call vote, which request was granted.

**ROLL CALL**

The question being on the adoption of the Rules Committee Report, there were ayes, 74; nays, 25; absent and not voting, 1.

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	●		● HOUMANN	●		● MOORE			● UNHEM		
● BERG	●		● HUGHES	●		● MOUM			● VANDER VORST		
● BERGER	●		● HUWE	●		● MURPHY			● VIG		
● BLACK			● JACOBSEN, R.	●		● MUSHIK	●		● WAGNER		
● BOYUM			● JACOBSON, I.	●		● NAGEL			● WALD		
● BROKAW	●		● KELLY	●		● NICHOLAS			● WENTZ		
● CONWY			● 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			● POWEROY, E. #24	●				
● GATES			● LANG			● POWEROY, G. #42	●				
● GERL	●		● LARSON, B. #12	●		● REED					
● GOETZ			● LARSON, G. #29			● REITEN					
● GORDER			● LARSON, H. #7			● RETZER					
● GUNDERSON			● LIPSIEA			● RICE					
● GUNSCHE			● MARSDEN			● RICHARD	●				
● HANSON, L. #48	●		● MARTIN			● RICHIE					
● HANSON, O. #3			● MARTINSON			● RIEHL	●				
● HAUGLAND			● MATCHIE	●		● RUED					
● HAUSAUER, A. #45			● MATHENY			● SCHINDLER					
● HAUSAUER, R. #25			● MATTSON			● SOLBERG	●				
● HEDSTROM			● MEIERS	●		● SORUM					



TUESDAY, MARCH 31, 1981

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LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has reconsidered its action whereby it did not concur in the House amendments to Senate Bill No. 2060 and now does concur with the House amendments to Senate Bill No. 2060, has passed the same and subsequently discharged the conference committee on Senate Bill No. 2060.

Very respectfully,

LEO LEIDHOLM, Secretary

ANNOUNCEMENT

Speaker Peterson announced that the Conference Committee on Senate Bill No. 2060 was dissolved.

Senate Chamber

Mr. Speaker: I have the honor to return herewith the following on which the Senate has adopted the conference committee report and subsequently passed:

House Bill No. 1027

House Bill No. 1033

House Bill No. 1050

House Bill No. 1060

House Bill No. 1061

House Bill No. 1204

House Bill No. 1218

House Bill No. 1277

House Bill No. 1509

Very respectfully,

LEO LEIDHOLM, Secretary

Senate Chamber

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 Concurrent Resolution No. 3069

Senators:

Senator Wenstrom

Senator Melland

Senator Nelson

Very Respectfully,

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return herewith the following on which the Senate has adopted the conference committee report and subsequently failed to pass:

House Bill No. 1371

Very respectfully,

LEO LEIDHOLM, Secretary

Senate Chamber

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

Senate Bill No. 2025

Senate Bill No. 2204

Very respectfully,

LEO LEIDHOLM, Secretary

MESSAGE TO THE HOUSE

Senate Chamber

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

Senate Bill No. 2001

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. 2039  
 Senate Bill No. 2203  
 Senate Bill No. 2217  
 Senate Bill No. 2271  
 Senate Bill No. 2438  
 Senate Concurrent Resolution No. 4016

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

LEO LEIDHOLM, Secretary

### Report of Conference Committee

Mr. SPEAKER: Your Conference Committee to whom was referred HOUSE Bill No. 1001 has had the same under

consideration and recommends:

That the Senate recede from its amendments and that engrossed House Bill No. 1001 be amended as follows:

- On page 1 of the engrossed bill, line 2, after the word "elected" insert the words "and appointed"
- On page 1 of the engrossed bill, line 3, after the semicolon insert the following: "to create and enact three new subsections to section 54-44-04 of the North Dakota Century Code, relating to the powers and duties of the director of the department of accounts and purchases and a revision of the state accounting and financial reporting system; to amend and reenact subsection 8 of section 54-44-04 of the North Dakota Century Code, relating to the powers and duties of the director of the department of accounts and purchases;"
- On page 1 of the engrossed bill, line 17, delete the numerals "831,000" and insert in lieu thereof the numerals "803,202"
- On page 1 of the engrossed bill, line 18, delete the numerals "155,090" and insert in lieu thereof the numerals "165,090"
- On page 1 of the engrossed bill, line 23, delete the numerals "1,334,090" and insert in lieu thereof the numerals "1,316,292"

- On page 1 of the engrossed bill, line 25, delete the numerals "1,004,090" and insert in lieu thereof the numerals "986,292"
- On page 1 of the engrossed bill, line 28, delete the numerals "89,800" and insert in lieu thereof the numerals "59,600"
- On page 2 of the engrossed bill, line 1, delete the numerals "89,800" and insert in lieu thereof the numerals "59,600"
- On page 2 of the engrossed bill, line 4, delete the numerals "118,750" and insert in lieu thereof the numerals "100,000"
- On page 2 of the engrossed bill, line 5, delete the numerals "118,750" and insert in lieu thereof the numerals "100,000"
- On page 2 of the engrossed bill, line 8, delete the numerals "53,054" and insert in lieu thereof the numerals "51,420"
- On page 2 of the engrossed bill, line 11, delete the numerals "63,614" and insert in lieu thereof the numerals "61,980"
- On page 2 of the engrossed bill, line 14, delete the numerals "708,245" and insert in lieu thereof the numerals "685,107"
- On page 2 of the engrossed bill, line 15, delete the numerals "72,923" and insert in lieu thereof the numerals "87,805"
- On page 2 of the engrossed bill, line 19, delete the numerals "851,448" and insert in lieu thereof the numerals "843,192"
- On page 2 of the engrossed bill, line 27, delete the numerals "153,837" and insert in lieu thereof the numerals "148,841"
- On page 2 of the engrossed bill, delete lines 30 through 32
- On page 2 of the engrossed bill, line 33, delete the numerals "194,860" and insert in lieu thereof the numerals "344,291"
- On page 3 of the engrossed bill, line 1, delete the numerals "3,694,674" and insert in lieu thereof the numerals "3,572,408"
- On page 3 of the engrossed bill, line 2, delete the numerals "1,263,305" and insert in lieu thereof the numerals "1,261,559"
- On page 3 of the engrossed bill, line 8, delete the numerals "6,078,968" and insert in lieu thereof the numerals "5,954,956"
- On page 3 of the engrossed bill, line 10, delete the numerals "5,348,968" and insert in lieu thereof the numerals "5,224,956"
- On page 3 of the engrossed bill, line 13, delete the numerals "2,498,985" and insert in lieu thereof the numerals "2,416,279"
- On page 3 of the engrossed bill, line 14, delete the numerals "321,999" and insert in lieu thereof the numerals "314,791"
- On page 3 of the engrossed bill, line 17, delete the numerals "2,859,737" and insert in lieu thereof the numerals "2,769,823"
- On page 3 of the engrossed bill, line 20, delete the numerals "459,310" and insert in lieu thereof the numerals "444,425"
- On page 3 of the engrossed bill, line 21, delete the numerals "53,731" and insert in lieu thereof the numerals "50,931"
- On page 3 of the engrossed bill, line 24, delete the numerals "535,526" and insert in lieu thereof the numerals "517,841"
- On page 3 of the engrossed bill, line 27, delete the numerals "5,567,380" and insert in lieu thereof the numerals "5,473,146"
- On page 3 of the engrossed bill, line 28, delete the numerals "1,341,985" and insert in lieu thereof the numerals "1,348,670"

- On page 3 of the engrossed bill, line 30, delete the numerals "27,400" and insert in lieu thereof the numerals "29,254"
- On page 3 of the engrossed bill, line 31, delete the numerals "7,891,361" and insert in lieu thereof the numerals "7,805,666"
- On page 3 of the engrossed bill, line 34, delete the numerals "908,406" and insert in lieu thereof the numerals "829,666"
- On page 4 of the engrossed bill, line 1, delete the numerals "103,128" and insert in lieu thereof the numerals "102,057"
- On page 4 of the engrossed bill, line 4, delete the numerals "1,042,758" and insert in lieu thereof the numerals "962,947"
- On page 4 of the engrossed bill, line 7, delete the numerals "336,820" and insert in lieu thereof the numerals "325,586"
- On page 4 of the engrossed bill, line 10, delete the numerals "464,411" and insert in lieu thereof the numerals "453,177"
- On page 4 of the engrossed bill, line 12, delete the numerals "418,804" and insert in lieu thereof the numerals "407,570"
- On page 4 of the engrossed bill, line 15, delete the numerals "3,359,822" and insert in lieu thereof the numerals "3,220,894"
- On page 4 of the engrossed bill, line 16, delete the numerals "5,229,201" and insert in lieu thereof the numerals "5,203,248"
- On page 4 of the engrossed bill, line 18, delete the numerals "104,385" and insert in lieu thereof the numerals "104,110"
- On page 4 of the engrossed bill, line 20, delete the numerals "10,061,786" and insert in lieu thereof the numerals "9,896,630"
- On page 4 of the engrossed bill, line 21, delete the numerals "5,425,389" and insert in lieu thereof the numerals "5,349,032"
- On page 4 of the engrossed bill, line 22, delete the numerals "4,636,397" and insert in lieu thereof the numerals "4,547,598"
- On page 4 of the engrossed bill, line 25, delete the numerals "1,526,375" and insert in lieu thereof the numerals "1,477,493"
- On page 4 of the engrossed bill, line 26, delete the numerals "601,719" and insert in lieu thereof the numerals "597,774"
- On page 4 of the engrossed bill, line 28, delete the numerals "1,000,000" and insert in lieu thereof the numerals "250,000"
- On page 4 of the engrossed bill, line 29, delete the numerals "3,155,819" and insert in lieu thereof the numerals "2,352,992"
- On page 4 of the engrossed bill, line 30, delete the numerals "181,193" and insert in lieu thereof the numerals "177,605"
- On page 4 of the engrossed bill, line 31, delete the numerals "2,974,626" and insert in lieu thereof the numerals "2,175,387"
- On page 5 of the engrossed bill, line 1, delete the words "each of the calendar years" and insert in lieu thereof the following:  
"the period beginning January 1, 1981, and ending December 31,"
- On page 5 of the engrossed bill, line 2, delete the following:  
"of 1981 and"
- On page 5 of the engrossed bill, line 7, after the period insert the following: "The legislative assembly specifically finds that the amount of unvouchered expenses set forth for each of the state officials is reasonable. It is the intent of this legislative assembly to provide for the reasonable additional expenses of the elected state officials beyond their salaries. These unvouchered expenses are reasonably

deemed necessary to offset inflationary increases in personal expenses experienced by elected state officials as a result of holding their offices."

On page 5 of the engrossed bill, delete lines 8 through 22 and insert in lieu thereof the following:

"Official	Expense Payment	Expense Payment
	1981	1982
Governor	\$ 7,027	\$13,862
Secretary of state	5,008	9,880
Attorney general	5,681	11,206
Superintendent of public instruction	5,083	10,028
Tax commissioner	5,008	9,880
Insurance commissioner	5,008	9,880
Public service commissioners	29,524	44,140
Agriculture commissioner	5,008	9,880
State auditor	5,008	9,880
State treasurer	5,008	9,880
Labor commissioner	5,008	9,880"

On page 5 of the engrossed bill, line 23, delete the numerals "289,000" and insert in lieu thereof the numerals "230,767"

On page 5 of the engrossed bill, line 28, delete the numerals "289,000" and insert in lieu thereof the numerals "230,767"

On page 5 of the engrossed bill, line 31, delete the numerals "28,561,967" and insert in lieu thereof the numerals "28,280,138"

On page 5 of the engrossed bill, line 32, delete the numerals "6,866,616" and insert in lieu thereof the numerals "6,632,244"

On page 5 of the engrossed bill, line 33, delete the numerals "35,428,583" and insert in lieu thereof the numerals "34,912,382"

On page 6 of the engrossed bill, delete lines 29 through 35

On page 7 of the engrossed bill, delete lines 1 through 18 and insert in lieu thereof the following new sections:

"SECTION 7. LEGISLATIVE INTENT - OLD WEST REGIONAL COMMISSION APPROPRIATION. It is the intent of the legislative assembly that the appropriation for the old west regional commission in subdivision 3 of section 1 of this Act only be expended if federal funds are available for the old west regional commission.

SECTION 8. LEGISLATIVE INTENT. It is the intent of the legislative assembly that the tax commissioner make a report to the next legislative assembly on oil and gas tax collections resulting from oil and gas tax audits conducted by the tax department. It is also the intent of the legislative assembly that the tax commissioner be allowed to employ audit personnel within authorized numbers of positions at his discretion in the various divisions of the tax department.

SECTION 9. AMENDMENT. Subsection 8 of section 54-44-04 of the 1979 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

8. Shall keep the general accounts, reflecting for each fund the resources and balance, together with current revenues and expenditures, and may shall provide for an accrual accounting system.

SECTION 10. Three new subsections to section 54-44-04 of the 1979 Supplement to the North Dakota Century Code are hereby created and enacted to read as follows:

Shall coordinate the development of accounting and financial related systems.

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Shall create an accounting manual and provide sufficient training of current and potential users concerning the functions and use of a statewide accounting and reporting system.

Shall prepare on an annual basis comprehensive financial statements of the state of North Dakota.

SECTION 11. APPROPRIATION. There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$1,000,000, or so much thereof as may be necessary, to the department of accounts and purchases for the purpose of revising the state accounting system for the biennium beginning July 1, 1981, and ending June 30, 1983."

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Governor's Office

The salaries and wages line item is reduced \$27,798 to delete funds for the noncontributory retirement plan. The operating expense line item is increased \$10,000 for expenses of the State Centennial Commission created by House Bill No. 1654.

Governor's Association

This appropriation is reduced \$30,200 in accordance with estimates for dues for the associations that the Governor's office will participate in.

Old West Regional Commission

This appropriation is reduced by \$18,750 to \$100,000. Also, a section of legislative intent is added to the bill which states that the general fund appropriation for the Old West Regional Commission shall only be expended if federal funds are available for the commission.

Lieutenant Governor

The salaries and wages line item is reduced \$1,634 to delete funds for the noncontributory retirement plan.

Secretary of State

The salaries and wages line item is reduced \$23,138 to delete funds for the noncontributory retirement plan. The operating expense line item is increased \$14,882 for microfilming expenses.

Secretary of State - Records Management and Microfilming

The salaries and wages line item is reduced \$4,996 to delete funds for the noncontributory retirement plan. Also, the general fund appropriation is increased \$154,427 since the estimated income appropriation is deleted pursuant to the provisions of House Bill No. 1072.

Attorney General

The salaries and wages line item is reduced \$122,266 to delete funds for the noncontributory retirement plan. The operating expense line item is reduced \$1,746 in accordance with legislative guidelines of nine percent per year regarding inflation.

State Auditor

The salaries and wages line item is reduced \$82,706 to delete funds for the noncontributory retirement plan. The operating expense line item is reduced \$7,208 in accordance with legislative guidelines of nine percent per year regarding inflation.



State Treasurer

The salaries and wages line item is reduced \$14,885 to delete funds for the noncontributory retirement plan. The operating expense line item is reduced a total of \$2,800 by subtracting \$2,500 for microfilming expenses and \$300 for moving expenses.

State Tax Commissioner

The salaries and wages line item is reduced \$167,756 to delete funds for the noncontributory retirement plan. The salaries and wages line item is increased \$73,502 for two additional oil and gas tax auditors.

The operating expense line item is reduced \$37,465 in accordance with legislative guidelines of nine percent per year regarding inflation. This line item is increased \$44,150 for the two additional tax auditors.

The equipment line item is increased by \$1,854 for two tax auditors.

Insurance Commissioner

The salaries and wages line item is reduced \$78,740 to delete \$28,392 for the noncontributory retirement plan, and to delete \$50,348 for a public information specialist position. The operating expense line item is reduced \$1,071 in accordance with legislative guidelines of nine percent per year regarding inflation.

Labor Commissioner

The salaries and wages line item is reduced \$11,234 to delete funds for the noncontributory retirement plan.

Public Service Commission

The salaries and wages line item is reduced \$106,135 to delete funds for the noncontributory retirement plan. Also, \$32,793 is deleted from salaries, \$13,750 from operating expenses, and \$275 from equipment for an administrative officer in the abandoned mined lands program. The operating expense line item is reduced \$12,203 in accordance with legislative guidelines of nine percent per year regarding inflation. The estimated income line item is reduced \$22,257 for the special fund amount deleted for the non-contributory retirement plan, \$7,282 for the amount deleted for operating expenses, and \$46,818 for the deleted position.

Agriculture Commissioner

The salaries and wages line item is reduced \$48,882 to delete funds for the noncontributory retirement plan. The operating expense line item is reduced \$3,945 in accordance with legislative guidelines of nine percent per year regarding inflation. Also the \$1,000,000 recommended for noxious weed control is reduced to \$250,000. The estimated income line item is reduced \$3,588 for the special fund share of the amount deleted for the noncontributory retirement plan.

State Officers Expense Payments

This amendment provides for total annual salary and expense allowance for state officials as follows:

ANALYSIS OF SALARIES AND UNVOUCHERED EXPENSE ALLOWANCE FOR ELECTED OFFICIALS

Annualized Amounts Calculating 10 Percent Increase January 1, 1981,  
Nine Percent Increase July 1, 1981, and Eight Percent Increase January 1, 1982

State Official	January 1, 1981-June 30, 1981			July 1, 1981-December 31, 1981			January 1, 1982-December 31, 1982		
	Statutory Salary	Annualized Expense Allowance	Total	Statutory Salary	Annualized Expense Allowance	Total	Statutory Salary	Annualized Expense Allowance	Total
Governor	\$47,000	\$ 4,700	\$51,700	\$47,000	\$ 9,354	\$56,354	\$47,000	\$ 11,862	\$60,862
Lt. Governor	8,000	0	8,000	8,000	0	8,000	8,000	0	8,000
Secretary of State	33,500	3,350	36,850	33,500	6,666	40,166	33,500	9,880	43,380
Attorney General	38,000	3,800	41,800	38,000	7,562	45,562	38,000	11,706	49,706
Superintendent of Public Instruction	34,000	3,400	37,400	34,000	6,766	40,766	34,000	10,028	44,028
Tax Commissioner	33,500	3,350	36,850	33,500	6,666	40,166	33,500	9,880	43,380
Insurance Commissioner	33,500	3,350	36,850	33,500	6,666	40,166	33,500	9,880	43,380
Public Service Commissioner	22,500	14,350	36,850	22,500	17,666	40,166	22,500	20,880	43,380

Public Service Commissioner	30,000	4,850	36,850	33,500	10,166	40,166	30,000	13,380	43.
Public Service Commissioner	33,500	3,350	36,850	33,500	6,666	40,166	33,500	9,880	43.
Agriculture Commissioner	33,500	3,350	36,850	33,500	6,666	40,166	33,500	9,880	43.
State Auditor	33,500	3,350	36,850	33,500	6,666	40,166	33,500	9,880	43.
State Treasurer	33,500	3,350	36,850	33,500	6,666	40,166	33,500	9,880	43.
Labor Commissioner	33,500	3,350	36,850	33,500	6,666	40,166	33,500	9,880	43.
<b>Total</b>		<u>559,900</u>			<u>\$104,842</u>			<u>\$148,296</u>	

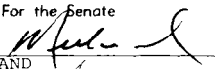

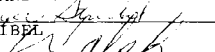
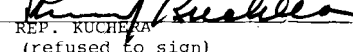
1981-82 total expense allowance calculated as follows:

6 months - January 1, 1981-June 30, 1981 = \$59,900 ± 2	= \$ 29,950
6 months - July 1, 1981-December 31, 1981 = \$104,842 ± 2	= \$2,421
12 months - January 1, 1981-December 31, 1981 = \$148,296	= 148,296

**Total** \$230,767

Department of Accounts and Purchases

A \$1,000,000 appropriation is added to revise the state's accounting and reporting system.

For the Senate	For the House
	
SEN. MELLAND	REP. MARSDEN
	
SEN. STRIEBEL	REP. KUCHERA (refused to sign)
SEN. WALSH	REP. MERTENS

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

prevailed.

House Bill No. 1001 was placed on the 6th

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

**REMARKS IN THE JOURNAL**

Rep. O. Hanson:

"Mr. Speaker, I would ask that my remarks be included in the Journal.

"Mr. Speaker and Members of this Assembly:

"I rise in protest today to the small amount of money included in this bill for agriculture and its related subsidiaries.

"In a state where 58.3% of all income generated during the year 1980 came from agriculture and its related products, 49% of all property taxes paid into our state coffers have come from farm and agriculture land. Since North Dakota is basically an agriculture state, I find it incomprehensible how we can find so little money for research and other programs that would stimulate our productivity. Several programs that our agriculture organizations have requested have been cut while budgets for elementary, secondary and higher education have been raised. I contend that research and education in the agriculture fields are as important as educating our children. A little over 3% of our budget goes for agricultural research.

"There is an old saying in Ranch County, if you don't prime the pump once in a while, the well will run dry.

"The Interim Committee on Noxious Weed Control recommended \$1,000,000 to fight leafy spurge. That has been cut to \$250,000 by the Appropriations Committee. The weed bill states we will pay all costs on state land so, conceivably this could be all used up on state land with very little left for private use. This is the problem. We can cope with the primary problem with the new levy of 2 mills for noxious weeds and 1 mill for leafy spurge and the local effort by private landowners. It is expensive, running up to \$100 per acre, which still can be handled unless solid quarter sections or so are infected. Then it's uneconomically feasible for the landowner and county to fund entirely by themselves. I had hoped we could have kept the entire \$1 million in

this appropriation to help agriculture fight a weed that, unless it is arrested soon, will be impossible to control down the road.”

**MOTION**

Rep. Kretschmar moved that the rules be suspended and that House Bill No. 1001 be placed on the sixth order of business, and after action taken on the sixth order, that House Bill No. 1001 be placed on the eleventh order for second reading and final passage, which motion prevailed.

**SIXTH ORDER OF BUSINESS**

Rep. Marsden moved that the amendments to House Bill No. 1001 as recommended by the Conference Committee be adopted, which motion prevailed.

**SECOND READING OF HOUSE BILL**

**House Bill No. 1001.** — A Bill for an Act making an appropriation for defraying the expenses of various elected and appointed officials of the state of North Dakota; to create and enact three new subsections to section 54-44-04 of the North Dakota Century Code, relating to the powers and duties of the director of the department of accounts and purchases and a revision of the state accounting and financial reporting system; to amend and reenact subsection 8 of section 54-44-04 of the North Dakota Century Code, relating to the powers and duties of the director of the department of accounts and purchases; 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, 58; nays, 39; absent and not voting, 3.

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. #7		•	HOPFNER		•	METZ		•	THOMPSON		•
ANDERSON, R. #24		•	HORGAN		•	MEYER		•	TIMM		•
BACKES		•	HOUWMANN		•	MOORE		•	UNHJEM		•
• BERG		•	HUGHES		•	• MOUM		•	VANDER VORST		•
• BERGER		•	HUWE		•	MURPHY		•	VIG		•
BLACK		•	JACOBSEN, R.		•	MUSHIK		•	WAGNER		•
BOYUM		•	JACOBSEN, I.		•	NAGEL		•	WALD		•
BROKAW		•	KELLY		•	NICHOLAS		•	WENTZ		•
• CONNY		•	KENT		•	OLAFSON		•	WHALEN		•
• CRABTREE		•	KINGSBURY		•	OLSEN		•	ZIMBLEMAN		•
• DICK		•	KLOUBEC		•	OLSON, A. #11		•			
• DIETZ		•	• KNUDSON		•	OLSON, D. #13		•	• MR. SPEAKER		•
DOTZENROD		•	KOLAND		•	OPEDAHL		•			
DUBORD		•	KOSKI		•	• PELTIER		•			
• EAGLES		•	• KRETSCHMAR		•	PETERSON		•			
FREBORG		•	KUCHERA		•	POMEROY, E. #24		•			
• GATES		•	• LANG		•	• POMEROY, G. #42		•			
• GERL		•	LARSON, B. #12		•	• REED		•			
• GOETT		•	LARSON, G. #29		•	• REITEN		•			
• GOODER		•	LARSON, H. #7		•	• RETZER		•			
• GUNDERSON		•	LIPSIE		•	• RICE		•			
• GUNSCH		•	• MARSDEN		•	RICHARD		•			
HANSON, L. #48		•	• MARTIN		•	RICHIE		•			
HANSON, O. #3		•	• MARTINSON		•	RIEHL		•			
• HAUGLAND		•	MATCHIE		•	• RUED		•			
• HAUSAUER, A. #9		•	• MATHENY		•	SCHINDLER		•			
• HAUSAUER, R. #25		•	• MATTSON		•	SOLBERG		•			
• HEDSTROM		•	• MEIERS		•	• SORUM		•			
• HEGAARD		•	• MELBY		•	• STRINDEN		•			
• HILL		•	• MERTENS		•	• SWIONTEK		•			

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

**MESSAGE TO THE HOUSE**

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

Senate Bill No. 2011

And the President has appointed as a conference committee to act

with a like committee from the House on:

Senate Bill No. 2011

Senators:

Senator Melland

Senator Lips

Senator Walsh

Very respectfully,

LEO LEIDHOLM, Secretary

**APPOINTMENT OF CONFERENCE COMMITTEE**

Speaker Peterson appointed the following to a Conference Committee on Senate Bill No. 2011:

Rep. Unhjem

Rep. Koland

Rep. Meiers

**MESSAGES TO THE HOUSE**

Senate Chamber

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

House Bill No. 1051

House Bill No. 1072

House Bill No. 1269

House Bill No. 1293

House Bill No. 1591

House Concurrent Resolution No. 3072

Which the President has signed.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker:

I have the honor to inform you that the Senate respectfully requests the return of House Concurrent Resolution No. 3005.

Very respectfully,

LEO LEIDHOLM, Secretary

**MOTION**

Rep. Strinden moved that the House accede to the Senate's request for the return of House Concurrent Resolution No. 3005, which motion prevailed.

**MESSAGE TO THE SENATE**

House Chambers

Mr. President:

I have the honor to return House Concurrent Resolution No. 3005, which the Senate has requested.

Very respectfully,

ROY GILBREATH, Chief Clerk

**MOTION**

Rep. Strinden moved that the House stand at recess until 1:00 p.m., which motion prevailed.

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

**REPORT OF PROCEDURAL COMMITTEE**

The committee on Enrollment and Engrossment respectfully reports that:

House Bill No. 1051

House Bill No. 1072

House Bill No. 1269

House Bill No. 1293

House Bill No. 1591

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

~~SECRETARY OF STATE~~

11:09 o'clock A.M., March 31, 1981

*Craig M. Richie*  
Rep. Craig Richie Chairman.

The committee on Enrollment and Engrossment respectfully reports that:

H.C.R. No. 3072

was delivered to the Secretary of State at the hour of

~~GOVERNOR~~

~~XXXXXXXXXXXX~~

11:08 o'clock A.M., March 31, 1981

*Craig M. Richie*  
Rep. Craig Richie Chairman.

