

THIRTY-FIRST DAY

Bismarck, February 17, 1981

The Senate convened at 1:00 p.m., with President Sands presiding.

The prayer was offered by Rev. Canon Kenneth Umbecker, Pastor, Gethsemane Episcopal Cathedral, Fargo, N. D.

We pray, O Lord, for all those in our state who are responsible for our welfare, health and security. May Thy Holy Spirit guide our legislative representatives that they may have a care only for what will promote good government. Give them such a sense of duty that no self interest shall turn them from it. Keep them from hypocrisy in feeling or action. Grant that they may give us sound government, just laws, good education and a clean press. Grant them a vision of this state as a state of justice, where none shall prey upon others; a state of plenty, where greed and poverty shall be done away; a state of brotherhood, where success is founded upon service, and honour is given to nobleness alone; a state of peace, where order shall not rest on force, but on love of all for each and each for all. Hear now, O Lord, our prayers and pledges of love and service. Amen.

The roll was called and all Senators were present.

A quorum was declared by the President.

Correction and Revision of The Journal

Mr. President Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Thirtieth day and finds the same to be correct.

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Chairman

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

Report of Procedural Committee

MR. PRESIDENT:

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

- Senate Bill No. 2025
Senate Bill No. 2060
Senate Bill No. 2092
Senate Bill No. 2114
Senate Bill No. 2161
Senate Bill No. 2228
Senate Bill No. 2233
Senate Bill No. 2257
Senate Bill No. 2301
Senate Bill No. 2363

Senate Bill No. 2374
 Senate Bill No. 2377
 Senate Bill No. 2417
 Senate Bill No. 2424

and find the same correctly } Engrossed


 Stella Fritzell, Chairman

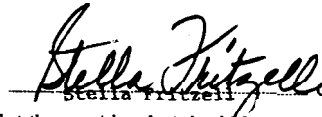
Senator Dykshoorn moved that the report be adopted, which motion prevailed.

MR. PRESIDENT:

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

Senate Bill No. 2406

and find the same correctly Re } Engrossed


 Stella Fritzell, Chairman

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

MOTIONS

Senator Nething moved that House Bills Nos. 1088, 1138 and 1154, which are on the 6th Order, be placed at the conclusion of the 11th Order, which motion prevailed.

Senator Lips moved that House Bill No. 1328 be returned to the Senate floor from the Committee on Appropriations, which motion prevailed.

Senator Lips moved that House Bill No. 1328 be re-referred to the Committee on State and Federal Government, which motion prevailed.

Senator Parker moved that the Senate reconsider the action whereby Senate Bill No. 2374 lost, which motion prevailed.

Senator Naaden moved that Senate Bill No. 2374 be laid over one legislative day, which motion prevailed.

Senator Lee moved that Senate Bill No. 2399 be laid over one legislative day, which motion prevailed.

CONSIDERATION OF AMENDMENTS

Senator Lips moved that the amendments to Senate Bill No. 2009 recommended by the Committee on Appropriations and printed on pages 689 - 694 of the Senate Journal be adopted, which motion prevailed.

Senator Lips moved that the amendments to Senate Bill No. 2016 recommended by the Committee on Appropriations and printed on pages 694, 695 of the Senate Journal be adopted, which motion prevailed.

Senator Lips moved that the amendments to Senate Bill No. 2018 recommended by the Committee on Appropriations and printed on page 695 of the Senate Journal be adopted, which motion prevailed.

Senator Lips moved that the amendments to Senate Bill No. 2033 recommended by the Committee on Appropriations and printed on pages 696, 697 of the Senate Journal be adopted, which motion prevailed.

Senator Lips moved that the amendments to Senate Bill No. 2036 recommended by the Committee on Appropriations and printed on pages 697 - 699 of the Senate Journal be adopted, which motion prevailed.

Senator Lee moved that the amendments to Senate Bill No. 2157 recommended by the Committee on Natural Resources and printed on page 699 of the Senate Journal be adopted, which motion prevailed.

Senator Solberg moved that the amendments to Senate Bill No. 2204 recommended by the Committee on Transportation and printed on page 700 of the Senate Journal be adopted, which motion prevailed.

Senator Peterson moved that the amendments to Senate Bill No. 2252 recommended by the Committee on Social Services and Veterans Affairs and printed on pages 700, 701 of the Senate Journal be adopted, which motion prevailed.

Senator Peterson moved that the amendments to Senate Bill No. 2280 recommended by the Committee on Social Services and Veterans Affairs and printed on page 701 of the Senate Journal be adopted, which motion prevailed.

Senator Peterson moved that the amendments to Senate Bill No. 2291 recommended by the Committee on Social Services and Veterans Affairs and printed on page 701 of the Senate Journal be adopted, which motion prevailed.

Senator Lips moved that the amendments to Senate Bill No. 2295 recommended by the Committee on Appropriations and printed on page 702 of the Senate Journal be adopted, which motion prevailed.

Senator Peterson moved that the amendments to Senate Bill No. 2345 recommended by the Committee on Social Services and Veterans Affairs and printed on page 703 of the Senate Journal be adopted, which motion prevailed.

Senator Iszler moved that the amendments to Senate Bill No. 2371 recommended by the Committee on Agriculture and printed on page 704 of the Senate Journal be adopted, which motion prevailed.

Senator Holmberg moved that the amendments to Senate Bill No. 2395 recommended by the Committee on Political Subdivisions and printed on pages 704 - 706 of the Senate Journal be adopted, which motion prevailed. Senate Bill No. 2395 has committee recommendation of do not pass.

Senator Holmberg moved that the amendments to Senate Bill No. 2400 recommended by the Committee on Political Subdivisions and printed on pages 706, 707 of the Senate Journal be adopted, which motion prevailed.

Senator Peterson moved that the amendments to Senate Bill No. 2405 recommended by the Committee on Social Services and Veterans Affairs and printed on page 707 of the Senate Journal be adopted, which motion prevailed.

FIRST READING OF SENATE CONCURRENT RESOLUTIONS

Senator Reiten introduced:

Senate Concurrent Resolution No. 4055. — A concurrent resolution directing the Legislative Council to conduct a study of issues facing the continued viability of small business in North Dakota.

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

Senator Lips introduced:

Senate Concurrent Resolution No. 4056. — A concurrent resolution directing the Legislative Council to conduct a study of the educational employment, and life and health insurance needs of persons over 21 years of age with incurable diseases.

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

SECOND READING OF SENATE BILLS

Senate Bill No. 2025. -- A Bill for an Act making an appropriation for defraying the expenses of the business and industrial development department of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 49, nays 0, absent and not voting 1.

NORTH DAKOTA SENATE											
REGULAR SESSION									1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● ADAMS			● GROETBERG			● NELSON			● STREIBEL		
● ALBERS			● HANSON			● NETHING			● STROMME		
● BAKWELL			● HOLMBERG			● OLIN			● TALLACKSON		
● BARTH			● ISZLER			● PARKER			● TENNEFOS		
● BERUBE			● LASHKOWITZ			● PETERSON			● THANE		
● CHRISTENSEN, H. JS			● LEE			● QUAIL			● TIERNEY		
● CHRISTENSEN, R. JM			● LEIBHAN			● REDLIN			● TWETEN		
● CUSSONS			● LIPS			● REITEN			● VOSPER		
● DOTZENROD			● LODDEN			● ROEN			● WALSH		
● DYKSHOORN			● MELLAND			● SHABLOW			● WENSTROM		
● ERICKSON			● MOORE			● SOLBERG			● WRIGHT		
● FRITZELL			● MUTCH			● SORUM			● MR. PRESIDENT		
● GOODMAN			● NAADEN			● STENEHJEM					

So the bill passed and the title was agreed to.

Senate Bill No. 2060. -- A Bill for an Act to license home health agencies and to provide for administration of a grant program for home health agencies providing home health services to qualified individuals; 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 47, nays 3, absent and not voting 0.

NORTH DAKOTA SENATE											
REGULAR SESSION									1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● ADAMS			● GROETBERG			● NELSON			● STREIBEL		
● ALBERS			● HANSON			● NETHING			● STROMME		
● BAKWELL			● HOLMBERG			● OLIN			● TALLACKSON		
● BARTH			● ISZLER			● PARKER			● TENNEFOS		
● BERUBE			● LASHKOWITZ			● PETERSON			● THANE		
● CHRISTENSEN, H. JS			● LEE			● QUAIL			● TIERNEY		
● CHRISTENSEN, R. JM			● LEIBHAN			● REDLIN			● TWETEN		
● CUSSONS			● LIPS			● REITEN			● VOSPER		
● DOTZENROD			● LODDEN			● ROEN			● WALSH		
● DYKSHOORN			● MELLAND			● SHABLOW			● WENSTROM		
● ERICKSON			● MOORE			● SOLBERG			● WRIGHT		
● FRITZELL			● MUTCH			● SORUM			● MR. PRESIDENT		
● GOODMAN			● NAADEN			● STENEHJEM					

So the bill passed and the title was agreed to.

Senate Bill No. 2092. -- A Bill for an Act to amend and reenact section 15-60-05 of the North Dakota Century Code, relating to school districts leasing buildings from the state board of public school education following the financing of their construction through the state school construction fund; and to provide an appropriation for the state school construction fund.

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 50, nays 0, absent and not voting 0.

NORTH DAKOTA SENATE											
REGULAR SESSION									1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● ADAMS			● GROETBERG			● NELSON			● STREIBEL		
● ALBERS			● HANSON			● NETHING			● STROMME		
● BAKWELL			● HOLMBERG			● OLIN			● TALLACKSON		

• BARTH	• ISZLER	• PARKER	• TENNEFOS
• BERUBE	• LASHKOWITZ	• PETERSON	• THANE
• CHRISTENSEN, H. #5	• LEE	• QUAIL	• TIERNEY
• CHRISTENSEN, R. #36	• LEIBHAN	• REDLIN	• TWETEN
• CUSONS	• LIPS	• REITEN	• VOSPER
• DOTZENROD	• LODDEN	• ROEN	• WALSH
• DYKSHOORN	• MELLAND	• SHABLOW	• WENSTROM
• ERICKSON	• MOORE	• SOLBERG	• WRIGHT
• FRITZELL	• MUTCH	• SORUM	• MR. PRESIDENT
• GOODMAN	• NAADEN	• STENEHJEM	

So the bill passed and the title was agreed to.

Senate Bill No. 2114. — A Bill for an Act to amend and reenact subsection 16 of section 52-06-02 of the North Dakota Century Code, relating to disqualification for unemployment compensation benefits. 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 40, nays 9, absent and not voting 1.

NORTH DAKOTA SENATE											
REGULAR SESSION						1981 LEGISLATURE					
ROLL-CALL											
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• ADAMS		•	• GROTBERG			• NELSON		•	• STREIBEL		
• ALBERS		•	• HANSON			• NETHING			• STROWME		•
• BAKEWELL		•	• HOLMBERG			• OLIN			• TALLACKSON		•
• BARTH			• ISZLER			• PARKER			• TENNEFOS		
• BERUBE			• LASHKOWITZ			• PETERSON			• THANE		
• CHRISTENSEN, H. #5			• LEE			• QUAIL			• TIERNEY		
• CHRISTENSEN, R. #36			• LEIBHAN			• REDLIN		•	• TWETEN		
• CUSONS		•	• LIPS			• REITEN			• VOSPER		
• DOTZENROD			• LODDEN			• ROEN		•	• WALSH		
• DYKSHOORN			• MELLAND			• SHABLOW			• WENSTROM		
• ERICKSON			• MOORE		•	• SOLBERG			• WRIGHT		
• FRITZELL			• MUTCH		•	• SORUM			• MR. PRESIDENT		
• GOODMAN			• NAADEN			• STENEHJEM					

So the bill passed and the title was agreed to.

Senate Bill No. 2161. — A Bill for an Act to amend and reenact sections 16-20-08 and 16-20-09 of the North Dakota Century Code, prohibiting labor organizations from using funds generated by dues in political campaigns; to repeal section 16-20-12 of the North Dakota Century Code, relating to where a violation of section 16-20-08 may be prosecuted; and providing a penalty.

Which has been read, and is placed on the calendar without recommendation.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll as called and there were ayes 33, nays 16, absent and not voting 1.

NORTH DAKOTA SENATE											
REGULAR SESSION						1981 LEGISLATURE					
ROLL-CALL											
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• ADAMS			• GROTBERG		•	• NELSON			• STREIBEL		
• ALBERS		•	• HANSON			• NETHING			• STROWME		•
• BAKEWELL			• HOLMBERG		•	• OLIN			• TALLACKSON		•
• BARTH			• ISZLER			• PARKER			• TENNEFOS		
• BERUBE			• LASHKOWITZ			• PETERSON			• THANE		
• CHRISTENSEN, H. #5			• LEE			• QUAIL			• TIERNEY		
• CHRISTENSEN, R. #36			• LEIBHAN			• REDLIN		•	• TWETEN		
• CUSONS			• LIPS			• REITEN			• VOSPER		
• DOTZENROD			• LODDEN			• ROEN			• WALSH		•
• DYKSHOORN			• MELLAND			• SHABLOW			• WENSTROM		
• ERICKSON			• MOORE			• SOLBERG			• WRIGHT		
• FRITZELL			• MUTCH			• SORUM			• MR. PRESIDENT		
• GOODMAN			• NAADEN			• STENEHJEM					

So the bill passed and the title was agreed to.

Senate Bill No. 2202. — A Bill for an Act providing for a reallocation of the appropriation to the junior colleges of the state of North Dakota for the biennium ending June 30, 1981; 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 50, nays 0, absent and not voting 0.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● ADAMS			● GROTBERG			● NELSON		● STREIBEL
● ALBERS			● HANSON			● NETHING		● STROMME
● BAKEWELL			● HOLMBERG			● OLIN		● TALLACKSON
● BARTH			● ISZLER			● PARKER		● TENNEFOS
● BERUBE			● LASHKOWITZ			● PETERSON		● THANE
● CHRISTENSEN, H. JS			● LEE			● QUAIL		● TIERNEY
● CHRISTENSEN, R. FM			● LEIBHAN			● REDLIN		● TWETEN
● CUSSONS			● LIPS			● REITEN		● VOSPER
● DOTZENROD			● LODOEN			● ROEN		● WALSH
● DYKSHOORN			● MELLAND			● SHABLOW		● WENSTROM
● ERICKSON			● MOORE			● SOLBERG		● WRIGHT
● FRITZELL			● MUTCH			● SORUM		● MR. PRESIDENT
● GOODMAN			● NAAEDEN			● STENEHJEM		

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

Senate Bill No. 2228. — A Bill for an Act to amend and reenact sections 65-05.2-02 and 65-05.2-03 of the North Dakota Century Code, relating to the amount of supplementary workmen's compensation benefits and payment from the supplementary benefit fund; and providing that the premium rate may not be increased during the 1981-1983 biennium.

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 50, nays 0, absent and not voting 0.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● ADAMS			● GROTBERG			● NELSON		● STREIBEL
● ALBERS			● HANSON			● NETHING		● STROMME
● BAKEWELL			● HOLMBERG			● OLIN		● TALLACKSON
● BARTH			● ISZLER			● PARKER		● TENNEFOS
● BERUBE			● LASHKOWITZ			● PETERSON		● THANE
● CHRISTENSEN, H. JS			● LEE			● QUAIL		● TIERNEY
● CHRISTENSEN, R. FM			● LEIBHAN			● REDLIN		● TWETEN
● CUSSONS			● LIPS			● REITEN		● VOSPER
● DOTZENROD			● LODOEN			● ROEN		● WALSH
● DYKSHOORN			● MELLAND			● SHABLOW		● WENSTROM
● ERICKSON			● MOORE			● SOLBERG		● WRIGHT
● FRITZELL			● MUTCH			● SORUM		● MR. PRESIDENT
● GOODMAN			● NAAEDEN			● STENEHJEM		

So the bill passed and the title was agreed to.

Senate Bill No. 2233. — A Bill for an Act to create and enact sections 10-06-01.1, 10-06-07, 10-06-08, 10-06-09, 10-06-10, 10-06-11, 10-06-12, 10-06-13, and 10-06-14 of the North Dakota Century Code, defining farming or ranching, authorizing certain family-type corporations to engage in farming and ranching, and providing for reports and enforcement; to amend and reenact sections 10-06-01 and 10-06-04 of the North Dakota Century Code, prohibiting farming by corporations with an exception for certain cooperatives; to repeal sections 10-06-02, 10-06-03, 10-06-05, and 10-06-06 of the North Dakota Century Code, relating to disposal of lands acquired by corporations in violation of the law; and to provide a penalty; 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 42, nays 8, absent and not voting 0.

NORTH DAKOTA SENATE									
REGULAR SESSION			ROLL-CALL			1981 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	
●			●	GROTEBERG		●	NELSON	●	STREIBEL
●			●	HANSON		●	NETHING		STROMME
●			●	HOLMBERG		●	OLIN	●	TALLACKSON
●			●	ISZLER		●	PARKER	●	TENNEFOS
●			●	LASHKOWITZ		●	PETERSON	●	THANE
●			●	LEE		●	QUAIL	●	TIERNEY
●			●	LEIBHAN	●	●	REDLIN	●	TWETEN
●			●	LIPS		●	REITEN	●	VOSPER
●			●	LODOEN		●	ROEN	●	WALSH
●			●	MELLAND		●	SHABLOW	●	WENSTROM
●			●	MOORE		●	SOLBERG	●	WRIGHT
●			●	MUTCH		●	SORUM	●	MR. PRESIDENT
●			●	NAADEN		●	STENEHJEM		

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

MOTIONS

Senator Nething moved that Senate Bills Nos. 2161 and 2233 be reprinted in the minimum amount, which motion prevailed.

Senator Nething moved that the Senate recess for fifteen minutes, which motion prevailed.

The Senate reconvened, with President Sands presiding.

SECOND READING OF SENATE BILLS

Senate Bill No. 2234. — A Bill for an Act to amend and reenact subdivision j of subsection 1 of section 57-38-01.2 of the North Dakota Century Code, allowing a greater reduction in North Dakota taxable income for benefits received under the United States Civil Service Act, or from firemen's relief associations or policemen's pension funds.

Which has been read and has committee recommendation of do not pass.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes 5, nays 45, absent and not voting 0.

NORTH DAKOTA SENATE									
REGULAR SESSION			ROLL-CALL			1981 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	
				GROTEBERG		●	NELSON	●	STREIBEL
				HANSON		●	NETHING	●	STROMME
				HOLMBERG		●	OLIN	●	TALLACKSON
				ISZLER		●	PARKER	●	TENNEFOS
				LASHKOWITZ		●	PETERSON	●	THANE
				LEE		●	QUAIL	●	TIERNEY
				LEIBHAN		●	REDLIN	●	TWETEN
				LIPS		●	REITEN	●	VOSPER
				LODOEN		●	ROEN	●	WALSH
				MELLAND		●	SHABLOW	●	WENSTROM
				MOORE		●	SOLBERG	●	WRIGHT
				MUTCH		●	SORUM	●	MR. PRESIDENT
				NAADEN		●	STENEHJEM		

Senate Bill No. 2234 was declared lost.

Senate Bill No. 2257. — A Bill for an Act defining adult establishments and providing for county and city regulation of adult establishments; 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 50, nays 0, absent and not voting 0.

NORTH DAKOTA SENATE									
REGULAR SESSION			ROLL-CALL			1981 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	
●			●	GROTEBERG		●	NELSON	●	STREIBEL
●			●	HANSON		●	NETHING	●	STROMME
●			●	HOLMBERG		●	OLIN	●	TALLACKSON

• BARTH	• ISZLER	• PARKER	• TENNEFOS
• BERUBE	• LASHKOWITZ	• PETERSON	• THANE
• CHRISTENSEN, H. #5	• LEE	• QUAIL	• TIERNEY
• CHRISTENSEN, R. #30	• LEIBHAN	• REDLIN	• TWETEN
• CUSSONS	• LIPS	• REITEN	• VOSPER
• DOTZENROD	• LODOEN	• ROEN	• WALSH
• DYKSHOORN	• MELLAND	• SHABLOW	• WENSTROM
• ERICKSON	• MOORE	• SOLBERG	• WRIGHT
• FRITZELL	• MUTCH	• SORUM	• MR. PRESIDENT
• GOODMAN	• NAADEN	• STENEHJEM	

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

Senate Bill No. 2301. — A Bill for an Act to create and enact a new section to chapter 61-04 of the North Dakota Century Code, relating to time limitations concerning water permit applications.

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 50, nays 0, absent and not voting 0.