**Report of Conference Committee**

Mr. SPEAKER: Your Conference Committee to whom was referred House Bill No. 1008 has had the same under consideration and recommends:

That the Senate recede from its amendments and that engrossed House Bill No. 1008 be amended as follows:

- On page 1 of the engrossed bill, line 18, delete the numerals "2,751,510" and insert in lieu thereof the numerals "2,662,512"
- On page 1 of the engrossed bill, line 22, delete the numerals "1,112,500" and insert in lieu thereof the numerals "243,500"
- On page 1 of the engrossed bill, line 23, delete the numerals "4,468,725" and insert in lieu thereof the numerals "3,510,727"
- On page 1 of the engrossed bill, line 25, delete the numerals "3,942,993" and insert in lieu thereof the numerals "2,984,995"
- On page 1 of the engrossed bill, line 28, delete the numerals "1,538,440" and insert in lieu thereof the numerals "1,490,964"
- On page 2 of the engrossed bill, line 4, delete the numerals "1,132,000" and insert in lieu thereof the numerals "293,000"
- On page 2 of the engrossed bill, line 5, delete the numerals "3,114,969" and insert in lieu thereof the numerals "2,228,493"
- On page 2 of the engrossed bill, line 7, delete the numerals "2,771,328" and insert in lieu thereof the numerals "1,884,852"
- On page 2 of the engrossed bill, line 8, delete the numerals "6,714,321" and insert in lieu thereof the numerals "4,869,847"

On page 2 of the engrossed bill, line 10, delete the numerals "7,583,694" and insert in lieu thereof the numerals "5,739,220"

On page 2 of the engrossed bill, delete lines 29 through 35

On page 3 of the engrossed bill, delete lines 1 through 7

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

School for the Deaf

The salaries and wages line item for the School for the Deaf is reduced by \$88,998 from the general fund to delete funds for a noncontributory retirement plan. The capital improvements line item is reduced by \$869,000 from the general fund to delete funds for the activities building. Funds for this building are expected to be added to House Bill No. 1341.

School for the Blind

The salaries and wages line item for the School for the Blind is reduced by \$47,476 from the general fund to delete funds for a noncontributory retirement plan. The capital improvements line item is reduced by \$839,000 from the general fund by deleting funds for a classroom and library addition.

For the Senate	For the House
<i>Stella Fritzell</i>	<i>Rep. Kuchera</i>
Sen. Fritzell	Rep. Kuchera
<i>Sen. Naaden</i>	<i>Rep. Hausader</i>
Sen. Naaden	Rep. Hausader
<i>Sen. Walsh</i>	<i>Rep. Mertens</i>
Sen. Walsh	Rep. Mertens

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

House Bill No. 1008 was placed on the 6th

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

MOTION

Rep. Striden moved that the rules be suspended and that House Bill No. 1008 be placed on the sixth order of business, and after action taken on the sixth order, that House Bill No. 1008 be placed on the eleventh order for second reading and final passage, and dispense with the reading of the title, which motion prevailed.

SIXTH ORDER OF BUSINESS

Rep. Kuchera moved that the amendments to House Bill No. 1008 as recommended by the Conference Committee be adopted, which motion prevailed.

SECOND READING OF HOUSE BILL

House Bill No. 1008. — A Bill for an Act making an appropriation for defraying the expenses of the school for the deaf and the school for the blind 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.

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			• HOUHANN			• MOORE			• UNHJEM		
• BERG			• HUGHES			• MOUM			• VANDER VORST		
• BERGER			• HUWE			• MURPHY			• VIG		
• BLACK			• JACOBSEN, R.			• MUSHIK			• WAGNER		
• BOYUM			• JACOBSON, I.			• NAGEL			• WALD		
• BROKAW			• KELLY			• NICHOLAS			• WENTZ		
• CONMY			• KENT			• OLAFSON			• WHALEN		
• CRABTREE			• KINGSBURY			• OLSEN			• ZIMBLEMAN		
• DICK			• KLOUBEC			• OLSON, A. #11					
• DIETZ			• KNUDSON			• OLSON, D. #12			• MR SPEAKER		
• DOTZENROD			• KOLAND			• OPEDAHL					
• DUBORD			• KOSKI			• PELTIER					
• EAGLES			• KRETSCHMAR			• PETERSON					
• FREBORG			• KUCHERA			• POMEROY, E. #24					
• GATES			• LANG			• POMEROY, G. #42					
• GERL	•		• LARSON, B. #12			• REED					
• GOETZ			• LARSON, G. #29			• REITEN					
• GORDER			• LARSON, H. #7			• RETZER					
• GUNDERSON			• LIPSIEA			• RICE					
• GUNSCHE			• MARSDEN			• RICHARD					
• HANSON, L. #48			• MARTIN			• RICHIE					
• HANSON, D. #2			• MARTINSON			• RIEHL					
• HAUGLAND			• MATHIE			• RUED	•				
• HAUSAUER, A. #49			• MATHENY			• SCHINDLER					
• HAUSAUER, R. #15			• MATTSO	•		• 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. Wagner moved that the House reconsider its action whereby House Bill No. 1001 was passed but the emergency clause failed, which motion prevailed.

SECOND READING OF HOUSE BILL

House Bill No. 1001. — A Bill for an Act making an appropriation for defraying the expenses of various elected and appointed officials of the state of North Dakota; to create and enact three new subsections to section 54-44-04 of the North Dakota Century Code, relating to the powers and duties of the director of the department of accounts and purchases and a revision of the state accounting and financial reporting system; to amend and reenact subsection 8 of section 54-44-04 of the North Dakota Century Code, relating to the powers and duties of the director of the department of accounts and purchases; 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, 72; nays, 27; absent and not voting, 1.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• ANDERSON, C. #7			• HOFFNER			• WETZ			• THOMPSON		
• ANDERSON, R. #36			• HORGAN			• MEYER			• TIMM		
• BACKES			• HOUHANN			• MOORE			• UNHJEM		
• BERG			• HUGHES			• MOUM			• VANDER VORST		
• BERGER			• HUWE			• MURPHY			• VIG		
• BLACK			• JACOBSEN, R.			• MUSHIK			• WAGNER		
• BOYUM			• JACOBSON, I.			• NAGEL			• WALD		
• BROKAW			• KELLY			• NICHOLAS			• WENTZ		
• CONMY			• KENT			• OLAFSON			• WHALEN		
• CRABTREE			• KINGSBURY			• OLSEN			• ZIMBLEMAN		
• DICK			• KLOUBEC			• OLSON, A. #11					
• DIETZ			• KNUDSON			• OLSON, D. #12			• 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, C. #29			• REITEN					

• GORDER	• LARSON, H. #7	• RETZER
• GUNDERSON	• LIPSIEA	• RICE
• GUNSCH	• MARDSEN	• 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.

MESSAGE TO THE HOUSE

Senate Chamber

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

House Bill No. 1659

LEO LEIDHOLM, Secretary

On page 3 of the bill, line 1, after the word "school" insert "and junior high school".

And renumber the lines accordingly.

MOTIONS

Rep. Strinden moved that the House do concur in the Senate amendments to House Bill No. 1659, which motion prevailed.

Rep. Strinden moved that the rules be suspended and that House Bill No. 1659 be heard immediately on the eleventh order for second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE BILL

House Bill No. 1659. — A Bill for an Act making an appropriation to provide for the preparation, printing, and distribution of the North Dakota Blue Book and stating legislative intent.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 98; nays, 0; absent and not voting, 2.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• ANDERSON, C. #7			• HOFFNER			• METZ			• THOMPSON		
• ANDERSON, R. #34			• MORGAN			• MEYER			• TIMM		
• BACKES			• 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		
• CONWY			• KENT			• OLAFSON			• WHALEN		
• CRABTREE			• KINGSBURY			• OLSEN			• ZIMBLEMAN		
• DICK			• KLOUBEC			• OLSON, A. #11					
• DIETZ			• KNUSSON			• OLSON, D. #12			• 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			• MARDSEN			• 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.



Report of Conference Committee

Mr. SPEAKER: Your Conference Committee to whom was referred House Bill No. 1028 has had the same under consideration and recommends:

That the Senate recede from its amendments and that engrossed House Bill No. 1028 be amended as follows:

- On page 1 of the engrossed bill, line 14, delete the numerals "152,799" and insert in lieu thereof the numerals "147,737"
On page 1 of the engrossed bill, line 17, delete the numerals "1,024,200" and insert in lieu thereof the numerals "1,012,200"
On page 1 of the engrossed bill, line 18, delete the numerals "1,263,120" and insert in lieu thereof the numerals "1,246,058"
On page 1 of the engrossed bill, line 20, delete the numerals "305,920" and insert in lieu thereof the numerals "288,858"
On page 2 of the engrossed bill, delete lines 12 through 21
And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

The salaries and wages line item for the Council on the Arts is decreased by \$5,062 for the removal of funds associated with the state funding a conversion to a noncontributory retirement plan for employees.

The amendment decreases the grants line item by \$12,000 from the general fund to reduce the additional funds provided for community development grants to \$38,000. The House version had provided \$50,000 in additional funds for these grants.

For the Senate: Donald Hanson, Sen. Wengstrom, Sen. Walsh, Rep. Lipsiea
For the House: Peter Lipows, Rep. Lipsiea, Rep. Unhfer, Rep. Mertens

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

House Bill No. 1028 was placed on the 6th

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

MOTION

Rep. Strinden moved that the rules be suspended and that House Bill No. 1028 be placed on the sixth order of business, and after the action taken on the sixth order, that House Bill No. 1028 be placed on the eleventh order for second reading and final passage, and dispense with the reading of the title, which motion prevailed.

SIXTH ORDER OF BUSINESS

Rep. Lipsiea moved that the amendments to Senate Bill No. 1028 as recommended by the Conference Committee be adopted, which motion prevailed.

SECOND READING OF HOUSE BILL

House Bill No. 1028. - A Bill for an Act making an appropriation for defraying the expenses of the council on the arts 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, 90; nays, 8; absent and not voting, 2.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL CALL			1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• ANDERSON, C. #1			• 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			• JACOBSEN, I.			• NAGEL	•	• WALD
• BROKAW			• KELLY			• NICHOLAS		• WENTZ
• CONRY			• KEAT			• 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, C. #3			• MARTINSON			• RIEHL		
• HAUGLAND			• HATCHIE			• RUED	•	
• HAUSAUER, A. #89			• MATHENY			• SCHINDLER		
• HAUSAUER, R. #15			• MATTSON			• SOLBERG		
• HEDSTROM			• MEIERS			• SORUM		
• HEIGAARD			• MELBY	•		• STRINDEN		
• HILL			• WERTENS			• SWIONTEK		

So the bill passed and the title was agreed to.

**MESSAGE TO THE HOUSE**

Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has adopted the conference committee report and subsequently failed to pass:

Senate Bill No. 2201

Very respectfully,

LEO LEIDHOLM, Secretary

**MESSAGE TO THE SENATE**

House Chamber

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

Senate Concurrent Resolution No. 4041

ROY GILBREATH, Chief Clerk

**MESSAGE TO THE HOUSE**

Senate Chamber

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

Senate Concurrent Resolution No. 4041

Very respectfully,

LEO LEIDHOLM, Secretary

**MESSAGE TO THE HOUSE**

Senate Chamber

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

Senate Bill No. 2005

Senate Bill No. 2019

Very respectfully,

Senate Bill No. 2046

Senate Bill No. 2092

LEO LEIDHOLM, Secretary

## Report of Conference Committee

Mr. SPEAKER: Your Conference Committee to whom was referred House Bill No. 1040 has had the same under consideration and recommends:

That the House accede to the Senate amendments and that House Bill No. 1040 as reengrossed by the Senate be further amended as follows:

- On page 1 of the reengrossed bill, line 3, after the word "reenact" insert the following: "subsection 7 of section 20.1-02-05 and"
- On page 1 of the reengrossed bill, line 4, after the word "to" insert the words "powers of the commissioner and"
- On page 1 of the reengrossed bill, line 18, delete the numerals "2,646,925" and insert in lieu thereof the numerals "2,621,925"
- On page 1 of the reengrossed bill, line 21, delete the numerals "945,850" and insert in lieu thereof the numerals "745,850"
- On page 1 of the reengrossed bill, line 23, delete the numerals "135,000" and insert in lieu thereof the numerals "110,000"
- On page 1 of the reengrossed bill, line 27, delete the numerals "11,397,289" and insert in lieu thereof the numerals "11,147,289"
- On page 2 of the reengrossed bill, after line 22, insert the following new section:

"SECTION 5. AMENDMENT. Subsection 7 of section 20.1-02-05 of the 1979 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

7. ~~Purchase~~ With the governor's approval, purchase, lease, or condemn real estate, when it is required to carry out this title, and sell it when it is no longer required, in the name of the state ~~and subject to the approval of the governor.~~"

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

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

Operating Expenses:

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

Capital Improvements - Wildlife Development:

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

Capital Improvements - Fishing Areas:

Bank erosion control	\$ 10,000
Hypolimnetic drawdowns for water quality improvement	14,000
Roads and trails	15,000
Parking lots	5,000
Toilets	6,000



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

So the bill passed and the title was agreed to.

**Report of Conference Committee**

Mr. SPEAKER: Your Conference Committee to whom was referred HOUSE Bill No. 1058 has had the same under consideration and recommends:

That your Conference Committee on House Bill 1058 having been unable to agree, recommends that the Conference Committee be discharged and a new Conference Committee be appointed.

For the Senate

For the House

Sen. Tennessee

Rep. Rued

Sen. Quail

Rep. Peltier

Sen. Grotberg

Rep. B. Larson

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

prevailed.

**APPOINTMENT OF A CONFERENCE COMMITTEE**

Speaker Peterson appointed the following to a new Conference Committee on House Bill No. 1058:

- Rep. Peltier
- Rep. Dietz
- Rep. Dotzenrod

**MESSAGE TO THE SENATE**

House Chamber

Mr. President: I have the honor to inform you that the House has reconsidered the action by which the House passed House Bill No. 1497 after concurring in the Senate amendments, and subsequently failed to pass House Bill No. 1497.

Very respectfully,

ROY GILBREATH, Chief Clerk

**Report of Conference Committee**

Mr. SPEAKER: Your Conference Committee to whom was referred HOUSE Bill No. 1605 has had the same under consideration and recommends:

That the Senate recede from its amendments and that engrossed House Bill No. 1605 be further 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 provide a statement of legislative intent; to create and provide for distribution of a native American alcohol and drug abuse education program for use 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 education programs for native Americans on the four major Indian reservations in North Dakota.

SECTION 2. NATIVE AMERICAN ALCOHOL AND DRUG ABUSE EDUCATION FUND - CREATION AND DISTRIBUTION. There is hereby created in the state treasury a special fund to be known as the native American alcohol and drug abuse education fund. The moneys appropriated to this special fund shall be distributed by the state treasurer once each year, to the four major Indian reservations in North Dakota. Each reservation shall be entitled to receive a prorated share based upon the Indian population living on the reservation as compared with the total Indian population living on all four major reservations within the state as determined by the most recent federal decennial census. However, in order for reservations to receive funds, alcohol and drug abuse education programs on the reservation must make application to the North Dakota Indian affairs commission showing such information as required based on early educational program criteria developed and approved by the commission in consultation with the division of alcoholism and drug abuse, the state health department and the office of Indian program development at the university of North Dakota. The state treasurer shall disburse the funds upon notification by the Indian affairs commission that they have received adequate evidence of proposed expenditures based on the above-mentioned criteria. Before the funds are disbursed, the Indian affairs commission shall provide the state treasurer with reports of expenditures from the previous year. Any moneys in the fund to which reservations are entitled but which are not disbursed, shall be returned to the state general fund at the same time the following year's disbursement is made or at the end of the 1981-83 biennium.

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 \$383,836.83, or so much thereof as may be necessary, to the native American alcohol and drug abuse education fund in the state treasury for distribution as provided in this Act for the biennium beginning July 1, 1981, and ending June 30, 1983.

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

And renumber the lines, pages, and sections accordingly



• HEIGAARD	• MELBY	• STRINDEN
• HILL	• MERTENS	• SWIONTEK

So the bill passed and the title was agreed to.

**MOTION**

Rep. A. Hausauer moved that the House reconsider its action whereby it did not concur in the Senate amendments to House Bill No. 1199, and that the House do concur in the Senate amendments to House Bill No. 1199, and that the Conference Committee on House Bill No. 1199 be dissolved, which motion prevailed.

Rep. Kretschmar moved that the rules be suspended and that House Bill No. 1199 be placed on the eleventh order for second reading and final passage, which motion prevailed.

**SECOND READING OF HOUSE BILL**

**House Bill No. 1199.** — A Bill for an Act to create and enact a new section to chapter 57-38 of the North Dakota Century Code, relating to a simplified optional method of computing state income tax liability; 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, 0 ; nays, 99; 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. #1	•		HOFFNER	•		METZ	•		THOMPSON	•	
ANDERSON, R. #36	•		HORGAN	•		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	•	
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. #1	•		RETZER	•				
GUNDERSON	•		LIPSIEA	•		RICE	•				
GUNSCH	•		MARSDEN	•		RICHARD	•				
HANSON, L. #48	•		MARTIN	•		RICHIE	•				
HANSON, O. #3	•		MARTINSON	•		RIEHL	•				
HAUGLAND	•		MATCHIE	•		RUED	•				
HAUSAUER, A. #49	•		MATHEW	•		SCHINDLER	•				
HAUSAUER, R. #25	•		MATTSOEN	•		SOLBERG	•				
HEDSTROM	•		MEIERS	•		SORUM	•				
HEIGAARD	•		MELBY	•		STRINDEN	•				
HILL	•		MERTENS	•		SWIONTEK	•				

So the bill was declared lost.

**Report of Conference Committee**

Mr. SPEAKER: Your Conference Committee to whom was referred HOUSE Bill No. 1049 has had the same under consideration and recommends:

That the Senate recede from its amendments and that reengrossed House Bill No. 1049 be amended as follows:

On page 1 of the reengrossed bill, line 7, delete the word "and" and after the word "appropriation" and before the period insert



the following: "; to provide effective dates; and to provide expiration dates"

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

"SECTION 3. ADMINISTRATION OF REVOLVING FUND. The revolving fund and loans made therefrom shall be supervised and administered by the Bank of North Dakota. All applications for loans under the provisions of this Act shall be made to the state department of human services. The department may promulgate rules, pursuant to chapter 28-32, to carry out the provisions of this Act. Applications approved by the department, in consultation with the state department of health, shall be forwarded to the Bank of North Dakota. Upon approval of such application by the Bank of North Dakota, loans shall be made from the revolving fund in accordance with the provisions of this Act."

On page 2 of the reengrossed bill, line 3, delete the numeral "3" and insert in lieu thereof the numeral "4"

On page 2 of the reengrossed bill, line 13, delete the word "three" and insert in lieu thereof the word "five"

On page 2 of the reengrossed bill, after line 28, insert the following:

"SECTION 5. AMOUNT OF LOAN - TERMS AND CONDITIONS. Loans in an amount not exceeding three-fourths of the cost of construction, reconstruction, or acquisition, including the cost or value of real estate upon which the facility is located, and in no event exceeding three hundred thousand dollars to any one applicant, shall be made by the Bank of North Dakota to nonprofit corporations to be used in the construction, reconstruction, or acquisition of intermediate care facilities in this state for developmentally disabled persons and residential facilities for physically disabled persons. Such loans shall bear interest at a rate of five percent, and shall be repayable in the manner prescribed by the Bank of North Dakota within a period of not more than twenty-five years. In addition, in consideration of the granting of a loan under this Act, each nonprofit corporation shall execute a contract with the state to operate the facility in accordance with the standards prescribed for the licensing of the facility by the state department of human services. The contract shall also provide that if the use of the facility is discontinued or diverted to other purposes, the full amount of the loan provided under this Act shall immediately become due and payable. The Bank of North Dakota may deduct one-half of one percent of the outstanding loans annually as a service fee for administering the revolving fund. Payments of interest and principal on loans made under this Act shall be made to the Bank of North Dakota and credited to the revolving fund."

On page 2 of the reengrossed bill, line 29, delete the numeral "4" and insert in lieu thereof the numeral "6"

On page 3 of the reengrossed bill, line 1, delete the numeral "5" and insert in lieu thereof the numeral "7"

On page 3 of the reengrossed bill, line 13, delete the numeral "6" and insert in lieu thereof the numeral "8"

On page 3 of the reengrossed bill, line 14, delete the words "general fund in the state treasury" and insert in lieu thereof the words "land and minerals trust fund"

On page 3 of the reengrossed bill, line 25, delete the words and numerals "Not less than \$600,000" and insert in lieu thereof the following: "Six hundred thousand dollars, or so much thereof as may be necessary,"



• 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 #41	
• GERL	• LARSON, B. #12	• REED	
• GOETZ	• LARSON, G. #29	• REITEN	
• GORDER	• LARSON, H. #7	• RETZER	
• GUNDERSON	• LIPSSEA	• RICE	
• GUNSCHE	• MARSDEN	• RICHARD	
• HANSON, L. #4	• MARTIN	• RICHIE	
• HANSON, O. #2	• MARTINSON	• RIEHL	
• HAUGLAND	• MATHIE	• RUED	
• HAUSAUER, A. #9	• MATHEWY	• SCHWIDLER	
• HAUSAUER, R. #25	• MATTSOEN	• SOLBERG	
• HEDSTROM	• MEIERS	• SORUM	
• HEIGAARD	• MELBY	• STRINDEN	
• HILL	• MERTENS	• 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. 1653 has had the same under consideration and recommends:

That the Senate recede from its amendments and HB 1653 be amended as follows:

On page 2, line 9 of the engrossed bill, after the numerals "1981" insert the following "provided, however, that in no event shall the salary of a judge of a county court of increased jurisdiction exceed the salary then in effect for district court judges as provided in section 27-05-03".

On page 2, line 14 of the engrossed bill, after the numerals "1981" insert the following "provided, however, that in no event shall the salary of a judge of a county court of increased jurisdiction exceed the salary then in effect for district court judges as provided in section 27-05-03".

On page 2, line 21 of the engrossed bill, delete the word "ninety-five" and insert in lieu thereof the word "eighty-five".

On page 2, line 24 of the engrossed bill, delete the word "one" and insert the word "ninety".

On page 2, line 25 of the engrossed bill, delete the word "hundred".

And renumber the pages and lines accordingly

For the Senate	For the House
<u>Sen. Tallackson</u>	<u>Rep. Unhjem</u>
<u>Sen. Hanson</u>	<u>Rep. Kuchera</u>
<u>Sen. Meiers</u>	<u>Rep. Meiers</u>

moved that the report be adopted, which motion prevailed.

House 1653 Bill No. 1653 was placed on the 6th

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

**MOTION**

Rep. Strinden moved that the rules be suspended and that House Bill No. 1653 be placed on the sixth order of business, and after action taken on the sixth order, that House Bill No. 1653 be placed on the



which request was granted.

Rep. D. Olsen:

" Mr. Speaker - I request that my remarks be printed in the Journal.

" Mr. Speaker - Members of this Assembly;

" Certainly I am not going to talk at length today concerning HCR 3084. We have already heard much discussion during this Session.

" I do wish to commend the leadership of this House for approving a delayed bill which addresses a subject which is of great interest and importance to the people of North Dakota.

" The people of North Dakota are overwhelmingly prolife. They demonstrated this in the 1972 referendum when 78% voted not to make then current abortion laws less restrictive.

" Since the 1973 Supreme Court decision, which in effect legalized abortion-on-demand, each Legislative Session has sent a message to Congress requesting that Congress act so that human life, born and unborn, would once again have protection under the laws of these United States.

" Senator Mark Andrews is a sponsor of one of the proposed Human Life Amendments introduced in Congress. Congressman Byron Dorgan has stated he also supports it. This resolution is SJ Resolution 22.

" SJR 22 and HJR 139 reads:

" Section 1. With respect to the right to life, the word 'person' as used in this article and in the fifth and fourteenth articles of amendment to the Constitution of the United States, applies to all human beings, irrespective of age, health, function, or condition of dependency, including their unborn offspring at every stage of their biological development.

" Section 2. No unborn person shall be deprived of life by any person: Provided, however, that nothing in this article shall prohibit a law permitting only those medical procedures required to prevent the death of the mother.

" HCR 3084 requests "The United States Congress to pass a resolution proposing an amendment to the Constitution of the United States to protect all human life."

" I urge this House of Representatives of the 47th Legislative Assembly to join its Congressional delegation in demonstrating its concern by adopting a stand urging equal protection of all life from conception through natural death.

" Let us once more declare our belief in the value and dignity of each human being.

" Mr. Speaker - When the vote is taken, I request a recorded roll call vote. "

#### FIRST READING OF HOUSE CONCURRENT RESOLUTION

Reps. Melby, Hedstrom, and D. Olsen introduced:

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

Rep. Strinden moved that the rules be suspended, that House Concurrent Resolution No. 3084 not be referred to committee, and placed on second reading and final passage, which motion prevailed.

#### MOTION

Rep. Strinden moved that debate on House Concurrent Resolution No. 3084 be limited to seven and one-half minutes for each side, which motion prevailed.

SECOND READING OF  
HOUSE CONCURRENT RESOLUTION

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

Was read the second time.

ROLL CALL

The question being on the final adoption of the resolution, the roll was called and there were yeas, 71; nays, 21; absent and not voting, 8.

REGULAR SESSION				ROLL CALL				1981 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	YEAS	N-V	NAYS	YEAS	N-V	NAYS	
● ANDERSON, C. #1			● HOFFNER		● METZ			● THOMPSON			
● ANDERSON, R. #34		●	● HORGAN		● MEYER			● TIMM		●	
● BACKES			● HOUMANN		● MOORE		●	● UNJEM		●	
● 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, G. #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						
● HEIGAARD			● MELBY		● STRINDEN						
● HILL			● MERTENS		● SWONTEK						

So the House Concurrent Resolution No. 3084 was declared adopted.

MESSAGE TO THE HOUSE

Senate Chamber

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

Senate Concurrent Resolution No. 4090

Senate Concurrent Resolution No. 4091

LEOLEIDHOLM, Secretary

FIRST READING OF SENATE RESOLUTIONS

**Senate Concurrent Resolution No. 4091.** — A concurrent resolution expressing the concern of the Forty-seventh Legislative Assembly about the recent presidential assassination attempt, and wishing President Reagan a speedy and complete recovery.

Was read the first time.

Rep. Strinden moved that the rules be suspended, that Senate Concurrent Resolution No. 4091 be printed in the Journal, not be referred to committee, be read in its entirety, and placed on second reading and final passage, which motion prevailed.

SECOND READING OF SENATE CONCURRENT RESOLUTION

**Senate Concurrent Resolution No. 4091.** — A concurrent resolution expressing the concern of the Forty-seventh Legislative Assembly about the recent presidential assassination attempt, and wishing President Reagan a speedy and complete recovery.

Was read the second time.  
The question being on the final adoption of the resolution.  
So the Senate Concurrent Resolution No. 4091 was declared adopted on a voice vote.