NORTH DAKOTA SENATE											
REGULAR SESSION						ROLL CALL			1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• ADAMS			• GROTBERG			• NELSON			• STREIBEL		
• ALBERS			• HANSON			• NETHING			• STROMME		
• BAKEWELL			• HOLMBERG			• OLIN			• TALLACKSON		
• BARTH			• ISZLER			• PARKER			• TENNEFOS		
• BERUBE			• LASHKOWITZ			• PETERSON			• THANE		
• CHRISTENSEN, H. #5			• LEE			• QUAIL			• TIERNEY		
• CHRISTENSEN, R. #30			• LEIBHAN			• REDLIN			• TWETEN		
• CUSSONS			• LIPS			• REITEN			• VOSPER		
• DOTZENROD			• LODOEN			• ROEN			• WALSH		
• DYKSHOORN			• MELLAND			• SHABLOW			• WENSTROM		
• ERICKSON			• MOORE			• SOLBERG			• WRIGHT		
• FRITZELL			• MUTCH			• SORUM			• MR. PRESIDENT		
• GOODMAN			• NAADEN			• STENEHJEM					

So the bill passed and the title was agreed to.

Senate Bill No. 2307. — A Bill for an Act to create and enact a new section to chapter 50-24.1 of the North Dakota Century Code, relating to consideration of separated spouse's resources in determining eligibility for medical assistance.

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 50, nays 0, absent and not voting 0.

NORTH DAKOTA SENATE											
REGULAR SESSION						ROLL CALL			1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• ADAMS			• GROTBERG			• NELSON			• STREIBEL		
• ALBERS			• HANSON			• NETHING			• STROMME		
• BAKEWELL			• HOLMBERG			• OLIN			• TALLACKSON		
• BARTH			• ISZLER			• PARKER			• TENNEFOS		
• BERUBE			• LASHKOWITZ			• PETERSON			• THANE		
• CHRISTENSEN, H. #5			• LEE			• QUAIL			• TIERNEY		
• CHRISTENSEN, R. #30			• LEIBHAN			• REDLIN			• TWETEN		
• CUSSONS			• LIPS			• REITEN			• VOSPER		
• DOTZENROD			• LODOEN			• ROEN			• WALSH		
• DYKSHOORN			• MELLAND			• SHABLOW			• WENSTROM		
• ERICKSON			• MOORE			• SOLBERG			• WRIGHT		
• FRITZELL			• MUTCH			• SORUM			• MR. PRESIDENT		
• GOODMAN			• NAADEN			• STENEHJEM					

So the bill passed and the title was agreed to.

Senate Bill No. 2357. — A Bill for an Act to provide matching grants to municipalities and landscaped rural residences for conducting sanitation and reforestation programs; and to make an appropriation.

Which has been read and has committee recommendation of do not pass.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes 13, nays 37, absent and not voting 0.

NORTH DAKOTA SENATE											
REGULAR SESSION						1981 LEGISLATURE					
ROLL-CALL											
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
ADAMS		●	GROETBERG		●	NELSON		●	STREIBEL		●
ALBERS		●	HANSON		●	NETHING		●	STROMME		●
BAKEWELL		●	HOLMBERG		●	OLIN		●	TALLACKSON		●
BARTH		●	ISZLER		●	PARKER		●	TENNEFOS		●
BERUBE		●	LASHKOWITZ		●	PETERSON		●	THANE		●
CHRISTENSEN, H. #5		●	LEE		●	QUAIL		●	TIERNEY		●
CHRISTENSEN, R. #34		●	LEIBHAN		●	REDLIN		●	TWETEN		●
CUSSONS		●	LIPS		●	REITEN		●	VOSPER		●
DOTZENROD		●	LOODEN		●	ROEN		●	WALSH		●
DYKSHOORN		●	MELLAND		●	SHABLOW		●	WENSTROM		●
ERICKSON		●	MOORE		●	SOLBERG		●	WRIGHT		●
FRITZELL		●	MUTCH		●	SORUM		●	MR. PRESIDENT		●
GOODMAN		●	NAADEN		●	STENEHJEM		●			

Senate Bill No. 2357 was declared lost.

Senate Bill No. 2363. — A Bill for an Act to create and enact a new subsection to section 39-01-15, a new subsection to section 39-10-48, and two new subsections to section 39-10-50 of the North Dakota Century Code, relating to parking spaces designated for use by physically handicapped persons and the authority of law enforcement officers to enforce traffic and parking violations on state charitable and penal institutions and on the state capitol grounds; and to amend and reenact section 39-06.1-08 of the North Dakota Century Code, relating to the definition of "nonmoving violation".

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 49, nays 0, absent and not voting 1.

NORTH DAKOTA SENATE											
REGULAR SESSION						1981 LEGISLATURE					
ROLL-CALL											
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● ADAMS			● GROETBERG			● NELSON			● STREIBEL		
● ALBERS			● HANSON			● NETHING			● STROMME		
● BAKEWELL			● HOLMBERG			● OLIN			● TALLACKSON		
● BARTH			● ISZLER			● PARKER			● TENNEFOS		
● BERUBE			● LASHKOWITZ			● PETERSON			● THANE		
● CHRISTENSEN, H. #5			● LEE			● QUAIL			● TIERNEY		
● CHRISTENSEN, R. #34			● LEIBHAN			● REDLIN			● TWETEN		
● CUSSONS			● LIPS			● REITEN			● VOSPER		
● DOTZENROD			● LOODEN			● ROEN			● WALSH		
● DYKSHOORN			● MELLAND			● SHABLOW			● WENSTROM		
● ERICKSON			● MOORE			● SOLBERG			● WRIGHT		
● FRITZELL			● MUTCH			● SORUM			MR. PRESIDENT		
● GOODMAN			● NAADEN			● STENEHJEM					

So the bill passed and the title was agreed to.

Senate Bill No. 2369. — A Bill for an Act to repeal section 14-09-09.5 of the North Dakota Century Code, relating to payment of child support as a lien upon real property of the obligor.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes 50, nays 0, absent and not voting 0.

NORTH DAKOTA SENATE											
REGULAR SESSION						1981 LEGISLATURE					
ROLL-CALL											
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● ADAMS			● GROETBERG			● NELSON			● STREIBEL		
● ALBERS			● HANSON			● NETHING			● STROMME		
● BAKEWELL			● HOLMBERG			● OLIN			● TALLACKSON		
● BARTH			● ISZLER			● PARKER			● TENNEFOS		
● BERUBE			● LASHKOWITZ			● PETERSON			● THANE		
● CHRISTENSEN, H. #5			● LEE			● QUAIL			● TIERNEY		
● CHRISTENSEN, R. #34			● LEIBHAN			● REDLIN			● TWETEN		
● CUSSONS			● LIPS			● REITEN			● VOSPER		

• DOTZENROD	• LODOEN	• ROEN	• WALSH
• DYKSHOORN	• MELLAND	• SHABLOW	• WENSTROM
• ERICKSON	• MOORE	• SOLBERG	• WRIGHT
• FRITZELL	• MUTCH	• SORUM	• MR. PRESIDENT
• GOODMAN	• NAADEN	• STENEHJEM	

So the bill passed and the title was agreed to.

Senate Bill No. 2377. — A Bill for an Act to amend and reenact subsection 1 of section 11-10-10 and section 27-08-08 of the North Dakota Century Code, relating to the salaries of county officers.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 46, nays 0, absent and not voting 4.

NORTH DAKOTA SENATE											
REGULAR SESSION						ROLL CALL			1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• ADAMS			• GROETBERG			• NELSON			• STREIBEL		
• ALBERS			• HANSON			• NETHING			• STROMME		
• BAKEWELL			• HOLMBERG			• OLIN			• TALLACKSON		
• BARTH			• SZLER			• PARKER			• TENNEFOS		
• BERUBE			• LASHKOWITZ			• PETERSON			• THANE		
• CHRISTENSEN, H. #5			• LEE			• QUAIL			• TIERNEY		
• CHRISTENSEN, R. #36			• LEIBHAN			• REDLIN			• TWETEN		
• CUSSONS			• LIPS			• REITEN			• VOSPER		
• DOTZENROD			• LODOEN			• ROEN			• WALSH		
• DYKSHOORN			• MELLAND			• SHABLOW			• WENSTROM		
• ERICKSON			• MOORE			• SOLBERG			• WRIGHT		
• FRITZELL			• MUTCH			• SORUM			• MR. PRESIDENT		
• GOODMAN			• NAADEN			• STENEHJEM					

So the bill passed and the title was agreed to.

Senate Bill No. 2385. — A Bill for an Act to amend and reenact subsection 15 of section 57-02-08 of the North Dakota Century Code, relating to property tax exemptions for farm homes.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes 36, nays 14, absent and not voting 0.

NORTH DAKOTA SENATE											
REGULAR SESSION						ROLL CALL			1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• ADAMS			• GROETBERG			• NELSON			• STREIBEL		
• ALBERS			• HANSON			• NETHING			• STROMME		
• BAKEWELL			• HOLMBERG			• OLIN			• TALLACKSON		
• BARTH			• SZLER			• PARKER			• TENNEFOS		
• BERUBE			• LASHKOWITZ			• PETERSON			• THANE		
• CHRISTENSEN, H. #5			• LEE			• QUAIL			• TIERNEY		
• CHRISTENSEN, R. #36			• LEIBHAN			• REDLIN			• TWETEN		
• CUSSONS			• LIPS			• REITEN			• VOSPER		
• DOTZENROD			• LODOEN			• ROEN			• WALSH		
• DYKSHOORN			• MELLAND			• SHABLOW			• WENSTROM		
• ERICKSON			• MOORE			• SOLBERG			• WRIGHT		
• FRITZELL			• MUTCH			• SORUM			• MR. PRESIDENT		
• GOODMAN			• NAADEN			• STENEHJEM					

So the bill passed and the title was agreed to.

Senate Bill No. 2406. — A Bill for an Act to create and enact a new section to chapter 15-21 of the North Dakota Century Code to direct the superintendent of public instruction to establish a loan program to assist schools in changing to coal heat; and to provide an appropriation; and to declare an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 49, nays 0, absent and not voting 1.

NORTH DAKOTA SENATE

REGULAR SESSION			ROLL-CALL						1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● ADAMS			● GROTBERG			● NELSON			● STREIBEL		
● ALBERS			● HANSON			● NETHING			● STROMME		
● BAKWELL			● HOLMBERG			● OLIN			● TALLACKSON		
● BARTH			● ISZLER			● PARKER			● TENNEFOS		
● BERUBE			● LASHKOWITZ			● PETERSON			● THANE		
● CHRISTENSEN, H. #5			● LEE			● QUAIL			● TIERNEY		
● CHRISTENSEN, R. #34			● LEIBHAN			● REDLIN			● TWETEN		
● CUSSONS			● LIPS			● REITEN			● VOSPER		
● DOTZENROD			● LODDOEN			● ROEN			● WALSH		
● DYKSHOORN			● MELLAND			● SHABLOW			● WENSTROM		
● ERICKSON			● MOORE ●			● SOLBERG			● WRIGHT		
● FRITZELL			● MUTCH			● SORUM			MR. PRESIDENT		
● GOODMAN			● NAADEN			● STENEHJEM					

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

MOTION

Senator Nething moved that Senate Bill No. 2406 be re-printed in the minimum amount, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2417. — A Bill for an Act to create and enact a new subsection to section 11-10.1-05 of the North Dakota Century Code, relating to the powers and duties of the county director of tax equalization.

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 49, nays 0, absent and not voting 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● ADAMS			● GROTBERG			● NELSON			● STREIBEL		
● ALBERS			● HANSON			● NETHING			● STROMME		
● BAKWELL			● HOLMBERG			● OLIN			● TALLACKSON		
● BARTH			● ISZLER			● PARKER			● TENNEFOS		
● BERUBE			● LASHKOWITZ			● PETERSON			● THANE		
● CHRISTENSEN, H. #5			● LEE			● QUAIL			● TIERNEY		
● CHRISTENSEN, R. #34			● LEIBHAN			● REDLIN			● TWETEN		
● CUSSONS			● LIPS			● REITEN			● VOSPER		
● DOTZENROD			● LODDOEN			● ROEN			● WALSH		
● DYKSHOORN			● MELLAND			● SHABLOW			● WENSTROM		
● ERICKSON			● MOORE ●			● SOLBERG			● WRIGHT		
● FRITZELL			● MUTCH			● SORUM			MR. PRESIDENT		
● GOODMAN			● NAADEN			● STENEHJEM					

So the bill passed and the title was agreed to.

Senate Bill No. 2424. — A Bill for an Act to amend and reenact sections 16-09-01 and 16-21-01 of the North Dakota Century Code, relating to the use of voting machines in all election precincts.

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 50, nays 0, absent and not voting 0.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● ADAMS			● GROTBERG			● NELSON			● STREIBEL		
● ALBERS			● HANSON			● NETHING			● STROMME		
● BAKWELL			● HOLMBERG			● OLIN			● TALLACKSON		
● BARTH			● ISZLER			● PARKER			● TENNEFOS		
● BERUBE			● LASHKOWITZ			● PETERSON			● THANE		
● CHRISTENSEN, H. #5			● LEE			● QUAIL			● TIERNEY		
● CHRISTENSEN, R. #34			● LEIBHAN			● REDLIN			● TWETEN		
● CUSSONS			● LIPS			● REITEN			● VOSPER		
● DOTZENROD			● LODDOEN			● ROEN			● WALSH		
● DYKSHOORN			● MELLAND			● SHABLOW			● WENSTROM		
● ERICKSON			● MOORE			● SOLBERG			● WRIGHT		
● FRITZELL			● MUTCH			● SORUM			MR. PRESIDENT		
● GOODMAN			● NAADEN			● STENEHJEM					

So the bill passed and the title was agreed to.

Senate Bill No. 2433. — A Bill for an Act to amend and reenact subsection 6 of section 12.1-06-04 of the North Dakota Century Code, relating to the penalty for conspiracy offenses.

Which has been read and has committee recommendation of do not pass.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes 1, nays 48, absent and not voting 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
		•			•			•			•
ADAMS		•	GROTEBERG		•	NELSON		•	STREIBEL		•
ALBERS		•	HANSON		•	NETHING		•	STROMME		•
BAKEWELL		•	HOLMBERG		•	OLIN		•	TALLACKSON		•
BARTH		•	ISZLER		•	PARKER		•	TENNEFOS		•
BERUBE		•	LASHKOWITZ		•	PETERSON		•	THANE		•
CHRISTENSEN, H. IS		•	LEE		•	QUAIL		•	TIERNEY		•
CHRISTENSEN, R. FW		•	LEIBHAN		•	REDLIN		•	TWETEN		•
CUSONS		•	LIPS		•	REITEN		•	VOSPER		•
DOTZENROD		•	LODGEN		•	ROEN		•	WALSH		•
DYKSHOORN		•	MELLAND		•	SHABLOW		•	WENSTROM		•
ERICKSON		•	MOORE		•	SOLBERG		•	WRIGHT		•
FRIITZELL		•	MUTCH		•	SORUM		•	MR. PRESIDENT		•
GOODMAN		•	NAADEN		•	STENEHEM		•			

Senate Bill No. 2433 was declared lost.

SECOND READING OF SENATE CONCURRENT RESOLUTIONS

Senate Concurrent Resolution No. 4031. — A concurrent resolution to request appropriate action by the Congress, either acting by consent of two-thirds of both houses or, upon the application of the legislatures of two-thirds of the several states, calling a constitutional convention for the purpose of considering, drafting, and proposing an amendment to the Constitution of the United States to provide protection of the right to life of all human beings.

Was read the second time and has committee recommendation of do not pass.

The question being on the final adoption of the resolution, Senate Concurrent Resolution No. 4031 was declared adopted on a division vote.

Senate Concurrent Resolution No. 4033. — A concurrent resolution establishing the procedures for the Legislative Assembly to call itself into a reconvened session, relating to the call of the special session by the governor, speaking to the role of legislative standing committees, and relating to other matters of legislative procedure.

Was read the second time.

The question being on the final adoption of the resolution, as amended, Senate Concurrent Resolution No. 4033 was declared adopted on a voice vote.

Senate Concurrent Resolution No. 4035. — A concurrent resolution urging the United States Congress to pass the resolution which has been introduced by Senator Jesse Helms and Representative Robert K. Dornan calling for a right to life amendment to the United States Constitution.

Was read the second time and is placed on the calendar without recommendation.

Senator Mutch requested a recorded roll call vote, which request was granted.

ROLL CALL

The question being on the final adoption of the resolution, the roll was called and there were ayes 29, nays 21, absent and not voting 0.


STATEMENT OF PURPOSE OF AMENDMENT:

Salaries and wages of the Legislative Council are increased by \$99,706 to provide funds for the continuation of the 10 percent emergency salary increase and for salary increases of nine percent for the first year of the biennium and eight percent for the second year of the biennium. The fringe benefit funds include \$76,042 for the state funding of the employees' share of PERS. The amendment also reduces the operating expense line item by \$1,545 to provide inflation increases of nine percent per year for the next biennium.

This amendment also includes an increase of \$542,250 to provide for an increase of \$15 in legislative session per diem and of \$30 per month in the monthly expense reimbursement to members of the Legislative Assembly. The operating expense line item of the Legislative Assembly is reduced by \$3,308 to provide inflation increases of nine percent per year during the next biennium. An increase of \$2,715 is included for unvouchered expense allowances of the Lieutenant Governor due to increase in session per diem from \$70 to \$85.

This amendment also includes \$306,491 to fund the implementation of a legislative budget. It includes the cost of a Budget Section policy committee and additional staff, including four fiscal staff persons and an additional secretary, plus, one part-time data processing person.

And when so amended recommends the same ~~to pass~~


Senator Lips Chairman

Senate Bill No. 2001 was placed on the 6th

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

Mr. President: Your Committee on Appropriations

to whom was referred Senate Bill No. 2005

Has had the same under consideration and recommends that the same

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

be amended as follows:

On page 1, line 1, after the word "Act" insert the following:
"to amend and reenact, contingent upon the enactment and approval of House Bill No. 1047, subdivision b of subsection 13 of section 15-10-17 and section 15-39.1-09 of the North Dakota Century Code, relating to the retirement program of the board of higher education, and teachers' retirement assessments under the teachers' fund for retirement;"

On page 1, line 17, delete the numerals "50,646,208" and insert in lieu thereof the numerals "53,193,712"

On page 1, line 18, delete the numerals "14,869,884" and insert in lieu thereof the numerals "14,833,208"

On page 1, line 20, delete the numerals "66,761,086" and insert in lieu thereof the numerals "69,271,914"

On page 1, line 21, delete the numerals "12,542,460" and insert in lieu thereof the numerals "12,991,560"

On page 1, line 22, delete the numerals "54,218,626" and insert in lieu thereof the numerals "56,280,354"

- On page 1, line 24, delete the numerals "57,574,126" and insert in lieu thereof the numerals "59,635,854"
- On page 1, line 26, delete the numerals "18,709,636" and insert in lieu thereof the numerals "25,913,451"
- On page 1, line 27, delete the numerals "6,939,122" and insert in lieu thereof the numerals "13,982,789"
- On page 2, line 1, delete the numerals "26,238,734" and insert in lieu thereof the numerals "40,486,216"
- On page 2, line 2, delete the numerals "4,342,615" and insert in lieu thereof the numerals "17,540,652"
- On page 2, line 3, delete the numerals "21,896,119" and insert in lieu thereof the numerals "22,945,564"
- On page 2, line 5, delete the numerals "22,196,119" and insert in lieu thereof the numerals "23,245,564"
- On page 2, line 8, delete the numerals "44,194,022" and insert in lieu thereof the numerals "46,416,981"
- On page 2, line 9, delete the numerals "14,004,475" and insert in lieu thereof the numerals "13,972,349"
- On page 2, line 11, delete the numerals "59,560,910" and insert in lieu thereof the numerals "61,751,743"
- On page 2, line 12, delete the numerals "10,627,721" and insert in lieu thereof the numerals "10,950,401"
- On page 2, line 13, delete the numerals "48,933,189" and insert in lieu thereof the numerals "50,801,342"
- On page 2, line 15, delete the numerals "51,923,908" and insert in lieu thereof the numerals "53,792,061"
- On page 2, line 17, delete the numerals "17,028,928" and insert in lieu thereof the numerals "17,912,208"
- On page 2, line 18, delete the numerals "5,056,020" and insert in lieu thereof the numerals "5,042,797"
- On page 2, line 20, delete the numerals "23,102,768" and insert in lieu thereof the numerals "23,972,825"
- On page 2, line 21, delete the numerals "3,676,469" and insert in lieu thereof the numerals "3,796,588"
- On page 2, line 22, delete the numerals "19,426,299" and insert in lieu thereof the numerals "20,176,237"
- On page 2, line 23, delete the numerals "1,376,510" and insert in lieu thereof the numerals "1,456,510"
- On page 2, line 24, delete the numerals "20,802,809" and insert in lieu thereof the numerals "21,632,747"
- On page 2, line 26, delete the numerals "6,872,407" and insert in lieu thereof the numerals "7,218,089"
- On page 2, line 27, delete the numerals "1,999,042" and insert in lieu thereof the numerals "1,992,393"
- On page 2, line 29, delete the numerals "9,121,224" and insert in lieu thereof the numerals "9,460,257"
- On page 2, line 30, delete the numerals "968,460" and insert in lieu thereof the numerals "979,378"
- On page 2, line 31, delete the numerals "8,152,764" and insert in lieu thereof the numerals "8,480,879"

- On page 2, line 33, delete the numerals "8,843,014" and insert in lieu thereof the numerals "9,171,129"
- On page 2, line 35, delete the numerals "4,875,424" and insert in lieu thereof the numerals "5,120,657"
- On page 3, line 1, delete the numerals "1,759,884" and insert in lieu thereof the numerals "1,754,512"
- On page 3, line 3, delete the numerals "6,810,023" and insert in lieu thereof the numerals "7,049,884"
- On page 3, line 4, delete the numerals "831,233" and insert in lieu thereof the numerals "895,033"
- On page 3, line 5, delete the numerals "5,978,790" and insert in lieu thereof the numerals "6,154,851"
- On page 3, line 7, delete the numerals "6,070,790" and insert in lieu thereof the numerals "6,246,851"
- On page 3, line 9, delete the numerals "13,109,343" and insert in lieu thereof the numerals "13,768,742"
- On page 3, line 10, delete the numerals "2,947,365" and insert in lieu thereof the numerals "2,938,882"
- On page 3, line 12, delete the numerals "16,479,708" and insert in lieu thereof the numerals "17,130,624"
- On page 3, line 13, delete the numerals "2,527,450" and insert in lieu thereof the numerals "2,562,768"
- On page 3, line 14, delete the numerals "13,952,258" and insert in lieu thereof the numerals "14,567,856"
- On page 3, line 16, delete the numerals "16,135,258" and insert in lieu thereof the numerals "16,750,856"
- On page 3, line 18, delete the numerals "6,215,821" and insert in lieu thereof the numerals "6,528,476"
- On page 3, line 19, delete the numerals "1,879,299" and insert in lieu thereof the numerals "1,874,272"
- On page 3, line 21, delete the numerals "8,312,520" and insert in lieu thereof the numerals "8,620,148"
- On page 3, line 22, delete the numerals "1,407,622" and insert in lieu thereof the numerals "1,501,222"
- On page 3, line 23, delete the numerals "6,904,898" and insert in lieu thereof the numerals "7,118,926"
- On page 3, line 25, delete the numerals "7,441,398" and insert in lieu thereof the numerals "7,655,426"
- On page 3, line 28, delete the numerals "2,513,291" and insert in lieu thereof the numerals "2,639,709"
- On page 3, line 29, delete the numerals "734,756" and insert in lieu thereof the numerals "733,348"
- On page 3, line 31, delete the numerals "3,371,059" and insert in lieu thereof the numerals "3,496,069"
- On page 3, line 32, delete the numerals "379,415" and insert in lieu thereof the numerals "387,734"
- On page 3, line 33, delete the numerals "2,991,644" and insert in lieu thereof the numerals "3,108,335"
- On page 3, line 34, delete the numerals "354,994" and insert in lieu thereof the numerals "370,994"

- On page 3, line 35, delete the numerals "3,346,638" and insert in lieu thereof the numerals "3,479,329"
- On page 4, line 2, delete the numerals "985,845" and insert in lieu thereof the numerals "1,035,433"
- On page 4, line 3, delete the numerals "286,216" and insert in lieu thereof the numerals "283,513"
- On page 4, line 5, delete the numerals "1,363,077" and insert in lieu thereof the numerals "1,409,962"
- On page 4, line 6, delete the numerals "437,732" and insert in lieu thereof the numerals "379,126"
- On page 4, line 7, delete the numerals "925,345" and insert in lieu thereof the numerals "1,030,836"
- On page 4, line 9, delete the numerals "1,058,445" and insert in lieu thereof the numerals "1,163,936"
- On page 4, line 11, delete the numerals "371,883" and insert in lieu thereof the numerals "397,326"
- On page 4, line 12, delete the numerals "90,982" and insert in lieu thereof the numerals "90,017"
- On page 4, line 14, delete the numerals "482,665" and insert in lieu thereof the numerals "507,143"
- On page 4, line 16, delete the numerals "265,992" and insert in lieu thereof the numerals "290,470"
- On page 4, line 18, delete the numerals "11,052,812" and insert in lieu thereof the numerals "11,608,768"
- On page 4, line 19, delete the numerals "6,305,174" and insert in lieu thereof the numerals "6,256,114"
- On page 4, line 21, delete the numerals "17,513,326" and insert in lieu thereof the numerals "18,020,222"
- On page 4, line 22, delete the numerals "195,658,497" and insert in lieu thereof the numerals "203,064,223"
- On page 4, line 23, delete the numerals "55,471,176" and insert in lieu thereof the numerals "70,221,357"
- On page 4, line 24, delete the numerals "251,129,673" and insert in lieu thereof the numerals "273,285,580"
- On page 5, after line 14, insert the following:

"SECTION 6. NONCONTRIBUTORY RETIREMENT PLANS. For the agencies named in this Act the following amounts are included in the salaries and wages line items to fund noncontributory state employee retirement programs.

University of North Dakota	\$1,418,498
UND medical center	707,408
North Dakota state university	1,237,786
State school of science - Wahpeton	475,822
Dickinson state college	190,419
Mayville state college	137,237
Minot state college	362,335
Valley city state college	173,083
State school of forestry - Bottineau	68,675
Forest service	27,181
NDSU - state toxicologist	10,253
Medical center rehabilitation hospital	309,567

Total

\$5,118,264

The amounts referred to in this section shall not be used for any purpose other than to fund noncontributory

retirement programs for state employees. If the forty-seventh legislative assembly does not provide by statute for noncontributory retirement programs for state employees, such amounts shall remain in each salaries and wages line item until such line item is canceled on July 30, 1983.

SECTION 6. ADDITIONAL INCOME. Any additional income not required by law to be deposited in the operating fund in the state treasury and income from increased enrollments is hereby appropriated. All income resulting from increased enrollments in excess of estimated income in the budget appropriated by the legislative assembly to the institutions of higher learning must be deposited in their operating funds in the state treasury and can be expended only by authorization of the emergency commission.

The board of higher education is hereby authorized to use operating funds in addition to appropriated plant improvement funds for the maintenance, repair, and improvement of buildings and land acquisition at the various institutions, with consent of the emergency commission during the biennium beginning July 1, 1981, and ending June 30, 1983.

SECTION 7. AMENDMENT. If House Bill No. 1047 is approved by the forty-seventh legislative assembly, and becomes law, then subdivision b of subsection 13 of section 15-10-17 of the 1979 Interim Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

- b. The cost of the annuity contracts shall be defrayed by equal contributions of the participant and employer institution, and For each member of such retirement program who is not also a member of the teachers' fund for retirement, the state shall provide, in addition to other amounts authorized by this section, an additional four percent to such program. A member's contribution to such program shall not be affected by such additional amount provided by the state.

SECTION 8. AMENDMENT. If House Bill No. 1047 is approved by the forty-seventh legislative assembly, and becomes law, then section 15-39.1-09 of the 1979 Interim Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

15-39.1-09. MEMBERSHIP IN FUND AND ASSESSMENTS. Every teacher shall be a member of the fund and shall be assessed upon his salary six and twenty-five hundredths percent per annum, which shall be deducted monthly and paid to the state treasurer by the disbursing official of the governmental body by which the teacher is employed. Every For each teacher employed by the state, an amount equal to four percent per annum of that teacher's salary shall be provided by the state in lieu of a portion of that teacher's assessment. An amount of six and twenty-five hundredths percent per annum of that teacher's salary shall be considered to be that teacher's assessment for all purposes under this chapter. No teacher's assessment may be in an amount greater than six and twenty-five hundredths percent per annum of that teacher's salary. In addition, every governmental body employing a teacher shall pay to the state treasurer a sum equal to six and twenty-five hundredths percent per annum of the salary of each teacher employed by it. All such sums shall be certified by the disbursing official and shall be paid quarterly to the state treasurer who shall set the same aside in the teachers' fund for retirement.

SECTION 9. INTENT. It is the intent of the legislative assembly that the medical school continue its statewide development of its medical education program."

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

University of North Dakota

Salaries and wages of the University of North Dakota are increased by \$2,547,504 from the general fund to provide funds for the continuation of the 10 percent emergency salary increase and for salary increases of nine percent for the first year of the biennium and eight percent for the second year of the biennium. The salaries and wages line item amount of \$53,193,712 includes \$1,418,498 for the state to fund a conversion to a noncontributory retirement plan for employees. Operating expenses are reduced by \$36,676 from the general fund to reflect legislative guidelines of nine percent per year. Estimated income is increased \$449,100 to reflect revised estimates of funds to be distributed from the State Land Department interest and income account.

UND Medical Center

Salaries and wages of the University of North Dakota Medical Center are increased by \$941,094 from the general fund to provide funds for the continuation of the 10 percent emergency salary increase and for salary increases of nine percent for the first year of the biennium and eight percent for the second year of the biennium. Salaries and wages are decreased by \$50,000 from the general fund to reduce the level of salary increases for persons earning in excess of \$50,000 per year. Operating expenses are reduced by \$27,649 from the general fund to reflect legislative guidelines of nine percent per year. Operating expenses are further reduced by \$24,000 from the general fund. Of this amount, \$14,000 relates to a reduction in the amounts necessary for stipends in the surgery residency program since the number of students in the program during the next biennium will be less than originally estimated. The remaining \$10,000 of the \$24,000 reduction relates to other operating expenses. Physicians will then be absorbing the cost of surgery residency. Also, salaries and wages are increased \$6,312,721 and operating expenses increased \$7,095,316, along with a corresponding increase of \$13,408,037 to the estimated income line item, to provide for an all-inclusive appropriation for the medical center. Estimated income is reduced by \$210,000 to reflect a correction in funding for the V.A. program. The salaries and wages line item amount of \$25,913,451 includes \$707,408 for the state to fund a conversion to a noncontributory retirement plan for employees.

North Dakota State University

Salaries and wages of the North Dakota State University are increased by \$2,222,959 from the general fund to provide funds for the continuation of the 10 percent emergency salary increase and for salary increases of nine percent for the first year of the biennium and eight percent for the second year of the biennium. The salaries and wages line item amount of \$46,416,981 includes \$1,237,786 for the state to fund a conversion to a noncontributory retirement plan for employees. Operating expenses are reduced by \$32,126 from the general fund to reflect legislative guidelines of nine percent per year. Estimated income is increased \$322,680 to reflect revised estimates of funds to be distributed from the State Land Department interest and income account.

State School of Science - Wahpeton

Salaries and wages of the North Dakota State School of Science are increased by \$856,555 from the general fund to provide funds for the continuation of the 10 percent emergency salary

increase and for salary increases of nine percent for the first year of the biennium and eight percent for the second year of the biennium. Salaries and wages are further increased by \$26,725 from the general fund to provide funds for one FTE motor vehicle mechanic. The salaries and wages line item amount of \$17,912,208 includes \$475,822 for the state to fund a conversion to a noncontributory retirement plan for employees. Operating expenses are reduced by \$13,223 from the general fund to reflect legislative guidelines of nine percent per year. Estimated income is increased \$120,119 to reflect revised estimates of funds to be distributed from the State Land Department interest and income account. The capital improvements line item is increased by \$80,000 from the general fund to provide for the purchase of adjacent lots for future expansion programs.

Dickinson State College

Salaries and wages of the Dickinson State College are increased by \$345,682 from the general fund to provide funds for the continuation of the 10 percent emergency salary increase and for salary increases of nine percent for the first year of the biennium and eight percent for the second year of the biennium. The salaries and wages line item amount of \$7,218,089 includes \$190,419 for the state to fund a conversion to a noncontributory retirement plan for employees. Operating expenses are reduced by \$6,649 from the general fund to reflect legislative guidelines of nine percent per year. Estimated income is increased \$10,918 to reflect revised estimates of funds to be distributed from the State Land Department interest and income account.

Mayville State College

Salaries and wages of the Mayville State College are increased by \$245,233 from the general fund to provide funds for the continuation of the 10 percent emergency salary increase and for salary increases of nine percent for the first year of the biennium and eight percent for the second year of the biennium. The salaries and wages line item amount of \$5,120,657 includes \$137,237 for the state to fund a conversion to a noncontributory retirement plan for employees. Operating expenses are reduced by \$5,372 from the general fund to reflect legislative guidelines of nine percent per year. Estimated income is increased \$63,800 to reflect revised estimates of funds to be distributed from the State Land Department interest and income account.

Minot State College

Salaries and wages of the Minot State College are increased by \$659,399 from the general fund to provide funds for the continuation of the 10 percent emergency salary increase and for salary increases of nine percent for the first year of the biennium and eight percent for the second year of the biennium. The salaries and wages line item amount of \$13,768,742 includes \$362,335 for the state to fund a conversion to a noncontributory retirement plan for employees. Operating expenses are reduced by \$8,483 from the general fund to reflect legislative guidelines of nine percent per year. Estimated income is increased \$35,318 to reflect revised estimates of funds to be distributed from the State Land Department interest and income account.

Valley City State College

Salaries and wages of the Valley City State College are increased by \$312,655 from the general fund to provide funds for the continuation of the 10 percent emergency salary increase and for salary increases of nine percent for the first year of the biennium and eight percent for the second year of the biennium. The salaries and wages line item amount of \$6,528,476 includes \$173,083 for the state to fund a conversion to a noncontributory retirement plan for employees. Operating expenses are reduced by \$5,027 from the general fund to reflect

legislative guidelines of nine percent per year. Estimated income is increased \$93,600 to reflect revised estimates of funds to be distributed from the State Land Department interest and income account.

State School of Forestry - Bottineau

Salaries and wages of the State School of Forestry - Bottineau are increased by \$126,418 from the general fund to provide funds for the continuation of the 10 percent emergency salary increase and for salary increases of nine percent for the first year of the biennium and eight percent for the second year of the biennium. The salaries and wages line item amount of \$2,639,709 includes \$68,675 for the state to fund a conversion to a noncontributory retirement plan for employees. Operating expenses are reduced by \$1,408 from the general fund to reflect legislative guidelines of nine percent per year. Estimated income is increased \$8,319 to reflect revised estimates of funds to be distributed from the State Land Department interest and income account. Capital improvements are increased \$16,000 from the general fund to allow for completion of the replacement of the gymnasium floor.

Forest Service

Salaries and wages of the Forest Service are increased by \$49,588 from the general fund to provide funds for the continuation of the 10 percent emergency salary increase and for salary increases of nine percent for the first year of the biennium and eight percent for the second year of the biennium. The salaries and wages line item amount of \$1,035,433 includes \$27,181 for the state to fund a conversion to a noncontributory retirement plan for employees. Operating expenses are reduced by \$2,703 from the general fund to reflect legislative guidelines of nine percent per year. Estimated income is decreased by \$58,606 to correct the executive budget, which deleted funds for a requested new position and reduced the general fund appropriation amount rather than the estimated income amount.


NDSU - State Toxicologist

Salaries and wages of the NDSU - State Toxicologist are increased by \$18,705 from the general fund to provide funds for the continuation of the 10 percent emergency salary increase and for salary increases of nine percent for the first year of the biennium and eight percent for the second year of the biennium. Salaries and wages are also increased \$6,738 from the general fund to correct an error in the calculation of fringe benefits. The salaries and wages line item amount of \$397,326 includes \$10,253 for the state to fund a conversion to a noncontributory retirement plan for employees. Operating expenses are reduced by \$965 from the general fund to reflect legislative guidelines of nine percent per year.

Medical Center Rehabilitation Hospital

Salaries and wages of the Rehabilitation Hospital are increased by \$555,956 to provide funds for the continuation of the 10 percent emergency salary increase and for salary increases of nine percent for the first year of the biennium and eight percent for the second year of the biennium. The salaries and wages line item amount of \$11,608,768 includes \$309,567 for the state to fund a conversion to a noncontributory retirement plan for employees. Operating expenses are reduced by \$49,060 to reflect legislative guidelines of nine percent per year.

And when so amended recommends the same do pass.

 Chairman
Senator Lips

Senate Bill No. 2005 was placed on the 6th

Mr. President : Your Committee on Appropriations
to whom was referred Senate Bill No. 2006

Has had the same under consideration and recommends that the same

do pass do not pass be placed on calendar without recommendation

be amended as follows:

- On page 1, line 15, delete the numerals "1,971,872" and insert in lieu thereof the numerals "2,096,408"
- On page 1, line 16, delete the numerals "559,400" and insert in lieu thereof the numerals "547,015"
- On page 1, line 21, delete the numerals "23,192,544" and insert in lieu thereof the numerals "23,304,695"
- On page 1, line 22, delete the numerals "9,075,567" and insert in lieu thereof the numerals "9,134,485"
- On page 1, line 23, delete the numerals "14,116,977" and insert in lieu thereof the numerals "14,170,210"
- On page 2, after line 10, insert the following:

"SECTION 4. NONCONTRIBUTORY RETIREMENT PLAN. For the agency named in this Act \$68,614 is included in the salaries and wages line item to fund a noncontributory retirement plan. The amount referred to in this section shall not be used for any purpose other than to fund a noncontributory retirement program for state employees. If the forty-seventh legislative assembly does not provide by statute for a noncontributory retirement program for state employees, such amounts shall remain in the salaries and wages line item until such line item is canceled on July 30, 1983."

And renumber the lines and pages accordingly

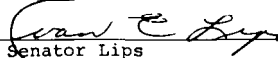
STATEMENT OF PURPOSE OF AMENDMENT:

Salaries and wages of the Board of Vocational Education are increased by \$124,536 which will allow funds for the continuation of the 10 percent emergency salary increase and for salary increases of nine percent for the first year of the biennium and eight percent for the second year of the biennium. The salaries and wages line item amounts to \$2,096,408 and includes \$68,614 for the state to fund a conversion to a noncontributory retirement plan for employees.

The operating expense line item is reduced \$12,385 in accordance with legislative guidelines.

The estimated income line item is increased \$58,918. This is arrived at by adding \$65,854 for the adjustment to salaries and wages, and by subtracting \$6,936 for the adjustment to operating expenses.

And when so amended recommends the same ~~do pass~~.

 Chairman
Senator Lips

Senate Bill No. 2006 was placed on the 6th

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

Mr. President : Your Committee on Appropriations
to whom was referred Senate Bill No. 2007

Has had the same under consideration and recommends that the same

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

On page 1, line 1, after the words "A BILL" delete the remainder of the bill and insert in lieu thereof the following: "for an Act making an appropriation for defraying the expenses of community or junior colleges and the educational center; and declaring an emergency.

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

SECTION 1. APPROPRIATION. There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and/or other income, the sums as hereinafter provided, or so much thereof as may be necessary, to the various community or junior colleges and the educational center, for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1981, and ending June 30, 1983, as follows:

BISMARCK JUNIOR COLLEGE

Salaries and wages	\$ 7,595,120
Operating expenses	2,202,584
Equipment	305,665
Land, structures, and major improvements	293,086
Total all funds	<u>\$10,396,455</u>
Less estimated income	6,847,265
Total general fund appropriation	<u>\$ 3,549,190</u>

LAKE REGION JUNIOR COLLEGE

Salaries and wages	\$ 2,144,350
Operating expenses	1,742,601
Equipment	98,600
Land, structures, and major improvements	24,000
Total all funds	<u>\$ 4,009,551</u>
Less estimated income	2,545,075
Total general fund appropriation	<u>\$ 1,464,476</u>

UNIVERSITY OF NORTH DAKOTA - WILLISTON CENTER

Salaries and wages	\$ 2,073,004
Operating expenses	768,868
Equipment	215,283
Land, structures, and major improvements	61,509
Total all funds	<u>\$ 3,118,664</u>
Less estimated income	2,064,294
Total general fund appropriation	<u>\$ 1,054,370</u>
Grand total general fund appropriation	\$ 6,068,036
Grand total special funds appropriated	\$11,456,634
Grand total all funds appropriated S.B. 2007	<u>\$17,524,670</u>

SECTION 2. APPROPRIATION. There is hereby appropriated, upon approval of the emergency commission, to the community or junior colleges or educational center named in this Act, any income in addition to the amounts appropriated in section 1 of this Act for the biennium beginning July 1, 1981, and ending June 30, 1983.

SECTION 3. LAKE REGION JUNIOR COLLEGE. The amount of the general fund appropriation to Lake Region junior college in section 1 of this Act that is not expended on July 1, 1982, shall only be made available to Lake Region junior college for the fiscal year beginning July 1, 1982, and ending June 30, 1983, upon approval of the budget section of the legislative council.

SECTION 4. INTENT. It is the intent of the

legislative assembly that moneys appropriated for salaries and wages in section 1 of this Act provide for average annual salary increases for employees of the various community or junior colleges and the educational center of not more than nine percent for the first year of the biennium and eight percent for the second year of the biennium.

SECTION 5. EMERGENCY. The appropriations to Lake Region junior college, to the university of North Dakota Williston center, and all line items entitled land, structures, and major improvements in section 1 of this Act are hereby declared to be emergency measures and shall be in effect from and after the passage and approval of this bill."