### Report of Conference Committees

Mr. Speaker: Your Conference Committee to whom was referred Senate Bill No. 2005 has had the same under consideration and recommends:

That the Senate accede to the House amendments and that Senate Bill No. 2005, as reengrossed by the House, be further amended as follows:

- On page 3 of the reengrossed bill, line 2, delete the numerals "149,715" and insert in lieu thereof the numerals "164,715"
- On page 3 of the reengrossed bill, line 3, delete the numerals "6,887,647" and insert in lieu thereof the numerals "6,902,647"
- On page 3 of the reengrossed bill, line 5, delete the numerals "5,960,979" and insert in lieu thereof the numerals "5,975,979"
- On page 3 of the reengrossed bill, line 7, delete the numerals "6,052,979" and insert in lieu thereof the numerals "6,067,979"
- On page 4 of the reengrossed bill, line 22, delete the numerals "195,815,302" and insert in lieu thereof the numerals "195,830,302"
- On page 4 of the reengrossed bill, line 24, delete the numerals "266,267,103" and insert in lieu thereof the numerals "266,282,103"

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Mayville State College

The equipment line item for Mayville State College is increased by \$15,000 from the general fund.

Tuition Increases

The amount of tuition increases at the universities and colleges necessary to meet the estimated income amounts for the 1981-83 biennium are to be made at the discretion of the State Board of Higher Education.

For the Senate  
 Senator Hanson  
 Senator Libs  
 Senator Walsh  
 Representative Wagner

For the House  
 Representative Wagner  
 Representative Unhjem  
 Representative Obedahl

Representative Wagner moved that the report be adopted, which motion prevailed.

Senate Bill No. 2005 was placed on the 6th order of business on the calendar for the succeeding legislative day.

MOTION

Rep. Strinden moved that the rules be suspended and that Senate Bill No. 2005 be placed on the sixth order of business, and after action taken on the sixth order, that Senate Bill No. 2005 be placed on the fourteenth order for second reading and final passage, which motion prevailed.

SIXTH ORDER OF BUSINESS

Rep. Wagner moved that the amendments to Senate Bill No. 2005 as recommended by the Conference Committee 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, 74; nays, 24; 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			• HETZ		• THOMPSON
• ANDERSON, R. #36	•		• HORGAN			• MEYER	•	• TIMM
• BACKES			• HUGMANN			• MOORE		• UNHJEM
• BERG	•		• HUGHES			• MOUM		• VANDER VORST
• BERGER			• HUWE			• MURPHY	•	• VIG
• BLACK			• JACOBSEN, R.			• MUSHIK	•	• WAGNER
• BOYUM			• JACOBSEN, I.			• NAGEL	•	• WALD
• BROKAW	•		• KELLY			• NICHOLAS		• WENTZ
• CONMY			• KENT	•		• OLAFSON	•	• WHALEN
• CRABTREE			• KINGSBURY	•		• OLSEN		• ZIMBLEMAN
• DICK			• KLOUBEC			• OLSON, A. #11	•	
• DIETZ			• KNIPSON			• OLSON, D. #12		• MR. SPEAKER
• DOTZENROD			• KOLAND			• OPEDAHL		
• DUBORD			• KOSKI	•		• PELTIER		
• EAGLES			• KRETSCHMAR			• PETERSON		
• FREBORG			• KUCHERA			• POMEROY, E. #21		
• 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, G. #3			• MARTINSON			• RIEHL		
• HAUGLAND			• MATCHIE			• RUED		
• HAUSAUER, A. #49			• MATHENY			• SCHINDLER		
• HAUSAUER, R. #25			• MATTSON			• SOLBERG		
• HEDSTROM			• MEIERS	•		• SORUM		
• HEIGAARD			• MELBY	•		• STRINDEN		
• HILL			• MERTENS	•		• SWONTEK		

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

Report of Conference Committee

Mr. Speaker Your Conference Committee to whom was referred Senate Bill No. 2019 has had the same under consideration and recommends:



That the House recede from its amendments and that engrossed Senate Bill No. 2019 be amended as follows:

On page 1 of the engrossed bill, line 13, delete the numerals "427,112" and insert in lieu thereof the numerals "425,663"

On page 1 of the engrossed bill, line 17, delete the numerals "491,649" and insert in lieu thereof the numerals "490,200"

On page 1 of the engrossed bill, delete lines 18 through 27

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment decreases the salaries and wages line item of the Securities Commissioner by \$1,449. This net decrease resulted from an increase of \$20,649 to upgrade three positions, a deletion of \$10,481 to reduce the secretary allowed in the Governor's budget to a .5 FTE secretary position, and a net decrease in fringe benefits of \$11,617 which included the reduction for amounts included for the noncontributory retirement program.

For the Senate <i>Stella Fritzell</i> _____ Senator Fritzell	For the House <i>Freborg</i> _____ Representative Freborg
_____ Senator Vosper	_____ Representative Gunson
<i>Walsh</i> _____ Senator Walsh	<i>Opedahl</i> _____ Representative Opedahl

Representative Freborg... moved that the report be adopted, which motion prevailed.

Senate Bill No. 2019 was placed on the 6th

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

**MOTION**

Rep. Kretschmar moved that the rules be suspended and that Senate Bill No. 2019 be placed on the sixth order of business, and after action taken on the sixth order, that Senate Bill No. 2019 be placed on the fourteenth order for second reading and final passage, which motion prevailed.

**SIXTH ORDER OF BUSINESS**

Rep. Freborg moved that the amendments to Senate Bill No. 2019 as recommended by the Conference Committee be adopted, which motion prevailed.

**SECOND READING OF SENATE BILL**

**Senate Bill No. 2019.** — A Bill for an Act making an appropriation for defraying the expenses of the securities commissioner 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, 90; nays, 8; absent and not voting, 2.



On page 2 of the engrossed bill, delete lines 9 through 18 and insert in lieu thereof the following:

"SECTION 4. TRANSFER. The estimated income included in section 1 of this Act is a transfer of \$1,260,676 from the state highway fund to the economic development commission. The funds shall be transferred from the state highway fund to the economic development commission operating fund as directed by the office of the budget during the biennium beginning July 1, 1981, and ending June 30, 1983."

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

The salaries and wages line item for the Economic Development Commission is reduced by \$123,892. The \$123,892 consists of a reduction of \$26,723, \$17,632 from the general fund and \$9,091 from special funds, to delete funds for a noncontributory retirement plan; and a reduction of \$97,169 from the general fund to delete funding for a secretary and an industrial development analyst.

The operating expenses line item is reduced by \$20,000 from the general fund for those operating expenses associated with the deleted positions.

The equipment line item is reduced by \$25,375 from the general fund for the equipment associated with the deleted positions.

The amendment changes references to the Business and Industrial Development Department to read Economic Development Commission to reflect the name change in the department proposed by House Bill No. 1443.

Section 4 allows for the transfer of \$1,260,676 from the state highway fund to the Economic Development Commission operating fund to be used for those expenses related to the travel division, whose duties and personnel are transferred to the Economic Development Commission by House Bill No. 1443.

For the Senate  
*Melland*  
\_\_\_\_\_  
Senator Melland  
*Hanson*  
\_\_\_\_\_  
Senator Hanson  
*Grotberg*  
\_\_\_\_\_  
Senator Grotberg

For the House  
*Lipsiea*  
\_\_\_\_\_  
Representative Lipsiea  
*Wald*  
\_\_\_\_\_  
Representative Wald

\_\_\_\_\_  
Representative Mushik -refused to sign  
\_\_\_\_\_  
Representative Lipsiea moved that the report be adopted, which motion

prevailed.

Senate Bill No. 2025 was placed on the 6th

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

MOTION

Rep. Strinden moved that the rules be suspended and that Senate Bill No. 2025 be placed on the sixth order of business, and after action taken on the sixth order, that Senate Bill No. 2025 be placed on the fourteenth order for second reading and final passage, which motion prevailed.

SIXTH ORDER OF BUSINESS

Rep. Lipsiea moved that the amendments to Senate Bill No. 2025 as recommended by the Conference Committee be adopted, which motion prevailed.

SECOND READING OF SENATE BILL

**Senate Bill No. 2025.** — A Bill for an Act making an appropriation for defraying the expenses of the economic development commission of the state of North Dakota; and providing for a transfer.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 69; nays, 26; absent and not voting, 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION						ROLL CALL			1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• ANDERSON, C. #7			• HOFFNER		•	• METZ		•	• THOMPSON		
• ANDERSON, R. #36		•	• HORGAN			• MEYER			• TIMM		
• BACKES	•		• HOUMANN			• MOORE			• UNHJEM		
• BERG			• HUGHES		•	• MOUM			• VANDER VORST		
• BERGER		•	• HUWE			• MURPHY		•	• VIG		•
• BLACK			• JACOBSEN, R.			• MUSHK			• 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					
• FREIBORG			• KUCHERA			• POMEROY, E. #21					
• GATES			• LANG		•	• POMEROY, G. #12		•			
• GERL		•	• LARSON, B. #12			• REDON		•			
• GOETZ			• LARSON, G. #29			• REITEN					
• GORDER			• LARSON, H. #1			• RETZER					
• GUNDERSON			• LIPSIEA			• RICE					
• GUNTSCH		•	• MARSDEN			• RICHARD		•			
• HANSON, L. #48		•	• MARTIN			• RICHIE					
• HANSON, O. #3			• MARTINSON			• RIEHL					
• HAUGLAND			• MATCHIE		•	• RUED					
• HAUSAUER, A. #49			• MATHENY			• SCHINDLER		•			
• HAUSAUER, R. #25			• MATTONSON			• SOLBERG					
• HEDSTROM			• MEIERS		•	• SORUM					
• HEGAARD			• MELBY			• STRINDEN					
• HILL			• WERTENS		•	• SWIONTEK		•			

So the bill passed and the title was agreed to.

Report of Conference Committee

Mr. Speaker : Your Conference Committee to whom was referred Senate Bill No. 2046 has had the same under consideration and recommends:

That the House recede from its amendments and that engrossed Senate Bill No 2046 be amended as follows:

On page 1 of the engrossed bill, line 19, after the first semicolon insert the word "and", delete the semicolon and word "; and" and insert a period

On page 1 of the engrossed bill, delete line 20

On page 9 of the engrossed bill, line 2, delete the word "two" and insert in lieu thereof the word "three"

On page 12 of the engrossed bill, delete lines 6 through 34 and insert in lieu thereof the following:

"63-01.1-06. FUNDING OF PROGRAMS.

1. The board of county commissioners may pay expenses from the general fund expenses in any one year in furtherance of this weed-control chapter, including weed control along county public highways in the county. ~~The board of county commissioners of any county, when it deems it necessary or when petitioned by at least five percent of the voters voting in the last general election, may submit the question~~

~~of whether to levy county weed board may certify annually to the board of county commissioners a tax, not to exceed two mills on the net assessed valuation of all taxable property therein, to the electorate of the county in the county, to carry out the provisions of this chapter. However, the tax shall not be levied on property within the corporate limits of a city which establishes a program under section 63-01.1-10.1. The tax shall be levied by the board of county commissioners. All taxes levied and collected shall be remitted to the county weed board for a separate fund to be known as the weed control fund, which shall be used only to carry out the provisions of this chapter. The levy may shall be made to cover the salary and expenses of the county weed board, county weed control officer, the expense of weed control along county public highways in the county, and other expenses incurred in the operation of an effective weed control program in the county. Upon approval of sixty percent of the voters of the county voting on the question, the~~ The tax may be levied in excess of the mill levy limit prescribed by law for general purposes."

On page 13 of the engrossed bill, delete lines 8 through 35 and insert in lieu thereof the following:

- ~~"3--The governing body of any city may pay any expenses incurred by it in carrying out the provisions of this chapter from such city's general fund revenues. The commissioner shall allocate the funds of any legislative appropriation to the county weed boards and cities which establish a program under section 63-01.1-10.1 pursuant to a formula adopted by the commissioner, after consultation with the director of the extension division and the director of the agricultural experiment station, Fargo, or their respective designees. No county weed board or city shall receive an amount in excess of one-third of its actual expenditures for noxious weed control from any legislative appropriation, unless the appropriation provides assistance in noxious weed control to a board or city under subsection 3 of this section.~~
3. If a county weed board determines a weed is seriously endangering areas of a county or the state, assistance in control may be provided by legislative appropriation for this purpose, the commissioner shall allocate the appropriation accordingly, and the commissioner and each affected county weed board and city which establishes a program under section 63-01.1-10.1 shall be responsible for ensuring that the funds are properly expended.
4. The request for allocated funds pursuant to subsections 2 and 3 of this section shall be initiated by the county weed board or city which establishes a program under section 63-01.1-10.1 by submitting a voucher and documentation. Upon approval of the voucher by the commissioner, payment shall be made by the office of management and budget out of funds appropriated for control of weeds."

On page 14 of the engrossed bill, delete lines 1 and 2

On page 16 of the engrossed bill, delete lines 15 through 35

## JOURNAL OF THE HOUSE

and insert in lieu thereof the following:

- "1. The governing body of any city, when acting with a population of three thousand or more, may act as a control authority, shall eradicate or control noxious weeds when found within or adjacent to such city, and may establish and administer a program for the control of weeds within the jurisdictional limits of the city. If a program is not established, the county weed board shall administer a program for the city.
2. The governing body of any city with a population of three thousand or more may levy a tax, not to exceed two mills on the net assessed valuation of property within the corporate limits of the city, to establish and administer the program.
3. Moneys received by the cities from the levy may be used in any phase of weed control as determined by the governing body of the city. The control program shall include work on weeds included on any county or state noxious weed list.
4. The governing body of a city which establishes a control program may petition the commissioner of agriculture for special assistance in funding authorized by section 63-01.1-06."

On page 17 of the engrossed bill, delete lines 1 through 7

On page 18 of the engrossed bill, line 26, after the comma insert the following: "city,"

On page 19 of the engrossed bill, delete lines 1 through 35 and insert in lieu thereof the following:

- "2. Except as provided in subsections 1 and 3 of this section, county weed boards and cities which establish a program under section 63-01.1-10.1, shall contribute the total cost of the leafy spurge treatment program on private lands and lands within the board or city's jurisdiction with funds available under section 17 of this Act.
3. The state shall contribute the total cost of the leafy spurge treatment program on state lands plus the amount under subsection 2 of this section which cannot be funded by a county weed board or city under section 17 of this Act, subject to the limitation on expenditures from legislative appropriations set forth in subsection 2 of section 63-01.1-06.
4. Any legislative appropriation for the leafy spurge control program of sections 15 through 17 of this Act shall be expended only for reimbursement of the cost of leafy spurge control according to this section to private landowners, including lessees, tenants, renters, or operators of private land, county weed boards, or cities.

SECTION 17. A new section to chapter 63-01.1 of the North Dakota Century Code is hereby created and enacted to read as follows:

LEAFY SPURGE MILL LEVY. The board of county commissioners in each county and the governing body of a city which establishes a program under section

63-01.1-10.1 may levy a tax, not to exceed one mill on the net assessed valuation of all taxable property within its jurisdiction, to fund the contributions to the leafy spurge control program. However, the board of commissioners may not levy the tax on property within the corporate limits of a city which establishes a program under section 63-01.1-10.1. The tax may be levied in excess of the mill levy limit prescribed by law for general purposes. At the request of the county weed board or on the initiative of the board of county commissioners, or on the initiative of the governing body of a city which establishes a program under section 63-01.1-10.1, the tax levy authorized by this section shall not be made when no longer needed for the purposes of the leafy spurge control program. Funds necessary to carry out the provisions of the leafy spurge control program in excess of the revenue derived from the one."

On page 21 of the engrossed bill, delete lines 21 through 35 and insert in lieu thereof the following:

- "2. Except as provided in subsections 1 and 3 of this section, county weed boards and cities which establish a program under section 63-01.1-10.1 shall contribute the total cost of the cannabis treatment program on private lands and lands within the board or city's jurisdiction.
- 3. The state shall contribute the total cost of the cannabis treatment program on state lands plus the amount under subsection 2 of this section which cannot be funded by the county weed board or city. The commissioner shall allocate the funds of any legislative appropriation for cannabis control to the county weed boards and cities pursuant to a formula adopted by the commissioner, after consultation with the director of the extension division and the director of the agricultural experiment station, Fargo, or their respective designees. No county weed board or city shall receive an amount in excess of one-third of its actual expenditures for cannabis control from any legislative appropriation, unless the appropriation provides specific assistance in cannabis control to seriously endangered areas of a county or the state.
- 4. Any legislative appropriation for the cannabis control program of sections 19 and 20 of this Act shall be expended only for reimbursement of the costs of cannabis control according to this section to private landowners, including lessees, tenants, renters, or operators of private land, county weed boards, or cities."

On page 22 of the engrossed bill, delete lines 1 through 12

On page 23 of the engrossed bill, delete lines 30 through 35

On page 24 of the engrossed bill, delete lines 1 through 10

And renumber the lines and pages accordingly

For the Senate

For the House

Malcolm Swetten  
 Senator Tweten

Senator Streibel

Senator Walsh

Representative Marsden

Representative Thompson

Representative Mertens

Representative Marsden moved that the report be adopted, which motion

prevailed.

Senate Bill No. 2046 was placed on the 6th

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

MOTION

Rep. Strinden moved that the rules be suspended and that Senate Bill No. 2046 be placed on the sixth order of business, and after action taken on the sixth order, that Senate Bill No. 2046 be placed on the fourteenth order for second reading and final passage, which motion prevailed.

SIXTH ORDER OF BUSINESS

Rep. Marsden moved that the amendments to Senate Bill No. 2046 as recommended by the Conference Committee be adopted, which motion prevailed.

SECOND READING OF SENATE BILL

Senate Bill No. 2046. — A Bill for an Act to create and enact nine new sections to chapter 63-01.1 of the North Dakota Century Code, relating to establishing county weed boards, powers and duties of county weed boards, requiring certification and education of county weed control officers, establishment of a leafy spurge control program, funding of a leafy spurge control program, a mill levy assessment for a leafy spurge control program, and weed control quarantines; to create and enact chapter 63-05 of the North Dakota Century Code, relating to landowners or operators cutting weeds and grasses along county and township highways; to amend an reenact sections 63-01.1-01, 63-01.1-02, subsection 4 of section 63-01.1-03, sections 63-01.1-04, 63-01.1-05, 63-01.1-06, 63-01.1-08, 63-01.1-09, 63-01.1-10.1, 63-01.1-13.1, and 63-01.1-16 of the North Dakota Century Code, all relating to noxious weed control; to repeal sections 63-01.1-10 and 63-01.1-11 of the North Dakota Century Code, relating to township control of noxious weeds along township roads, and landowners or operators cutting weeds and grasses along county and township highways; providing a penalty; and providing 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, 87; nays, 11; absent and not voting, 2.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
•			•	HOFFNER		•	METZ		•	THOMPSON	
•			•	HORGAN		•	MEYER		•	TIMM	
•			•	HOUAMAN		•	MOORE		•	UNHJEM	•
•			•	HUGHES		•	MOLM		•	VANDER VORST	
•			•	HUWE		•	MURPHY	•	•	VIG	•
•			•	JACOBSEN, R		•	MUSHIK		•	WAGNER	
•			•	JACOBSON, I		•	NAGEL		•	WALD	
•			•	KELLY		•	NICHOLAS		•	WENTZ	
•			•	KENT	•	•	OLAFSON	•	•	WHALEMAN	
•			•	KINGSBURY	•	•	OLSEN		•	ZIMBLEMAN	
•			•	KLOUBEC		•	OLSON, A. #11				
•			•	KNUDSON		•	OLSON, D. #13	•			
•			•	KOLAND	•	•	OPEDAHN		•	MR SPEAKER	
•			•	KOSKI		•	PELTIER				
•			•	KRETSCHMAR		•	PETERSON				
•			•	KUCHERA		•	POWERDY, E. #24				
•			•	LANG		•	POWERDY, G. #42				
•			•	LARSON, B. #12		•	REED				
•			•	LARSON, G. #29		•	REITEN				
•			•	LARSON, H. #7		•	REITZER				
•			•	LIPSEA		•	RICE				
•			•	MARSDEN		•	RICHARD				
•			•	MARTIN		•	RICHIE				
•			•	MARTINSON		•	RIEHL				
•			•	MATCHIE		•	RUED				



● HAUSAUER, A #19	● MATHENY	● SCHINDLER
● HAUSAUER, R #25	● MATTSO	● SOLBERG
● WEDSTROM	● MEIERS	● SORUM
● HEGGAARD	● MELBY	● STRINDEN
● HILL	● MERTENS	● SWONTEK

So the bill passed and the title was agreed to.

**Report of Conference Committee**

Mr. Speaker : Your Conference Committee to whom was referred Senate Bill No. 2092 has had the same under consideration and recommends:

That the House recede from its amendments and that engrossed Senate Bill No. 2092 be further amended as follows:

On page 1 of the engrossed bill, line 1, delete the words and numerals "section 15-60-05 of the" and insert in lieu thereof the following: "subsection 2 of section 15-60-03 of the North Dakota Century Code, relating to the value of property for determining the maximum limit of indebtedness;"

On page 1 of the engrossed bill, delete lines 2 through 4

On page 1 of the engrossed bill, line 5, delete the following: "school construction fund;"

On page 1 of the engrossed bill, delete lines 9 through 27 and insert in lieu thereof the following:

"SECTION 1. AMENDMENT. Subsection 2 of section 15-60-03 of the 1979 Interim Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

2. The board shall have no power at any time or in any manner to pledge the credit or taxing power of the state or any other school districts. No obligations or debts of the board shall be deemed to be obligations of the state or any other school districts, and the state or any other school districts shall not be liable for the payment of principal or interest on such obligations. The board shall at no time enter into any contract with a school district under the provisions of this chapter, unless such school district is at that time annually levying a sufficient mill levy which the board has determined will provide for repayment of the contracted loan within twenty years after the initial payment from the state school construction fund to the school district, but a school district shall not borrow more than thirty percent of the taxable valuation of the district from the fund and shall not be permitted to levy less than ten mills for the maintenance of a building fund. The levy required by this section for repayment must be maintained over the life of the contract with the board, and the school district must have at the time of the loan an existing indebtedness to the maximum limit permitted by law. In determining whether a school district has an existing indebtedness to the maximum limit permitted by law for purposes of this section, the value of taxable property means twice the net value of all taxable property in the school district rather than six times such value as provided in subsection 4 of section 21-03-01."

On page 2 of the engrossed bill, delete lines 1 through 8



• HAUSAUER, R. #25	• MATTSON	• SOLBERG
• HEDSTROM	• WEIERS	• SORUM
• HEGGAARD	• WELBY	• STRINDEN
• HILL	• MERTENS	• SWIONTEK

So the bill passed and the title was agreed to.  
**MESSAGE FROM THE SENATE**  
 Senate Chamber

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

- House Bill No. 1003
- House Bill No. 1005
- House Bill No. 1006
- House Bill No. 1007
- House Bill No. 1010
- House Bill No. 1012
- House Bill No. 1014
- House Bill No. 1016
- House Bill No. 1019
- House Bill No. 1022
- House Bill No. 1023
- House Bill No. 1024
- House Bill No. 1029
- House Bill No. 1030
- House Bill No. 1031
- House Bill No. 1105
- House Bill No. 1177
- House Bill No. 1189
- House Bill No. 1190
- House Bill No. 1231
- House Bill No. 1444
- House Bill No. 1466
- House Bill No. 1484
- House Bill No. 1563
- House Bill No. 1648

Which the President has signed.

LEO LEIDHOLM, Secretary

**REPORT OF PROCEDURAL COMMITTEE**

The committee on Enrollment and Engrossment respectfully reports that:

House Bill No. 1003	House Bill No. 1177
House Bill No. 1005	House Bill No. 1189
House Bill No. 1006	House Bill No. 1190
House Bill No. 1007	House Bill No. 1231
House Bill No. 1010	House Bill No. 1444
House Bill No. 1012	House Bill No. 1466
House Bill No. 1014	House Bill No. 1484
House Bill No. 1016	House Bill No. 1563
House Bill No. 1019	House Bill No. 1648
House Bill No. 1022	



on which the House has adopted the conference committee report and the Speaker has appointed as a new conference committee:

House Bill No. 1058

Reps.

Rep. Peltier

Rep. Dietz

Rep. Dotzenrod

Very respectfully,

ROY GILBREATH, Chief Clerk

MESSAGE TO THE SENATE

House Chambers

Mr. President: I have the honor to inform you that the House has reconsidered its action by which it refused to concur in the Senate amendments to House Bill No. 1199, and now has concurred in the Senate amendment to House Bill No. 1199, and subsequently failed to pass House Bill No. 1199.

Very respectfully,

ROY GILBREATH, Chief Clerk

MESSAGES FROM THE SENATE

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

House Bill No. 1058

Sens.

Sen. Reiten

Sen. Tennefos

Sen. R. Christensen

Very respectfully,

LEO LEIDHOLM, Secretary

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 31, 1981, I signed the following House Bills:

House Bill: 1095

House Bill: 1227

House Bill: 1290

House Bill: 1399

House Bill: 1568

House Bill: 1651

House Bill: 1656

House Bill: 1042

House Bill: 1064

House Bill: 1184

House Bill: 1197

House Bill: 1249

House Bill: 1267

House Bill: 1313

House Bill: 1328

House Bill: 1411

House Bill: 1424

House Bill: 1435

House Bill: 1502

House Bill: 1504

House Bill: 1512  
House Bill: 1532  
House Bill: 1541  
House Bill: 1554  
House Bill: 1635

Sincerely,  
ALLEN I. OLSON  
Governor

**Report of Conference Committee**

Mr. \_\_\_\_\_ SPEAKER \_\_\_\_\_: Your Conference Committee to whom was refer-  
red \_\_\_\_\_ HOUSE \_\_\_\_\_ Bill No. 1036 \_\_\_\_\_ has had the same under  
consideration and recommends:

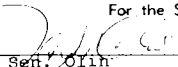
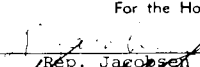
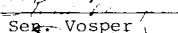

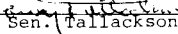
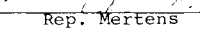
That the House accede to the Senate amendments and that House Bill  
No. 1036, as reengrossed by the Senate, be further amended as follows:

- On page 2 of the reengrossed bill, line 17, delete the numerals "101,423" and insert in lieu thereof the numerals "84,455"
- On page 2 of the reengrossed bill, line 18, delete the numerals "108,107" and insert in lieu thereof the numerals "40,620"
- On page 2 of the reengrossed bill, line 19, delete the numerals "40,691" and insert in lieu thereof the numerals "24,925"
- On page 2 of the reengrossed bill, line 20, delete the numerals "250,221" and insert in lieu thereof the numerals "150,000"
- On page 3 of the reengrossed bill, line 6, delete the numerals "6,685,654" and insert in lieu thereof the numerals "6,585,433"
- On page 3 of the reengrossed bill, line 7, delete the numerals "7,327,600" and insert in lieu thereof the numerals "7,227,379"

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

The appropriation for the Agricultural Products Promotion Commission is reduced from \$250,221 to \$150,000 to reflect revised estimates of revenue available to the commission for the 1981-83 biennium because of the defeat of Senate Bill No. 2249 which would have increased the amount designated for the commission from 1/8 of one cent per gallon from the gas tax refund to 1/4 of one cent per gallon.

For the Senate	For the House
 _____ Sen. Olin	 _____ Rep. Jacobsen
 _____ Sen. Vosper	 _____ Rep. Thompson
 _____ Sen. Tallackson	 _____ Rep. Mertens

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

prevailed.  
House \_\_\_\_\_ Bill No. 1036 \_\_\_\_\_ was placed on the \_\_\_\_\_ 6th \_\_\_\_\_

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

**MOTION**

Rep. Kretschmar moved that the rules be suspended and that House Bill No. 1036 be placed on the sixth order of business, and after action

taken on the sixth order, that House Bill No. 1036 be placed on the eleventh order for second reading and final passage, which motion prevailed.