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment appropriates all funds for the three community or junior colleges for the 1981-83 biennium. The estimated income line item for each college is comprised of the following revenues:

	<u>Tuition and Fees</u>	<u>Local Levy</u>	<u>State Board for Vocational Education</u>	<u>Other</u>	<u>Total</u>
Bismarck Junior College	\$2,661,000	\$1,353,000	\$2,069,640	\$763,625	\$6,847,265
Lake Region Junior College	788,550	223,731	889,562	643,232 ^{1/2}	2,545,075
UND-Williston Center	832,722	360,000	763,378	108,194	2,064,294

¹ These revenues are over estimated to include \$152,612 for general operations and \$140,000 for Advanced State Aid draw for 1980-81.

And when so amended recommends the same ~~do pass~~

Ran E Lips
Senator Lips Chairman

Senate Bill No. 2007 was placed on the 6th

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2010

Has had the same under consideration and recommends that the same

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

be amended as follows:

On page 1, line 17, delete the numerals "13,541,254" and insert in lieu thereof the numerals "13,523,261"

On page 1, line 18, delete the numerals "13,116,508" and insert in lieu thereof the numerals "12,477,159"

On page 1, line 19, delete the numerals "700,876" and insert in lieu thereof the numerals "640,876"

On page 1, line 20, delete the numerals "534,356" and insert in

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lieu thereof the numerals "481,414"

- On page 1, line 21, delete the numerals "9,788,267" and insert in lieu thereof the numerals "5,317,785"
- On page 1, line 23, delete the numerals "37,876,261" and insert in lieu thereof the numerals "32,635,495"
- On page 1, line 24, delete the numerals "22,373,485" and insert in lieu thereof the numerals "21,226,845"
- On page 1, line 25, delete the numerals "15,502,776" and insert in lieu thereof the numerals "11,408,650"
- On page 1, line 27, delete the numerals "9,008,764" and insert in lieu thereof the numerals "8,964,014"
- On page 2, line 1, delete the numerals "11,100,746" and insert in lieu thereof the numerals "11,055,996"
- On page 2, line 3, delete the numerals "10,802,310" and insert in lieu thereof the numerals "10,757,560"
- On page 2, line 4, delete the numerals "26,305,086" and insert in lieu thereof the numerals "22,166,210"
- On page 2, line 5, delete the numerals "22,671,921" and insert in lieu thereof the numerals "21,525,281"
- On page 2, line 6, delete the numerals "48,977,007" and insert in lieu thereof the numerals "43,691,491"
- On page 2, after line 6, insert the following new section:

"SECTION 2. NONCONTRIBUTORY RETIREMENT PLAN. For the agency named in this Act \$444,528 is included in the salaries and wages line item to fund a noncontributory employee retirement program. The amount referred to in this section shall not be used for any purpose other than to fund a noncontributory retirement program for state employees. If the forty-seventh legislative assembly does not provide by statute for a noncontributory retirement program for state employees, such amount shall remain in each salaries and wages line item until such line item is canceled on July 30, 1983."

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Salaries and Wages

Salaries and wages of the Health Department are increased by \$778,392 to provide funds for the continuation of the 10 percent emergency salary increase and for salary increases of nine percent for the first year of the biennium and eight percent for the second year of the biennium with funds for fringe benefits including \$444,528 for the state funding of the employees' share of PERS. Salaries and wages are decreased by \$764,211 to delete the salary of the superintendent of the State Hospital (\$183,197); to delete moneys for employees of the developmental disability program (\$310,736) which moneys have been transferred to the deinstitutionalization appropriation of the State Social Service Board, to delete \$60,978 for two construction grants personnel which salaries are transferred to the grants line item, and to delete \$209,300 for the following new positions not allowed:

1. Accountant - \$50,384
2. Engineer (underground injection program) - \$35,144
3. Clerk (lab fee system) - \$30,619
4. Clerk (improved child health program) - \$20,752

5. Engineer (fluoridation program) - \$40,226
6. Quality technician (fluoridation program) - \$32,175

Also, \$102,965 is added to the salaries and wages line item for two research analyst positions for the National Center Cooperative Health Statistics Program. The salaries and wages line item is reduced by \$23,887 for reduction of a clerk-typist position in the health education risk reduction program and \$21,908 is added for a clerk-typist position in the WIC program. Salaries are also increased by \$76,728 for an engineer and an environmental quality specialist for environmental monitoring of energy development in western North Dakota. The salaries and wages line item is reduced by \$166,654 for two employees in the "to continue present operating level" developmental disabilities program which salaries are transferred to the deinstitutionalization budget of the State Social Service Board. Therefore, the total salaries and wages line item is increased by \$217,339 for which there is a reduction of estimated income of \$240,545 and an increase in general fund moneys of \$464,884.

Operating Expenses

The operating expense line item is reduced by \$20,430 relating to nine percent increases because of inflation for each year of the biennium. This line is also reduced by \$364,378 which moneys are transferred to the deinstitutionalization budget of the State Social Service Board for the developmental disabilities program. This line item is also reduced by \$238,679 for the new positions not allowed by the committee.

Travel is reduced by \$149,311 to reflect new reimbursement rates adopted by Senate Appropriations. This line item is also increased by \$18,785 to provide for moneys to move the Public Health Lab in Grand Forks to Bismarck, by \$10,000 for two research analyst positions in the health statistics program, by \$90,079 from the Robert Wood Johnson foundation school health services program, by \$9,100 for continuation of a WIC demonstration project, and \$5,485 for operating expenses for two new positions in the Environmental Control Division.

Data Processing

The data processing line item is reduced by \$60,000 of which \$55,000 is transferred to the deinstitutionalization budget in the State Social Service Board appropriation for the developmental disabilities program.

Equipment

The equipment line item is reduced by \$37,056 for equipment associated with the new positions not allowed, by \$17,391 which moneys are transferred to the developmental disabilities program in the Social Service Board appropriation, by \$3,025 for moneys related to the move to the new building which are included in Senate Bill No. 2021, and is increased by \$4,530 for equipment needed for the move of the Public Health Lab in Grand Forks to Bismarck.

Grants, Benefits, and Claims


The grants line item is reduced by \$50,000 for grants associated with a new position not allowed, by \$4,744,210 for which \$4,800,975 is transferred to the developmental disabilities program in the State Social Service Board appropriation. General fund moneys in the amount of \$218,000 is added to the grants line item for local health units bringing the total appropriation for these units to \$1 million. The grants line item is increased by \$44,750 for alcohol and drug abuse funds which have been transferred from the mental health unit's appropriation to the Department of Health appropriation. Also, the grants line item is increased by \$60,978 which represents a transfer of salary moneys to the grants line item for two construction grant individuals.

Developmental Disabilities Program

Total moneys appropriated from the Health Department line item to the State Social Service Board deinstitutionalization budget for the developmental disabilities program are as follows:

<u>Health Department</u>	<u>Total</u>	<u>General Fund</u>	<u>Special Fund</u>
Maintain work activity, etc.	\$2,451,986	\$2,132,421	\$ 319,565
Provide services and support to families to keep individuals at home	605,000	605,000	
Infant screening, evaluation, and training	1,154,929	1,154,929	
Health Department personnel	735,679	120,830	614,849
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
Total	\$5,715,024	\$4,310,362	\$1,404,662

And when so amended recommends the same do pass

 Chairman
Senator Lips

Senate Bill No. 2010 was placed on the 6th

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

Mr. President: Your Committee on Appropriations
to whom was referred Senate Bill No. 2011

Has had the same under consideration and recommends that the same

do pass do not pass be placed on calendar without recommendation

be amended as follows:

- On page 1, line 17, delete the numerals "19,371,985" and insert in lieu thereof the numerals "20,272,672"
- On page 1, line 18, delete the words "Fees and services" and insert in lieu thereof the words "Operating expenses", and delete the numerals "9,966,605" and insert in lieu thereof the numerals "9,845,198"
- On page 1, line 21, delete the numerals "287,377,160" and insert in lieu thereof the numerals "279,541,278"
- On page 1, line 22, delete the numerals "320,071,292" and insert in lieu thereof the numerals "313,014,690"
- On page 1, line 23, delete the numerals "230,944,460" and insert in lieu thereof the numerals "231,841,372"
- On page 1, line 24, delete the numerals "89,126,832" and insert in lieu thereof the numerals "81,173,318"
- On page 1, line 27, after the word "Salaries" insert the words "and wages"
- On page 1, line 27, delete the numerals "154,124" and insert in lieu thereof the numerals "631,514"
- On page 1, line 28, delete the numerals "29,735" and insert in lieu thereof the numerals "394,113"
- On page 2, line 1, delete the numerals "17,898" and insert in lieu thereof the numerals "72,898"

- On page 2, line 2, delete the numerals "5,127" and insert in lieu thereof the numerals "22,518"
- On page 2, line 3, delete the numerals "9,364,583" and insert in lieu thereof the numerals "16,533,234"
- On page 2, line 4, delete the numerals "9,571,467" and insert in lieu thereof the numerals "17,654,277"
- On page 2, line 5, delete the numerals "5,944,838" and insert in lieu thereof the numerals "6,804,999"
- On page 2, line 6, delete the numerals "3,626,629" and insert in lieu thereof the numerals "10,849,278"
- On page 2, line 9, delete the numerals "3,781,158" and insert in lieu thereof the numerals "3,910,567"
- On page 2, line 11, delete the numerals "1,242,095" and insert in lieu thereof the numerals "1,371,504"
- On page 2, line 12, delete the numerals "93,995,556" and insert in lieu thereof the numerals "93,394,100"
- On page 2, line 13, delete the numerals "239,428,361" and insert in lieu thereof the numerals "241,185,434"
- On page 2, line 14, delete the numerals "333,423,917" and insert in lieu thereof the numerals "334,579,534"
- On page 3, after line 17, insert the following:

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

Social service board	\$653,997
Social service board deinstitutionalization	<u>19,395</u>
Total	\$673,392

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

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Subdivision 1

Salaries and Wages

The salaries and wages line item for the Social Service Board is increased by \$900,687; \$592,524 from the general fund and \$308,163 from estimated income, to allow for the continuation of the 10 percent emergency salary increase and for salary increases of nine percent for the first year of the biennium and eight percent for the second year of the biennium. The salaries and wages line item of \$20,272,672 includes \$653,997 for the state to fund a conversion to a noncontributory retirement plan for employees.

Operating Expenses

Operating expenses are reduced by \$121,407; \$37,698 from estimated income and \$83,709 from the general fund to reflect Senate Appropriations Committee guidelines relating to mileage and travel

reimbursement which are \$15 for food, 21 cents per mile for automobile, \$22.50 for lodging, 26 cents per mile for aircraft, and \$20 for out-of-state food. The \$83,709 reduction in general fund moneys is possible since Title XX and vocational rehabilitation funds saved by the reduction can be utilized in matching salaries.

Grants, Benefits, and Claims

The grants, benefits, and claims line item for the Social Service Board is reduced by \$7,835,882, \$8,501,265 from the general fund and \$(665,383) from estimated income. This amendment makes the following adjustments to the grants, benefits, and claims line item:

	Total all Funds	General Fund	Federal Funds	Other Funds
Amount per executive recommendation	\$287,377,160	\$78,791,705	\$199,793,593	\$8,791,862
Increased to provide reimbursement to county social service boards for increases in facility costs relating to collocation with human service centers	125,929	125,929		
Increased to provide funds for changes in federal requirements relating to Title XIX funding of nursing home certification surveys	336,613	189,541	147,072	
Increased to provide a total of \$1.2 million for senior citizen programs	200,000	200,000		

Medical Assistance

Reduced to reflect legislative guidelines of nine percent per year, except for intermediate care services which were increased by \$1.9 million in total or \$646,707 in general fund moneys due to an increase in caseload and skilled nursing care at 10 percent per year ¹ / ₁	(3,071,917)	(996,599)	(1,909,305)	(166,018)
Shift in funding to reflect continuation of current law requiring counties to match 15 percent of the nonfederal share of medical assistance rather than 10 percent as proposed in the Governor's budget		(2,755,347)		2,755,347

1. Drugs, remedial blind care, outpatient services, mental health clinic services.

	Total all Funds	General Fund	Federal Funds	Other Funds
<u>Economic Assistance</u>				
Shift in funding to reflect continuation of current law requiring counties to match 25 percent of the nonfederal share of AFDC payments rather than 15 percent as proposed in the Governor's budget	\$	\$(1,137,422)		\$1,137,422

Deinstitutionalization

Reduced to reflect funds included in the Social Service

Board - Deinstitutionalization
budget in subdivision 2 of
this bill:

Funds for 13 existing units for transitional living for the mentally ill	(150,000)	(55,500)	\$ (94,500)
Funds for adult group homes	(368,927)	(177,085)	(191,842)
Funds for vocational rehabilitation	(4,907,580)	(3,894,782)	(1,012,798)
Total grants line item in sub- division 1 of this bill	<u>\$279,541,278</u>	<u>\$70,290,440</u>	<u>\$196,732,220</u> <u>\$12,518,618</u>

The Legislative Assembly recognizes that the passage of Senate Bill No. 2307 regarding not considering a separated spouses resources in determining eligibility for medical assistance would require additional Social Service Board expenditures, and that should savings not become available in other areas of the budget and should the caseloads increase as much as estimated, the 1983 Legislative Assembly would be presented a deficiency bill of \$6,722,334 of which \$2,186,269 is from the general fund, \$4,171,943 from federal funds, and \$364,122 from county funds.

Subdivision 2

The amendments to subdivision 2 consolidate the appropriation for services to developmentally disabled persons previously included in the Department of Health and the Social Service Board appropriations. The amounts included relating to these departments are as follows:

<u>Program</u>	<u>Total Funds</u>	<u>General Fund</u>	<u>Special Funds</u>
<u>Social Service Board</u>			
Vocational rehabilitation	\$ 4,907,580	\$ 3,894,782	\$1,012,798
Adult group homes	368,927	177,085	191,842
Community facilities - 200 beds	5,961,900	2,205,903	3,755,997
Hospital, physician, drugs, 4 case managers at the local level	493,852	182,725	311,127
Staff to modify MMIS (4 FTE)	206,994	78,421	128,573
<u>Health Department</u>			
Maintain work activity, etc.	2,451,986	2,132,421	319,565
Provide services and support to families to keep individuals at home	605,000	605,000	
Infant screening, evalua- tion and training	1,154,929	1,154,929	
Health Department personnel	735,679	120,830	614,849
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>\$17,654,277</u>	<u>\$10,849,278</u>	<u>\$6,804,999</u>

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		\$ 154,124	\$ 477,390	\$ 631,514

Operating expenses		29,735	364,378	394,113
Data processing		17,898	55,000	72,898
Equipment		5,127	17,391	22,518
Grants	\$4,907,580	6,824,780	4,800,865	16,533,234
Total	<u>\$4,907,580</u>	<u>\$7,031,573</u>	<u>\$5,715,024</u>	<u>\$17,654,277</u>

The adjustments to the executive recommendation, for all programs, as reflected in this amendment to subdivision 2 are as follows:

	<u>Total Funds</u>	<u>General Fund</u>	<u>Special Funds</u>
Executive recommendation	\$21,515,268	\$12,515,556	\$8,999,712
Less:			
Revision of estimate for infant screening, evaluation, and development training	(200,000)	(200,000)	
Reduction for the phasing in of 200 beds in community facilities during the 1981-83 biennium	(2,327,904)	(861,324)	(1,466,580)
Reduction for duplication for personnel and data processing in Governor's budget	\$ (585,817)	\$ (302,456)	\$ (283,361)
Adjustment for adult group homes	(78,676)	(78,676)	
Reduction to salaries and wages for Health Department personnel to reflect legislative guidelines	(3,359)	(3,359)	
Adjustment to exclude vocational education appropriation from this bill	(772,000)		(772,000)
Reduction for the amount included in Health Department budget for 24 beds for transitional housing of the mentally ill (see below)	(412,645)	(412,645)	
Add:			
The estimated amount needed for the 24 new beds for transitional housing for the mentally ill in addition to the 13 existing beds	519,410	192,182	327,228
Total	<u>\$17,654,277</u>	<u>\$10,849,278</u>	<u>\$6,804,999</u>

Subdivision 3

Human Service Centers

The human service centers line item is increased by \$129,409 from the general fund to reflect an adjustment to the beginning cash balance of the Northwest Human Resources Center.

And when so amended recommends the same do pass.

Carl E. Lips Chairman
Senator Lips

Senate Bill No. 2011 was placed on the 6th

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

Mr. President: Your Committee on Finance and Taxation

to whom was referred Senate Bill No. 2058

Has had the same under consideration and recommends that the same

do pass do not pass be placed on calendar
without recommendation

be amended as follows:


Senator Chuck Goodman Chairman

Senate Bill No. 2058 was placed on the eleventh

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

Mr. President: Your Committee on Judiciary

to whom was referred Senate Bill No. 2068

Has had the same under consideration and recommends that the same

do pass do not pass be placed on calendar
without recommendation

be amended as follows:

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

On page 1, line 2, delete the words ", a new section to chapter 49-22,"

On page 1, line 5, delete the words "condemnation commissioners," and insert in lieu thereof the word "and"

On page 1, line 6, delete the words ", and public use and"

On page 1, line 7, delete the words "necessity challenges" and on the same line delete the word "sections" and insert in lieu thereof the words "section 32-15-01"

On page 1, line 8, delete "32-15-05, 32-15-18, 23-15-29, and 32-15-32,"

On page 1, line 9, after the word "to" insert the words "the definition of",

On page 1, line 9, delete the word "requirements"

On page 1, line 10, delete the words "complaints, land possession, and costs"

On page 1, delete all of lines 17 through 22

On page 1, line 23, delete "2" and after the word "with" insert the words "an offer based on an appraisal and"

On page 2, line 8, after the word "A" insert the words "current and relevant"

On page 2, delete lines 19 through 35 and insert in lieu thereof the following section:

"SECTION 3. AMENDMENT. Section 32-15-01 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

32-15-01. "EMINENT DOMAIN" DEFINED - HOW EXERCISED - "CONDEMNOR" DEFINED.

1. Eminent domain is the right to take private property for public use. Private property shall not be taken or damaged for public use without just compensation first having been made to or paid into court for the owner. In case such property is so taken by a person, firm, or private corporation, no benefit to accrue

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from the proposed improvement shall be allowed in ascertaining the compensation to be made therefor. Such compensation in all cases shall be ascertained by a jury, unless a jury is waived. The right of eminent domain may be exercised in the manner provided in this chapter.

2. For the purposes of this chapter, "condemnor" means a representative or agent of an entity with the power of eminent domain who is empowered and authorized by that entity to make an offer to a property owner involving eminent domain statutes."

On page 3, delete lines 1 through 35

On page 4, delete lines 1 through 34

On page 5, delete lines 1 through 35

On page 6, delete lines 1 through 35

On page 7, delete lines 1 through 35

On page 8, line 9, after the word "condemnors" insert the words "as defined by section 32-15-01"

On page 8, line 16, delete the words "under section 8 of this Act and"

On page 8, line 17, after the word "all" delete the word "other"

and renumber the lines, sections, and pages accordingly

And when so amended recommends the same do pass.

 Chairman

Senate Bill No. 2068 Senator H. Christensen was placed on the Sixth

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

Mr. President: Your Committee on Finance and Taxation

to whom was referred Senate Bill No. 2135

Has had the same under consideration and recommends that the same

do pass do not pass be placed on calendar without recommendation

be amended as follows:

On page 1, line 4, after the word "mills" and before the period insert the following: ", and providing for voter approval of the mill levy"

On page 1, line 28, after the period insert the following new sentence: "The levy authorized by this subsection shall only be levied if approved by a majority of the electors of each county in the health district voting on the question in a regular or special election."

and renumber the lines accordingly

And when so amended recommends the same do pass.

 Chairman
Senator Chuck Goodman

Senate Bill No. 2135 was placed on the sixth

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

Mr. President: Your Committee on Appropriations

to whom was referred Senate Bill No. 2203

Has had the same under consideration and recommends that the same

do pass do not pass be placed on calendar
without recommendation

be amended as follows:

On page 1 of the engrossed bill, line 1, after the words "A BILL" delete the remainder of the bill and insert in lieu thereof the following: "for an Act to amend and reenact sections 15-18-07 and 15-18-09 of the North Dakota Century Code, relating to state aid for junior colleges; and providing limits on the level of state support in the future.

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

SECTION 1. AMENDMENT. Section 15-18-07 of the 1979 Interim Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

15-18-07. STATE AID FOR COMMUNITY OR JUNIOR COLLEGES OR EDUCATIONAL CENTERS. ~~There shall be paid to each~~ Each school district maintaining a community or junior college or educational center operated by a state-supported institution of higher education meeting the standards and eligibility requirements prescribed in section 15-18-08, ~~out of funds appropriated for this purpose, the sum of twenty-four dollars per calendar week, which shall be paid for every full-time student in attendance shall have appropriated on its behalf such amounts as are determined necessary by the legislative assembly, provided the school district, city, or county shall levy taxes of not less than eight mills for the support of such community or junior college or educational center in accordance with the provisions of sections 15-18-03, 15-18-04.2, or 15-18-05. For the purpose of this section, a "full-time student" means a person enrolled and in attendance, exclusive of temporary absences, in a junior college or educational center operated by a state-supported institution of higher education carrying a course of study of not less than twelve class hours during each calendar week in academic courses meeting standards prescribed by the state board of higher education, or in vocational courses meeting standards prescribed by the state board for vocational education. In addition, an amount equal to the weekly payment made for each full-time student shall be made for each full-time equivalent student enrolled for each calendar week of attendance in an approved academic or vocational program meeting the standards prescribed by the respective boards. The number of full-time equivalent students enrolled in each junior college or educational center for each calendar week shall be computed as follows:-- the total class hours of all students in attendance, exclusive of temporary absences, who are enrolled in less than twelve class hours, shall be divided by twelve. -- A class hour means not less than fifty minutes of instruction or supervised laboratory training. -- Payments shall be made on a fiscal year basis, which shall mean the period from July first of one calendar year through June thirtieth of the following calendar year.~~

~~If the funds appropriated for the purpose of carrying out the provisions of this section should prove to be insufficient based on the number of students in attendance at a junior college or educational center as provided in this section, the amounts to be paid to such junior colleges or educational centers shall be reduced in such a manner so~~

that the payments for each student in attendance at a junior college or educational center will be made on a pro-rata basis. Community or junior colleges shall operate within the limits of their legislative appropriation. Before estimated income in excess of that included in the legislative appropriation acts can be spent by the community or junior college, and before transfers between line items in the legislative appropriation acts can be made, the community or junior college must receive emergency commission approval.

SECTION 2. AMENDMENT. Section 15-18-09 of the 1977 Pocket Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

15-18-09. METHOD OF PAYMENT -- VERIFICATION OF STUDENTS. On or before July first of each year, the chief administrative officer of each community or junior college or educational center operated by a state-supported institution of higher education or the superintendent of each school district claiming state aid payments under section 15-18-07, shall file with the state board of public school education a verified statement containing the name and residence of each student enrolled in academic and vocational courses for whom payments are claimed, together with a listing of each course of study and the number of class hours for which such student was enrolled and in attendance; exclusive of temporary absences; during each week of the period for which payment is claimed. Such other information shall be submitted as may be requested by the state board of public school education. The state board of public school education shall consider all claims submitted for payment from each school district, and shall forward to the director of accounts and purchases a certified list of all school districts entitled to payments under section 15-18-07, together with the amount of the approved payments. The director of accounts and purchases shall immediately issue a warrant to each school district entitled to payment in accordance with the certified statements submitted by the state board of public school education. The decision of the state board of public school education in regard to all claims for payment shall be final. The staff of the state board of vocational education shall provide such professional and clerical assistance as the state board of public school education may require in performing the duties required by this section vouchers with the department of accounts and purchases to receive funds from their legislative appropriation. Other than amounts necessary to maintain operating cash balances, the community or junior colleges shall be required to expend appropriated local funds before requesting revenues from the appropriated state moneys.

SECTION 3. STATE SUPPORT LEVELS - PERCENTAGE LIMITATION. After July 1, 1983, the level of state support for community or junior colleges or educational centers shall not exceed fifty percent of the operating costs of such institutions."

And renumber the lines and pages accordingly

And when so amended recommends the same do ~~pass~~

Erwin E. Lips Chairman
Senator Lips

Senate Bill No. 2203 was placed on the 6th

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

Mr. President: Your Committee on Finance and Taxation

to whom was referred Senate Bill No. 2215

Has had the same under consideration and recommends that the same

do pass do not pass be placed on calendar without recommendation

be amended as follows:

Chuck Goodman Chairman
Senator Chuck Goodman

Senate Bill No. 2215 was placed on the eleventh

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

Mr. President: Your Committee on Appropriations

to whom was referred Senate Bill No. 2216

Has had the same under consideration and recommends that the same

do pass do not pass be placed on calendar without recommendation

be amended as follows:

On page 1, line 1, after the words "A BILL" delete the remainder of the bill and insert in lieu thereof the following: "for an Act to provide for a state matching program for county and senior citizen programs and activities.

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

SECTION 1. SENIOR CITIZEN PROGRAMS. The social service board is authorized to match with state general fund moneys on a seventy-five percent basis moneys made available to counties and cities for senior citizen programs and activities as provided in section 57-15-56, for the biennium beginning July 1, 1981, and ending June 30, 1983. The social service board is authorized to expend an amount not to exceed \$1,200,000, during the biennium beginning July 1, 1981, and ending June 30, 1983, for this purpose. If that amount is not sufficient to match on a seventy-five percent basis all of the funds made available pursuant to section 57-15-16, the amount which is available shall be prorated, with each governmental unit receiving the same percent reduction."

And renumber the lines and pages accordingly

And when so amended recommends the same do pass.

Jan E. Lips Chairman
Senator Lips

Senate Bill No. 2216 was placed on the 6th

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

Mr. President: Your Committee on Appropriations

to whom was referred Senate Bill No. 2217

Has had the same under consideration and recommends that the same

do pass do not pass be placed on calendar without recommendation

be amended as follows:

On page 1 of the engrossed bill, line 4, after the word "income;" delete the words "providing an appropriation;"

On page 5 of the engrossed bill, delete lines 4 through 10

And renumber the lines, sections and pages accordingly

And when so amended recommends the same do pass.

Jan E. Lips Chairman
Senator Lips

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Senate Bill No. 2217 was placed on the 6th

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

Mr. President: Your Committee on Social Services & Veterans Affairs

to whom was referred Senate Bill No. 2253

Has had the same under consideration and recommends that the same

do pass do not pass be placed on calendar without recommendation

be amended as follows:

On page 1, line 2, after the word "entitled" insert "; and to provide an effective date"

On page 9, line 9, after the word "is", insert the words "a minor or"

On page 9, line 10, after the word "guardian", insert the words "or parent"

On page 9, line 15, after the word "guardian", insert two commas and the words "or parent of a minor,"

On page 10, after line 16, insert the following new section:

"SECTION 19. EFFECTIVE DATE. The provisions of this Act shall be effective on and after July 1, 1983."

And when so amended recommends the same do pass.


Senator Peterson Chairman

Senate Bill No. 2253 was placed on the sixth

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

Mr. President: Your Committee on Education

to whom was referred Senate Bill No. 2260

Has had the same under consideration and recommends that the same

do pass do not pass be placed on calendar without recommendation

be amended as follows:

On page 1, line 1, after the words "A BILL" delete the remainder of the bill and insert in lieu thereof the following: "for an Act to create and enact two new sections to chapter 15-38.1, relating to management rights and penalties; to amend and reenact sections 15-38.1-02, 15-38.1-03, 15-38.1-04, 15-38.1-05, 15-38.1-06, subsection 1 of section 15-38.1-07, sections 15-38.1-08, 15-38.1-09, 15-38.1-12, and 15-38.1-13, relating to definitions under chapter 15-38.1; name of the education factfinding commission; appointment, compensation, and powers of the education employment relations commission; cost and compensation of mediator-arbitrators; and the scope of negotiations, timetable, and impasse procedures in negotiations between school boards and teachers or administrators; to repeal subsection 5 of section 15-38.1-14, relating to strike penalties; to provide a penalty; and to provide an effective date.

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

SECTION 1. AMENDMENT. Section 15-38.1-02 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

15-38.1-02. DEFINITIONS. As used in this chapter:

1. ~~"Teachers" means and includes all public school employees certificated under chapter 15-36 of the North Dakota Century Code and employed primarily as classroom teachers.~~
2. "Administrator" means ~~and includes all~~ a public school employee employed primarily for administration of the school or schools of a school district and devoting at least fifty percent of ~~their~~ the employee's time in any one year to the duties of administration of the school or schools of a school district.
3. ~~"Strike" means any concerted work stoppage, slowdown, or withholding of contracted services.~~
4. 2. "Appropriate negotiating unit" means a group of teachers or a group of administrators having common interests, common problems, a common employer, or a history of common representation, which warrants that group being represented by a single representative organization in negotiations with a school board.
5. ~~"Appropriate negotiating unit" means a group of administrators having common interests, common problems, a common employer, or a history of common representation, which warrants that group being represented by a single representative organization in negotiations with a school board.~~
6. ~~"Representative organization" means any organization authorized by an appropriate negotiating unit to represent the members of the unit in negotiations with a school board.~~
3. "Commission" means the education employment relations commission.
4. "Commissioner" means one of the members of the education employment relations commission.
5. "Representative organization" means any organization authorized by an appropriate negotiating unit to represent the members of the unit in negotiations with a school board.
6. "Strike" means any concerted work stoppage, slowdown, or withholding of contracted services.
7. "Teacher" means a public school employee certificated under chapter 15-36 and employed primarily as a classroom teacher.

SECTION 2. AMENDMENT. Section 15-38.1-03 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

15-38.1-03. FACTFINDING EDUCATION EMPLOYMENT RELATIONS COMMISSION - APPOINTMENT - TERMS - QUORUM.

1. There is hereby created a commission to be known as the "education factfinding commission", hereinafter called "the commission", which The education employment relations commission shall be maintained to administer this chapter. The commission shall consist of three members commissioners, one to be appointed by the superintendent of public

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instruction, one by the governor, and one by the attorney general. The appointee of the superintendent of public instruction shall be the chairman of the commission. ~~The members of the commission~~ commissioners shall be persons experienced in educational activities.

2. The original appointment by the superintendent of public instruction shall be for a term of three years. The original appointment by the governor shall be for a term of two years. The original appointment by the attorney general shall be for a term of one year. Their successors shall be appointed for terms of three years each, except that any person chosen to fill a vacancy shall be appointed only for the unexpired term of the member whom he the successor shall succeed.
3. At all times, two ~~members of the commission~~ commissioners shall constitute a quorum.

SECTION 3. AMENDMENT. Section 15-38.1-04 of the 1979 Interim Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

15-38.1-04. COMPENSATION OF COMMISSIONERS AND FACTFINDERS MEDIATOR-ARBITRATORS.

1. ~~Members of the commission~~ Commissioners shall receive fifty dollars per day for their attendance at regular or special meetings of the commission or in the performance of such special duties as the commission may direct. In addition to ~~such~~ the compensation, they shall receive an allowance for actual and necessary travel and subsistence expenses while performing commission functions away from their places of residence.
2. ~~Factfinders~~ Mediator-arbitrators, appointed by the commission, ~~including commission members when so serving,~~ shall be reimbursed for ~~expense expenses~~ on the same basis as ~~members of the commission~~ commissioners and shall receive such compensation as the commission shall from time to time establish.

SECTION 4. AMENDMENT. Section 15-38.1-05 of the 1979 Interim Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

15-38.1-05. POWERS OF THE COMMISSION. The commission shall have the power to adopt its own rules ~~and regulations,--in addition to~~ and other powers authorized by law and under this Chapter, ~~the members of the commission and any factfinder appointed by it, shall in the performance of their duties, have the powers contained in sections 20-32-09, 20-32-10, 20-32-11, and 20-32-12.~~

SECTION 5. AMENDMENT. Section 15-38.1-06 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

15-38.1-06. COST OF FACTFINDING MEDIATION-ARBITRATION. The cost of ~~factfinding proceedings~~ mediation-arbitration, including per diem, compensation, and other costs, shall be borne as follows, ~~--in these cases where the proceedings to resolve an impasse arise under subdivisions a, b, c, or d of subsection 1 of section 15-30-1-13, the cost shall be borne equally among the contending parties. The mediator-arbitrator shall submit a statement of the mediator-arbitrator's cost to both parties and the commission.~~

SECTION 6. AMENDMENT. Subsection 1 of section 15-38.1-07 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

1. Teachers, or administrators, shall have the right to form, join, and participate in the activities of representative organizations of their choosing for the purpose of representation on matters of employer-employee relations within the scope of negotiations provided under section 15-38.1-09.

SECTION 7. AMENDMENT. Section 15-38.1-08 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

15-38.1-08. RIGHT TO NEGOTIATE. Representative organizations shall have the right to represent the appropriate negotiating unit in matters of employer-employee relations within the scope of negotiations provided under section 15-38.1-09 with the school board. Any teacher, or administrator, shall have the right to present ~~his~~ views directly to the school board.

SECTION 8. A new section to chapter 15-38.1 of the North Dakota Century Code is hereby created and enacted to read as follows:

MANAGEMENT RIGHTS. A school board shall not be required to negotiate with respect to matters of inherent managerial policy which shall include, but shall not be limited to:

1. Determination of the educational philosophy and goals of the school district.
2. Definition and implementation of educational objectives.
3. Determination of content of courses and curricula.
4. Selection of texts and other teaching materials.
5. Determination of teaching methodologies to be employed.
6. Budget of the school district.
7. Final decisions on discipline and expulsion of students.
8. Direction of teacher activities, including, but not limited to, the right to direct, control, and schedule all of the services to be performed on behalf of the board.
9. Hiring, promotion, classification, transferring, retention, suspension, demotion, discharging, or other disciplinary action regarding an employee, or relieving any employee from duty.
10. Development and enforcement of school rules and regulations.
11. Expansion, contraction, termination, or other modification of existing operations of the school district.
12. Introduction of new educational technologies.
13. Maintenance or improvement, or both, of the

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efficiency of the school district in any manner deemed desirable by the school board.

SECTION 9. AMENDMENT. Section 15-38.1-09 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

15-38.1-09. SUBJECT OF NEGOTIATIONS. The scope of ~~representation negotiations shall include matters relating to terms and conditions of employment and employer-employee relations, including, but not limited to salary, hours, and other terms and conditions of employment~~ shall be limited to salary schedules, extra-duty salary schedules, hours, insurance, financial fringe benefits, and other matters mutually agreed upon. Provided, a school board shall not be required to negotiate with respect to matters of inherent managerial policy provided under section 8 of this Act.

SECTION 10. AMENDMENT. Section 15-38.1-12 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

15-38.1-12. GOOD FAITH NEGOTIATIONS.

1. The school board, or its representatives, and the representative organization, selected by the appropriate negotiating unit, or its representatives, shall have the duty to meet at reasonable times at the request of either party and to negotiate in good faith with respect to+
 - a. ~~Terms and conditions of employment and employer-employee relations.~~
 - b. ~~The formulation of an agreement, which may contain provision for binding arbitration.~~
 - c. ~~Any question arising out of interpretation of an existent agreement matters within the scope of negotiations provided under section 15-38.1-09.~~
2. The parties must commence negotiation of an agreement no later than January first of the year the contract will become effective.
3. The meetings between the parties which are held for the purpose of presenting initial bargaining proposals and supporting rationale shall be open to the public.
4. The parties must execute a written contract incorporating any agreement reached ~~if requested by either party.~~
3. ~~Either party to a contract negotiated under this section may modify or terminate the contract on its annual anniversary date by giving notice of its desire to modify or terminate to the other party not less than sixty days prior to the annual anniversary date.~~
5. The term of a contract negotiated under this section shall be from July first of one year to July first of another year.
6. The parties must renegotiate or renew successor contracts pursuant to subsections 1 through 5 of this section.
4. 7. The obligations imposed in this section shall not compel either party to agree to a proposal or to make a concession.

SECTION 11. AMENDMENT. Section 15-38.1-13 of the 1979 Interim Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

15-38.1-13. IMPASSE PROCEDURES.

1. ~~An impasse shall be deemed to exist under any of the following conditions:~~

~~a. -- Where an agreement as set forth in subdivision b of subsection 1 of section 15-38.1-12 has not been formulated and after a reasonable period of negotiation regarding terms and conditions of employment or employer-employee relations, a dispute exists between a school board and any representative organization, an impasse may be deemed to exist.~~

~~b. -- When both parties agree that an impasse exists.~~

~~c. -- In the event that the written agreement reached under section 15-38.1-12 does not include procedures for resolving a dispute which arises, an impasse may be deemed to exist.~~

~~d. -- Written agreements negotiated under section 15-38.1-12 may include procedures to be invoked in the event of disputes under the contract. -- Where such procedures are inadequate to resolve the dispute an impasse may be deemed to exist exists where the parties have engaged in a reasonable period of negotiation and are deadlocked over either or both of the following:~~

~~a. Matters within the scope of negotiations provided under section 15-38.1-09.~~

~~b. The duty to negotiate on any subject in accordance with section 15-38.1-09.~~

2. An impasse which exists before March fifteenth of the year the contract will become effective may be resolved in the following manner:

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

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

~~(1) -- Upon request of either contending party, and in the event that the commission determines that an impasse exists between a school board and a representative organization, the commission shall itself act as a factfinding commission or appoint a factfinder from a list of qualified persons maintained by the commission. If a factfinder is appointed, he shall have such powers as are designated to him by the commission and he shall make his recommendation to the commission. -- The commission shall consider the facts and make its~~

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~~findings-and-recommendation, or it shall consider the report and recommendation of its factfinder, and after such further investigation as it may elect to perform, it shall make its findings and recommendation. Within forty days after the request to render assistance is received, the findings and recommendation of the commission shall be transmitted to the contending parties and if the issue is not then resolved, the commission shall between ten and twenty days after such transmittal make its findings and recommendation public.~~

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

The parties may utilize any impasse resolution procedure mutually established under the existing collective bargaining agreement or during current negotiations. Provided the parties may not authorize a strike.

3. An impasse which exists on or after March fifteenth of the year the contract will become effective shall be resolved in the following manner:

a. On March fifteenth of the year the contract will become effective, the parties shall jointly petition the commission to initiate mediation-arbitration. The petition shall include:

- (1) The name and address of each party.
- (2) Notice that an impasse exists as defined in subsection 1 of this section.
- (3) The single final offer of each party containing its final proposals on all issues in dispute.
- (4) A written stipulation of both parties containing all matters which are agreed upon for inclusion in the new or amended collective bargaining agreement.

The petition shall be a public document which shall be available from the commission.

b. Upon receipt of the petition, the commission shall issue an order requiring mediation-arbitration and submit to the parties a list of five mediator-arbitrators.

- c. Upon receipt of the list, each party shall alternately strike names on the list, beginning with the employees' representative organization, until a single name is left and give the commission written notice of the identity of the mediator-arbitrator selected.
- d. Upon receipt of the notice, the commission shall formally appoint the mediator-arbitrator and submit to the mediator-arbitrator the final offers of the parties.
- e. Within ten days of appointment, the mediator-arbitrator shall establish dates and places for the conduct of mediation-arbitration sessions.
- f. Upon receipt of a written request from at least five citizens of the school district filed within ten days of the date on which the mediator-arbitrator was appointed, the mediator-arbitrator shall hold a hearing in the school district for the purpose of providing the opportunity to both parties to explain or present supporting arguments for their positions.
- g. At the first mediation-arbitration session, the mediator-arbitrator shall hear argument on and remove any matters from the final offers of both parties which the mediator-arbitrator determines are not mandatory subjects of bargaining under section 15-38.1-09. Provided, permissive subjects of bargaining may be included by a party if the other party does not object and shall then be treated as mandatory subjects for the duration of the current negotiations.
- h. After removing nonmandatory subjects, the mediator-arbitrator shall endeavor to mediate the dispute and encourage a voluntary settlement by the parties. The final offers of the parties shall serve as the initial basis for mediation and continued negotiations between the parties with respect to the issues in dispute. During the period of mediation and continued negotiations, either party, with the consent of the other party, may modify its final offer in writing.
- i. If the parties have failed to reach a voluntary settlement after a reasonable period for mediation, as determined by the mediator-arbitrator, the mediator-arbitrator shall provide written notification to the parties and the commission of the mediator-arbitrator's intent to resolve the dispute by final and binding arbitration.
- j. Before issuing an arbitration decision, the mediator-arbitrator shall, on the mediator-arbitrator's own motion or at the request of either party, conduct a meeting open to the public for the purpose of providing the opportunity to both parties to explain or present supporting arguments for their complete offer on all matters to be covered by the proposed agreement.
- k. If the parties have failed to reach a

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voluntary settlement after the notification and meeting, if any, under subdivisions i and j of this subsection, the mediator-arbitrator shall adopt without further modification the final offer of one of the parties on all disputed issues submitted under subdivision a of this subsection, as modified by the mediator-arbitrator under subdivision g of this subsection and mutually modified by the parties under subdivision h of this subsection, which decision shall be final and binding on both parties. The mediator-arbitrator shall render the decision no later than May first of the year the contract will become effective and promptly thereafter serve a copy of the decision on the parties and the commission.

1. The mediator-arbitrator shall give weight to the following factors in making a decision under subdivision k of this subsection:

- (1) The lawful authority of the school district.
- (2) Stipulations of the parties.
- (3) The interests and welfare of the public and the financial ability of the school district to meet the costs of any proposed settlement.
- (4) Comparison of subjects of bargaining within the scope of negotiations provided under section 15-38.1-09 of the teachers involved in the arbitration proceeding with those of:
 - (a) Other teachers;
 - (b) Other employees generally in public employment in the same community and in comparable communities; and
 - (c) Other employees in private employment in the same community and in comparable communities.
- (5) The average consumer prices for goods and services, commonly known as the cost of living.
- (6) The overall compensation presently received by the teachers, including direct wage compensation, vacation, holidays and excused time, insurance and pension, medical and hospitalization benefits, the continuity and stability of employment, and all other benefits received.
- (7) Changes in any of the circumstances enumerated in paragraphs 1 through 6 of this subdivision during the pendency of the arbitration proceedings.