SIXTH ORDER OF BUSINESS

Rep. R. Jacobsen moved that the amendments to House Bill No. 1036 as recommended by the Conference Committee be adopted, which motion prevailed.

SECOND READING OF HOUSE BILL

House Bill No. 1036. — A Bill for an Act making an appropriation for defraying the expenses of various agricultural councils and commissions 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, 87; nays, 12; absent and not voting, 1.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION						ROLL-CALL			1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● ANDERSON, C. #7			● HOFFNER			● METZ			● THOMPSON		
● ANDERSON, R. #36	●		● HORGAN			● MEYER			● TIMM		
● BACKES			● 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		
● COMMY			● KENT			● OLAFSON			● WHALEN		
● CRABTREE			● KINGSBURY			● OLSEN			● ZIMBLEMAN		
● DICK			● KLOUBEC			● OLSON, A. #11					
● DIETZ			● KNUDSON			● OLSON, D. #13			● MR. SPEAKER		
● DOTZENROD			● KOLAND			● DPEDAHL					
● 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			● MARSDEN			● RICHARD					
● HANSON, L. #48			● MARTIN			● RICHIE					
● HANSON, O. #3			● MARTINSON			● RIEHL					
● HAUGLAND			● MATHIE			● RUED					
● HAUSAUER, A. #49			● MATHENY			● SCHINDLER					
● HAUSAUER, R. #25			● MATTSOON			● SOLBERG					
● HEDSTROM			● MEIERS			● SORUM					
● HEIGAARD			● MELBY			● STRINDEN					
● HILL			● MERTENS			● SWIONTEK					

So the bill passed and the title was agreed to.

Report of Conference Committee

Mr. SPEAKER: Your Conference Committee to whom was referred SENATE Bill No. 2204 has had the same under consideration and recommends:

That the House recede from its amendments and that Senate Bill 2204 be amended as follows:

On page 6, line 33 of the engrossed bill, delete the word "such property is the subject of an" and insert in lieu thereof the words "the interstate commerce commission, or other authority with power to make the finding, has found that the public convenience and necessity permit discontinuance of the rail service on the property"

On page 6 of the engrossed bill, delete line 34

On page 6 of the engrossed bill, delete the word "commission"

And renumber the lines and pages accordingly

For the Senate	For the House
SENATOR ERICKSON <i>[Signature]</i>	REP. PELTIER <i>[Signature]</i>
SENATOR TENNEFOS <i>[Signature]</i>	REP. D. OLSON <i>[Signature]</i>
SENATOR LASHKOWITZ <i>[Signature]</i>	REP. REHL refused to sign
REP. PELTIER	

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

SENATE Bill No. 2204 was placed on the Sixth

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

**MOTION**

Rep. Strinden moved that the rules be suspended and that Senate Bill No. 2204 be placed on the sixth order of business, and after action taken on the sixth order, that Senate Bill No. 2204 be placed on the fourteenth order for second reading and final passage, which motion prevailed.

**SIXTH ORDER OF BUSINESS**

Rep. Peltier moved that the amendments to Senate Bill No. 2204 as recommended by the Conference Committee be adopted, which motion prevailed.

**SECOND READING OF SENATE BILL**

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

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 53; nays, 44; 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			HOUWANN			MOORE			UNHJEM		
BERG			HUGHES			MOUM			VANDER VORST		
BERGER			HUWE			MURPHY			VIG		
BLACK		•	JACOBSEN, R.			MUSHIK			WAGNER		
BOYUM			KELLY			NAGEL			WALD		
BROKAW			KENT			NICHOLAS			WENTZ		
CONNY		•	KINGSBURY			OLAFSON			WHALEN		
CRABTREE			KLOREK			OLSEN			ZIMBLEMAN		
DICK			KNUDSON			OLSON, A. #11					
DIETZ		•	KOLAND			OLSON, D. #13			MR. SPEAKER		
DOTZENROD			KOSKI			OPEDAHL					
DUBORD			KRETSCHMAR			PELTIER					
EAGLES			KUCHERA			PETERSON					
FREBERG		•	LANG			POMEROY, E. #74					
GATES			LARSON, B. #12			POMEROY, G. #42					
GERL		•	LARSON, G. #29			REED					
GOETZ		•	LARSON, H. #7			REITEN					
GORDER		•				RETZER					



• GUNDERSON	• LIPSIEA	• RICE
• GUNSCHE	• MARDEN	• RICHARD
• HANSON, L. #48	• MARTIN	• RICHIE
• HANSON, G. #3	• MARTINSON	• RIEHL
• HAUGLAND	• MATCHIE	• RVED
• HAUSAUER, A. #49	• MATHENY	• SCHINDLER
• HAUSAUER, R. #25	• MATTSOEN	• SOLBERG
• HEDSTROM	• MEIERS	• SORUM
• HEIGAARD	• MELBY	• STRINDEN
• HILL	• MERTENS	• SWONTEK

So the bill passed and the title was agreed to.

MESSAGE FROM THE SENATE

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

Senate Bill No. 2010

Senate Bill No. 2011

Senate Bill No. 2347

Senate Bill No. 2432

Very respectfully,

LEO LEIDHOLM, Secretary

Report of Conference Committee

Mr. Speaker: Your Conference Committee to whom was referred Senate Bill No. 2010 has had the same under

consideration and recommends:

That the Senate accede to the House amendments and that reengrossed Senate Bill No. 2010 be further amended as follows:

On page 4 of the reengrossed bill, after line 22, insert the following new sections:

"SECTION 8. COLLOCATION. Notwithstanding section 1 of chapter 338 of the 1979 Session Laws of the state of North Dakota, mental health and retardation service units established under chapter 25-12 and area social service centers under the jurisdiction of the social service board shall, not later than July 1, 1982, collocate their respective regional offices in each region of the state.

SECTION 9. LEGISLATIVE INTENT. It is the intent of the legislative assembly that any funds collected through the issuance of licenses or registration certificates for sources of ionizing radiation are included in the health department estimated income line item and are to be used to defray the costs of the ionizing radiation licensing and certification program."

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment adds two new sections relating to delaying the collocation of mental health and retardation and area social service centers and to the Health Department's use of the fees collected for the ionizing radiation licensing and certification program.

For the Senate
Senator Melland
Senator Lips
Senator Walsh

For the House
Representative Unhjem
Representative Freborg
(REFUSED TO SIGN)
Representative Meiers

Representative Unhjem moved that the report be adopted, which motion prevailed.

Senate Bill No. 2010 was placed on the 6th order of business on the calendar for the succeeding legislative day.

MOTION

Rep. Kretschmar moved that the rules be suspended and that Senate Bill No. 2010 be placed on the sixth order of business, and after action taken on the sixth order, that Senate Bill No. 2010 be placed on the fourteenth order for second reading and final passage, which motion prevailed.

SIXTH ORDER OF BUSINESS

Rep. Unhjem moved that the amendments to Senate Bill No. 2010 as recommended by the Conference Committee 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, 72; nays, 24; absent and not voting, 4.

Table with columns: REGULAR SESSION (YEAS, N-V, NAYS), ROLL-CALL (YEAS, N-V, NAYS), 1981 LEGISLATURE (YEAS, N-V, NAYS). Rows list representatives and their voting status.

So the bill passed and the title was agreed to.

Report of Conference Committee

Mr. Speaker: Your Conference Committee to whom was refer-

red Senate Bill No. 2011 has had the same under

consideration and recommends:

That the Senate accede to the House amendments and that Senate Bill No. 2011, as reengrossed by the House, be further amended as follows:

On page 2 of the reengrossed bill, line 5, delete the numerals "477,538" and insert in lieu thereof the numerals "551,753"

On page 2 of the reengrossed bill, line 10, delete the numerals "16,313,247" and insert in lieu thereof the numerals "16,387,462"

On page 2 of the reengrossed bill, line 11, delete the numerals "5,465,784" and insert in lieu thereof the numerals "5,476,925"

On page 2 of the reengrossed bill, line 12, delete the numerals "10,847,463" and insert in lieu thereof the numerals "10,910,537"

On page 4 of the reengrossed bill, line 23, delete the word "It" and insert in lieu thereof the word "There"

On page 5 of the reengrossed bill, after line 3, insert the following:

"SECTION 13. LEGISLATIVE INTENT. It is the intent of the legislative assembly that if additional case management services are needed to provide services to developmentally disabled individuals receiving services under the appropriation provided in section 2 of this Act, that these services be provided by the staff of the human service centers in each region of the state."

On page 5 of the reengrossed bill, line 4, delete the numerals "93,790,308" and insert in lieu thereof the numerals "93,853,382"

On page 5 of the reengrossed bill, line 5, delete the numerals "240,791,458" and insert in lieu thereof the numerals "240,802,599"

On page 5 of the reengrossed bill, line 6, delete the numerals "334,581,766" and insert in lieu thereof the numerals "334,655,981"

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment increases the salaries and wages line item in Section 2 of this Act by \$74,215. This is arrived at as follows:

	<u>Total Funds</u>	<u>General Fund</u>	<u>Special Funds</u>
Add:			
1 habilitation program administrator, 1 secretary, 1 position to maintain work activity, 1 training coordinator	\$169,637	\$ 86,930	\$ 82,707
	<u>Total Funds</u>	<u>General Fund</u>	<u>Special Funds</u>
Delete:			
1 human service program administrator and 1 accountant	\$(95,422)	\$(23,856)	\$(71,566)
Net adjustment increase (decrease)	<u>\$ 74,215</u>	<u>\$ 63,074</u>	<u>\$ 11,141</u>

The following schedule details the adjusted deinstitutionalization programs:

<u>Program</u>	<u>Total Funds</u>	<u>General Fund</u>	<u>Special Funds</u>
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Social Service Board

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

Health Department

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	545,694	137,360	408,334
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>\$16,387,462</u>	<u>\$10,910,537</u>	<u>\$5,476,925</u>
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The amounts included for each program, by line item appropriation, are as follows:

<u>Line Item</u>	<u>Vocational Rehabilitation</u>	<u>Social Service Board</u>	<u>Health Department</u>	<u>Total</u>
Salaries and wages		\$ 279,351	\$ 272,402	\$ 551,753
Operating expenses		64,279	351,357	415,636
Data processing		17,898	55,000	72,898
Equipment		5,127	13,261	18,388
Grants	<u>\$4,907,580</u>	<u>6,455,862</u>	<u>3,965,345</u>	<u>15,328,787</u>
Total	<u>\$4,907,580</u>	<u>\$6,822,517</u>	<u>\$4,657,365</u>	<u>\$16,387,462</u>

For the Senate

For the House

Senator Melland	<u>Michael L. Lips</u>	Representative Unhjem
Senator Lips	<u>Timothy A. Walsh</u>	Representative Koland (REFUSED TO SIGN)
Senator Walsh		Representative Meiers

Representative Unhjem moved that the report be adopted, which motion prevailed.

Senate Bill No. 2011 was placed on the 6th

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

**MOTION**

Rep. Strinden moved that the rules be suspended and that Senate Bill No. 2011 be placed on the sixth order of business, and after action taken on the sixth order, that Senate Bill No. 2011 be placed on the fourteenth order for second reading and final passage, which motion prevailed.

**SIXTH ORDER OF BUSINESS**

Rep. Unhjem moved that the amendments to Senate Bill No. 2011 as recommended by the Conference Committee be adopted, which motion prevailed.

**SECOND READING OF SENATE BILL**

**Senate Bill No. 2011.** — A Bill for an Act making an appropriation for defraying the expenses of the social service board, the human service centers, and the industrial commission 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, 75; nays, 23; 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. #1			● 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.			● MURSHK		● WAGNER
● BOYUM			● JACOBSON, I.			● NAGEL	●	● WALD
● BROKAW		●	● KELLY	●		● NICHOLAS		● WENTZ
● CONMY			● KINGSBURY			● OLAFSON		● WHALEN
● CRABTREE			● KLOUBEC			● OLSEN		● ZIMBLEMAN
● DICK	●		● KNUDSON			● OLSON, A. #11		
● DIETZ			● KOSKI			● OLSON, D. #13		● MR SPEAKER
● DOTZENROD			● KRETSCHMAR			● OPEDAHL		
● DuBORD		●	● KUCHERA			● PELTIER		
● EAGLES			● LANG			● PETERSON		
● FREBERG		●	● LARSON, B. #12	●		● POMEROY, E. #24	●	
● GATES			● LARSON, G. #29			● POMEROY, G. #42		
● GERL	●		● LARSON, H. #7			● REED		
● GOETZ			● LIPSIEA			● REITEN		
● GORDER			● MARS DEN			● RETTER		
● GUNDERSON			● MARTIN			● RICE		
● GUNSCH	●		● MARTINSON			● RICHARD		
● HANSON, L. #48			● MATCHIE	●		● RICHIE		
● HANSON, O. #3	●		● MATHENY			● RIEHL	●	
● HAUGLAND			● MATTSON			● RUED	●	
● HAUSAVER, A. #49			● MEIERS	●		● SCHINDLER		
● HAUSAVER, R. #25			● MELBY			● SOLBERG		
● HEDSTROM			● MERTENS			● SORUM	●	
● HEIGAARD	●					● STRINDEN		
● HILL						● SWONTEK		

So the bill passed and the title was agreed to.

**Report of Conference Committee**

Mr. Speaker : Your Conference Committee to whom was referred Senate Bill No. 2432 has had the same under consideration and recommends.

That the House recede from its amendments and that Senate Bill No. 2432, as reengrossed by the Senate, be further amended as follows:

On page 1, line 1 of the reengrossed bill, after the words "A BILL" delete the remainder of the bill and insert in lieu thereof the following: "for an Act to provide a seller-sponsored loan guarantee program by the industrial commission for loans to beginning farmers; and to provide an appropriation.

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

SECTION 1. INDUSTRIAL COMMISSION LOAN GUARANTEES FOR SELLER-SPONSORED LOANS BETWEEN LANDOWNERS AND

BEGINNING FARMERS. The industrial commission shall act as a guarantor for seller-sponsored loans between landowners and beginning farmers, as defined by subsection 2 of section 57-38-67. In the event of a default, the state of North Dakota shall pay the lender ninety percent of the sums due and payable under the security interest. The commission may adopt necessary rules under chapter 28-32 to determine whether a lender qualifies for a loan guarantee. However, the purchaser must qualify as a beginning farmer as defined by subsection 2 of section 57-38-67. A seller-sponsored loan which is a contract for deed must extend for not less than fifteen years and have an annual interest rate equal to or less than the minimum rate allowed by the internal revenue service before interest is imputed. The maximum dollar amount of any guarantee may not exceed two hundred thousand dollars on a loan secured by real property and one hundred twenty-five thousand dollars on a loan secured by personal property. The loan guarantee shall be void only if the guaranteed loan was obtained by fraud or material misrepresentation of which the original lender or subsequent holder had actual knowledge.

SECTION 2. PROCEDURE ON DEFAULT ON GUARANTEED BEGINNING FARMER SECURITY LOAN. The industrial commission shall adopt rules pursuant to chapter 28-32 defining a default.

1. Within ninety days of a default on a guaranteed beginning farmer security loan, the lender shall send notice to the beginning farmer stating that the commission must be notified if the default continues for another ninety days, and the consequences of that default. The lender and the beginning farmer may agree to take any steps reasonable to assure the fulfillment of the loan obligation. After one hundred eighty days from the initial default, if the beginning farmer has not made arrangements to meet his obligation, the lender shall file a claim with the commission, identifying the loan and the nature of the default, and assigning to the state all of the lender's security and interest in the loan in exchange for payment according to the terms of the loan guarantee. If the commission determines that the terms of the loan guarantee have been met, the commission shall authorize payment of state funds to the lender, and shall notify the defaulting party. The state of North Dakota shall then become the holder of the mortgage or other security interest, and taxes shall be levied and paid on the land as though the owner were a natural person and not the state. The commission may, on behalf of the state, commence foreclosure proceedings in the manner provided by law.
2. Property acquired by the commission, upon default of the beginning farmer, shall be disposed of in accordance with chapter 47-30. Proceeds from the sale of a parcel of property obtained by the state pursuant to this section shall be paid into the guarantee fund established by section 3 of this Act to the extent that funds from the guarantee fund were disbursed according to the terms of the loan guarantee. Proceeds in excess of the amount disbursed from the guarantee fund shall be paid into the general fund.

SECTION 3. ESTABLISHMENT AND MAINTENANCE OF ADEQUATE GUARANTEE FUNDS - USE OF LANDS AND MINERALS TRUST - APPROPRIATION. The industrial commission shall

establish and at all times maintain in the Bank of North Dakota an adequate guarantee reserve fund in a special account in the Bank. The guarantee reserve fund shall be maintained from the lands and minerals trust created by section 15-08.1-08 and any moneys transferred from the lands and minerals trust to maintain the guarantee reserve fund are appropriated to reimburse lenders for guaranteed loans in default. The securities in which the moneys in the reserve fund may be invested shall meet the same requirements as those authorized for investment under the state investment board. The income from such investments shall be made available for the cost of administering the state guarantee loan program and income in excess of that required to pay the costs of administering the program shall be deposited in the reserve fund. The total amount of funds from the lands and minerals trust used as a guarantee reserve fund under this Act may not exceed two million dollars. The amount of reserves for all guaranteed loans shall be determined by a formula which will assure, as determined by the Bank, an adequate amount of reserve."

And renumber the lines and pages accordingly

For the Senate	For the House
Sen. Iszler <i>Iszler</i>	Rep. Nicholas <i>Rep. Nicholas</i>
Sen. Albers <i>Albers</i>	Rep. Mowm <i>Mowm</i>
Sen. Barth <i>Barth</i>	Rep. Meyer <i>Meyer</i>
Rep. Nicholas	_____

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

prevailed.

Senate Bill No. 2432 was placed on the Sixth

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

MOTION

Rep. Kretschmar moved that the rules be suspended and that Senate Bill No. 2432 be placed on the sixth order of business, and after action taken on the sixth order, that Senate Bill No. 2432 be placed on the fourteenth order for second reading and final passage, which motion prevailed.

SIXTH ORDER OF BUSINESS

Rep. Nicholas moved that the amendments to Senate Bill No. 2432 as recommended by the Conference Committee be adopted, which motion prevailed.

SECOND READING OF SENATE BILL

Senate Bill No. 2432. — A Bill for an Act to provide a seller-sponsored loan guarantee program by the industrial commission for loans to beginning farmers; 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, 93; nays, 4; absent and not voting, 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION						ROLL CALL			1981 LEGISLATURE		
YEAS	N.V.	NAYS	YEAS	N.V.	NAYS	YEAS	N.V.	NAYS	YEAS	N.V.	NAYS

• ANDERSON, C. #7	• HOFFNER	• METZ	• THOMPSON
• ANDERSON, R. #36	• HORGAN	• MEYER	• TIMM
• BACKES	• HOUMANN	• MOORE	• UNHJEM
• BERG	• HUGHES	• MOUM	• VANDER VORST
• BERGER	• HUWE	• MURPHY	• VIG
• BLACK	• JACOBSEN, R.	• MUSHK	• WAGNER
• BOYUM	• JACOBSON, I.	• NAGEL	• WALD
• BROKAW	• KELLY	• NICHOLAS	• WENTZ
• CONMY	• KENT	• OLAFSON	• WHALEN
• CRABTREE	• KINGSBURY	• OLSEN	• WIMBLEMAN
• 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	• REIFEN	
• GORDER	• LARSON, H. #7	• RETZER	
• GUNDERSON	• LIPSIEA	• RICE	
• GUNTSCH	• 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	• MELIERS	• SORUM	
• 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 \_\_\_\_\_ Senate \_\_\_\_\_ Bill No. 2347 \_\_\_\_\_ has had the same under consideration and recommends:

That the House recede from its amendments and that engrossed Senate Bill No. 2347 be amended as follows:

On page 1, line 1, after the words "A BILL" delete the remainder of the bill and insert in lieu thereof the following: "for an Act to create and enact a new section to chapter 57-38 of the North Dakota Century Code, relating to a simplified optional method of computing state income tax liability; to amend and reenact subsection 21 of section 57-38-01 and section 57-38-30 of the North Dakota Century Code, relating to the updating of the definition of federal taxable income for individuals, estates, trusts, and corporations, and to corporation income tax rates; and to provide an effective date.

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

SECTION 1. A new section to chapter 57-38 of the North Dakota Century Code is hereby created and enacted to read as follows:

#### SIMPLIFIED OPTIONAL METHOD OF COMPUTING TAX.

1. Notwithstanding the other provisions of this chapter, an individual, estate, or trust may elect to determine state income tax liability by applying the provisions of this section. Any taxpayer electing to determine his income tax liability pursuant to this section shall only be eligible for those adjustments or



credits which are specifically provided for in this section.

2. A tax is hereby imposed for each taxable year upon income earned or received in that taxable year by every resident and nonresident individual, estate, and trust. This tax shall be seven and one-half percent of the individual's, estate's, or trust's adjusted federal income tax liability for the taxable year.
3. The adjusted federal income tax liability for a resident individual, estate, and trust shall be determined by multiplying the federal income tax liability by a fraction, the numerator of which is the adjusted gross income taxable to this state and the denominator of which is the total adjusted gross income as reported on the federal income tax return. Interest income from United States obligations and other income not taxable to this state because of federal statutes, United States or state constitutional provisions shall be excluded from the numerator.
4. The adjusted federal income tax liability of a nonresident individual, estate, and trust shall be determined by multiplying the federal income tax liability by a fraction, the numerator of which is the adjusted gross income derived from sources within this state and the denominator of which is the total adjusted gross income as reported on the federal income tax return. Interest income from United States obligations and other income not taxable to this state because of federal statutes, United States or state constitutional provisions shall be excluded from the numerator.
5. For the purposes of this section, the term "federal income tax liability" means the individual's, estate's, or trust's federal income tax liability as computed for federal income tax purposes using tax tables or schedule TC, plus additional taxes due on federal income tax schedules or forms 4970, 4972, 5544, 5405, section 72(m)(5) penalty tax, 4625, 6251, and 5329, and before credit for contributions to candidates for public office, credit for the elderly (schedule R&RP), credit for child and dependent care expenses (form 2441), investment credit (form 3468), foreign tax credit (form 1116), work incentive credit (form 4874), jobs credit (form 5884), residential energy credit (form 5695), and before reduction for federal income tax withheld, estimated payments, earned income credit, excess Federal Insurance Contributions Act (chapter 21 of the Internal Revenue Code of 1954, as amended), and the federal Railroad Retirement Tax Act (chapter 22 of the Internal Revenue Code of 1954, as amended), taxes withheld, credit for federal taxes on special fuels and oils, and regulated investment company credits. The term does not include amounts due for self-employment tax or social security tax and railroad retirement tax on tips.
6. Where a husband and wife determine their federal income tax liability for the taxable year on a joint federal income tax return they may elect to determine their North Dakota

## JOURNAL OF THE HOUSE

income taxes separately. The federal income tax liability shall be apportioned between them in the proportion that the adjusted gross income of each bears to their combined adjusted gross income. The adjusted gross income of each shall be determined in the same way that each would have been required to determine it if they had filed separate federal income tax returns.

7. a. A resident individual, estate, or trust shall be allowed a credit against the tax otherwise due under this section for the amount of any income tax imposed on the taxpayer for the taxable year by another state or territory of the United States or the District of Columbia on income derived from sources therein and which is also subject to tax under this section.
- b. The credit provided under this subsection shall not exceed the proportion of the tax otherwise due under this section that the amount of the taxpayer's adjusted gross income derived from sources in the other taxing jurisdiction bears to the taxpayer's entire adjusted gross income as reported on the taxpayer's federal income tax return.
8. An individual, estate, or trust shall be allowed as a credit against the tax otherwise due under this section the energy cost relief credit provided for in initiated measure No. 6 as approved by the voters in the November 1980 general election.
9. a. Individuals, estates, or trusts receiving a refund of federal income tax for a year for which an election to file state income tax returns has been made under this section shall file amended state income tax returns reducing the federal income tax liability for the year for which the federal income tax refund is granted and shall not report the federal income tax refund in the year received.
- b. Individuals, estates, or trusts assessed additional federal income tax for a year for which an election to file state income tax returns has been made under this section shall file amended state income tax returns increasing the federal income tax liability for the year for which the additional federal income tax is assessed and shall not report increased federal income tax liability in the year in which the additional federal income tax is paid.
10. The tax commissioner may prescribe procedures and guidelines to prevent requiring income that had been previously taxed under this chapter from becoming taxed again because of the provisions of this section and may prescribe procedures and guidelines to prevent any income from becoming exempt from taxation because of the provisions of this section if it would otherwise have been subject to taxation under the provisions of this chapter.

SECTION 2. AMENDMENT. Subsection 21 of section 57-38-01 of the 1979 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

21. "Federal Internal Revenue Code of 1954, as amended", "United States Internal Revenue Code of 1954, as amended", and "Internal Revenue Code of 1954, as amended", mean the United States Internal Revenue Code of 1954, as amended to and including December 31, 1970, provided, however, that these terms shall mean the United States Internal Revenue Code of 1954, as amended to and including December 31, 1976, for purposes of determining under this chapter the income tax return filing requirements, deductions for capital gains, allowances of deductions for personal exemptions, low income allowance, and standard deduction for individuals, estates, and trusts, and provided further that the provisions of section 515 of the Revenue Act of 1970 (Pub. L. 91-509, 92 Stat. 2884) postponing the carryover basis rules of sections 1014(d), 1016(a), and 1023 of the United States Internal Revenue Code of 1954, as amended, for property acquired from decedents dying after December 31, 1976, to property acquired from decedents dying after December 31, 1979, are hereby retroactively incorporated for the purposes of this chapter, and any further postponement, modification, or repeal of those provisions by the Congress of the United States shall be applicable for the purposes of this chapter 1980.

SECTION 3. AMENDMENT. Section 57-38-30 of the 1979 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

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

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

SECTION 4. EFFECTIVE DATE. The provisions of this Act shall be effective for all taxable years beginning on or after January 1, 1981.

And renumber the lines and pages accordingly.

Sen. Goodman *Goodman* Rep. A. Olson *Alicia Olson*

Sen. Moore *more* Rep. A. Hausauer *A. Hausauer*

Sen. Shablow -refused to sign Rep. Kelly -refused to sign

Representative Olson moved that the report be adopted, which motion prevailed.

Senate Bill No. 2347 was placed on the sixth

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

MOTION

Rep. Kretschmar moved that the rules be suspended and that Senate Bill No. 2347 be placed on the sixth order of business, and after action taken on the sixth order, that Senate Bill No. 2347 be placed on the fourteenth order for second reading and final passage, which motion prevailed.

SIXTH ORDER OF BUSINESS

Rep. A. Olson moved that the amendments to Senate Bill No. 2347 as recommended by the Conference Committee be adopted, which motion prevailed.

SECOND READING OF SENATE BILL

Senate Bill No. 2347. — A Bill for an Act to create and enact a new section to chapter 57-38 of the North Dakota Century Code, relating to a simplified optional method of computing state income tax liability; to amend and reenact subsection 21 of section 57-38-01 and section 57-38-30 of the North Dakota Century Code, relating to the updating of the definition of federal taxable income for individuals, estates, trusts, and corporations, and to corporation income tax rates; and to provide an effective date.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 72; nays, 27; absent and not voting, 1.

Table with columns: REGULAR SESSION (YEAS, N-V, NAYS), ROLL-CALL (YEAS, N-V, NAYS), 1981 LEGISLATURE (YEAS, N-V, NAYS). Rows list representatives such as ANDERSON, C. #1, BACKES, BERG, BERGER, BLACK, BOYUM, BROKAW, CONNY, CRABTREE, DICK, DIETZ, DOTZENROD, DUBORD, EAGLES, FREBORG, GATES, GERL, GOETZ, GORDER, GUNDERSON, GUNDSCH, HANSON L. #48, HANSON O. #1, HOFFNER, HORGAN, HUGMANN, HUGHES, HUWE, JACOBSEN, R. JACOBSON, I., KELLY, KENT, KINGSBURY, KLOUREC, KOSKI, KRETSCHMAR, KUCHERA, LANG, LARSON, B. #12, LARSON, G. #29, LARSON, H. #7, LIPSEA, MARSDEN, MARTIN, MARTINSON, METZ, MEYER, MOORE, MOUM, MURPHY, MUSHIK, NAGEL, NICHOLAS, OLAFSON, OLSEN, OLSON, A. #11, OLSON, D. #13, OPEDAHL, PELTIER, PETERSON, POMEROY, E. #24, POMEROY, G. #42, REED, REITEN, RETZER, RICE, RICHARD, RICHIE, RIEHL, THOMPSON, THOMM, UNHJEM, VANDER VORST, VIG, WAGNER, WALD, WENTZ, WHALEN, ZIMBLEMAN, MR. SPEAKER.



• 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	• MATTSON	• SOLBERG	
• HEDSTROM	• MEIERS	• SORUM	
• HEIGAARD	• MELBY	• STRINDEN	
• HILL	• MERTENS	• SWIONTEK	

So the bill passed and the title was agreed to.

**Senate Bill No. 2026.** — A Bill for an Act making an appropriation for defraying the expenses of the abandoned motor vehicles division 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, 84; nays, 9; absent and not voting, 7.

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			• HOBGAN			• MEYER			• TIMM		
• BACKES			• HOUMANN			• MOORE			• UNHUEM		
• 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			• MATHENY			• RUED					
• HAUSAUER, A. #49			• MATTSON			• SCHINDLER					
• HAUSAUER, R. #25			• MEIERS			• SOLBERG					
• HEDSTROM			• MELBY			• SORUM					
• HEIGAARD			• MERTENS			• STRINDEN					
• HILL						• SWIONTEK					

So the bill passed and the title was agreed to.

SECOND READING OF SENATE CONCURRENT RESOLUTION

**Senate Concurrent Resolution No. 4088.** — A concurrent resolution to create a new section of the Constitution of the State of North Dakota, relating to compensation for services for elected members or officials of all three branches of government; and to repeal section 46 of article IV and section 14 of article V of the Constitution of the State of North Dakota, relating to the salaries of legislators and public officers.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 93; nays, 2; 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
● ANDERSON, C. #7			● HOFFNER	●	● METZ	● THOMPSON		
● ANDERSON, R. #34			● HORGAN		● MEYER	● TIMM		
● BACKES ●			● HOUWMAN		● MOORE	● UNHJEM		
● BERG			● HUGHES		● MOUW	● VANDER VORST		
● BERGER			● HUWS		● 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			● KOSK		● PELTIER			
● EAGLES			● KRITSCHMAR		● PETERSON			
● FROBERG			● 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			● MATHENY		● SCHINDLER			
● HAUSAUER, R. #25			● MATTON		● SOLBERG			
● HEDSTROM			● MEIERS		● SORUM			
● HEGAARD			● MELBY		● SWINTEK			
● HILL			● MERTENS					

So the Senate Concurrent Resolution No. 4088 was declared adopted.

**FIRST READING OF SENATE CONCURRENT RESOLUTION**

**Senate Concurrent Resolution No. 4090.** — A concurrent resolution authorizing all state agencies and institutions receiving appropriations under House Bill No. 1341 of the Forty-seventh Legislative Assembly to begin plans for facility construction.

Was read the first time.

Rep. Strinden moved that the rules be suspended, that Senate Concurrent Resolution No. 4090 not be referred to committee, be read in its entirety, and placed on second reading and final passage, which motion prevailed.

**SECOND READING OF SENATE CONCURRENT RESOLUTION**

**Senate Concurrent Resolution No. 4090.** — A concurrent resolution authorizing all state agencies and institutions receiving appropriations under House Bill No. 1341 of the Forty-seventh Legislative Assembly to begin plans for facility construction.

Was read the second time.

The question being on the final adoption of the resolution:

The Senate Concurrent Resolution No. 4090 was declared adopted on a voice vote.

**Report of Conference Committee**

Mr. \_\_\_\_\_ Speaker \_\_\_\_\_: Your Conference Committee to whom was referred \_\_\_\_\_ Senate \_\_\_\_\_ Bill No. 2358 \_\_\_\_\_ has had the same under consideration and recommends:

that the House recede from its amendments and that engrossed Senate Bill No. 2358 be amended as follows:

On page 1 of the engrossed bill, line 1, delete everything after the words "A BILL" and 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 57-38 of the North Dakota Century Code to provide for a transfer to a special trust fund and a credit against income taxes if the general fund balance reaches certain levels.

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

SECTION 1. A new section to chapter 57-38 of the North Dakota Century Code is hereby created and enacted to read as follows:

CERTIFICATION OF GENERAL FUND BALANCE - TRANSFER TO TRUST FUND - CREDIT AGAINST INDIVIDUAL AND CORPORATE INCOME TAXES. On or before August 15, 1982, the director of the office of management and budget shall certify to the tax commissioner the revenue which has been credited to the state general fund during the fiscal year beginning July 1, 1981, and ending June 30, 1982. If that amount exceeds four hundred thirty million dollars, the state treasurer, upon order of the office of management and budget, shall transfer the revenue which has been credited in excess of that amount to the special trust fund established by subsection 2 of section 7 of initiated measure No. 6 approved in the November 1980 general election, but in no event shall this transfer exceed twenty million dollars. If the revenue which has been credited to the state general fund during the fiscal year beginning July 1, 1981, and ending June 30, 1982, exceeds four hundred sixty million dollars, there shall be allowed, in addition to the transfer provided above, to individuals, estates, trusts, and corporations required to file income tax returns, a one-time credit for each taxpayer against the amount of tax liability imposed by sections 57-38-29 and 57-38-30 for the first taxable year beginning on or after January 1, 1982. The credit shall be in the amount of ten percent of the taxpayer's income tax liability, and shall be placed on the state income tax returns for individuals, estates, trusts, and corporations as a separate line item on each type of return which shall follow the computation of tax liability pursuant to the provisions of this chapter."

And renumber the lines and pages accordingly

For the Senate: Sen. Goodman, Sen. Wright, Sen. Shablow. For the House: Rep. Moore, Rep. Crabtree, Rep. Richard.

Representative Moore moved that the report be adopted, which motion prevailed.

Senate Bill No. 2358 was placed on the sixth

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

MOTION

Rep. Strinden moved that the rules be suspended and that Senate Bill No. 2358 be placed on the sixth order of business, and after action taken on the sixth order, that Senate Bill No. 2358 be placed on the





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 Concurrent Resolution No. 4091

ROY GILBREATH, Chief Clerk  
House Chamber

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

Senate Bill No. 2005  
Senate Bill No. 2019  
Senate Bill No. 2025  
Senate Bill No. 2046  
Senate Bill No. 2092

Very respectfully,

ROY GILBREATH, Chief Clerk  
MESSAGE FROM THE SENATE  
Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following:  
Senate Bill No. 2286  
Which the President has signed and your signature is respectfully  
requested.

LEO LEIDHOLM, Secretary  
SIGNING OF BILLS AND RESOLUTIONS  
The Chief Clerk announced that the Speaker signed the following:  
Senate Bill No. 2286

ROY GILBREATH, Chief Clerk  
MESSAGE TO THE SENATE  
House Chamber

Mr. President: I have the honor to return herewith the following:  
Senate Bill No. 2286  
Which the Speaker has signed.

ROY GILBREATH, Chief Clerk  
MESSAGES FROM THE SENATE  
Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following:  
Senate Bill No. 2007  
Senate Bill No. 2009  
Senate Bill No. 2012  
Senate Bill No. 2018  
Senate Bill No. 2153  
Senate Bill No. 2253  
Senate Bill No. 2372  
Which the President has signed and your signature is respectfully  
requested.

LEO LEIDHOLM, Secretary  
Senate Chamber

Mr. Speaker: I have the honor to return House Bill No. 1365 and to  
inform you that the Senate has reconsidered its action by which it  
passed House Bill No. 1365 and has now amended and passed the same.  
Very respectfully,

LEO LEIDHOLM, Secretary

## 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 amend and reenact section 1 of House Bill No. 1341, as approved by the forty-seventh legislative assembly, relating to a conditional transfer of funds to the state capital construction fund; and to amend and reenact sections 39-04-19 and 57-50-01 and subsection 1 of section 57-51-15 of the North Dakota Century Code, relating to motor vehicle registration fees, refunds of the motor vehicle fuel and special fuel taxes, and distribution of the first one percent of the oil and gas gross production tax.

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

SECTION 1. Section 1 of House Bill No. 1341, as enacted by the forty-seventh legislative assembly, is hereby amended and reenacted to read as follows:

SECTION 1. APPROPRIATION - TRANSFER. In the event that the amount of revenues deposited in the general fund of the state treasury for the fiscal year ending June 30, 1981, exceeds \$348,500,000, the director of the department of accounts and purchases shall direct the state treasurer to transfer from the general fund to the state capital construction fund the sum of \$22,189,000, which is hereby appropriated, or so much thereof as may be necessary, or the amount by which the revenues deposited in the general fund for the fiscal year ending June 30, 1981, exceeds \$348,500,000, whichever is less. In the event that the revenues deposited in the general fund of the state treasury for the fiscal year ending June 30, 1982, exceed ~~\$400,000,000~~ \$383,900,000, the director of the department of accounts and purchases shall direct the state treasurer to transfer from the general fund to the state capital construction fund the funds that are in excess of ~~\$400,000,000~~ \$383,900,000, or so much thereof as may be necessary, for the projects listed in section 2 of this Act for which funds were not previously transferred from the general fund to the capital construction fund, or the amount by which the revenues deposited in the general fund for the fiscal year ending June 30, 1982, exceed ~~\$400,000,000~~ \$383,900,000, whichever is less. In addition to other transfers authorized by this section, if more than fifty percent of the amount appropriated in section 2 of this Act for a specific facility, in priority order, is transferred from the general fund to the capital construction fund on the dates authorized in this section, the director of the department of accounts and purchases shall direct the state treasurer to transfer the additional amounts required to complete such facility, not to exceed the total appropriation of state funds for such facility as set forth in section 2. Funds transferred pursuant to this section shall be expended by the various agencies, departments, and institutions for the construction or addition, remodeling, and equipping of buildings in accordance with specific appropriation made by the legislative assembly in section 2 of this Act.

SECTION 2. 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

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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:

Gross Weights	YEARS REGISTERED				
	1st, 2nd, and 3rd Years	4th, 5th, and 6th Years	7th, 8th, and 9th Years	10th and Subsequent Years	
1,999-ex-less	\$-32.00	\$-25.00	\$-19.00	\$-15.00	
2,000-2,399	34.00	27.00	20.00	15.00	
2,400-2,799	36.00	29.00	22.00	15.00	
2,800-3,199	38.00	30.00	23.00	16.00	
3,200-3,599	42.00	33.00	25.00	17.00	
3,600-3,999	46.00	37.00	28.00	19.00	
4,000-4,499	56.00	45.00	34.00	23.00	
4,500-4,999	72.00	57.00	43.00	29.00	
5,000-5,999	100.00	80.00	60.00	40.00	
6,000-6,999	130.00	104.00	78.00	52.00	
7,000-7,999	160.00	128.00	96.00	64.00	
8,000-8,999	190.00	152.00	114.00	76.00	
9,000-and-ever	220.00	176.00	132.00	88.00	
<u>1,999 or less</u>	<u>\$ 37.00</u>	<u>\$ 30.00</u>	<u>\$ 24.00</u>	<u>\$ 20.00</u>	
2,000-2,399	39.00	32.00	25.00	20.00	
2,400-2,799	41.00	34.00	27.00	20.00	
2,800-3,199	43.00	35.00	28.00	21.00	
3,200-3,599	47.00	38.00	30.00	22.00	
3,600-3,999	51.00	42.00	33.00	24.00	
4,000-4,499	61.00	50.00	39.00	28.00	
4,500-4,999	77.00	62.00	48.00	34.00	
5,000-5,999	105.00	85.00	65.00	45.00	
6,000-6,999	135.00	109.00	83.00	57.00	
7,000-7,999	165.00	133.00	101.00	69.00	
8,000-8,999	195.00	157.00	119.00	81.00	
9,000 and over	225.00	181.00	137.00	93.00	

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	\$26.00	\$21.00	\$16.00	\$15.00
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	16.00
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	\$31.00	\$26.00	\$21.00	\$20.00
4,001- 6,000	36.00	30.00	25.00	20.00
6,001- 8,000	41.00	34.00	28.00	20.00
8,001-10,000	46.00	39.00	31.00	21.00
10,001-12,000	52.00	43.00	34.00	23.00
12,001-14,000	57.00	47.00	37.00	25.00
14,001-16,000	67.00	56.00	45.00	32.00
16,001-18,000	72.00	60.00	48.00	34.00
18,001-20,000	78.00	65.00	52.00	36.00
20,001-22,000	83.00	69.00	55.00	37.00
22,001-24,000	88.00	73.00	58.00	39.00

YEARS REGISTERED

Gross Weights	1st, 2nd, 3rd, and 4th Years	5th, 6th, 7th, 8th, and 9th Years	10th and Subsequent Years
24,001--26,000	\$--176.00	\$--141.00	\$--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	834.00
84,001--86,000	1,226.00	981.00	859.00
86,001--88,000	1,261.00	1,009.00	884.00
88,001--90,000	1,296.00	1,037.00	909.00
90,001--92,000	1,331.00	1,065.00	934.00
92,001--94,000	1,366.00	1,093.00	959.00
94,001--96,000	1,401.00	1,121.00	984.00
96,001--98,000	1,436.00	1,149.00	1,009.00
98,001--100,000	1,471.00	1,177.00	1,034.00
100,001--102,000	1,506.00	1,205.00	1,059.00
102,001--104,000	1,541.00	1,233.00	1,084.00

<u>104,001-105,500</u>	<u>1,996-00</u>	<u>1,645-00</u>	<u>1,409-00</u>
24,001- 26,000	\$ 186.00	\$ 151.00	\$ 133.00
26,001- 28,000	221.00	179.00	158.00
28,001- 30,000	256.00	207.00	182.00
30,001- 32,000	296.00	240.00	212.00
32,001- 34,000	331.00	268.00	236.00
34,001- 36,000	366.00	296.00	261.00
36,001- 38,000	401.00	324.00	285.00
38,001- 40,000	436.00	352.00	310.00
40,001- 42,000	471.00	380.00	334.00
42,001- 44,000	506.00	408.00	359.00
44,001- 46,000	541.00	436.00	383.00
46,001- 48,000	576.00	464.00	408.00
48,001- 50,000	611.00	492.00	432.00
50,001- 52,000	656.00	530.00	467.00
52,001- 54,000	691.00	558.00	491.00
54,001- 56,000	726.00	586.00	516.00
56,001- 58,000	761.00	614.00	540.00
58,001- 60,000	796.00	642.00	565.00
60,001- 62,000	831.00	670.00	589.00
62,001- 64,000	866.00	698.00	614.00
64,001- 66,000	901.00	726.00	638.00
66,001- 68,000	936.00	754.00	663.00
68,001- 70,000	971.00	782.00	687.00
70,001- 72,000	1,006.00	810.00	712.00
72,001- 74,000	1,041.00	838.00	736.00
74,001- 76,000	1,076.00	866.00	761.00
76,001- 78,000	1,111.00	894.00	785.00
78,001- 80,000	1,146.00	922.00	810.00
80,001- 82,000	1,181.00	950.00	834.00
82,001- 84,000	1,251.00	1,010.00	884.00
84,001- 86,000	1,321.00	1,070.00	934.00
86,001- 88,000	1,391.00	1,130.00	984.00
88,001- 90,000	1,461.00	1,190.00	1,034.00
90,001- 92,000	1,531.00	1,250.00	1,084.00
92,001- 94,000	1,601.00	1,310.00	1,134.00
94,001- 96,000	1,671.00	1,370.00	1,184.00
96,001- 98,000	1,741.00	1,430.00	1,234.00
98,001-100,000	1,811.00	1,490.00	1,284.00
100,001-102,000	1,881.00	1,550.00	1,334.00
102,001-104,000	1,951.00	1,610.00	1,384.00
104,001-105,500	2,021.00	1,670.00	1,434.00

## 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
24,001-26,000	\$-86-00	\$-69-00	\$-52-00	\$-31-00
26,001-28,000	96-00	77-00	58-00	35-00
28,001-30,000	106-00	85-00	64-00	39-00
30,001-32,000	116-00	93-00	70-00	43-00
32,001-34,000	126-00	101-00	76-00	47-00
34,001-36,000	136-00	109-00	82-00	51-00
36,001-38,000	146-00	117-00	88-00	55-00
38,001-40,000	156-00	125-00	94-00	59-00
40,001-42,000	166-00	133-00	100-00	63-00
42,001-44,000	176-00	141-00	106-00	67-00
44,001-46,000	186-00	149-00	112-00	71-00
46,001-48,000	196-00	157-00	118-00	75-00
48,001-50,000	206-00	165-00	124-00	79-00
50,001-52,000	216-00	173-00	130-00	83-00
52,001-54,000	226-00	181-00	136-00	87-00
54,001-56,000	236-00	189-00	142-00	91-00
56,001-58,000	246-00	197-00	148-00	95-00
58,001-60,000	256-00	205-00	154-00	99-00
60,001-62,000	266-00	213-00	160-00	103-00
62,001-64,000	276-00	221-00	166-00	107-00
64,001-66,000	286-00	229-00	172-00	111-00

66,001-68,000	296.00	237.00	178.00	115.00
68,001-70,000	306.00	245.00	184.00	119.00
70,001-72,000	316.00	253.00	190.00	123.00
72,001-74,000	326.00	261.00	196.00	127.00
74,001-76,000	336.00	269.00	202.00	131.00
76,001-78,000	346.00	277.00	208.00	135.00
78,001-80,000	356.00	285.00	214.00	139.00
80,001-82,000	366.00	293.00	220.00	143.00
24,001-26,000	\$ 96.00	\$ 79.00	\$ 62.00	\$ 41.00
26,001-28,000	106.00	87.00	68.00	45.00
28,001-30,000	116.00	95.00	74.00	49.00
30,001-32,000	131.00	108.00	85.00	58.00
32,001-34,000	141.00	116.00	91.00	62.00
34,001-36,000	151.00	124.00	97.00	66.00
36,001-38,000	161.00	132.00	103.00	70.00
38,001-40,000	171.00	140.00	109.00	74.00
40,001-42,000	181.00	148.00	115.00	78.00
42,001-44,000	191.00	156.00	121.00	82.00
44,001-46,000	201.00	164.00	127.00	86.00
46,001-48,000	211.00	172.00	133.00	90.00
48,001-50,000	221.00	180.00	139.00	94.00
50,001-52,000	241.00	198.00	155.00	108.00
52,001-54,000	251.00	206.00	161.00	112.00
54,001-56,000	261.00	214.00	167.00	116.00
56,001-58,000	271.00	222.00	173.00	120.00
58,001-60,000	281.00	230.00	179.00	124.00
60,001-62,000	291.00	238.00	185.00	128.00
62,001-64,000	301.00	246.00	191.00	132.00
64,001-66,000	311.00	254.00	197.00	136.00
66,001-68,000	321.00	262.00	203.00	140.00
68,001-70,000	331.00	270.00	209.00	144.00
70,001-72,000	341.00	278.00	215.00	148.00
72,001-74,000	351.00	286.00	221.00	152.00
74,001-76,000	361.00	294.00	227.00	156.00
76,001-78,000	371.00	302.00	233.00	160.00
78,001-80,000	381.00	310.00	239.00	164.00
80,001-82,000	391.00	318.00	245.00	168.00

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 3. AMENDMENT. Section 57-50-01 of the 1979 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

57-50-01. REFUND OF TAX PROVIDED FOR - REDUCTION FOR AGRICULTURALLY DERIVED ALCOHOL MOTOR VEHICLE FUEL TAX FUND. Any person who shall buy or use any motor vehicle fuel as defined in subsection 2 of section 57-54-03, for agricultural or industrial purposes, except motor vehicle fuel used in motor vehicles operated or intended to be operated in whole or in part upon any of the public highways of the state of North Dakota on which the motor vehicle fuel tax has been paid, shall be reimbursed or repaid within the time hereinafter provided, the amount of such tax paid by him upon the presentation to and the approval of the tax commissioner of a claim for refund. Provided, however, the amount of the tax refund provided for in this section shall be reduced by one-eighth cent per gallon [3.79 liters], and the one-eighth cent per gallon [3.79 liters] withheld from the refund shall be deposited in the agriculturally derived alcohol motor vehicle fuel tax fund. Those persons who have a valid tax assignment permit issued by the state tax commissioner under the provisions of section 57-50-11.1 shall be charged one-eighth cent per gallon [3.79 liters] by the dealer and the one-eighth cent charge shall be remitted to the state tax commissioner by the dealer when the dealer submits the tax assigned invoices for credit. Those aviation gasoline fuel taxes collected, upon which no refund is claimed and those revenues remaining as unclaimed refunds under the provisions of the statutory



refunds on aviation gasoline and aviation motor fuels are hereby appropriated, in accordance with the time limitations as provided by law, and used exclusively for construction, reconstruction, repair, maintenance, and operation of small landing strips near highways and communities in this state and for the purchase of necessary land required therefor and shall be administered and expended by the state of North Dakota aeronautics commission for the above purpose.

The refunds provided under this section from July 1, 1981, through June 30, 1983, for all fuels taxed under chapters 57-52 and 57-54, except those fuels used in aircraft or with respect to refunds claimed under section 57-50-05, shall be reduced by one cent per gallon. This one cent per gallon not refunded during the period July 1, 1981, through June 30, 1983, shall be transferred 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 allocation to townships during the 1981-1983 biennium.

SECTION 4. AMENDMENT. Subsection 1 of section 57-51-15 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

1. First an amount equal to one percent of the gross value at the well of the oil and gas upon which a tax is collected under this chapter shall be deposited with the state treasurer, who shall ~~credit it to the general fund~~ distribute the revenues in the following manner.
  - a. For taxes received between July 1, 1981, and June 30, 1983:
    - (1) The treasurer shall first distribute an amount which, when added to that distributed to townships from nonrefunded motor vehicle fuel and special fuel taxes under section 57-50-01, will result in a total distribution to townships under these two sections of eight million dollars for the 1981-83 biennium. The same distribution formula shall be used for moneys allocated to townships under this section as under 57-50-01;
    - (2) The treasurer shall next distribute an amount which, when added to the sum distributed under paragraph 1 above, does not exceed thirty-two million dollars for the 1981-83 biennium, to the highway tax distribution fund

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established under section 54-27-19;  
and

(3) The treasurer shall finally distribute any amount over thirty-two million dollars generated by this subsection for the 1981-83 biennium to the state general fund.

b. For any taxes received after June 30, 1983, all revenues shall be credited to the state general fund."

And renumber the lines and pages accordingly

## MOTIONS

Rep. A. Hausauer moved that the House do concur in the Senate amendments to House Bill No. 1365 which motion prevailed.

Rep. Koski requested a recorded roll call vote on concurring in the Senate amendments to House Bill No. 1365, which request was granted.

## ROLL CALL

The question being on the motion of Rep. Hausauer that the House do concur in the Senate amendments to House Bill No. 1365, there were ayes, 65; nays, 33; absent and not voting, 2.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION				ROLL-CALL				1981 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• ANDERSON, C. #7			HOFFNER			• WETZ			• THOMPSON		
• ANDERSON, R. #36			MORGAN		•	• HEYER			• 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		
• CONWY			• KENT			• OLAFSON		•	• WHALEN		
• CRABTREE			• KINGSBURY			• OLSEN			• ZIMBLEMAN		
• DICK			• KLOUBEC			• OLSON, A. #11					
• DIFZ			• KNUDSON			• OLSON, D. #13			• MR. SPEAKER		
• DOTZENROD		•	• KOLAND			• OPEDAHL					
• DUBORD		•	• KOSKI			• PELTIER					
• EAGLES			• KRETSCHMAR			• PETERSON					
• FREIBERG			• 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. #16			• MATHENY			• SCHINDLER					
• HAUSAUER, R. #25			• MATTSON			• SOLBERG		•			
• HEDSTROM			• MEIERS			• SORUM					
• HEIGAARD		•	• MELBY			• STRINDEN					
• HILL			• MERTENS			• SWIONTEK					

So the motion to concur in the Senate amendments to House Bill No. 1365 passed.

## MOTION

Rep. Strinden moved that the rules be suspended and that House Bill No. 1365 be heard immediately on the eleventh order for second reading and final passage, which motion prevailed.

## REQUEST

Rep. Kelly requested that the question on the final passage of House Bill No. 1365 be divided to have the sections voted on separately in the following manner:

Division A: Section 1 of the bill.

Division B: Sections 2, 3 and 4 of the bill.

Speaker Peterson granted the request to divide the question and explained that the House will vote according to the division as stated in the request. Thereafter, the House will vote on the final passage of House Bill No. 1365, including those portions which did pass on the division of the question, and excluding those portions which did not pass on the division of the question.

ROLL CALL

The question being on the adoption of Division A of the divided question, the roll was called and there were ayes, 72; nays, 24; absent and not voting, 4.

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

So Division A was declared passed.

Division B:

Sections 2, 3 and 4

ROLL CALL

The question being on the adoption of Division B of the divided question, the roll was called and there were ayes, 59; nays, 39; absent and not voting, 2.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL						1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• ANDERSON, C. #7			• HOFFNER			• METZ			• THOMPSON		
• ANDERSON, R. #36		•	• HORGAN		•	• MEYER			• TIMM		
• BACKES		•	• 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. #19			• MATHENY		•	• SCHINDLER					
• HAUSAUER, R. #25			• MATTSON			• SOLBERG					
• HEDSTROM			• MEIERS			• SORUM					
• HEIGAARD		•	• MELBY			• STRINDEN					
• HILL			• MERTENS			• SWONTEK					

So Division B was declared passed.

The question then was on the passage of House Bill No. 1365, including Division A and B as passed.

ROLL CALL

The question being on the final passage of House Bill No. 1365 including Divisions A and B, the question was called and there were ayes, 61; nays, 37; absent and not voting, 2.