4. Impasses between school boards and representative organizations shall be resolved

exclusively in accordance with this chapter and not in accordance with chapter 34-11.

SECTION 12. A new section to chapter 15-38.1 of the North Dakota Century Code is hereby created and enacted to read as follows:

PENALTIES - STRIKES - FAILURE TO IMPLEMENT
ARBITRATION AWARDS.

1. A teacher, administrator, or representative organization engaging in a strike shall be penalized as follows:
 - a. The school district or any citizen directly affected by the strike may petition the district court for an injunction to immediately terminate the strike. The court shall issue an order immediately enjoining the strike and imposing the penalties provided in subdivisions b through e of this subsection.
 - b. A representative organization which engages in a strike shall be:
 - (1) Fined two dollars per member per day, but not more than ten thousand dollars per day, if the strike occurs after an injunction is issued.
 - (2) Penalized by the suspension of any payroll deduction for dues for the representative organization, authorized under section 15-38.1-11.1 or any agreement, for a period of one year.
 - c. A teacher or administrator who engages in a strike shall be:
 - (1) Fined fifteen dollars per day, if the strike occurs after an injunction is issued. After the injunction has been issued, any teacher or administrator who is absent from work because of purported illness is presumed to be on strike unless the illness is verified by a written report from a physician to the school board. The court shall order that any fine imposed under this paragraph be paid by means of a salary deduction paid at a rate to be determined by the court.
 - (2) Denied the full amount of the teacher or administrator's wages for the period during which the teacher or administrator engages in any strike.
 - d. The existing employment contract shall be null and void.
 - e. The penalties provided for in subdivisions b through d of this subsection do not preclude the imposition by the court of any penalty for contempt provided by law.
2. Any party refusing to include an arbitration award under subsection 3 of section 15-38.1-13 in a written collective bargaining agreement or failing to implement the award or decision, unless good cause is shown, shall be liable for

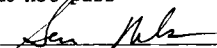
attorney fees, interest on delayed monetary benefit, and other costs incurred in any action by the nonoffending party to enforce the award or decision.

SECTION 13. REPEAL. Subsection 5 of section 15-38.1-14 of the North Dakota Century Code is hereby repealed.

SECTION 14. EFFECTIVE DATE. This Act shall become effective on January 1, 1982. All collective bargaining contracts between school boards and teachers or administrators which exist on January 1, 1982, shall continue in full force until July 1, 1982. Parties shall negotiate a contract for the period July 1, 1982, to July first of another year, with negotiations conducted between January 1, 1982, and May 1, 1982, and successor contracts in accordance with this Act."

And renumber the lines and pages accordingly

And when so amended recommends the same do not pass

 Chairman

Senate Bill No. 2260 Senator Gary Nelson Sixth
was placed on the _____

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

Mr. President : Your Committee on Finance and Taxation
to whom was referred Senate Bill No. 2314

Has had the same under consideration and recommends that the same

do pass do not pass be placed on calendar
without recommendation

be amended as follows:

- On page 1, line 1, delete the word "county" and insert in lieu thereof the word "city"
- On page 1, line 2, delete the word "three" and insert in lieu thereof the word "two"
- On page 1, line 7, delete the word "COUNTY" and insert in lieu thereof the word "CITY"
- On page 1, line 8, delete the word "county" and insert in lieu thereof the word "city"
- On page 1, line 9, delete the word "county" and insert in lieu thereof the word "city", and delete the word "three" and insert in lieu thereof the word "two"
- On page 1, line 12, delete the word "county" and insert in lieu thereof the word "city"
- On page 1, line 15, delete the words "the proceeds of this tax shall" and insert in lieu thereof the following: "any city, including a home rule city, which imposes the tax upon gross receipts described in this section shall deposit all proceeds in the city"
- On page 1, line 16, delete the words "be paid to the county" and after the period insert the following new sentence: "Moneys deposited in the city visitors' promotion fund shall be spent only as provided in this Act."
- On page 1, line 17, delete the word "COUNTY" and insert in lieu thereof the word "CITY"
- On page 1, line 19, delete the word "county" where it twice appears and insert in lieu thereof the word "city"
- On page 1, line 20, delete the word "county" and insert in lieu thereof the word "city"

- On page 1, line 22, delete the words "county board" and insert in lieu thereof the words "city governing body"
- On page 1, line 23, delete the word "county" and insert in lieu thereof the word "city"
- On page 1, line 25, delete the word "county" and insert in lieu thereof the word "city"
- On page 1, line 26, delete the word "county" and insert in lieu thereof the word "city"
- On page 1, line 28, delete the word "county" and insert in lieu thereof the word "city"
- On page 2, line 9, delete the word "county" and insert in lieu thereof the word "city"
- On page 2, line 11, delete the words "board of county commissioners" and insert in lieu thereof the words "governing body of the city"
- On page 2, line 13, after the word "the", insert the word "city"
- On page 2, line 21, delete the word "county" and insert in lieu thereof the word "city", and delete the word "county's" and insert in lieu thereof the word "city's"

and renumber the lines and pages accordingly

And when so amended recommends the same do pass.

 Chairman
 Senator Chuck Goodman

Senate Bill No. 2314 was placed on the sixth

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

Mr. President: Your Committee on Judiciary
 to whom was referred Senate Bill No. 2322

Has had the same under consideration and recommends that the same

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

On page 4, line 4, after the word "machines" insert the words "or electronic voting systems"

On page 4, line 5, after the word "section" insert the words and commas ", or any rotation necessary to carry out the intent of this section when a different ballot format is used with electronic voting systems,"

And renumber the lines and pages accordingly

And when so amended recommends the same do pass.

 Chairman
 Senator H. Christensen

Senate Bill No. 2322 was placed on the sixth

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

Mr. President: Your Committee on Finance and Taxation
 to whom was referred Senate Bill No. 2323

Has had the same under consideration and recommends that the same

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

be amended as follows:

- On page 1, line 2, following the second comma, insert "the assessment of certain property assessed by the state board of equalization,"
- On page 1, delete line 3
- On page 1, line 4, delete the words "levied by" and insert in lieu thereof the words "protection of taxpayers and"
- On page 2, line 10, after the quotation mark insert the words "for each county"
- On page 2, line 18, delete the words "most recent year" and insert in lieu thereof the words "greatest figure"
- On page 2, line 20, delete the words "most recent year" and insert in lieu thereof the words "greatest figure"
- On page 2, line 22, delete the words "most recent year" and insert in lieu thereof the words "greatest figure"
- On page 2, line 23, delete the word "earliest" and insert in lieu thereof the words "smallest figure"
- On page 2, line 24, delete the word "year"
- On page 2, line 28, delete the word "three-year" and insert in lieu thereof the word "five-year" and on the same line after the word "rate" insert the words "of interest"
- On page 2, line 29, after the period, add the following new sentence: "In lieu of farm residences being exempt from taxation, the five-year average of the gross federal land bank mortgage rate of interest for North Dakota shall be reduced by subtracting five-tenths."
- On page 2, line 33, after the word "commissioner", insert the words ", with the assistance of the agricultural economics department of North Dakota state university,"
- On page 3, line 31, delete "LIMITATIONS ON INCREASES OR FORCED REDUCTIONS" and insert in lieu thereof the following new section:
- PROTECTION OF TAXPAYERS AND TAXING DISTRICTS FOR 1981 and 1982 - EXCEPTIONS AND LIMITATIONS.
1. Each taxing district may levy in 1981 and 1982 the same amount in dollars as that taxing district levied the prior year plus seven percent.
 2. No taxing district may levy more taxes expressed in dollars in 1981 and 1982 than the amounts provided in this section.
 3. The amount which may be levied by any taxing district in 1981 and 1982 shall be:
 - a. Reduced by an amount equal to the sum determined by the application of the mill levies for that taxing district to the final assessed valuation of any land or taxable improvements to real property which is removed from the assessment rolls of that taxing district after the prior year but was included in the assessment for the prior year.
 - b. Increased by an amount equal to the sum determined by the application of any mill levies authorized by law but not levied by the governing body of the taxing district for the prior year and any mill levies specifically authorized by the electors of that taxing district but not levied for the prior year to the final assessed valuation of the taxable property in that taxing district.

- c. Increased by an amount equal to the sum determined by the application of the mill levies for that taxing district to the final assessed valuation of any land and taxable improvements to real property which was not taxable in the prior year or was omitted from the assessment rolls for that year but which is included in the assessment for the current year.
- d. Increased to reflect increased mill levies authorized by the forty-seventh legislative assembly or if the electors of the taxing district authorize additional levies after the effective date of this Act at either a special or regular election as provided by law.
- 4. The limitation on the amount which may be levied by a taxing district pursuant to this section shall not apply to the Fargo school district or to any school district in which the electors have approved unlimited mill levies as provided by law.
- 5. The provisions of this section shall supersede any applicable mill levy limitations otherwise provided by law for 1981 and 1982, but the provisions of this section shall not apply to any of the following:
 - a. Any irrevocable tax to pay bonded indebtedness levied pursuant to section 16 of article X of the Constitution of North Dakota.
 - b. The one-mill levy for the state medical center authorized by section 10 of article X of the amendments to the Constitution of North Dakota.
- 6. The provisions of this section shall not apply to any city which has adopted a home rule charter unless the provisions of the charter specifically provide that state laws related to property tax levy limitations shall apply."

On page 3, delete lines 32 through 34

On page 4, delete lines 1 through 35

On page 5, delete lines 1 through 34

On page 6, delete lines 1 through 35

On page 7, delete lines 1 through 18

On page 9, line 26, delete the word "statements" and insert in lieu thereof the word "reports"

On page 12, line 14, after the word "that", insert the words "property assessed by the state board of equalization other than railroad property shall be assessed at fourteen percent of its true and full value and"

On page 13, line 5, overstrike the words "assessed value" and insert thereafter the word "valuation"

and renumber the lines, sections and pages accordingly

And when so amended recommends the same do pass


 Senator Chuck Goodman Chairman

Senate Bill No. 2323 was placed on the sixth

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

Mr. President: Your Committee on Finance and Taxation

to whom was referred Senate Bill No. 2334

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Has had the same under consideration and recommends that the same

do pass

do not pass

be placed on calendar
without recommendation

be amended as follows:


Senator Chuck Goodman Chairman

Senate Bill No. 2334 was placed on the eleventh

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

Mr. President: Your Committee on Appropriations

to whom was referred Senate Bill No. 2338

Has had the same under consideration and recommends that the same

do pass

do not pass

be placed on calendar
without recommendation

be amended as follows:

On page 2, line 13, delete the word "develop" and insert
in lieu thereof the words "contract for"

And when so amended recommends the same do pass.


Senator Lips Chairman

Senate Bill No. 2338 was placed on the 6th

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

Mr. President: Your Committee on Judiciary

to whom was referred Senate Bill No. 2344

Has had the same under consideration and recommends that the same

do pass

do not pass

be placed on calendar
without recommendation

be amended as follows:

On page 1, line 25, remove the overstrike over the comma and delete
the words "and any protest"

On page 1, line 26, delete the words "fees or costs on the check,
draft, or order" and after the word "is" delete the underscored
comma

On page 1, line 27, after the period insert the sentence: "The
person is also liable for collection fees or costs, not in
excess of ten dollars, which are recoverable by civil action
by the holder of the check, draft, or order."

On page 2, line 26, delete the word "protest" and insert in lieu
thereof the word "collection", and delete the words "on the
instrument" and insert in lieu thereof the words "not in excess
of ten dollars"

On page 2, line 28, after the word "section" and before the period
insert the words "and the possibility of a civil action to
recover any collection fees or costs authorized by this
section"

On page 2, line 32, delete the words "and any protest fees or"

On page 2, line 33, delete the words "costs on the check"

On page 4, line 6, delete the words "and any protest fees"

On page 4, line 7, delete the words "or costs on the instrument"

On page 4, after line 7, insert the following subsection language:

"The person is also liable for collection fees or costs, not in excess of ten dollars, which are recoverable by civil action by the holder of the instrument."

On page 4, line 24, delete the words "and any protest fees or costs on the check"

On page 5, line 20, delete the word "protest" and insert in lieu thereof the word "collection", and delete the words "on the" and insert in lieu thereof the words "not in excess of ten dollars"

On page 5, line 21, delete the word "instrument"

On page 5, line 23, after the word "section" and before the period insert the words "and the possibility of a civil action to recover any collection fees or costs authorized by this section"

And renumber the lines and pages accordingly

And when so amended recommends the same do pass.



Senator H. Christensen Chairman

Senate Bill No. 2344 was placed on the sixth

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

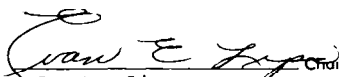
Mr. President: Your Committee on Appropriations

to whom was referred Senate Bill No. 2346

Has had the same under consideration and recommends that the same

do pass do not pass be placed on calendar without recommendation

be amended as follows:



Senator Lips Chairman

Senate Bill No. 2346 was placed on the 11th

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

Mr. PRESIDENT: Your Committee on FINANCE AND TAXATION

to whom was referred Senate Bill No. 2358

Has had the same under consideration and recommends that the same

do pass do not pass be placed on calendar without recommendation

be amended as follows:

On page 1, line 4, after the word "level" delete the remainder of the line

On page 1, delete lines 5 and 6

On page 1, line 7, delete the words "provide an effective date"

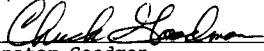
On page 1, delete the underscoring on lines 13 through 27

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- On page 1, line 16, delete the words "balance in the state" and insert in lieu thereof the following: "revenue which has been credited to the state general fund during the fiscal year beginning July 1, 1981, and"
- On page 1, line 17, delete the words "general fund for the fiscal year"
- On page 1, line 18, delete the words "one hundred seventy-five" and insert in lieu thereof the words "five hundred"
- On page 1, line 22, delete the word "each" and insert in lieu thereof the words "the first"
- On page 1, line 24, delete the words "twenty-five" and insert in lieu thereof the word "twenty"
- On page 2, delete the underscoring on lines 1 and 2, and delete lines 3 through 35
- On page 3, delete lines 1 through 26

And renumber the lines and pages accordingly

And when so amended recommends the same do pass


 Senator Goodman Chairman

Senate Bill No. 2358 was placed on the Sixth

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

Mr. President: Your Committee on Appropriations
 to whom was referred Senate Bill No. 2372

Has had the same under consideration and recommends that the same

do pass do not pass be placed on calendar
 without recommendation

be amended as follows:

- On page 1, line 4, after the semicolon insert the following: "to authorize the issuance of revenue bonds;"
- On page 3, delete lines 31 through 35 and insert in lieu thereof the following:

"SECTION 5. BOND ISSUANCE AUTHORIZED - PURPOSE - USE OF PROCEEDS - APPROPRIATION. The general revenue bond authority created by Senate Bill No. 2386, as approved by the forty-seventh legislative assembly, is authorized to issue bonds for the purpose of constructing and equipping a facility on the grounds of North Dakota state university for the northern crops institute, in an amount not to exceed one million one hundred thousand dollars for the facility and four hundred thousand dollars for facility equipment. The bonds authorized by this section are to be issued pursuant to the provisions of Senate Bill No. 2386, as approved by the forty-seventh legislative assembly. The proceeds resulting from the sale of bonds authorized under this section, or so much thereof as may be necessary, are hereby appropriated for constructing and equipping a facility to be leased by the board of higher education, or its designee, to the northern crops institute. Any unexpended balances from the sale of bonds are to be deposited to the credit of the authority pursuant to Senate Bill No. 2386. Proceeds from the lease of the building are to be dedicated to the payment of the principal and interest of the bonds authorized by this section."

On page 4, delete lines 1 through 10

And renumber the lines and pages accordingly

And when so amended recommends the same do pass.

Edward E. Lips
Senator Lips Chairman

Senate Bill No. 2372 was placed on the 6th

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

Mr. President: Your Committee on Finance and Taxation

to whom was referred Senate Bill No. 2373

Has had the same under consideration and recommends that the same

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

be amended as follows:

Chuck Goodman
Senator Chuck Goodman Chairman

Senate Bill No. 2373 was placed on the eleventh

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

Mr. President: Your Committee on Judiciary

to whom was referred Senate Bill No. 2378

Has had the same under consideration and recommends that the same

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

be amended as follows:

On page 1, line 1, after the words "A BILL" delete the remainder of the bill and insert in lieu thereof the following: "for an Act to require a statement of intent to accompany proposed constitutional amendments; to amend and reenact sections 16-01-07 and 16-11-07 of the North Dakota Century Code, relating to the advertisement of constitutional amendments and other questions and the ballot placement of constitutional amendments and initiated and referred measures, or in the alternative, to amend and reenact sections 16.1-01-07 and 16.1-06-09 of the North Dakota Century Code, as created by House Bill No. 1225, as approved by the forty-seventh legislative assembly, relating to the advertisement of constitutional amendments and other questions and the ballot placement of constitutional amendments; and to declare an emergency.

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

SECTION 1. CONSTITUTIONAL AMENDMENTS - STATEMENT OF INTENT. Every resolution proposing a change in the Constitution of North Dakota shall contain a statement setting forth in clear and precise language the legislative purpose and intent of the proposed change; the statement shall fairly represent the substance and effect of the proposed change. The statement shall immediately precede the ballot title of the proposed constitutional amendment on the printed ballot, voting machines, or electronic voting systems.

SECTION 2. AMENDMENT. If House Bill No. 1225 is not approved by the forty-seventh legislative assembly or for some other reason does not take effect, then section 16-01-07 of the 1977 Pocket Supplement to the North Dakota Century Code is hereby amended and reenacted to

read as follows:

16-01-07. CONSTITUTIONAL AMENDMENTS AND OTHER QUESTIONS TO BE ADVERTISED - NOTIFICATION BY SECRETARY OF STATE - MANNER OF PUBLISHING. Whenever a proposed constitutional amendment or other question is to be submitted to the people of the state for popular vote, the secretary of state shall, not less than thirty days before election, certify the same to the auditor of each county in the state, and the auditor of each county shall cause notice thereof to be included in the notice required by section 16-06-02 for the election. Questions to be submitted to the people of the county shall be advertised in the same manner.

The secretary of state shall, at the same time that he certifies notice to the county auditors of the submission of a constitutional amendment or an initiated or referred measure, certify the form of the ballot for such measures. Such form shall conform to the provisions of section 16-11-07 and section 1 of this Act and shall be used by all county auditors in preparing ballots for submission to the electorate of each county and in the preparation of sample ballots. Sample ballots shall conform in form and style to samples of such ballots contained in the legal publications handbook prepared under subsection 5 of section 46-01-02. Any requirements in this title that a sample ballot be published will be met by the publication of either the paper ballot or the ballot as it will appear to persons using a voting machine, depending upon the method of voting used in the area involved. Absentee voter ballots shall not be considered in determining which form of voting is used in the area. If both paper ballots and voting machines are used, both forms must be published as sample ballots to meet publication and notice requirements.

At the same time as the sample ballot is published, the complete text of any constitutional amendment, initiated measure, or referred measure shall be published in columns to enable the electors to become familiar with the total text of the proposed constitutional amendment or initiated or referred measure, in addition to the sample ballot listing ballot titles.

SECTION 3. AMENDMENT. If House Bill No. 1225 is not approved by the forty-seventh legislative assembly or for some other reason does not take effect, then section 16-11-07 of the 1979 Special Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

16-11-07. CONSTITUTIONAL AMENDMENTS AND INITIATED AND REFERRED MEASURES - PLACED ON SEPARATE BALLOT - MANNER OF STATING QUESTION - EXPLANATION OF EFFECT OF VOTE - ORDER OF LISTING. Constitutional amendments duly certified to the county auditor by the secretary of state, or any question to be voted for aside from the election of public officers, shall be printed on a separate ballot by ballot title only and in the manner specified by the secretary of state and shall be deposited in a box separate from that provided to receive the ballots for public officers. The size of type to be used on such ballots shall be specified by the secretary of state. Immediately preceding the ballot title of the ~~constitutional amendment or~~ initiated or referred measure on the printed ballot, the secretary of state shall cause to be printed a short, concise statement in boldface type, which statement shall fairly represent the substance of the ~~constitutional amendment or the~~ initiated or referred measure. The attorney general shall approve all such statements written by the secretary of state. Immediately subsequent to the foregoing statement, the secretary of state shall cause

to be printed another short, concise statement of the effect of an affirmative or negative vote on the constitutional amendment or initiated or referred measure in terms of whether the proposal will or will not enact, amend, or repeal a portion or portions of the constitution or laws of the state of North Dakota if an affirmative or negative vote should prevail. This explanatory statement shall be drafted by the secretary of state and shall be approved by the attorney general. The words "Yes" and "No" shall be printed on the ballot at the close of the statement regarding the effect of an affirmative or negative vote, in separate lines with a square formed of black lines after each statement in which the voter may indicate by a cross or other mark how he desires to vote on the question. Where two or more amendments or questions are to be voted on, they shall be printed on the same ballot. In precincts in which voting machines are used, the ballot title, in the case of amendments or measures submitted by the people, or the title of the legislative bill or resolution, which shall serve as the ballot title, in the case of proposed amendments submitted by the legislative assembly, shall be set forth in full. Provided, however, in such cases where the ballot title or the title of the legislative bill or resolution is of such length to make it physically impossible to fit such titles upon voting machines, the attorney general shall reduce such titles to a length which will allow the placing of such titles upon voting machines, but shall fully express the purpose of such amendments or questions, and such reduced version of the titles shall be used on the voting machines.