NORTH DAKOTA HOUSE OF REPRESENTATIVES												
REGULAR SESSION			ROLL CALL				1981 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	
●			HOFFNER			METZ			●		●	THOMPSON
●			HORGAN			MEYER			●		●	TIMM
	●		HOUWANN			MOORE						UNHJEH
	●		HUGHES			MOUM						VANDER VORST
	●		HUWE			MURPHY						VIG
●			JACOBSEN, R			MUSHIK			●			WAGNER
●			JACOBSON, I			NAGEL						WALD
	●		KELLY			NICHOLAS						WENTZ
●			KENT			OLAFSON						WHALEN
●			KINGSBURY			OLSEN						ZIMBLEMAN
●			KLOUBEC			OLSON, A #11						
●			KNUDSON			OLSON, D #13						MR SPEAKER
	●		KOLAND			OPEDAHN						
	●		KOSKI			PELTIER						
	●		KRETSCHMAR			PETERSON						
	●		KUCHERA			POMEROY, E #24						
●			LANG			POMEROY, G #42						
	●		LARSON, B #12			REED						
●			LARSON, G #29			REITEN						
	●		LARSON, H #7			RETZER						
	●		LIPSIEA			RICE						
	●		MARSDEN			RICHARD						
●			MARTIN			RICHIE						
●			MARTINSON			RIEHL						
●			MATCHEE			RUED						
●			MATHEWY			SCHINDLER						
●			MATTSOON			SOLBERG						
●			MEIERS			SORUM						
●			MELBY			STRINDEN						
●			MERTENS			SWIONTEK						

So House Bill No. 1365 including Divisions A, B, and C was declared passed and title was agreed to.

SIXTH ORDER OF BUSINESS

Rep. A. Hausauer moved that the amendments to Senate Bill No. 2392 as recommended by the Committee on Finance and Taxation as printed on pages 1737 and 1738 of the House Journal be adopted.

MOTION

Rep. Strinden moved that the amendments to Senate Bill No. 2392 be laid on the table, which motion prevailed.

Report of Conference Committee

Mr. Speaker: Your Conference Committee to whom was referred House Bill No. 1092 has had the same under consideration and recommends:

That the Senate recede from its amendments as found on pages 1787 through 1789 of the Senate Journal and that HB 1092 as reengrossed by the Senate be further amended as follows:

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; providing a limit on oil and gas bonus distributions; 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 (518,000 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

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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 to the superintendent of public instruction 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 greater or lesser 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. LIMIT ON DISTRIBUTION OF OIL AND GAS BONUS MONEYS. Notwithstanding the provisions of section 15-08-01.1 and subdivision c of subsection 3 of section 15-40.1-06, no more than \$16,000,000 of oil and gas bonus

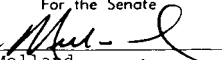
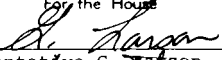
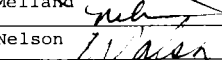
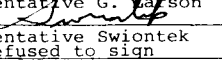
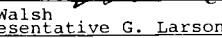
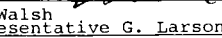
payments on common school lands shall be apportioned and distributed during the biennium beginning July 1, 1981, and ending June 30, 1983, and the remainder, if any, shall be deposited in the common school trust fund created by section 1 of article IX of the Constitution.

SECTION 8. 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. A cap of \$16,000,000 is placed on distribution of oil and gas bonus moneys pursuant to section 15-08-01.1.

For the Senate	For the House
	
_____ Senator Melland	_____ Representative G. Larson
	
_____ Senator Nelson	_____ Representative Swiontek
	Refused to sign
_____ Senator Walsh	_____ Representative I. Jacobson
	moved that the report be adopted, which motion
_____ Representative G. Larson	

prevailed.

House Bill No. 1092 was placed on the 6th

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

Rep. Strinden moved that the rules be suspended and that House Bill No. 1092 be placed on the sixth order of business, and after action taken on the sixth order, that House Bill No. 1092 be placed on the eleventh order for second reading and final passage, which motion prevailed.

SIXTH ORDER OF BUSINESS

Rep. G. Larson moved that the amendments to House Bill No. 1092 as recommended by the Conference Committee be adopted, which motion prevailed.

SECOND READING OF HOUSE BILL

**House Bill No. 1092.** — A Bill for an Act to amend and reenact section 15-40.1-02, subsection 2 of section 15-40.1-06, and sections 15-40.1-16 and 15-44-03 of the North Dakota Century Code, relating to state support for elementary and secondary education of approximately seventy percent of the cost of education, what constitutes state school aid, and distribution of the state tuition fund; and to repeal 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.

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, 17; absent and not voting, 3.





defraying the expenses of the superintendent of public instruction of the state of North Dakota; 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.

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, 11; 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	●		● HOUWANN			● MOORE			● UNHUEM		
● BERG			● HUGHES			● MOUM			● VANDER VORST		
● BERGER		●	● HUWE			● MURPHY			● VIG		●
● BLACK			● JACOBSEN, R.			● MUSHIK		●	● WAGNER		
● BOYUM			● JACOBSON, I.			● NAGEL			● WALD		
● BROKAW		●	● KELLY			● NICHOLAS			● WENTZ		
● CONWAY			● 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			● R. CHARD					
● HANSON, L. #48	●		● MARTIN			● R. CHIE					
● HANSON, O. #3			● MARTINSON			● R. EHL					
● HAUGLAND			● MATCHIE	●		● OUSD					
● 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. Strinden moved that the rules be suspended and that all House Bills acted on on the twelfth order be messaged to the Senate immediately, which motion prevailed.

**MESSAGES TO THE SENATE**

**House Chamber**

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

House Bill No. 1036

Very respectfully,

ROY GILBREATH, Chief Clerk

**House Chamber**

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

House Bill No. 1230

Very respectfully,

ROY GILBREATH, Chief Clerk

**House Chamber**

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

Senate Bill No. 2010  
 Senate Bill No. 2011  
 Senate Bill No. 2204  
 Senate Bill No. 2347

Senate Bill No. 2358  
 Senate Bill No. 2432

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. 2024  
 Senate Bill No. 2026  
 Senate Concurrent Resolution No. 4088  
 Senate Concurrent Resolution No. 4090

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. 1365

And subsequently passed the same.

Very respectfully,

ROY GILBREATH, Chief Clerk  
 MESSAGES FROM THE SENATE  
 Senate Chamber

Mr. Speaker: I have the honor to return herewith the following on which the Senate has adopted the conference committee report and subsequently passed:

House Bill No. 1001  
 House Bill No. 1008  
 House Bill No. 1028  
 House Bill No. 1036  
 House Bill No. 1049  
 House Bill No. 1605  
 House Bill No. 1653

Very respectfully,

LEO LEIDHOLM, Secretary  
 Senate Chamber

Mr. Speaker: I have the honor to return House Bill No. 1040 which the Senate has adopted the conference committee report and subsequently divided the question on final passage, with all of House Bill No. 1040 passing except Section 5 of Senate engrossed House Bill No. 1040 which failed to pass.

Very respectfully,

LEO LEIDHOLM, Secretary

#### MOTION

Rep. Strinden moved that the House stand at recess until 6:15 p.m., which motion prevailed.

#### MOTION

Rep. Wagner moved that the House do concur in the Senate amendments to House Bill No. 1040 which motion prevailed.

#### MOTION

Rep. Kretschmar moved that the rules be suspended and that House Bill No. 1040 be heard immediately on the eleventh order for second reading and final passage, which motion prevailed.

#### SECOND READING OF HOUSE BILL

**House Bill No. 1040.** — A Bill for an Act making an appropriation for defraying the expenses of the game and fish department of the state of



March 31, 1981

A COMPREHENSIVE PLAN FOR THE DEVELOPMENTALLY  
DISABLED LEGISLATED BY THE 47th LEGISLATIVE ASSEMBLY

A fragmentation of services for the developmentally disabled has long plagued the Legislature and the Executive Branch in their attempt to pinpoint responsibility, evaluate performance and prioritize programs to fit the need of the citizens of North Dakota. Such fragmentation, together with other factors contributing to problems common to many states, was also identified in a report to Congress by the Comptroller General, dated January 7, 1977 (Addendum 1). For purposes of this plan, the distinction is made between the mentally retarded and the mentally ill. This plan addresses the mentally retarded as being included in the definition of developmentally disabled.

The Developmental Disabilities Assistance and Bill of Rights Act, P.L. 95-602, declares that it is in the national interest to strengthen such programs that will reduce or eliminate the need for institutional care for persons with developmental disabilities. Section 111 also declares that persons with developmental disabilities have a right to appropriate treatment services and habilitation for such disabilities. It is the intent of the 47th Legislative Assembly that institutionalization should be prevented to the maximum extent possible through the development of infant and family support programs. It is intended that a family having a developmentally disabled child be supported rather than supplanted in servicing handicapped persons. This will be accomplished through early intervention by screening, evaluation and an infant development program. The family will be supported in maintaining their child(ren) in the home. This policy is reflected in the funding of family subsidies and respite care services. In general, concerning noninstitutionalized individuals, we believe it is desirable to utilize means which are culturally as normal as possible in order to establish and/or maintain personal behaviors and characteristics. This goal will let those developmentally disabled individuals live in society as close to the normal mainstream as possible.

The 47th Legislative Assembly has determined that the best interests of all the citizens of North Dakota can be best served by a legislative comprehensive program for the developmentally disabled. The North Dakota Legislature is aware of mistakes made by other states in moving too fast without having the proper support services in the communities. It is the intent of the Legislature, therefore, to develop a balanced program between institutionalization and deinstitutionalization.

The North Dakota Legislature has as its highest priority a concern for the welfare of the individuals involved. It is hereby agreed that Grafton State School and San Haven will work toward adjusting their combined institution populations to conform to the national average that exists in 1987. However, in the process of reaching this goal care must be taken to insure the welfare of each resident. It is recognized, for example, that to put too much pressure on individuals to try to force them to attain what they may not be able to attain can in itself be cruel and unusual punishment. There is also the consideration expressed in an article in the April 1979 issue of the Stanford Law Review by parents who approve of:

"the institutionalization of their children and who oppose anti-institutionalization litigation. In our experience such feelings arise not from satisfaction with the institution but rather from legitimate anxiety about (1) the possibility of creating a secure and permanent community care system; (2) the need for advocacy, monitoring, and possible guardianship to protect their children's rights once the parents are gone; (3) distrust of state government services; and (4) hostility of communities to taking back their retarded citizens. The wish of virtually all parents of the retarded is not for incarceration in a stunting institution but rather for a full life in open communities, 'if it is possible'."

Residential facilities such as Grafton and San Haven should be perceived as an option in the providing of services for mentally retarded in the State of North Dakota. These remodeled facilities are necessary, particularly to provide specialized services for the profoundly retarded and the severely retarded with multiple handicaps. Through certain evaluation programs, Grafton can also serve as a "backup" service for parents and community programs. Were we to eliminate the facilities at Grafton and San Haven, we would provide a severe hardship not only on the families that have offspring at these institutions but on community services that cannot accommodate people with the overwhelming handicaps in the existing service delivery system. Residents with these handicaps need specialized services in terms of medical care, dental care, educational training, specialized physical and occupational therapy, etc. Thus we do expect that there will be a need for a state institution to serve those individuals who will not or cannot adapt to a community setting, in order to provide those specialized services which can only be provided in an institutional setting.

The 46th Legislative Assembly in the 1979 Legislative Session passed HCR 3061 directing the Legislative Council to study deinstitutionalization programs for residents of the State Hospital, Grafton School and San Haven. As a result of this study, recommendations were developed under the auspices of the Budget B Committee relative to providing for community services for the developmentally disabled and mentally ill persons. The recommendation proposes Title XIX eligible services for 200 developmentally disabled persons in the community at a cost of \$9.6 million, and services for 192 developmentally disabled persons in non-Title XIX eligible program at a cost of \$3.6 million (Addendum 2). A proposed schedule showing the location, number of beds, and facilities included under the plan to be implemented during the 1981-1983 biennium is shown at Addendum 3. For a number of years the Director of Institutions, in cooperation with local non-profit private corporations, has worked to reduce the Grafton State School population by placing mentally retarded in community settings. Now the 47th Legislature for the first time has addressed a statewide program of deinstitutionalization based on recommendations of the Budget B Committee. These have been enacted into law, thus formalizing a state plan for deinstitutionalization.

The long-standing problem of fragmentation of services (Addendum 4) is addressed by the passage of House Bill 1418 which establishes a Department of Human Services (Addendum 5). This major governmental reorganization is one of the cornerstones for a comprehensive program to meet the needs of the developmentally disabled and to facilitate a deinstitutionalization program by providing necessary resource personnel to serve the community group homes. The legislative intent is clearly spelled out in this measure:

"The Executive Director of the Department of Human Services shall be responsible for consulting with and maintaining a close working relationship with the Department of Health, the Director of Institutions and the Superintendent of Grafton State School, the School for the Deaf and the School for the Blind, to develop programs for developmentally disabled persons and with the Superintendent of Public Instruction to maximize the use of resource persons in Regional Human Service Centers in the provision of special education services".

The Department of Human Services has a responsibility to assist in the development of the state plan for developmental disabilities and in monitoring and evaluating the implementation of the state plan. The Department of Human Services, through its Division of Developmental Disabilities, will develop with Grafton State School an agreement governing the process for admittance and discharge from the institution.

The 47th Legislative Assembly has taken additional positive steps to clarify pertinent laws, to establish a bill of rights and to monitor the initial phases of deinstitutionalization and community service programs for the developmentally disabled. The Legislative Council has been directed to study guardianship and conservatorship laws and commitment procedures (HCR 3058); to monitor deinstitutionalization and

community service programs (HCR 3047); to monitor establishment of intermediate care facilities-services (HCR 3003); and to report its findings, recommendations and any proposed legislation to the 48th Legislative Assembly. State agencies, institutions and service providers on the community level, by HCR 3002, have been encouraged to implement a plan for community services during the 1981-1983 biennium, and levels of appropriation have been recommended in accordance with the Legislative Council project designed to provide services during the 1981-1983 biennium. Finally, the backdrop against which all actions will be viewed is found in Senate Bill 2253 which specifies certain rights to which developmentally disabled persons are entitled.

Grafton State School has had a program for deinstitutionalization since 1966 when two staff members were hired under a federal grant. As a result of these efforts, the resident population was reduced to an all time low of approximately 794 in early 1980 (see Addendum 6 for 10 year population reduction). At one time there was a waiting list of approximately 200 potential residents. Today there is no waiting list. Ten years ago approximately 50 residents a year were admitted to Grafton. This has now declined to about 10 admissions a year. As the trend for deinstitutionalization continues, the resident population at Grafton will continue to decline. The Legislature is striving to bring this number down to be at or below the national average by 1987 in an orderly and responsible manner, yet in a way which is also responsive to the needs of these residents.

It is our intent to provide an appropriate review process for the deinstitutionalization of those with developmental disabilities. This review process will include, but not be limited to, the following service systems:

1. Habilitation System - activities aimed at training to reduce, insofar as possible, effects of handicap and condition in terms of ability to function independently.

To accomplish this, consideration must be given to vocational evaluation, day activity center, work activity center, vocational development program, as well as extended employment. Consideration must also be given to residential services needs which will include intermediate care facilities for the mentally retarded or persons with related conditions, community living facility, adult group home placement, minimally supervised living arrangement, boarding care - educational placement, supported living arrangement, special home placement for child maintenance, child group home, and adult family care.

2. Prevention System - Consideration of infant development, pre-school-special needs, screening, evaluation, and prevention.
3. Support System: Consideration to recreation centers, case management, staff training, respite care, family subsidy, crisis intervention, emergency service, pertinent evaluations, assistance with social services problems, health services, legal services, and protective services.

The review will include a prioritization of these programs with the priorities based on the guidelines and criteria of availability of services, accessibility of services, acceptability of these services, the cost of them, the continuity of them and also the quality of the services offered.

Any recommendations made will be classified according to those items which are essential, those of a secondary nature which are important, and those of a third nature which are desirable but perhaps do not rank as high as the other two.

Finally in accordance with Section 110 of the PL 95-602, North Dakota has developed a Comprehensive Evaluation System Plan to assure the quality of services to be provided for the developmentally disabled. The evaluation system shall ...

... provide objective measures of the developmental process of persons served under this title using data obtained from individualized habilitation plans or other comparable individualized data;

- ... provide a method of evaluating programs providing services for persons with developmental disabilities through funds from this title using data which measures the developmental progress of persons served;
- ... provide effective measures to protect the confidentiality of records of, and information describing persons with developmental disabilities.

The Comprehensive Evaluation System for North Dakota, as it develops and matures, will provide data for service systems design and management to better serve the developmentally disabled population.

Some time will be required to evaluate the success of the deinstitutionalization program. We recognize a need to phase in added personnel and make capital improvements in order to allow for proper training and utilization of facilities. A crash program, however, could be counter productive and harmful to the residents of Grafton and San Haven, and wasteful of the state's resources. Even the Pennhurst decision (Halderman v. Pennhurst State School & Hospital, 612 F 2d 84 (3rd Circ. 1979)) declined to set a timetable or an inviolate structure for the deinstitutionalization order. We do not, for example, want to build additional facilities which will not be needed in a few years. We want to achieve a responsible and reasonable balance between community group home programming and institutional care. The best interest of the individuals concerned will be the primary consideration.

The 47th Legislative Assembly has given a high priority to increasing the number of personnel and addressing the physical plant requirements at the institutions. Addendum 7 shows current positions and future requests at Grafton. Addendum 8 shows budget and personnel data from 1971 through 1983 projections for Grafton and San Haven. Capital improvements planned at the various institutions during the 1981-1983 biennium are shown in Addendum 9.

In the area of Special Education, the Legislative Assembly has adopted a statement of legislative intent to define more clearly the relationship between the state, school districts, and parents of handicapped children in the provision of special education and related services (addendum 10). Funding in the amount of \$19,588,128 has been tentatively approved for the 1981-1983 biennium, an increase of 53.5% over current appropriations.

The 47th Legislative Assembly views the collective actions which have been taken during this session, and those actions which will be taken during the 1981-1983 biennium as responsible and as the first major steps in meeting the needs of the developmentally disabled of the State of North Dakota. We do not consider our work to be finished, and we will in future sessions continue to work to make our program one of the best in the nation.

**SECOND READING OF HOUSE BILL**

**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.

**MOTION**

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

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 60; nays, 37; 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. H.			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	MR. SPEAKER
DOTZENROD	KOLAND	OPEDAHL	
DUBORD	KOSKI	PELTIER	
EAGLES	KRETSCHMAR	PETERSON	
FREBORG	KUCHERA	POMEROY, E. #24	
GATES	LANG	POMEROY, G. #22	
GERL	LARSON, B. #12	REED	
GOETZ	LARSON, G. #29	REITEM	
GORDER	LARSON, H. #7	RETZER	
GUNDERSON	LIPSIEA	RICE	
GUNSCH	MARSDEN	RICHARD	
HANSON, L. #40	MARTIN	RICHIE	
HANSON, O. #3	MARTINSON	RIEHL	
HAUGLAND	MATCHIE	RUED	
HAUSAUER, A. #40	MATHENY	SCHINDLER	
HAUSAUER, R. #23	MATTSON	SOLBERG	
HEDSTROM	MEIERS	SORUM	
HEIGAARD	MELBY	STRINDEN	
HILL	MERTENS	SWIONTEK	

So the bill passed and the title was agreed to.

MESSAGE TO THE SENATE  
House Chambers

Mr. President: I have the honor to inform you that the House has reconsidered its action by which it refused to concur in the Senate amendment to House Bill No. 1002, and now has concurred in the Senate amendment to House Bill No. 1002, and has discharged the conference committee on the same, and subsequently passed the same.  
Very respectfully,

ROY GILBREATH, Chief Clerk

MESSAGE 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. 1092

Very respectfully,

ROY GILBREATH, Chief Clerk

MESSAGE FROM THE SENATE  
Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has reconsidered its action whereby it passed House Concurrent Resolution No. 3005 and now failed to pass House Concurrent Resolution No. 3005.

Very respectfully,

LEO LEIDHOLM, Secretary

Report of Conference Committee

Mr. SPEAKER: Your Conference Committee to whom was referred HOUSE Bill No. 1058 has had the same under consideration and recommends:

That the Senate recede from its amendments and that engrossed House Bill No. 1058 be amended as follows:

On page 2 of the engrossed bill, line 16, after the word "care" insert the following: "or, if selected by the eligible person, chiropractic care"



On page 4 of the engrossed bill, line 8, delete the comma and insert in lieu thereof a period

On page 4 of the engrossed bill, after line 15, insert the following new subdivision:  
 "c. Covered expenses shall also include, at the option of the eligible person, the usual and customary charges for professional services rendered by a chiropractor and for services and articles prescribed by a chiropractor for which an additional premium may be charged."

On page 4 of the engrossed bill, line 16, delete the letter "c" and insert in lieu thereof the letter "d"

On page 5 of the engrossed bill, line 21, after the second comma insert the word and comma "chiropractor,"

On page 8 of the engrossed bill, after line 6, insert the following new subdivision:

"c. Covered expenses shall also include, at the option of the eligible person, the usual and customary charges for professional services rendered by a chiropractor and for services and articles prescribed by a chiropractor for which an additional premium may be charged."

On page 8 of the engrossed bill, line 7, delete the letter "c" and insert in lieu thereof the letter "d"

On page 9 of the engrossed bill, line 1, after the second comma insert the word and comma "chiropractor,"

On page 11 of the engrossed bill, line 6, delete the words "Each board member shall be entitled to" and insert in lieu thereof the following: "Each Board member shall be entitled to votes, in person or by proxy, based on the member's annual premium volume of accident and sickness insurance contracts as determined in subsection 1, in accordance with the following schedule:

\$100,000	- 4,999,999	1 vote
\$5,000,000	- 9,999,999	2 votes
\$10,000,000	- 14,999,999	3 votes
\$15,000,000	or more	4 votes"

CONFERENCE COMMITTEE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1058

On page 11 of the engrossed bill, line 7, delete the following:  
 "one vote, in person or by proxy."

On page 11 of the engrossed bill, line 25, delete the word "of" and insert in lieu thereof the following: "for writing accident and sickness insurance policies as defined in this Act"

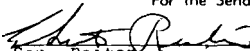

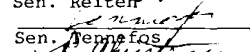
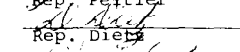

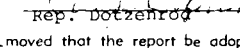
On page 11 of the engrossed bill, line 26, delete the words  
 "doing business"

On page 13 of the engrossed bill, line 34, delete the words "The lead carrier shall" and insert in lieu thereof the following:  
 "The board of the directors of the association shall prepare appropriate specifications and bid forms and may solicit bids from the members of the association for the purpose of selecting the lead carrier. The selection of the lead carrier shall be based upon criteria established by the board of directors."

On page 13 of the engrossed bill, delete line 35

- On page 14 of the engrossed bill, delete lines 1 through 4
- On page 14 of the engrossed bill, line 6, after the word "section" insert the words "upon the commissioner's approval of the policy forms and contracts submitted"
- On page 14 of the engrossed bill, line 20, after the word "period" insert the comma and words ", or if a request to terminate is approved on or before the end of the three-year period"
- On page 14 of the engrossed bill, delete lines 21 through 27
- On page 15 of the engrossed bill, line 24, after the period insert the following: "Direct and indirect expenses shall not include costs directly related to the original submission of policy forms prior to selection as the lead carrier."
- On page 16 of the engrossed bill, line 32, after the period insert the following new sentence: "However, this subsection does not apply to a person who has had continuous coverage under a family or group accident and sickness insurance policy during the year immediately preceding the filing of an application."

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

For the Senate	For the House
 Sen. Reiten	 Rep. Peltier
 Sen. Demafos	 Rep. Dietz
 Sen. R. Christensen	 Rep. Dotzenrood

Representative Peltier moved that the report be adopted, which motion prevailed.

House Bill No. 1058 was placed on the 6th

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

**MOTION**

Rep. Kretschmar moved that the rules be suspended and that House Bill No. 1058 be placed on the sixth order of business, and after action taken on the sixth order, that House Bill No. 1058 be placed on the eleventh order for second reading and final passage, which motion prevailed.

**SIXTH ORDER OF BUSINESS**

Rep. Peltier moved that the amendments to House Bill No. 1058 as recommended by the Conference Committee be adopted, which motion prevailed.

**SECOND READING OF HOUSE BILL**

**House Bill No. 1058.** — A Bill for an Act to establish an intercarrier health insurance pool through an association of insurers, to designate a lead carrier to administer the plan of coverage, and to authorize the state insurance commissioner to act as the regulatory authority; 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, 85; nays, 11; 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	• HETZ	• THOMPSON
• ANDERSON, R. #36	• HORGAN	• MEYER	• TIMM
• BACKES	• HOUMANN	• MOORE	• UNHJEM
• BERG	• HUGHES	• MOUM	• VANDER VORST
• BERGER	• HUWE	• MURPHY	• VIG
• BLACK	• JACOBSEN, R.	• MUSHIK	• WAGNER
• BOYUM	• JACOBSON, I.	• NAGEL	• WALD
• BROKAW	• KELLY	• NICHOLAS	• WENTZ
• CONMY	• KENT	• OLAFSON	• WHALEN
• CRABTREE	• KINGSBURY	• OLSEN	• ZIMBLEMAN
• DICK	• KLOUBEC	• OLSON, A. #11	
• DIETZ	• KNUDSON	• OLSON, D. #13	• MR. SPEAKER
• DOTZENROD	• KOLAND	• OPEDAML	
• 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. #4	• MARTIN	• RICHIE	
• HANSON, O. #2	• MARTINSON	• RIEHL	
• HAUGLAND	• MATCHIE	• RUED	
• HAUSAUER, A. #9	• MATHENY	• SCHINDLER	
• HAUSAUER, R. #15	• MATTSON	• SOLBERG	
• HEDSTROM	• MEIERS	• SORUM	
• HEGAARD	• MELBY	• STRINDEN	
• HILL	• MERTENS	• SWIONTEK	

So the bill passed and the title was agreed to.

MOTION

Rep. Strinden moved that House Bill No. 1058 be messaged to the Senate immediately, which motion prevailed.

Rep. Strinden moved that the House stand at recess for ten minutes, which motion prevailed.

MESSAGE FROM THE SENATE

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

Senate Bill No. 2160

Very respectfully,

LEO LEIDHOLM, Chief Clerk

MOTION

Rep. Strinden moved that the Assembly go into a special order of business, and that Rep. Moum be appointed to preside, which motion prevailed.

Rep. Strinden moved that a committee of two be appointed to escort Rep. Moum to the rostrum, which motion prevailed.

Speaker Peterson appointed Reps. Whalen and Zimbleman who then escorted Rep. Moum to the rostrum to preside.

A solo of "God Bless America" was sung by Mrs. Phyllis Sjothun, mother of Assistant Chief Clerk, Skip Sjothun. She was accompanied by Rep. A. Olson.

Rep. Matchie was recognized and addressed the Assembly.

Rep. Matchie:

"All of us know that most of us talk too much, but there is one among us who not only conserves his words, but even jumps up occasionally to recommend that we not read aloud those terribly long bill titles.

But we in the House appreciate 'Kretch' for more than his discipline. He has really been a kind of symbol of something basic here. I speak of his efforts to make the Constitution relevant, to simplify our Courts, to create a fair and stimulating election process, and to develop a legal code that makes sense.

"He has done all this in a way that is kind and generous, and our Assembly is thankful for, Asst. Majority Leader, Bill Kretschmar."