The measures to be submitted to the electors shall be grouped and classified as constitutional measures, initiated statutes, or referred statutes and shall be placed within such groups or classifications by the secretary of state in the order received, for the purpose of placing them on the ballot. Measures submitted by the legislative assembly shall be placed first on the ballot within their classification in the order approved by the legislative assembly. Constitutional measures shall be placed first on the ballot, initiated statutes second, and referred statutes third. After all the measures have been placed within the appropriate group or classification, all measures shall be numbered consecutively, without regard to the various groups or classifications.

SECTION 4. AMENDMENT. Section 16.1-01-07 of the North Dakota Century Code as created by section 1 of House Bill No. 1225, as approved by the forty-seventh legislative assembly, is hereby amended and reenacted to read as follows:

16.1-01-07. CONSTITUTIONAL AMENDMENTS AND OTHER QUESTIONS TO BE ADVERTISED - NOTIFICATION BY SECRETARY OF STATE - MANNER OF PUBLISHING. Whenever a proposed constitutional amendment or other question is to be submitted to the people of the state for popular vote, the secretary of state shall, not less than thirty days before the election, certify the amendment or other question to each county auditor and each auditor shall cause notice thereof to be included in the notice required by section 16.1-13-05. Questions to be submitted to the people of a particular county shall be advertised in the same manner.

The secretary of state shall, at the same time he certifies notice to the county auditors of the submission of a constitutional amendment or other question, certify the ballot form for such questions. The ballot form shall conform to the provisions of section 16.1-06-09 and section 1 of this Act and shall be used by all county auditors in preparing ballots for submission to the electorate of each county and in the preparation of

sample ballots. Sample ballots shall conform in form and style to samples of such ballots contained in the legal publications handbook prepared under subsection 5 of section 46-01-02. Any requirements in this title that a sample ballot be published will be met by the publication of either the paper ballot or the ballot as it will appear to persons using a voting machine, depending upon the method of voting used in the area involved. Absentee voter ballots shall not be considered in determining which method of voting is used in an area. If both paper ballots and voting machines are used in an area, both forms must be published as sample ballots to meet publication and notice requirements. At the same time as the sample ballot is published, an analysis of any constitutional amendment, initiated measure, or referred measure, written by the secretary of state after consultation with the attorney general, shall be published in columns to enable the electors to become familiar with the effect of the proposed constitutional amendment or initiated or referred measure, in addition to the sample ballot listing ballot titles.

SECTION 5. AMENDMENT. Section 16.1-06-09 of the North Dakota Century Code as created by section 4 of House Bill No. 1225, as approved by the forty-seventh legislative assembly, is hereby amended and reenacted to read as follows:

16.1-06-09. CONSTITUTIONAL AMENDMENTS AND INITIATED AND REFERRED MEASURES - PLACED ON SEPARATE BALLOT - MANNER OF STATING QUESTION - EXPLANATION OF EFFECT OF VOTE - ORDER OF LISTING. Constitutional amendments or measures, initiated measures, and referred measures, duly certified to the county auditor by the secretary of state, or any other question or measure to be voted on, except the election of public officers at any primary, general, or special election including officers subject to a recall petition, shall be printed on a separate ballot by ballot title only and in the manner specified by the secretary of state and shall be deposited in a box separate from that provided to receive the ballots for public officers. The ballot title shall be written by the secretary of state and approved by the attorney general. The size of type to be used on such ballots shall be specified by the secretary of state. Immediately preceding the ballot title of the ~~constitutional amendment or measure~~, initiated measure, or referred measure on the printed ballot, the secretary of state shall cause to be printed a short, concise statement in boldface type, which statement shall fairly represent the substance of the ~~constitutional amendment or measure~~, initiated measure, or referred measure. The attorney general shall approve all such statements written by the secretary of state. Immediately subsequent to the foregoing statement, the secretary of state shall cause to be printed another short, concise statement of the effect of an affirmative or negative vote on the constitutional amendment or measure, initiated measure, or referred measure in terms of whether the proposal will or will not enact, amend, or repeal a portion or portions of the constitution or laws of the state of North Dakota if an affirmative or negative vote should prevail. This explanatory statement shall be drafted by the secretary of state and shall be approved by the attorney general. The words "Yes" and "No" shall be printed on the ballot at the close of the statement regarding the effect of an affirmative or negative vote, in separate lines with a square formed of black lines after each statement in which the voter may indicate by a cross or other mark how he desires to vote on the question. Where two or more amendments or questions are to be voted on, they shall be printed on the same ballot. In precincts in which voting machines or electronic voting systems are used, the ballot title,

in the case of amendments or measures submitted by the people, or the title of the legislative bill or resolution, which shall serve as the ballot title, in the case of proposed amendments submitted by the legislative assembly, shall be set forth in full. Provided, however, in such cases where the ballot title or the title of the legislative bill or resolution is of such length to make it physically impossible to fit such titles upon voting machines, the attorney general shall reduce such titles to a length which will allow the placing of such titles upon voting machines, but shall fully express the purpose of such amendments or questions, and the reduced version of the titles shall be used on the voting machines.

The measures to be submitted to the electors shall be grouped and classified as constitutional measures, initiated statutes, or referred statutes and shall be placed within such groups or classifications by the secretary of state in the order received, for the purpose of placing them on the ballot. Measures submitted by the legislative assembly shall be placed first on the ballot within their classification in the order approved by the legislative assembly. Constitutional measures shall be placed first on the ballot, initiated statutes second, and referred statutes third. After all the measures have been placed within the appropriate group or classification, all measures shall be numbered consecutively, without regard to the various groups or classifications.

SECTION 6. EMERGENCY. This Act is hereby declared to be an emergency measure and shall be in effect from and after its passage and approval."

And renumber the lines, sections, and pages accordingly

And when so amended recommends the same do pass

Hae Christensen
 Senator H. Christensen Chairman

Senate Bill No. 2378 was placed on the sixth

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

Mr. PRESIDENT Your Committee on INDUSTRY, BUSINESS, & LABOR
 to whom was referred SENATE Bill No. 2386

Has had the same under consideration and recommends that the same

do pass do not pass be placed on calendar without recommendation

be amended as follows:

On page 1, line 4, after the word "to" delete the words "repeal chapter 15-55" and insert in lieu thereof the words "declare an emergency"

On page 1, delete line 5

On page 1, line 6, delete the words "revenue bonds by the board of higher education"

On page 1, line 17, after the word "of" delete the word "any" and insert in lieu thereof the words "one or more"

On page 1, line 20 after the word "the" delete the word "said"

On page 1, line 25 after the word "assembly" delete the words "in each instance" and insert in lieu thereof the words "with respect to each project"

On page 1, line 27, after the word "bonds" delete the words "shall be"

- On page 1, line 28, delete the words "payable serially, and"
- On page 2, delete line 11
- On page 2, line 12, delete the words and comma "to date of delivery,"
- On page 2, line 13, after the period delete the words "The bonds shall be sold at public sale, except"
- On page 2, delete line 14
- On page 2, line 15, delete the words "hundred thousand dollars, but the" and insert in lieu thereof the word "The"
- On page 2, line 16, after the word "bonds" delete the words "issued hereunder" and insert in lieu thereof the words "sold at private sale"
- On page 2, line 17, after the word "exceed" delete the words "eight percent per annum on those issues which are sold" and insert in lieu thereof the words "seventy-five percent of the prime rate established by the Bank of North Dakota on the date of sale"
- On page 2, line 18, delete the words "at private sale" and after the word "there" delete the words "shall be" and insert in lieu thereof the word "is"
- On page 3, line 4, after the period insert the following: "The authority may, with the specific written permission of the agency or institution controlling the building, pledge the revenues of a building already constructed, which are not pledged to the payment of any other bonds, to the payment of initial or refunding bonds issued under this Act."
- On page 3, line 6, after the period insert the following: "The industrial commission has supervisory authority and responsibility over the general revenue bond authority created by this section, and may adopt rules to effectuate the purpose of this Act."
- On page 3, line 15, after the word "building" insert the words "or buildings"
- On page 3, line 20, after the period delete the word "DIRECTOR" and insert in lieu thereof the word "AUTHORITY"
- On page 3, line 34, after the first word "and" insert the word "the" and after the word "financing" insert the word "of"
- On page 4, line 21, after the word "authority" insert a comma
- On page 5, line 10, after the word "located" insert the following comma and words ", nor of the agency having jurisdiction over the building"
- On page 6, line 13, after the period delete the word "Such" and insert in lieu thereof the word "The"
- On page 6, line 25, after the word "Act" insert a comma, and after the word "without" insert the word "specific"
- On page 6, line 26, after the word "act" insert a comma
- On page 7, line 7, after the period insert the following: "State agencies or institutions which have constructed, remodeled, or renovated buildings using financing secured under the provisions of this Act shall maintain such other records as may be required by rules adopted by the industrial commission."
- On page 7, line 14, after the period delete the following: "REPEAL. Chapter 15-55 of the North Dakota" and insert

in lieu thereof the following: "EMERGENCY. This Act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval"

On page 7, line 15, delete the words "Century Code is hereby repealed"

And renumber the lines and pages accordingly

And when so amended recommends the same do pass.

 Chairman
 - Senator Reiten -

SENATE Bill No. 2386 was placed on the Sixth

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

Mr. President: Your Committee on Judiciary

to whom was referred Senate Bill No. 2389

Has had the same under consideration and recommends that the same

do pass do not pass be placed on calendar without recommendation

be amended as follows.

On page 1, line 2, after the first comma insert the following:
 "12.1-32-13,"

On page 1, line 4, after the word "court" delete the remainder of the line and insert in lieu thereof a period

On page 1, delete lines 5 and 6

On page 2, line 4, delete the word "at the" and delete all of lines 5,6 and 7, and on line 8, delete the words "discipline or medical treatment" and insert in lieu thereof the words "after the person has been given an administrative hearing to determine if the safety of other residents, the general public, or the need for discipline justifies the transfer"

On page 2, line 9, after the word "the" insert the words "rights to sentence reduction for good and meritorious conduct and all the"

On page 3, after line 4, insert the following new section:

SECTION 4. AMENDMENT. Section 12.1-32-13 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

12.1-32-13. MINOR CONVICTED OF FELONY, SENTENCING.
 Whenever a minor is convicted of a felony, the sentencing court may, in its discretion, sentence the person so convicted to a county jail or commit the person so convicted to the state industrial school as provided in this title. Provided, however, that a minor over the age of sixteen who is convicted of a felony may be sentenced to a penal institution or detention facility.

On page 3, line 33, remove the overstrike over the words "amenable-to-treatment"

On page 3, remove the overstrike over line 34

On page 3, line 35, remove the overstrike over the word "available-", after the word "facilities" insert the word "programs," and delete the words "treatable in an"

On page 4, delete lines 1 and 2

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On page 4, line 3, remove the overstrike over the words "treatable
in-an"

On page 4, remove the overstrike over line 4

On page 4, line 5, remove the overstrike over the words "ex-mentally
iii,-and" and delete the words "amenable to"

On page 4, delete lines 6 through 10

On page 4, remove the overstrike over lines 11 through 13

On page 5, delete lines 1 and 2

And renumber the lines, sections, and pages accordingly

And when so amended recommends the same do pass


Senator H. Christensen Chairman

Senate Bill No. 2389 was placed on the sixth

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

Mr. President: Your Committee on Finance and Taxation

to whom was referred Senate Bill No. 2392

Has had the same under consideration and recommends that the same

do pass do not pass be placed on calendar
without recommendation

be amended as follows:

On page 1, line 14, following the period, insert the following
new sentence: "The tax shall be collected as provided in
chapters 57-52 and 57-54 but shall not be subject to the
refund provisions of those chapters."

and renumber the lines accordingly.

And when so amended recommends the same do pass


Senator Chuck Goodman Chairman

Senate Bill No. 2392 was placed on the sixth

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

Mr. President: Your Committee on Appropriations

to whom was referred Senate Bill No. 2404

Has had the same under consideration and recommends that the same

do pass do not pass be placed on calendar
without recommendation

be amended as follows:

On page 1 of the engrossed bill, delete lines 12 through 27 and
insert the following in lieu thereof:

- a. One member of the senate and one member of the house of representatives to be appointed by the chairman of the legislative council.
- b. Three public members to be appointed by the governor.
- c. Three public members to be appointed by the chairman of the legislative council.

- d. An additional member of the legislative assembly to be appointed by the chairman of the legislative council, and to serve as the chairman of the commission."

On page 2 of the engrossed bill, delete lines 1 through 13

On page 2 of the engrossed bill, line 14 delete the numeral "3" and insert in lieu thereof the numeral "2"

On page 2 of the engrossed bill, line 17, delete the numeral "4" and insert in lieu thereof the numeral "3"

On page 2 of the engrossed bill, line 21, delete the following: "5. All" and insert in lieu thereof the following:

"4. The board of higher education, the state board for vocational education, the superintendent of public instruction, the president of each junior college or educational center, and all other"

On page 4 of the engrossed bill, line 27, after the word "recommendations" insert the following: ", along with any legislation necessary to implement those recommendations,"

And renumber the lines and pages accordingly

And when so amended recommends the same do pass.

Frank E. Lips Chairman
Senator Lips

Senate Bill No. 2404 was placed on the 6th

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

Mr. PRESIDENT Your Committee on POLITICAL SUBDIVISIONS
to whom was referred SENATE Bill No. 2407

Has had the same under consideration and recommends that the same

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

be amended as follows:

On page 1, line 1, delete everything after the words "A BILL" and insert in lieu thereof the following; "for an Act to amend and reenact subsection 2 of section 57-60-15, section 57-62-01, subsections 1 and 2 of section 57-62-02, and section 57-62-03 of the North Dakota Century Code, relating to the allocation of revenues from the coal conversion facilities tax and coal severance tax to certain organized townships.

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

SECTION 1. AMENDMENT. Subsection 2 of section 57-60-15 of the 1979 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

- 2. Forty percent of the revenues allocated to any county shall be apportioned as follows:
 - a. Sixty percent shall be deposited by the county treasurer in the county general fund to be used for general governmental purposes.
 - b. Forty percent shall be divided by the

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county treasurer between the county road fund of the county and the township road and bridge fund of any organized township in the county which has, within its boundaries, any portion of the property upon which a coal conversion facility is located. The revenues shall be divided on the basis of the number of miles of highways, and roads within the county, excluding those in each qualifying township, and within each qualifying township, compared to the aggregate total miles of highways and roads within the county. As used in this subdivision, "county road fund" and "township road and bridge fund" mean the funds authorized under sections 24-05-01 and 24-06-19, respectively. Revenues placed in the township road and bridge fund under this subsection may be expended to repay loans received by a development impacted township under chapter 57-62.

SECTION 2. AMENDMENT. Section 57-62-01 of the 1979 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

57-62-01. DEFINITIONS. As used in this chapter, unless the context or subject matter otherwise requires:

1. "Coal development" means the mining of coal and industries directly related to the processing of coal, including, but not limited to: the generation of electricity from coal or coal products, coal gasification, coal liquefaction, and the manufacture of fertilizer from coal.
2. "Development impacted township" means an impacted township which has, within its boundaries, any portion of the property upon which a coal conversion facility, as defined in section 57-60-01, is being constructed or is located.
3. "Impacted city" means a city which demonstrates actual or anticipated extraordinary expenditures caused by coal development and the growth incidental thereto.
- 3+ 4. "Impacted county" means a county which demonstrates actual or anticipated extraordinary expenditures caused by coal development and the growth incidental thereto.
- 4+ 5. "Impacted school district" means a public school district which demonstrates actual or anticipated extraordinary expenditures caused by coal development and the growth incidental thereto.
- 5+ 6. "Impacted taxing district" means a taxing district as defined in subsection 6 8 which demonstrates actual or anticipated extraordinary expenditures caused by coal development and the growth incidental thereto.
7. "Impacted township" means an organized township which demonstrates actual or anticipated extraordinary expenditures caused by coal development and the growth incidental thereto.
- 6+ 8. "Taxing district" means any political subdivision, other than those included in subsections 2 through 4 5 and subsection 7, empowered by law to levy taxes.

SECTION 3. Subsections 1 and 2 of section 57-62-02 of the 1979 Supplement to the North Dakota Century Code are hereby amended and reenacted to read as follows:

1. Thirty-five percent shall be credited to a special fund in the state treasury for distribution through grants by the coal development impact office to impacted cities, counties, school districts, townships, and other taxing districts, subject to appropriation by the legislative assembly.
2. Fifteen percent shall be credited to a special fund in the state treasury to be held in trust to be administered by the board of university and school lands for loans to impacted counties, cities, and school districts and development impacted townships as provided in section 57-62-03. The board of university and school lands shall have full authority to invest ~~such the funds as which~~ are not loaned as provided in this chapter and may consult with the state investment board as provided by law. The income, including interest payments on loans, from ~~such the~~ trust shall be deposited in the state's general fund. Loan principal payments shall be redeposited in the trust fund. ~~Such The~~ trust fund shall be perpetual and held in trust as a replacement for depleted natural resources subject to the provisions of this chapter.

SECTION 4. AMENDMENT. Section 57-62-03 of the 1979 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

57-62-03. LOANS - TERMS AND CONDITIONS - REPAYMENT.

1. The board of university and school lands is authorized to make loans to impacted counties, cities, and school districts and development impacted townships from moneys deposited in the trust fund established by subsection 2 of section 57-62-02. Loans may be made for any purpose for which a grant may be made pursuant to this chapter, ~~but before~~. Provided, loans may be made to development impacted townships only for actual or anticipated extraordinary expenditures for township roads and bridges caused by coal development and the growth incidental thereto. Before making any loan the board of university and school lands shall receive the recommendation of the coal development impact office.
2. The board of university and school lands shall prescribe the terms and conditions of ~~such the~~ loans within the provisions of this chapter and shall require a warrant executed by the governing body of the county, city, ~~or~~ school district, or development impacted township as evidence of ~~such the~~ loan. The warrants shall bear interest at a rate not to exceed six percent. The warrants shall be payable only from the allocations of moneys from the coal development fund to the borrowing county, city, or school district and or from the coal conversion facilities fund to the borrowing development impacted township under chapter 57-60. The warrants shall not constitute a general obligation of the county, city, ~~or~~ school district, or development impacted township nor shall ~~such the~~ loans be considered

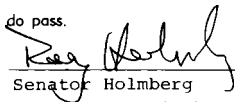
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as indebtedness of the county, city, ~~or~~ school district, or development impacted township. The terms of the loan shall provide that not less than ten percent of each allocation made to the borrowing county, city, or school district pursuant to this chapter or to the borrowing development impacted township pursuant to chapter 57-60 shall be withheld by the state treasurer to repay the principal of the warrants and the interest thereon. The amount withheld by the state treasurer as payment of interest shall be deposited in the general fund and the amount withheld by the state treasurer as payment of principal shall be remitted to the board of university and school lands and deposited by the board in the trust fund provided for in subsection 2 of section 57-62-02. The warrants executed by the county, city, ~~or~~ school district, or development impacted township shall have all of the qualities and incidents of negotiable paper, and shall not be subject to taxation by the state of North Dakota or by any political subdivision thereof.

- 3. The board of university and school lands is authorized to sell ~~such~~ the warrants to other parties and the proceeds of ~~such~~ the sale which constitute principal shall be deposited in the trust fund and that which constitutes interest in the general fund. If the future allocations of moneys to the borrowing county, city, ~~or~~ school district, or development impacted township should, for any reason, permanently cease, the loan shall be canceled except that if the county, city, ~~or~~ school district, or development impacted township is merged with another county, city, ~~or~~ school district, or development impacted township which receives an allocation of moneys from the coal development fund or, in the case of a development impacted township, the coal conversion facilities fund, the surviving county, city, ~~or~~ school district, or development impacted township shall be obligated to repay the loan from ~~such~~ the allocation. If the loan is canceled due to the permanent cessation of allocations of moneys to the county, city, ~~or~~ school district pursuant to this chapter or to the development impacted township pursuant to chapter 57-60, the board of university and school lands shall cancel those warrants it holds from ~~such~~ the county, city, ~~or~~ school district, or development impacted township and shall pay from any moneys in the trust fund provided for in subsection 2 of section 57-62-02 the principal and interest, as it becomes due, on those warrants of the county, city, ~~or~~ school district, or development impacted township which are held by another party."

And renumber the lines and pages accordingly

And when so amended recommends the same do pass.