Rep. Kretschmar: "Madam Speaker, Rep. Matchie, members of the Assembly, I thank you for your kind words, and certainly they are, I think, undeserved. I really enjoy serving in this House of Representatives. I really enjoy working with all of you on both sides of the aisle — the freshmen, the old timers, all of you. Truly it is a great experience for all of us. I've enjoyed it very much and I thank you very much."

Rep. O. Hanson: "Madam Speaker, Members of the Assembly: Rep. Mushik, will you please come to the rostrum. Rep. Mushik, I have the distinct pleasure today as a Freshman, to have been chosen to present you with this present as a token of our appreciation and thanks for a job well-done as the Democratic assistant floor leader.

"Corliss, as this is my first Session, I was truly amazed at the spirit of co-existence that does exist between the Democratic and Republican parties. True, 20-30% of the time issues are decided on a political basis here in the House of Representatives, but the other 70% of the time is truly a melting pot of farmers, city folk, east and west, students, housewives, lawyers and businessmen working together for a better North Dakota. I believe your leadership has contributed to this immensely.

"We thank you."

Rep. Mushik: "Thank you very much. That was a real bonus. I guess I just forgot there was going to be 'Hearts and Flowers' and I didn't really prepare anything, but I have a couple of little things. My son gave me a Murphy's Law Calendar, and I have discovered something I think is really good.

"I'd like to suggest especially for the Republican Lounge a work rule that we found. Rule 1. The boss is always right. Rule 2. When the boss is wrong, refer to Rule 1.

"Then we have the women's equation, and we have this in the ladies' lounge, that little bitty space over in the corner. Whatever women do, they have to do it twice as good as men. Luckily this is not difficult.

"And then the last one. Since we have been talking so much about various animals, and I thought maybe when I was working so hard on House Bill No. 1565, I should have heeded this one, it is called 'Hull's Warning' - Never insult an alligator until after you have crossed the river.

"Anyway, I guess like Rep. Kretschmar, I consider this a rare privilege to serve in this House of Representatives and to share in democracy in action and I know that while we don't all agree on the route we should take to make things better for North Dakota, that we all do have the welfare of our state in mind. I do thank you for this gift. I really like being here."

Rep. Heigaard: "Madam Speaker, Members of the staff, and fellow colleagues: It was a pleasant surprise for me to be given this opportunity and privilege to speak on behalf of this assembly to recognize Majority Leader, Rep. Earl Strinden. For those of you who are apprehensive about what I am going to say, have no fear. Not only were these remarks given earlier to Barb for approval and printing in the Journal - but I also took the added precaution of taking them over to the Senate and having them censored. Senator Barth said they would be just fine.

"Rep. Strinden, you have advanced ideas and proposed legislation to this 47th Legislative Assembly. Occasionally members of the loyal opposition have mildly objected, in a gentlemanly and fluent manner, to these ideas and legislation. And, although we have quarreled with your proposals, certainly no one can quarrel with your hard work and

dedication to the legislative process. It was Woodrow Wilson who said, 'I believe in democracy because it releases the energies of every human being.' North Dakota democracy has viewed the release of Majority Leader Rep. Earl Strinden's energies. The energies of a political leader with drive, confidence, ability, toughness, and persistence. A person whom, I am sure, history will say had a significant and growing impact on North Dakota politics, especially during the 1981 Legislative Session.

"With sincere respect for these accomplishments and in a spirit of camaraderie, it gives me great pleasure on behalf of all of us connected with this session, to present to you, Rep. Strinden, this gift."

Rep. Strinden: "I love to kiss Democrat girls. They are so much fun. Bill, thank you very much. It is a great honor and privilege to serve in the House of Representatives.

"I have often said that the legislature is the peoples' branch of government. And I have the strong feeling that the House of Representatives is the peoples' branch of the legislative branch. It is really an honor to have served with all of you fine people.

"For the times I have been a little harsh, I apologize for hurt feelings. I have never considered my job as the majority floor leader one to win popularity contests.

"Thank you all so very much for giving me the opportunity to serve with you.

"God bless all of you. Goodness sakes, alive. That looks like a retirement gift."

Rep. Hughes: "Madam Speaker, It is with pleasure that I present this gift to the minority leader, Rep. Backes.

"It has been a pleasure for me as a new member of this Body to have met Rep. Backes.

"I, like most of you, was looking forward to a big party put on by Rep. Backes after his return from Vegas after Crossover, but he very smoothly backed out of that one.

"I commend Rep. Backes as minority leader for hanging in there in the face of great odds.

"Thank you, Madam Speaker."

Rep. Backes: "Would you fellows turn the cameras off?"

"I have been accused of only wanting to speak when the cameras are on, and besides, you hide Earl's face from me, and I can't tell what his reaction is to my speech!

"First, thank you a lot. When I saw the rocking chair and I knew Earl went up there first, I knew he would get it and I was really happy. I thought, you know, we are giving him an appropriate gift — retirement — and now I know I am getting one too. So Earl, we had better have a caucus. We're getting the message.

"It has been my pleasure to serve with all of you again. I enjoyed the first part of the session the most when I was a nice guy, and after tonight, I will enjoy it again as a nice guy."

Rep. D. Olsen:

"Madam Speaker - Members of this Assembly, I was indeed pleased and honored when I was selected to present our Hearts and Flowers to a person all of us freshmen very quickly came to admire and to respect as much as do our veteran colleagues.

"How important it has been to know we would always be treated with fairness, courteousness, and tact when we didn't know exactly what to do. And - that has been often.

"However, there were times it seemed the veteran legislators also didn't know exactly what to do. There would be Mr. Speaker asking for

a second to a motion with no one replying - you must have felt like you were all alone up there.

"Perhaps the rest of us could take lessons on patience and fortitude as we only saw a substitute speaker up here twice. Everyone else left their seats a number of times for a multitude of reasons, including raiding the pots of coffee and the dishes of candy back in your office. The next Speaker has a reputation to uphold.

"We earlier mentioned fairness. We suppose this could be the reason why you once relinquished your chair - it was to speak about it - "the fair," of course. I won't attempt to sing "O Tannenbaum" as someone earlier did. For the less knowledgeable, that means "O Christmas Tree" —.

"Members of this Assembly, I don't know if you have quick wit and a sense of humor, as has our Speaker. This certainly has to be one of the best qualities a leader must have in dealing with so many of us as individuals.

"You know, you really have to have a sense of humor to sit up here day after day and look out over this Body. You not only have to be quick-witted, but have wit to keep all of those people out there under control. The demands we place upon our Speakers!

"A leader must also have wisdom and good judgment - and he certainly does exercise his judgment in determining when we are ready to vote and how fast - "the key will be open and you may record your vote. Does anybody wish to change his vote? The key will be closed and the clerk will take the record.

"Seriously, your promptness in presiding over a large Board of Directors is appreciated as a loud bang of the gavel brings 100 people to order and the Speaker struggles with how to include his and her in one word to denote our presence. Recall - The key will be open and everyone will indicate their presence.

"From both freshmen and veterans, alike - Our lives will never ever again be quite the same - this legislative experience - the 47th Legislative Assembly - will always be part of us.

"Jim - we will always value your friendship. You are an inspiration to all of us.

"I would like to present to you now a symbol of our appreciation and friendship - to one of my favorite people, to one of your favorite people, to one of our favorite people -

"Mr. Speaker - Jim - We love you."

Speaker Peterson: "Madam Chairman, "Dagne, thank you for those very fine words — Former Speaker Solberg, Former Speaker Wagner and to you, my fellow colleagues, assembled in these hallowed halls, a sincere 'thank you' for the honor and privilege of serving you as the 47th Speaker of The North Dakota House of Representatives.

"Traditionally, the Speakership has been the highest honor that members of the North Dakota House of Representatives can bestow upon a fellow member. — I have immensely enjoyed this session. — It is truly like facing the nation. — for the first time in eight sessions I have had the opportunity when certain heavy subjects have been before this house to view the expressions upon the faces of many of you. — that in itself has been worth the extra effort.

"As I stated in my acceptance speech on December 2, 1980, members of the Appropriations Committee could attest to my past concern about all of us being fair minded. — I can now attest that just about all of you would fit the qualification. — I would say to the new members of this assembly that you have enjoyed and experienced one session in the

greatest fraternal organization in the state of North Dakota. — this will become more evident to you as the years go on.

“It is with a deep sense of gratitude that I say ‘thank you’ to my secretary, Betty Perkins; my chief aide, Bob Porter and to the desk force, namely, Roy Gilbreath, Chief Clerk, who incidentally, came into the session at the same time I did in 1967; to his assistant, Skip Sjothun; to Barbara Middaugh, desk reporter; and to Janna Tjaden, Bill Clerk. With their help, the job of Speaker was made comparatively simple and easy.

“The one thing that has always amazed me as a legislator is that between the two houses — 150 citizens of North Dakota assembled for some sixty plus days from all different areas and different walks of life, who all have input into this legislative process. There always seems to be the ability when legislators are assembled in these halls to compromise, and as I learned in my first session from the Dean of the North Dakota House of Representatives, Brynhild Haugland, all good legislation comes from compromise.

“I would also like to add a sincere ‘thank you’ to representative Pat Conny for being my parliamentarian and also for substituting for the speaker when I had to take leave of the desk. Thank you, Pat, for a job well done.

“As we all return to the four corners of this state and our respective walks of life, we will all begin to see the fruits of our efforts. While the actions of past legislative assemblies and now this one will never be without criticism, I truly believe that we collectively have made an honest and true attempt to handle the many problems that state government has assigned to it either by actions of previous legislative assemblies or by actions of the people.

“In closing, all I can say is thank all of you and God bless each and every one of you.”

SPECIAL PRESENTATION DOCUMENT NO. 5001  
(Presented by Representative Richard J. Backes)

I have a presentation to make from the House Minority Caucus.

I have been asked by my caucus to make some nice, friendly remarks about the Majority Caucus and its leader, Representative Strinden.

That presents me with a real problem. I can't say that I trust him, or he'll raid that. I can't say that he is special, because he'll spend that. I can't say that he's a good floor general because he'll get a message from the Governor to cut it.

So what I want to do is present him with a momento of this session. But, first a few words of introduction.

We have heard charges that Measure No. 6 was put together behind closed doors. We have heard it was put together by a very small group of people who represented special interests. We have heard that no one really knew what was in it. We have heard it had no public hearings. We have heard that the trust fund was not inviolate -- that it could be tampered with. We have heard that legislative changes made to Measure No. 6 have actually improved it. We have heard that the people will find it more acceptable now than they did before the legislature met. We have heard all of these things, and yet, Mr. Speaker, there were members of the Minority Caucus who remained skeptical.

Those skeptics in the Minority Caucus, and I admit to being one of them, decided that something had to be done.

And so, in a small room, behind closed doors, with no public hearings, a group of us representing the special interests of all North Dakotans have gotten together and put together our version of a trust fund. We did get a message from the Governor suggesting changes, but we ignored it because, frankly, we didn't think much of it.

What we have here is a trust fund that is inviolate. Not only can it not be tampered with by the legislators, it cannot be tampered with by anyone, even special interests. It cannot be tampered with even by the voters.

We think this is completely acceptable to everyone, and even if it is not, there is nothing that can be done with it.

What we have here is not an inviolate, but a sacred trust fund, which will be preserved forever, and I want to present this to the Majority Leader, entrusted to his care. We feel completely secure in entrusting it to his care, because we know that there is no way even the Majority Leader, with all the power of his caucus, can change what we have done.

With these remarks, I want to present to you this minority plan for an inviolate trust fund which will be preserved forever in the hearts and minds of all North Dakotans.

ATTEST:

*Rep. Boeker - Demo - NPA Boeker*

Rep. Reiten: "Rep. Layton Freborg, who has been our Republican caucus leader, through the years has earned a conservative reputation on the Appropriations Committee. So some of us wondered if he would be willing to accept a gift from us.

"However, we know that while Layton is frugal with the public's money, he's very generous with his own money and with his time. So we decided to honor him with a gift anyway.

"Layton, thank you for your work as caucus chairman. The caucus chairman keeps the caucus on an even keel and we appreciate the effort you put into achieving that. We hope you will accept this gift, along with our appreciation and respect."

Rep. Freborg: "Madam Chairman, Representative Reiten, members of the Assembly: Thank you very much. It has been a real privilege for me to work with the seventy-plus members of the majority caucus. I've joked about being able to handle the caucus without a gavel, however, the last few days I wonder.

"But I would thank you for your cooperation and your participation. In spite of the fact that I have been fried by the Governor's office, roasted by the majority caucus, and blistered several times in that office over there, I've had a good session. I feel very thankful that I was able to serve with each and every member of this assembly.

"Thank you very much."

Rep. E. Pomeroy: "It is my honor to make a presentation to our caucus leader, Bruce Larson.

"I felt a responsibility of this magnitude could best be undertaken in verse.

This man of strength and dignity  
Has led the caucus minority,  
With a sure hand he doth lead,



The caucus loves him, yes, indeed .  
 But hope, we do, that this ends soon,  
 Lest he makes us meet yet another noon.  
 One more wish I would impart,  
 Before I'm done with my small part.  
 When Bruce is leader up in Heaven  
 May he convene more than 27."

Rep. Larson: "Madam Chairperson, Rep. Pomeroy, members of this 47th Legislative Assembly: This session has really been a challenge for me. It is something I have enjoyed and I guess I have to admit I have longed for this for many years.

"I have been withdrawn from the political arena for a number of years and just got back into it a few years ago. It really is a pleasure to serve this wonderful state of North Dakota. I am concerned about the future of it. I think we have a potential here — better than any state in the union, and this legislative body has shown a great concern for the state of North Dakota. Sure, we have had our differences, but here in North Dakota and in America, we have that opportunity to express our view and I think we have all done a good job of it here.

"It has been a pleasure to serve you.

"God bless you all and have a good interim session and I hope we'll see a lot of you back in two years, and hope some of you will stumble along the way.

"Thank you very much."

Rep. Moore: "Madam Speaker, Ladies and Gentlemen: Mr. Sergeant-at-Arms: In early usage in England a Sergeant-at-Arms was generally an armed officer of a Lord, often one of a special body required to be in immediate attendance on the King's person, to arrest traitors and offenders. Thus, the Title now denotes certain court, parliamentary and state officials with ceremonial and disciplinary functions. It is perhaps most readily associated in modern times with an officer in each house of Parliament, paralleled by two officers in the United States Congress. In the British House of Commons, the Sergeant-of-Arms is appointed by the Sovereign, but thereupon becomes the Servant of the House.

"Mr. Sergeant-at-Arms, David Hillesland, your appointment by our Sovereign was a wise and judicious decision. You have served our "Lord, the Speaker" well and faithfully. We offer this token as our thanks and appreciation."

Sergeant-at-Arms, David Hillesland acknowledged the gift presented to him.

Rep. Kent: Madam Speaker and Members of this Assembly: "I have the privilege of honoring our bill clerk, Janna Tjaden.

"Janna is not a new face in the Capitol, as she has worked with the Enrolling and Engrossing Committee in previous sessions.

"Janna, your effectiveness and dedication to your job cannot be measured, as I have you working here many times on Saturdays and Sundays, working diligently.

"Janna, please accept this gift as a thank-you and a token of our appreciation from me and the other members of the assembly."

Bill Clerk, Janna Tjaden, thanked the members of the Assembly.

Rep. Dan Olson: "Madam Speaker and Members of the Assembly: "I find it a great honor to recognize Barbara Middaugh as an outstanding "Freshman" desk reporter. You have done an excellent job in the heat of the legislative battle.

"We, the Members of the Legislative Assembly, want to thank you

for your fine job and hope you accept this gift as a token of our appreciation.”

Desk Reporter, Barbara Middaugh, expressed her appreciation to the Assembly.

Rep. Hill: “Madam Speaker and Members of the Assembly: “It is indeed an honor for me to present a gift of appreciation from this 47th Legislative Assembly of the North Dakota House of Representatives, to our esteemed Chief Clerk, Mr. Roy Gilbreath. He has never failed to capture the attention of any visitor in the Chambers when his clear and resonant voice rings out over the Assembly with the precision and rhythm of an experienced auctioneer in his job of expediting bills through the legislative process.

“Roy has done his job throughout this session with an enviable accuracy that clearly reveals his years of experience. In fact, I have about made up my mind that either this guy doesn’t make any mistakes, or he is very good at covering them up. I guess whenever I think of Roy, I’ll probably always remember the words of our esteemed Speaker when he said one day, “Open the key, Roy”. In closing this part of my remarks, I would like to say You do nice work, Roy!”

“And now, on behalf of this Assembly, I would like to present you with a gift in appreciation of your fine efforts, and since you are the one individual in our Assembly who seems to be always standing, we thought we should give you the Chief Clerk’s chair for your own, so you would get to use it more.

“Thanks again, Roy.”

Chief Clerk, Roy Gilbreath, thanked the members of the Assembly.

Rep. Gates: “Madam Speaker and Members of the Assembly: “I have the pleasure today to be a part of honoring an individual who helps make the Chief Clerk look good - Assistant Chief Clerk, Skip Sjothun. That’s Shi-toon. You have to be very careful to place the “T” on the last syllable. I had to ask six of the House employees before I could find one who could pronounce it correctly. One individual said “:I don’t know” - “We just call him Skip Spitoon”.

“Skip, we would like to present you with the rest of the articles that your mother did not find.

“On a serious note, Skip, and on behalf of the Members of the Assembly, thank you for being efficient and thank you for being a very pleasant individual. It has been a pleasure to work with you.”

Assistant Chief Clerk, Skip Sjothun, expressed his thanks to the Assembly.

Rep. Rice: “Madam Speaker, Members of the Assembly”: “North Dakota can well be proud of Brynhild Haugland. She is the Dean of North Dakota Legislators, having served continuously since her election in 1938, from the Minot area.

“A three-page article written about Miss Haugland in the March R.E.C. Magazine probably says it best with a title, ‘Builder of Her State; Friend of Its People’.

“With her rural farm background and training, Brynhild, has been a large page in the history of North Dakota and continues to fill the history books.

“She quietly works at her legislative tasks preferring to stay in the background unless the issue demands her response. Her response will be based on practical reasoning and a good life of experience.

“Politics has been a way of life for this lovely lady. It has been much of her life. I am favored to be able to present her with a gift of appreciation.”

Rep. Haugland: "Madam Chairman and Members of the Assembly, "It has been a joy to work with you in this Session. You have been very kind to me. You have honored me far beyond what I should ever receive from anyone. I appreciate your kindness and your generosity and thank you for the gift you are presenting me with.

"God bless you and go with you as you return to your homes."

Speaker Peterson: "Madam Chairman: "Ladies and gentlemen of the 47th Legislative Assembly. I don't really know how many of you really appreciate the opportunity that I have had to serve with two former Speakers assembled in this body. Both of them pledged their support early in this session and that pledge held throughout this session. I say 'thank you' to both former Speaker Solberg and former Speaker Wagner.

"When the Committee advised me as to the presentation that was going to be made to 'yours truly,' I made an immediate request of the Committee that the two former Speakers be presented with a like gift.

"Would you both please come to the podium to receive your chairs?"

"These chairs have a brass plate on the top of each one of them. One is inscribed 'honorable Oscar Solberg, speaker of the house, 45th legislative assembly' and 'honorable Vernon Wagner, Speaker of the House, 46th Legislative Assembly.' On behalf of the members of the 47th Legislative Assembly, it is my honor to present each of you a replica chair of the 47th Legislative Assembly."

Rep. Solberg: "Thank you Jim, and thanks to all the rest of you. This is entirely unexpected, and I really appreciate it.

"You couldn't have pleased me more with any gift, and I want to say to you that if you ever come to Rolla, drop in and see me and I will allow you to sit in my easy chair. Thank you all!"

Rep. Wagner: "Madam Chairman, Speaker Oscar, Speaker Jim: "They still build these microphones way too high. It is indeed a great honor to receive the gift and it certainly will be a great memory.

"To serve as Speaker is a thrill that very few people ever have the opportunity to do. I enjoyed it two years ago. I missed it this year, although I can say I also enjoyed it back on the floor again.

"Thanks to a great, wonderful group of people, and let's get on with the work."

Rep. Koland: "Madam Speaker, Members of the Assembly, and Staff; "I am honored to be able to recognize a leader of our Legislative Assembly, Rep. Roy Hausauer.

"Rep. Hausauer has been chairman of the Legislative Council for the last two interims. He also serves as vice-chairman of the House Appropriations Committee. He has been honored by his peers by being chosen as Chairman of the Midwestern Conference of the Council of State Governments. Last July he hosted a twelve-state conference here in Bismarck. He presently serves on the executive committee of the Midwestern Council of State Governments.

"This session marks ten years of distinguished service to this legislative body.

"Roy is affectionately called "Coach" by many of his admirers. According to Webster's "coach" is to train intensively by detailed instruction, frequent demonstration and repeated practice.

Rep. Hausauer, you are the personification of the word. And it is with deep gratitude that I present this gift to you on behalf of this great body."

Rep. R. Hausauer: "Madam Speaker and members of the Assembly

and Dave, thank you for that fine introduction.

"It is a privilege to serve on the national scene as a chairman of a group of states, and also on the national board of the Council of State Governments. I found out that our state Legislature is recognized as one of the finest in the nation because of its rules and its procedure. I think that certainly is a compliment to our leadership on both sides of the aisle, and also to all the representatives here in this Assembly.

"I want to thank you all."

A round of applause was given to all the employees.

Rep. Strinden moved that the special order of business be closed, which motion prevailed.

### Report of Conference Committee

Mr. SPEAKER: Your Conference Committee to whom was referred HOUSE CONCURRENT RESOLUTION No. 3069 has had the same under consideration and recommends:

That the Senate recede from its amendments and that engrossed House Concurrent Resolution No. 3069 be further amended as follows:

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 fund; and to allow the common school trust fund distribution.

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~~



• 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, D. #3	• MARTINSON	• RIEHL
• HAUGLAND	• MATCHIE	• RUED
• HAUSAUER, A. #19	• WATHENY	• SCHINDLER
• HAUSAUER, R. #25	• MATTSON	• SOLBERG
• HEDSTROM	• MEIERS	• SORUM
• HEIGAARD	• MELBY	• STRINDEN
• HILL	• MERTENS	• SWIONTEK

So the House Concurrent Resolution No. 3069 was declared adopted.

### MOTION

Rep. Strinden moved that action taken on House Concurrent Resolution No. 3069 be messaged to the Senate immediately, which motion prevailed.

### Report of Conference Committee

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

That the House recede from its amendments and be amended as follows:

On page 1 of the engrossed bill, line 1, after the word "Act", insert the following: "to create and enact a new section to chapter 20.1-03 and a new subsection to section 57-38-57 of the North Dakota Century Code, relating to liens on property of designated game and fish licensing agents and release of tax information; and"; delete the word "section" and insert in lieu thereof the word "sections"; and after the numerals "20.1-03-17", insert the following: "and 57-39.2-23"

On page 1 of the engrossed bill, line 4, after the word "department" insert the following: ", and release of tax information"

On page 1 of the engrossed bill, line 5, delete the word "emergency" and insert in lieu thereof the words "effective date"

On page 1, of the engrossed bill, line 17, after the period insert the word "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."

On page 1 of the engrossed bill, line 23, after the word "He" insert the words "License agents"

On page 2, line 5 of the engrossed bill, overstrike the words "of twenty"

On page 2, line 6 of the engrossed bill, overstrike the word "five" and immediately thereafter insert the words "not to exceed thirty"

On page 2 of the engrossed bill, line 6, delete the words "Prior to the allocation of any"

On page 2 of the engrossed bill, delete lines 7 and 8

On page 2 of the engrossed bill, line 9, delete the words and period "for a minimum of five thousand dollars." and insert in lieu thereof the following: "Prior to the allocation of any stamps or licenses to a designated"

license agent, the commissioner, when in his judgment it is necessary and advisable to do so in order to secure the collection of all the sold and unsold licenses and stamps, may require the agent to furnish written evidence of financial responsibility. The commissioner may enter into interagency agreements with the tax commissioner for obtaining written evidence of financial responsibility of the agents common to both commissioners."

On page 2 of the engrossed bill, after line 25, insert the following four sections:

"SECTION 2. A new section to chapter 20.1-03 of the North Dakota Century Code is hereby created and enacted to read as follows:

LIEN OF LICENSE AMOUNTS - COLLECTION - ACTION AUTHORIZED.

1. Whenever any designated agent liable for dispensed licenses and stamps refuses or neglects to pay the same, the amount payable for sold and unsold licenses and stamps, including any interest, penalty, or addition to such amount, together with the costs that may accrue in addition thereto after one hundred twenty days, shall be a lien in favor of the state of North Dakota upon all property and rights to property, whether real or personal, belonging to said agent, and in the case of property in which a deceased agent held an interest as joint tenant or otherwise with right of survivorship at the time of his death, the lien shall continue as a lien against the property in the hands of the survivor or survivors to the extent of the deceased agent's interest therein, which interest shall be determined by dividing the value of the entire property at the time of the agent's death by the number of joint tenants or persons interested therein.
2. The lien aforesaid shall attach at the time the amount payable for sold and unsold licenses and stamps becomes due and payable and shall continue until the liability for such amount is satisfied; for the purposes of this provision the words "due" and "due and payable" shall mean the first instant at which the amount becomes due.
3. In order to preserve the aforesaid lien against subsequent mortgagees, purchasers, or judgment creditors, for value and without notice of the lien, on any property situated in a county, the commissioner shall file with the register of deeds of the county in which said property is located, a notice of said lien.
4. The register of deeds of each county shall prepare and keep in his office a book, so ruled as to show in appropriate columns all of the following data, under the names of designated agents, arranged alphabetically:
  - a. The name of the agent.
  - b. The name "State of North Dakota" as claimant.
  - c. Time notice of lien was received.
  - d. Date of notice.

e. Amount of lien when due.

f. When satisfied.

The register of deeds shall endorse on each notice of lien the day, hour, and minute when received and preserve the same, and forthwith shall index said notice in said index book and the said lien shall be effective from the time of the indexing thereof.

5. The commissioner shall be exempt from the payment of the filing fees as otherwise provided by law for the filing of such lien, or for the satisfaction thereof.
6. Upon the payment of an amount as to which the commissioner has filed notice with the register of deeds, the commissioner forthwith shall file with said register of deeds a satisfaction of said claim and the register of deeds shall enter the satisfaction on the notice on file in his office and indicate that fact on the index aforesaid.
7. The attorney general, upon the request of the commissioner, shall bring an action at law or in equity, as the facts may justify, without bond, to enforce payment of any amounts payable for sold and unsold licenses and stamps, and any interest and penalties, or to foreclose the lien therefor in the manner provided for mortgages on real or personal property, and in such action he shall have the assistance of the state's attorney of the county in which the action is pending.
8. It is expressly provided that the foregoing remedies of the state shall be cumulative and that no action taken by the commissioner or attorney general shall be construed to be an election on the part of the state or any of its officers to pursue any remedy hereunder to the exclusion of any other remedy provided by law.
9. The technical, legal requirements outlined in this section relating to liens on all real and personal property of the agent to ensure payment of the amounts due, including penalties, interest and other costs, are self-explanatory.

SECTION 3. AMENDMENT. Section 57-39.2-23 of the 1979 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

57-39.2-23. INFORMATION DEEMED CONFIDENTIAL. It shall be unlawful for the commissioner, or any person having an administrative duty under this chapter, to divulge, or to make known in any manner whatever, the business affairs, operations, or information obtained by an investigation of records and equipment of any person or corporation visited or examined in the discharge of official duty, or the amount or sources of income, profits, losses, expenditures or any particulars thereof, set forth or disclosed in any return, or to permit any return or copy thereof or any book containing any abstract of particulars thereof to be seen or examined by any person except as provided by law. The commissioner may authorize examination of such returns by other state officers, and at his discretion furnish to the game and fish commissioner, the tax officials of another state, the multistate tax commission, the District of Columbia,



the United States and its territories, any information contained in the tax returns and reports and related schedules and documents filed pursuant to this chapter, and in the report of an audit or investigation made with respect thereto, provided only, except with respect to the game and fish commissioner, that said information be furnished solely for tax purposes; and the multistate tax commission may make said information available to the tax officials of any other state, the District of Columbia, the United States and its territories for tax purposes.

The commissioner is hereby authorized to furnish to the workmen's compensation bureau or to the unemployment compensation division of the employment security bureau upon request of either a list or lists of holders of permits issued pursuant to the provisions of this chapter or chapter 57-40.2, together with the addresses and tax department file identification numbers of such permit holders, provided that any such list shall be used by the bureau to which it is furnished only for the purpose of administering the duties of such bureau. The commissioner, or any person having an administrative duty under this chapter, is hereby authorized to announce that a permit has been revoked.

SECTION 4. A new subsection to section 57-38-57 of the 1979 Supplement to the North Dakota Century Code is hereby created and enacted to read as follows:

The tax commissioner is hereby authorized to furnish to the game and fish commissioner upon request an abstract or copy of the return of the income of any taxpayer, or information concerning any item contained in any return, or disclosed by the report of any investigation of the income, or return of income, of any taxpayer, provided that any such documents or information shall be used by the game and fish commissioner only for the purposes of administering the game and fish department."

SECTION 5. EFFECTIVE DATE. This Act shall become effective on March 1, 1982.

and renumber the lines, sections and pages accordingly

For the Senate  
Senator Nelson *Nelson*  
Senator Quail *Quail*  
Senator Redfem *Redfem*  
Rep. Kretschmar

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

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

Senate Bill No. 2160 was placed on the sixth

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

MOTION

Rep. Kretschmar moved that the rules be suspended and that Senate Bill No. 2160, be placed on the sixth order of business, and after action

taken on the sixth order, that Senate Bill No. 2160 be placed on the fourteenth order for second reading and final passage, which motion prevailed.

**SIXTH ORDER OF BUSINESS**

Rep. Kretschmar moved that the amendments to Senate Bill No. 2160 as recommended by the Conference Committee be adopted, which motion prevailed.

**SECOND READING OF SENATE BILL**

**Senate Bill No. 2160.** — A Bill for an Act to create and enact a new section to chapter 20.1-03 and a new subsection to section 57-38-57 of the North Dakota Century Code, relating to liens on property of designated game and fish licensing agents and release of tax information; and sections 20.1-03-17 and 57-39.2-23 of the North Dakota Century Code, relating to the issuance of hunting, fur bearer, fishing, and all other licenses and permits issued by the game and fish department, and release of tax information; and declaring an effective date.

Which has been read.

**MOTION**

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

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 5; nays, 92; 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. #34	•		HORGAN	•		MEYER	•		TIMM	•	
BACKES	•		HOUHANN	•		MOORE	•		UNHJEM	•	
BERG	•		HUGHES	•		MOUM	•		VANDER VORST	•	
BERGER	•		HUWE	•		MURPHY	•		VIG	•	
BLACK	•		JACOBSEN, R.	•		MUSHIK	•		WAGNER	•	
BOYUM	•		JACOBSON, I.	•		NAGEL	•		WALD	•	
BROKAW	•		KELLY	•		NICHOLAS	•		WENTZ	•	
CONNY	•		KENT	•		OLAFSON	•		WHALEM	•	
CRABTREE	•		KINGSBURY	•		OLSEN	•		ZIMBLEMAN	•	
DICK	•		KLOUBEC	•		OLSON, A. #11	•				
DIETZ	•		KNUDSON	•		OLSON, D. #13	•		MR SPEAKER	•	
DOTZENROD	•		KOLAND	•		OPEDAHN	•				
DUBORD	•		KOSKI	•		PELTIER	•				
EAGLES	•		KRETSCHMAR	•		PETERSON	•				
FREBORG	•		KUCHERA	•		POWEROY, E. #24	•				
GATES	•		LANG	•		POWEROY, G. #42	•				
GERL	•		LARSON, B. #12	•		REED	•				
GOETZ	•		LARSON, G. #29	•		REITEN	•				
GORDER	•		LARSON, H. #7	•		RETZER	•				
GUNDERSON	•		LIPSIEA	•		RICE	•				
GUNSCH	•		MARSDEN	•		RICHARD	•				
HANSON, L. #48	•		MARTIN	•		RICHIE	•				
HANSON, O. #7	•		MARTINSON	•		RIEHL	•				
HANGLAND	•		MATCHEY	•		RUED	•				
HAUSAUER, A. #49	•		MATHEWY	•		SCHWIDLER	•				
HAUSAUER, R. #25	•		MATTSON	•		SOLBERG	•				
HEDSTROM	•		MEIERS	•		SORUM	•				
HEGAARD	•		MELBY	•		STRINDEN	•				
HILL	•		MERTENS	•		SWIONTEK	•				

So the bill was declared lost.

**MESSAGE TO THE SENATE**

**House Chamber**

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

House Bill No. 1058

Very respectfully,

ROY GILBREATH, Chief Clerk

House Chamber

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

on which the House has adopted the conference committee report and subsequently passed:

House Concurrent Resolution No. 3069

Very respectfully,

ROY GILBREATH, Chief Clerk

MESSAGES FROM THE SENATE

Senate Chamber

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

Senate Bill No. 2289

Very respectfully,

LEO LEIDHOLM, Secretary

Senate Chamber

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

House Bill No. 1641

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return herewith the following on which the Senate has adopted the conference committee report and subsequently passed:

House Concurrent Resolution No. 3069

Very respectfully,

LEO LEIDHOLM, Secretary

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. 1565

And subsequently passed the same.

Very respectfully,

ROY GILBREATH, Chief Clerk

MESSAGES FROM THE SENATE

Senate Chamber

Mr. Speaker: I have the honor to return herewith the following on which the Senate has adopted the conference committee report and subsequently passed:

House Bill No. 1058

House Bill No. 1092

House Bill No. 1230

Very respectfully,

LEO LEIDHOLM, Secretary

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. 1040

And subsequently passed the same.

Very respectfully,

ROY GILBREATH, Chief Clerk

**Report of Conference Committee**

red Senate Bill No. 2289 has had the same under consideration and recommends:

That the House recede from its amendments and that Senate Bill No. 2289 be amended as follows:

On page 1, line 1, after the words "A BILL" delete the remainder of the bill and insert in lieu thereof the following: "for an Act to create and enact a new subdivision to subsection 2 of section 39-04-18 of the North Dakota Century Code, relating to motor vehicle license plates for former prisoners of war; and to provide an appropriation.

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

SECTION 1. A new subdivision to subsection 2 of section 39-04-18 of the North Dakota Century Code is hereby created and enacted to read as follows:

Passenger motor vehicles or pickup trucks not exceeding ten thousand pounds [4535.92 kilograms] gross weight owned and operated by a resident who, while serving in the United States armed forces, was a prisoner of war and has received an honorable discharge from the United States armed forces; provided, however, that the vehicles display a distinctive license plate issued by the registrar of motor vehicles upon the payment of one dollar. 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 former prisoner of war, provided that the exemption provided by this subdivision shall be allowed only with respect to one motor vehicle owned by such a former prisoner of war at any one time.

SECTION 2. MOTOR VEHICLE REGISTRAR REIMBURSED - APPROPRIATION. The cost of the former prisoner of war license plates authorized by this Act shall be paid, upon a voucher prepared by the adjutant general, from any unappropriated moneys remaining in the sinking fund for the state of North Dakota general obligation bonds, Vietnam conflict adjusted compensation series, and such moneys as may be necessary, not to exceed five thousand dollars, are hereby appropriated from the sinking fund to the adjutant general for the purposes of this Act. Payment under this section shall be based on claims submitted by the motor vehicle registrar."

And renumber the lines and pages accordingly

For the Senate: Senator Melland, Senator Streybel, Senator Stromme. For the House: Representative Koland, Representative Wald, Representative Solberg.

Representative Koland moved that the report be adopted, which motion prevailed.

Senate Bill No. 2289 was placed on the 6th order of business on the calendar for the succeeding legislative day.

**MOTION**

Rep. Strinden moved that the rules be suspended and that Senate Bill No. 2289 be placed on the sixth order of business, and after action taken on the sixth order, that Senate Bill No. 2289, be placed on the fourteenth order for second reading and final passage, which motion prevailed.

**SIXTH ORDER OF BUSINESS**

Rep. Koland moved that the amendments to Senate Bill No. 2289 as recommended by the Conference Committee be adopted, which motion prevailed.

**SECOND READING OF SENATE BILL**

**Senate Bill No. 2289.** — A Bill for an Act to create and enact a new subdivision to subsection 2 of section 39-04-18 of the North Dakota Century Code, relating to motor vehicle license plates for former prisoners of war; 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, 86; nays, 11; 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. #34			● JORGAN			● 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					
● GUNSCHE	●		● MARSDEN			● RICHARD					
● HANSON, L. #46			● MARTIN			● RICHIE					
● HANSON, D. #7			● MARTINSON			● RIEHL					
● HAUGLAND			● MATCHIE	●		● RUED					
● HAUSAUER, A. #48			● MATHENY			● SCHINDLER					
● HAUSAUER, R. #25			● MATTSON			● SOLBERG					
● HEDSTROM			● MEIERS	●		● SORUM					
● HEGAARD			● MELBY			● STRINDEN					
● HILL			● MERTENS			● SWONTEK					

So the bill passed and the title was agreed to.

**MESSAGE TO THE SENATE  
House Chamber**

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

Senate Bill No. 2289

Very respectfully,

ROY GILBREATH, Chief Clerk

## MOTION

Rep. Strinden moved that House Concurrent Resolution No. 3084 be messaged to the Senate immediately, which motion prevailed.

## MESSAGES TO THE SENATE

House Chamber

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

House Concurrent Resolution No. 3084

ROY GILBREATH, Chief Clerk

House Chamber

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

Senate Bill No. 2160

Very respectfully,

ROY GILBREATH, Chief Clerk

## MESSAGE FROM THE SENATE

Senate Chamber

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

House Concurrent Resolution No. 3084

LEO LEIDHOLM, Secretary

## ANNOUNCEMENTS OF APPOINTMENTS

Speaker Peterson announced the following appointments:

Legislative Council:

Rep. Peterson

Rep. R. Hausauer

Rep. Wagner

Rep. Kelly

Rep. Solberg

Rep. Mertens

Capitol Grounds Planning Commission:

Rep. A. Olson

Rep. Mushik

Rep. Marsden

Education Commission of the States :

Rep. Swiontek

Indian Affairs Commission:

Rep. Lang

Multistate Tax Compact Advisory Commission:

Rep. Richard

Rep. Timm

## MOTIONS

Rep. Strinden moved that a committee of three be appointed to notify the Senate that the House had completed its business and was about to adjourn, which motion prevailed, and the Speaker appointed to such committee:

Rep. Hughes

Rep. R. Anderson

Rep. Meyer

Rep. Strinden moved that a committee of three be appointed to notify the Governor that the House has completed its business and is about to adjourn, which motion prevailed, and the Speaker appointed to such committee:

Rep. Martinson  
 Rep. D. Olson  
 Rep. Sorum

Rep. A. Olson led the Assembly in the singing of "Auld Lang Syne".

A committee from the Senate was received who announced that the Senate had completed its business and was about to adjourn.

Rep. Martinson announced that the committee appointed to notify the Governor that the House had completed its business, and was about to adjourn and had completed its business, and asked to be discharged, which request was granted.

Rep. Hughes announced that the committee to notify the Senate that the House had completed its business and was about to adjourn and had completed its business and asked to be discharged, which request was granted.


**REPORT OF PROCEDURAL COMMITTEE**

MR. SPEAKER:

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

- House Bill No. 1004
- House Bill No. 1009
- House Bill No. 1011
- House Bill No. 1013
- House Bill No. 1021
- House Bill No. 1132
- House Bill No. 1154
- House Bill No. 1225
- House Bill No. 1276
- House Bill No. 1284
- House Bill No. 1418
- House Bill No. 1473
- House Bill No. 1525
- House Bill No. 1529
- House Bill No. 1536
- House Bill No. 1542
- House Bill No. 1589

and find the same correctly } Enrolled

Representative Retzer  Chairman  
 motion prevailed, and the report was adopted.

**SIGNING OF BILLS AND RESOLUTIONS**

The Chief Clerk announced that the Speaker signed the following:

- Senate Bill No. 2007
- Senate Bill No. 2009
- Senate Bill No. 2012
- Senate Bill No. 2018
- Senate Bill No. 2153
- Senate Bill No. 2253
- Senate Bill No. 2372

ROY GILBREATH, Chief Clerk  
 MESSAGE TO THE SENATE  
 House Chamber

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

Senate Bill No. 2007

Senate Bill No. 2009

Senate Bill No. 2012

Senate Bill No. 2018

Senate Bill No. 2153

Senate Bill No. 2253

Senate Bill No. 2372

Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

#### SIGNING OF BILLS AND RESOLUTIONS

The Chief Clerk announced that the Speaker signed the following:

Senate Bill No. 2001

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. 2039

Senate Bill No. 2203

Senate Bill No. 2217

Senate Bill No. 2271

Senate Bill No. 2438

Senate Concurrent Resolution No. 4016

ROY GILBREATH, Chief Clerk

#### MESSAGE TO THE SENATE

House Chamber

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

Senate Bill No. 2001

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



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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. 2039  
Senate Bill No. 2203  
Senate Bill No. 2217  
Senate Bill No. 2271  
Senate Bill No. 2438  
Senate Concurrent Resolution No. 4016  
Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

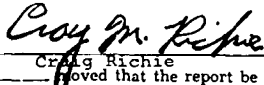
### REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER:

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

House Bill No. 1027  
House Bill No. 1033  
House Bill No. 1050  
House Bill No. 1204  
House Bill No. 1218

and find the same correctly } Enrolled

Representative Vig  Chairman  
motion prevailed, and the report was adopted. Moved that the report be adopted, which

### SIGNING OF BILLS AND RESOLUTIONS

The Chief Clerk announced that the Speaker signed the following:

House Bill No. 1027  
House Bill No. 1033  
House Bill No. 1050  
House Bill No. 1204  
House Bill No. 1218

ROY GILBREATH, Chief Clerk

### MESSAGE TO THE SENATE House Chamber

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

House Bill No. 1027  
House Bill No. 1033  
House Bill No. 1050  
House Bill No. 1204  
House Bill No. 1218

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

ROY GILBREATH, Chief Clerk

## MESSAGES FROM THE SENATE

Senate Chamber

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

House Bill No. 1027

House Bill No. 1204

House Bill No. 1033

House Bill No. 1218

House Bill No. 1050

Which the president has signed.

LEO LEIDHOLM, Secretary

## SIGNING OF BILLS AND RESOLUTIONS

The Chief Clerk announced that the Speaker signed the following:

House Bill No. 1004

House Bill No. 1009

House Bill No. 1011

House Bill No. 1013

House Bill No. 1021

House Bill No. 1132

House Bill No. 1154

House Bill No. 1225

House Bill No. 1276

House Bill No. 1284

House Bill No. 1418

House Bill No. 1473

House Bill No. 1525

House Bill No. 1529

House Bill No. 1536

House Bill No. 1542

House Bill No. 1589

ROY GILBREATH, Chief Clerk

## MESSAGE TO THE SENATE

House Chamber

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

House Bill No. 1004

House Bill No. 1009

House Bill No. 1011

House Bill No. 1013

House Bill No. 1021

House Bill No. 1132

House Bill No. 1154

House Bill No. 1225

House Bill No. 1276

House Bill No. 1284

House Bill No. 1418

House Bill No. 1473

House Bill No. 1525

House Bill No. 1529

House Bill No. 1536

House Bill No. 1542

House Bill No. 1589

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. 1004

House Bill No. 1009  
House Bill No. 1011  
House Bill No. 1013  
House Bill No. 1021  
House Bill No. 1132  
House Bill No. 1154  
House Bill No. 1225  
House Bill No. 1276  
House Bill No. 1284  
House Bill No. 1418  
House Bill No. 1473  
House Bill No. 1525  
House Bill No. 1529  
House Bill No. 1536  
House Bill No. 1542  
House Bill No. 1589

Which the President has signed.

LEO LEIDHOLM, Secretary

MESSAGES FROM THE SENATE

Senate Chamber

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

Senate Bill No. 2011  
Senate Bill No. 2024  
Senate Bill No. 2204  
Senate Bill No. 2358  
Senate Concurrent Resolution No. 4088

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

LEO LEIDHOLM, Secretary

Senate Chamber

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

Senate Bill No. 2038  
Senate Bill No. 2060  
Senate Bill No. 2117  
Senate Bill No. 2127  
Senate Bill No. 2152  
Senate Bill No. 2213  
Senate Bill No. 2228  
Senate Bill No. 2363  
Senate Bill No. 2374  
Senate Bill No. 2404  
Senate Concurrent Resolution No. 4033  
Senate Concurrent Resolution No. 4087

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

LEO LEIDHOLM, Secretary

SIGNING OF BILLS AND RESOLUTIONS

The Chief Clerk announced that the Speaker signed the following:

Senate Bill No. 2011  
Senate Bill No. 2024  
Senate Bill No. 2038  
Senate Bill No. 2060  
Senate Bill No. 2117  
Senate Bill No. 2127

Senate Bill No. 2152  
 Senate Bill No. 2204  
 Senate Bill No. 2213  
 Senate Bill No. 2228  
 Senate Bill No. 2358  
 Senate Bill No. 2363  
 Senate Bill No. 2374  
 Senate Bill No. 2404  
 Senate Concurrent Resolution No. 4033  
 Senate Concurrent Resolution No. 4087  
 Senate Concurrent Resolution No. 4088

ROY GILBREATH, Chief Clerk  
 MESSAGE TO THE SENATE  
 House Chamber

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

Senate Bill No. 2011  
 Senate Bill No. 2024  
 Senate Bill No. 2038  
 Senate Bill No. 2060  
 Senate Bill No. 2117  
 Senate Bill No. 2127  
 Senate Bill No. 2152  
 Senate Bill No. 2204  
 Senate Bill No. 2213  
 Senate Bill No. 2228  
 Senate Bill No. 2358  
 Senate Bill No. 2363  
 Senate Bill No. 2374  
 Senate Bill No. 2404  
 Senate Concurrent Resolution No. 4033  
 Senate Concurrent Resolution No. 4087  
 Senate Concurrent Resolution No. 4088  
 Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

MESSAGE FROM THE SENATE  
 Senate Chamber

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

Senate Bill No. 2010  
 Senate Bill No. 2026  
 Senate Bill No. 2046  
 Senate Bill No. 2289  
 Senate Bill No. 2347  
 Senate Bill No. 2432  
 Senate Concurrent Resolution No. 4090

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

LEO LEIDHOLM, Secretary

SIGNING OF BILLS AND RESOLUTIONS

The Chief Clerk announced that the Speaker signed the following:

Senate Bill No. 2010  
 Senate Bill No. 2026  
 Senate Bill No. 2046  
 Senate Bill No. 2289  
 Senate Bill No. 2347

Senate Bill No. 2432  
Senate Concurrent Resolution No. 4090

ROY GILBREATH, Chief Clerk  
MESSAGE TO THE SENATE  
House Chamber

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

Senate Bill No. 2010  
Senate Bill No. 2026  
Senate Bill No. 2046  
Senate Bill No. 2289  
Senate Bill No. 2347  
Senate Bill No. 2432  
Senate Concurrent Resolution No. 4090  
Which the Speaker has signed.

ROY GILBREATH, Chief Clerk  
MESSAGE FROM THE SENATE  
Senate Chamber

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

Senate Bill No. 2005  
Senate Bill No. 2019  
Senate Bill No. 2025  
Senate Bill No. 2092  
Senate Concurrent Resolution No. 4041  
Senate Concurrent Resolution No. 4091

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

LEO LEIDHOLM, Secretary  
SIGNING OF BILLS AND RESOLUTIONS

The Chief Clerk announced that the Speaker signed the following:

Senate Bill No. 2005  
Senate Bill No. 2019  
Senate Bill No. 2025  
Senate Bill No. 2092  
Senate Concurrent Resolution No. 4041  
Senate Concurrent Resolution No. 4091

ROY GILBREATH, Chief Clerk  
MESSAGE TO THE SENATE  
House Chamber

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

Senate Bill No. 2005  
Senate Bill No. 2019  
Senate Bill No. 2025  
Senate Bill No. 2092  
Senate Concurrent Resolution No. 4041  
Senate Concurrent Resolution No. 4091  
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. 1001  
House Bill No. 1002

House Bill No. 1008  
 House Bill No. 1028  
 House Bill No. 1036  
 House Bill No. 1038  
 House Bill No. 1039  
 House Bill No. 1040  
 House Bill No. 1049  
 House Bill No. 1058  
 House Bill No. 1060  
 House Bill No. 1061  
 House Bill No. 1092  
 House Bill No. 1230  
 House Bill No. 1243  
 House Bill No. 1277  
 House Bill No. 1365  
 House Bill No. 1374  
 House Bill No. 1509  
 House Bill No. 1565  
 House Bill No. 1605  
 House Bill No. 1653  
 House Bill No. 1659  
 House Concurrent Resolution No. 3069  
 House Concurrent Resolution No. 3084

and find the same correctly

} Enrolled

Representative L. Hanson *Craig Richie* Chairman  
 motion prevailed, and the report was adopted.

#### SIGNING OF BILLS AND RESOLUTIONS

The Chief Clerk announced that the Speaker signed the following:

House Bill No. 1001  
 House Bill No. 1002  
 House Bill No. 1008  
 House Bill No. 1028  
 House Bill No. 1036  
 House Bill No. 1038  
 House Bill No. 1039  
 House Bill No. 1040  
 House Bill No. 1049  
 House Bill No. 1058  
 House Bill No. 1060  
 House Bill No. 1061  
 House Bill No. 1092  
 House Bill No. 1230  
 House Bill No. 1243  
 House Bill No. 1277  
 House Bill No. 1365  
 House Bill No. 1374  
 House Bill No. 1509  
 House Bill No. 1565  
 House Bill No. 1605  
 House Bill No. 1653  
 House Bill No. 1659  
 House Concurrent Resolution No. 3069  
 House Concurrent Resolution No. 3084

ROY GILBERT WATH, Chief Clerk

MESSAGE TO THE SENATE  
 House Chamber

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

House Bill No. 1001  
House Bill No. 1002  
House Bill No. 1008  
House Bill No. 1028  
House Bill No. 1036  
House Bill No. 1038  
House Bill No. 1039  
House Bill No. 1040  
House Bill No. 1049  
House Bill No. 1058  
House Bill No. 1060  
House Bill No. 1061  
House Bill No. 1092  
House Bill No. 1230  
House Bill No. 1243  
House Bill No. 1277  
House Bill No. 1365  
House Bill No. 1374  
House Bill No. 1509  
House Bill No. 1565  
House Bill No. 1605  
House Bill No. 1653  
House Bill No. 1659  
House Concurrent Resolution No. 3069  
House Concurrent Resolution No. 3084

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. 1001  
House Bill No. 1002  
House Bill No. 1008  
House Bill No. 1028  
House Bill No. 1036  
House Bill No. 1038  
House Bill No. 1039  
House Bill No. 1040  
House Bill No. 1049  
House Bill No. 1058  
House Bill No. 1060  
House Bill No. 1061  
House Bill No. 1092  
House Bill No. 1230  
House Bill No. 1243  
House Bill No. 1277  
House Bill No. 1365  
House Bill No. 1374  
House Bill No. 1509  
House Bill No. 1565  
House Bill No. 1605  
House Bill No. 1653  
House Bill No. 1659  
House Concurrent Resolution No. 3069

House Concurrent Resolution No. 3084  
Which the President has signed.

LEO LEIDHOLM, Secretary

### REPORT OF PROCEDURAL COMMITTEE

The committee on Enrollment and Engrossment respectfully reports that:

House Bill No. 1001	House Bill No. 1050
House Bill No. 1002	House Bill No. 1058
House Bill No. 1004	House Bill No. 1060
House Bill No. 1008	House Bill No. 1061
House Bill No. 1009	House Bill No. 1092
House Bill No. 1011	House Bill No. 1132
House Bill No. 1013	House Bill No. 1154
House Bill No. 1021	House Bill No. 1204
House Bill No. 1027	House Bill No. 1218
House Bill No. 1028	House Bill No. 1225
House Bill No. 1033	House Bill No. 1230
House Bill No. 1036	House Bill No. 1243
House Bill No. 1038	House Bill No. 1276
House Bill No. 1039	House Bill No. 1277
House Bill No. 1040	House Bill No. 1284
House Bill No. 1049	House Bill No. 1365

were delivered to the  $\left. \begin{array}{l} \text{Governor} \\ \text{Secretary of State} \end{array} \right\}$  for his approval at the hour of  
4:54 o'clock p.m., April 3, 1981.

*Craig M. Richie*  
Rep. Craig Richie Chairman

### REPORT OF PROCEDURAL COMMITTEE

The committee on Enrollment and Engrossment respectfully reports that:

House Bill No. 1374
House Bill No. 1418
House Bill No. 1473



House Bill No. 1509

House Bill No. 1525

House Bill No. 1529

House Bill No. 1536

House Bill No. 1542

House Bill No. 1565

House Bill No. 1589

House Bill No. 1605

House Bill No. 1653

House Bill No. 1659

were delivered to the Governor for his approval at the hour of  
~~Secretary~~ of State  
4:54 o'clock p.m., April, 3, 1981.

*Craig M. Richie*  
Rep. Craig Richie Chairman.

**REPORT OF PROCEDURAL COMMITTEE**

The committee on Enrollment and Engrossment respectfully reports that:

House Concurrent Resolution No. 3069

House Concurrent Resolution No. 3084

were delivered to the ~~Governor~~ Secretary of State for his approval at the hour of  
5:00 o'clock p.m., April 3, 1981.

*Craig M. Richie*  
Rep. Craig Richie Chairman.

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

Rep. Strinden moved that the House be on the sixteenth and seventeenth orders of business, and on the completion thereof, the House stand adjourned subject to reconvening pursuant to Senate Concurrent Resolution No. 4033; and that upon adoption of this motion, the Speaker declare the session closed for the purpose of Article IV, Section 41, and adjourned, subject to reconvening pursuant to Senate Concurrent Resolution No. 4033, for all other purposes including the time limits for the consideration of gubernatorial vetoes under Article V, Section 9, which motion prevailed.

Speaker Peterson declared the House closed and adjourned pursuant to Rep. Strinden's motion.

ROY GILBREATH, Chief Clerk