 Chairman
Senator Holmberg

SENATE Bill No. 2407 was placed on the Sixth

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

Mr. President: Your Committee on Judiciary

to whom was referred Senate Bill No. 2414

Has had the same under consideration and recommends that the same

do pass do not pass be placed on calendar without recommendation

be amended as follows:


Chairman
Sen. H. Christensen

Senate Bill No. 2414 was placed on the eleventh

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

Mr. President: Your Committee on Appropriations

to whom was referred Senate Bill No. 2415

Has had the same under consideration and recommends that the same

do pass do not pass be placed on calendar without recommendation

be amended as follows:

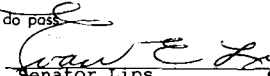
On page 1 of the engrossed bill, delete lines 8, 9 and 10

On page 3 of the engrossed bill, line 8, after the word "year" insert a period and delete the words "and the disincentives" 10

On page 3 of the engrossed bill, delete lines 9 and 10

And renumber the lines and subsections accordingly

And when so amended recommends the same do pass


Chairman
Senator Lips

Senate Bill No. 2415 was placed on the 6th

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

Mr. PRESIDENT: Your Committee on FINANCE AND TAXATION

to whom was referred Senate Bill No. 2421

Has had the same under consideration and recommends that the same

do pass do not pass be placed on calendar without recommendation

be amended as follows:

On page 1, line 1, after the words "A BILL" delete the remainder of the bill and insert in lieu thereof the following: "for an Act to create and enact three new sections to chapter 57-02 of the North Dakota Century Code to declare legislative purpose concerning the taxation of minerals in real property, to provide for a real property tax on minerals, for a registration determination, and for forfeiture; to repeal sections 57-02-24 and 57-02-25 of the North Dakota Century Code, relating to assessors listing coal and minerals and the procedure in the assessment of coal and mineral reserves; and to provide an effective date.

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

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SECTION 1. A new section to chapter 57-02 of the North Dakota Century Code is hereby created and enacted to read as follows:

LEGISLATIVE PURPOSE OF MINERAL TAX. A purpose of this Act is to identify and clarify the obscure and divided ownership of mineral interests in this state. Because the ownership of many mineral interests is becoming more obscure and further fractionalized with the passage of time, the development of mineral interests in this state at a time of increased energy needs is often impaired.

Moreover, a class of real property has been created which, although not exempt from taxation, is not assessed for tax purposes. Therefore, the property does not contribute toward the cost of supporting the governments which preserve and protect the property's continued integrity and existence.

An additional purpose of this Act is to tax real property fairly to the person or persons receiving the benefits of ownership.

Section 57-02-04 defines "real property" for the purposes of taxation to include all mines, minerals, and quarries in and under the land. However, no assessment and taxation of minerals in real property are presently made. Imposing a tax on minerals in real property will aid in providing a fair and uniform assessment of real property for purposes of taxation.

SECTION 2. A new section to chapter 57-02 of the North Dakota Century Code is hereby created and enacted to read as follows:

MINERAL TAX - PROCEDURE. A mineral tax of ten cents per acre shall be imposed on each acre of real property subject to taxation pursuant to section 57-02-11. The surface owner will have included in his real property tax statement a notice that the tract to be taxed is assessed an additional ten cents per acre, with a minimum tax of two dollars per tract. Within a two-year period after the first tax statement is mailed, after the effective date of this Act, the owner of any severed mineral interest, related to that tract, may pay the tax imposed by this section, the county auditor will adjust the surface owner's taxes due accordingly. The severed mineral owner may, after payment, continue as the owner of those severed minerals as long as he continues to pay the taxes due. Should the taxes become delinquent, the severed mineral interests will be subject to sale as provided in section 3. Tax moneys collected pursuant to this section shall be deposited in the general fund of the county treasury.

SECTION 3. A new section to chapter 57-02 of the North Dakota Century Code is hereby created and enacted to read as follows:

EFFECTIVE DATE - REGISTRATION DETERMINATION - FORFEITURE. The owner or owners of mineral interests in real property shall have a two-year grace period until July 1, 1983, in which to determine whether the mineral interest has been properly identified and recorded with the register of deeds of the county in which the affected real property is located. At the end of the two-year period, the minerals shall be assessed and taxed pursuant to this Act and shall be subject to sale for nonpayment of taxes pursuant to section 57-24-30.

SECTION 4. **REPEAL.** Sections 57-02-24 and 57-02-25 of the North Dakota Century Code are hereby repealed."

And renumber the lines and pages accordingly

And when so amended recommends the same do pass.

Chuck Goodman Chairman
Senator Goodman

Senate Bill No. 2421 was placed on the Sixth

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

Mr. President: Your Committee on Appropriations
to whom was referred Senate Bill No. 2432

Has had the same under consideration and recommends that the same

do pass do not pass be placed on calendar without recommendation

be amended as follows:

On page 1 of the engrossed bill, line 5, delete everything after the word "penalties" and insert in lieu thereof a period

On page 1 of the engrossed bill, delete line 6

On page 7 of the engrossed bill, delete section 8

And renumber the lines, sections and pages accordingly

And when so amended be placed on the calendar without recommendation.

Frank E. Lips Chairman
Senator Lips

Senate Bill No. 2432 was placed on the 6th

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

Mr. PRESIDENT: Your Committee on STATE & FEDERAL GOVERNMENT
to whom was referred SENATE CONCURRENT RESOLUTION No. 4036

Has had the same under consideration and recommends that the same

do pass do not pass be placed on calendar without recommendation

be amended as follows:

Senate Concurrent Resolution No. 4036 was placed on the 11th
Lodoen Chairman
Senator Lodoen

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

Mr. PRESIDENT: Your Committee on INDUSTRY, BUSINESS, & LABOR
to whom was referred SENATE CONCURRENT RESOLUTION No. 4051

Has had the same under consideration and recommends that the same

do pass do not pass be placed on calendar without recommendation

be amended as follows:

Chito Reiten Chairman
Senator Reiten

SENATE CONCURRENT RESOLUTION No. 4051 was placed on the Eleventh


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

Mr. President : Your Committee on Education
to whom was referred House Bill No. 1093

Has had the same under consideration and recommends that the same

do pass do not pass be placed on calendar
without recommendation

be amended as follows:



Senator Gary Nelson Chairman

House Bill No. 1093 was placed on the Fourteenth

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

Mr. PRESIDENT : Your Committee on STATE & FEDERAL GOVERNMENT
to whom was referred HOUSE Bill No. 1113

Has had the same under consideration and recommends that the same

do pass do not pass be placed on calendar
without recommendation

be amended as follows:

On page 1 of the engrossed bill, line 1, following the word
"sections" insert the numerals, "10-22-06, 10-22-11, 10-22-12,
10-22-16,"

On page 1 of the engrossed bill, line 3, following the word
"to" insert the words, "certificate of good standing, and"

On page 1 of the engrossed bill, after line 6, insert the following
new sections:

SECTION 1. AMENDMENT. Section 10-22-06 of the North Dakota
Century Code is hereby amended and reenacted to read as follows:

10-22-06. FILING OF APPLICATION FOR CERTIFICATE OF AUTHORITY.
Duplicate originals of the application of the corporation for
a certificate of authority shall be delivered to the secretary of
state, together with a ~~copy of its articles of incorporation and~~
~~all amendments thereto,~~ certificate of good standing duly
authenticated by the proper officer of the state or county under
the laws of which it is incorporated.

If the secretary of state finds that such application conforms
to law, he shall, when all fees have been paid as in chapters
10-19 through 10-23 prescribed:

1. Endorse on each of such documents the word
"filed" and the month, day, and year of the filing
thereof.
2. File in his office one of such duplicate originals
of the application and the ~~copy of the articles~~
~~of incorporation and amendments thereto~~ certificate
of good standing,
3. Issue a certificate of authority to transact
business in this state to which he shall affix
the other duplicate original application.

The certificate of authority, together with the duplicate original
of the application affixed thereto by the secretary of state, shall
be returned to the corporation or its representative.

SECTION 2. AMENDMENT. Section 10-22-11 of the North Dakota
Century Code is hereby amended and reenacted to read as follows:

10-22-11. AMENDMENT TO ARTICLES OF INCORPORATION OF FOREIGN

CORPORATION. Whenever the articles of incorporation of a foreign corporation authorized to transact business in this state are amended, such foreign corporation shall, within thirty days after such amendment becomes effective, file in the office of the secretary of state a copy of ~~such the certificate~~ of amendment duly authenticated by the proper officer of the state or country under the laws of which it is incorporated. The filing thereof shall not of itself enlarge or alter the purpose or purposes which such corporation is authorized to pursue in the transaction of business in this state, nor authorize such corporation to transact business in this state under any other name than the name set forth in its certificate of authority.

SECTION 3. AMENDMENT. Section 10-22-12 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

10-22-12. MERGER OF FOREIGN CORPORATION AUTHORIZED TO TRANACT BUSINESS IN THIS STATE. Whenever a foreign corporation authorized to transact business in this state shall be a party to a statutory merger permitted by the laws of the state or country ~~under the laws~~ of which it is incorporated, and such corporation shall be the surviving corporation, it shall, within thirty days after such merger becomes effective, file with the secretary of state a copy of the ~~articles~~ certificate of merger duly authenticated by the proper officer of the state or country under the laws of which such statutory merger was effected. It shall not be necessary for such corporation to procure either a new or amended certificate of authority to transact business in this state unless the name of such corporation be changed thereby or unless the corporation desires to pursue in this state other or additional purposes than those which it is then authorized to transact in this state.

SECTION 4. AMENDMENT. Section 10-22-16 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

10-22-16. REVOCATION OF CERTIFICATE OF AUTHORITY. The certificate of authority of a foreign corporation to transact business in this state may be revoked by the secretary of state upon any of the following conditions:

1. The corporation has failed to file its annual report within the time required, or has failed to pay any fees or penalties prescribed by chapter 10-19 through 10-23 when they have become due and payable.
2. The corporation has failed to appoint and maintain a registered agent in this state as required by section 10-22-08.
3. The corporation has failed, after change of its registered office or registered agent, to file in the office of the secretary of state a statement of such change as required by section 10-22-09.
4. The corporation has failed to file in the office of the secretary of state any ~~certificate~~ of amendment to its articles of incorporation or any ~~articles~~ certificate of merger within the time prescribed by section 10-19-62.
5. A misrepresentation has been made of any material matter in any application, report, affidavit, or other document submitted by such corporation pursuant to chapters 10-19 through 10-23.

No certificate of authority of a foreign corporation shall be revoked by the secretary of state unless (1) he shall have given the corporation not less than sixty days' notice thereof by mail addressed to its registered office in this state, and (2) the corporation shall fail prior to revocation to file such annual report, or pay such fees or penalties, or file the required statement of change of registered agent or registered office, or file such ~~articles~~ certificate of amendment or ~~articles~~ certificate of merger, or correct such misrepresentation.

On page 4 of the engrossed bill, line 6, overstrike the word

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"thirty" and insert immediately thereafter the word "fifty"

On page 4 of the engrossed bill, line 7, overstrike the word "thirty" and insert immediately thereafter the word "fifty"

On page 4 of the engrossed bill, line 10, overstrike the word "thirty" and insert immediately thereafter the word "fifty" and on the same line, delete the words "In no"

On page 4 of the engrossed bill, delete line 11

On page 4 of the engrossed bill, line 18, overstrike the words "hundred dollars" and insert immediately thereafter the word "dollar"

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

And when so amended recommends the same do pass.

Lodoen Chairman

Senator Lodoen

House Bill No. 1113 was placed on the Sixth

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

Mr. President: Your Committee on Judiciary
to whom was referred House Bill No. 1119

Has had the same under consideration and recommends that the same

do pass do not pass be placed on calendar
without recommendation

be amended as follows:

and to be placed on the consent calendar

Har Christensen Chairman

Senator H. Christensen

House Bill No. 1119 was placed on the tenth

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

Mr. PRESIDENT: Your Committee on STATE AND FEDERAL GOVERNMENT
to whom was referred HOUSE Bill No. 1194

Has had the same under consideration and recommends that the same

do pass do not pass be placed on calendar
without recommendation

be amended as follows:

Lodoen Chairman

Senator Lodoen

House Bill No. 1194 was placed on the 14th

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

Mr. President: Your Committee on Judiciary
to whom was referred House Bill No. 1209

Has had the same under consideration and recommends that the same

do pass do not pass be placed on calendar
without recommendation

be amended as follows:

On page 1, line 23, after the word "for" insert the words "the office of"

On page 2, line 10, after the word "for" insert the words "the office of"

And when so amended recommends the same do pass


Senator H. Christensen Chairman

House _____ Bill No. 1209 _____ was placed on the sixth _____

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


Mr. President _____ Your Committee on Education _____

to whom was referred House _____ Bill No. 1228 _____

Has had the same under consideration and recommends that the same

do pass do not pass be placed on calendar without recommendation

be amended as follows:


Senator Gary Nelson Chairman

House _____ Bill No. 1228 _____ was placed on the Fourteenth _____

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

Mr. PRESIDENT _____ Your Committee on INDUSTRY, BUSINESS, & LABOR _____

to whom was referred HOUSE _____ Bill No. 1230 _____

Has had the same under consideration and recommends that the same

do pass do not pass be placed on calendar without recommendation

be amended as follows:

On page 1, line 1, after the words "A BILL" delete the remainder of the bill and insert in lieu thereof the following: "for an Act to establish a state policy regarding time-off for employees to vote at any statewide special, primary, or general election."

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

SECTION 1. STATE POLICY ENCOURAGING EMPLOYERS TO ESTABLISH POLICY GRANTING EMPLOYEES TIME TO VOTE. It is the policy of this state to encourage voting by all eligible voters at all statewide special, primary or general elections. To this end, employers are encouraged to establish a program to grant an employee who is a qualified voter to be absent from his employment for the purpose of voting when an employee's regular work schedule conflicts with voting during time when polls are open.

And when so amended recommends the same do pass.


Senator Keiten Chairman

HOUSE _____ Bill No. 1230 _____ was placed on the Sixth _____

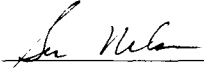
order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Education
to whom was referred House Bill No. 1234

Has had the same under consideration and recommends that the same

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

And be placed on the consent calendar


Chairman

House Bill No. 1234 was placed on the Tenth

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

Mr. PRESIDENT: Your Committee on STATE & FEDERAL GOVERNMENT
to whom was referred HOUSE Bill No. 1316

Has had the same under consideration and recommends that the same

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


Chairman

House Bill No. 1316 was placed on the 14th

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

Mr. PRESIDENT: Your Committee on STATE & FEDERAL GOVERNMENT
to whom was referred HOUSE Bill No. 1333

Has had the same under consideration and recommends that the same

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

On page 1, line 4, following the word, "university" delete the words ", inc., a nonprofit" insert the word "of" and on the same line following the word "Dakota" insert a comma

On page 1, line 5, delete the word "corporation;" and insert the word "inc. "

On page 1, line 10, after the word "university" insert the words "of North Dakota" and delete the word "a"

On page 1, line 11, delete the words and comma "nonprofit North Dakota corporation,"

On page 1, line 18, following the word "university" insert the words "of North Dakota"

On page 1, line 23, following the word "university" insert the

words "of North Dakota"

And renumber the lines and sections accordingly

And when so amended recommends the same do pass.

_____ *Lodoen* _____ Chairman
Senator Lodoen
House _____ Bill No. 1333 _____ was placed on the Sixth _____

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

Mr. _____ President _____: Your Committee on _____ Judiciary _____
to whom was referred _____ House _____ Bill No. 1355 _____

Has had the same under consideration and recommends that the same

do pass do not pass be placed on calendar without recommendation

be amended as follows:

_____ *Sen H Christensen* _____ Chairman
Senator H Christensen
House _____ Bill No. 1355 _____ was placed on the fourteenth _____

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

Mr. _____ President _____: Your Committee on _____ Judiciary _____
to whom was referred _____ House _____ Bill No. 1356 _____

Has had the same under consideration and recommends that the same

do pass do not pass be placed on calendar without recommendation

be amended as follows:

_____ *Sen H Christensen* _____ Chairman
Senator H. Christensen
House _____ Bill No. 1356 _____ was placed on the fourteenth _____

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

Mr. _____ PRESIDENT _____: Your Committee on _____ STATE & FEDERAL GOVERNMENT _____
to whom was referred _____ HOUSE _____ Bill No. 1363 _____

Has had the same under consideration and recommends that the same

do pass do not pass be placed on calendar without recommendation

be amended as follows:

On page 3, of the engrossed bill, line 34, following the word "DISTRIBUTORS" delete the word "AND" insert a comma on the same line following the word "CONSUMERS" insert the word "AND PRODUCERS"

On page 3, of the engrossed bill, line 35, delete the word "consumer" insert the words "consumers, producers,"

And renumber the lines, sections, and pages accordingly

And when so amended recommends the same do pass.

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Lodoen Chairman
Senator Lodoen

House Bill No. 1363 was placed on the Sixth

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

Mr. PRESIDENT: Your Committee on STATE & FEDERAL GOVERNMENT
to whom was referred HOUSE Bill No. 1372

Has had the same under consideration and recommends that the same

do pass do not pass be placed on calendar without recommendation

be amended as follows:

On page 19, of the engrossed bill, line 19, following the word "may" delete the word "be" insert the word "by"

And when so amended recommends the same do pass.

Lodoen Chairman
Senator Lodoen

House Bill No. 1372 was placed on the Sixth

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

Mr. PRESIDENT: Your Committee on INDUSTRY, BUSINESS, & LABOR
to whom was referred HOUSE Bill No. 1390

Has had the same under consideration and recommends that the same

do pass do not pass be placed on calendar without recommendation

be amended as follows:

On page 2, line 3 after the "period", insert the following:
"The reimbursement provisions of this section shall not apply to standard bank confirmations."

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

Reiten Chairman
Senator Reiten

HOUSE Bill No. 1390 was placed on the Sixth

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

Mr. PRESIDENT: Your Committee on STATE & FEDERAL GOVERNMENT
to whom was referred HOUSE Bill No. 1416

Has had the same under consideration and recommends that the same

do pass do not pass be placed on calendar without recommendation

be amended as follows:

Lodoen Chairman
 Senator Lodoen

House _____ Bill No. 1416 _____ was placed on the 14th _____

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

Mr. President _____: Your Committee on _____ Judiciary _____
 to whom was referred _____ House _____ Bill No. 1423 _____

Has had the same under consideration and recommends that the same

do pass do not pass be placed on calendar
 without recommendation

be amended as follows:

and be placed on the consent calendar

H. Christensen Chairman
 Senator H. Christensen
 tenth

House _____ Bill No. 1423 _____ was placed on the _____

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

MESSAGE FROM THE HOUSE
House Chamber

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

- House Bill No. 1014
- House Bill No. 1024
- House Bill No. 1184
- House Bill No. 1197
- House Bill No. 1227
- House Bill No. 1249
- House Bill No. 1373
- House Bill No. 1374
- House Bill No. 1392
- House Bill No. 1429
- House Bill No. 1444
- House Bill No. 1447
- House Bill No. 1489
- House Bill No. 1501
- House Bill No. 1547
- House Bill No. 1561
- House Bill No. 1593
- House Bill No. 1615
- House Bill No. 1618
- House Bill No. 1637
- House Concurrent Resolution No. 3007
- House Concurrent Resolution No. 3010
- House Concurrent Resolution No. 3017
- House Concurrent Resolution No. 3018
- House Concurrent Resolution No. 3025
- House Concurrent Resolution No. 3030
- House Concurrent Resolution No. 3037
- House Concurrent Resolution No. 3039

House Concurrent Resolution No. 3040
House Concurrent Resolution No. 3042

ROY GILBREATH, Chief Clerk

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

LEO LEIDHOLM, Secretary
Senate Chamber

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

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

LEO LEIDHOLM, Secretary
Senate Chamber

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

House Bill No. 1417
Very Respectfully,

LEO LEIDHOLM, Secretary
Senate Chamber

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

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

Which the President has signed.

LEO LEIDHOLM, Secretary

FIRST READING OF HOUSE BILLS

House Bill No. 1385. -- A Bill for an Act to amend and reenact subsection 3 of section 38-18-05 and section 38-18-07 of the North Dakota

Century Code, relating to the definition of mineral developer and surface damage and disruption payments.

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

House Bill No. 1475. -- A Bill for an Act to create and enact a new subsection to section 57-40.3-04 of the North Dakota Century Code, providing an exemption from the motor vehicle excise tax for motor vehicles of nonprofit schools.

Which was read the first time and referred to the Committee on Education.

House Bill No. 1481. -- A Bill for an Act to enact the Uniform Survival and Death Act, relating to the survival of actions and claims for relief arising from actionable conduct; and to repeal chapter 32-21 of the North Dakota Century Code, relating to death by wrongful act.

Which was read the first time and referred to the Committee on Judiciary.

Senator Nething moved that at the conclusion of the 5th Order of Business, the 13th Order of Business and after the reading of Senate Bills Nos. 2009, 2016, 2018, 2033, 2036, 2058, 2157, 2204, 2215, 2252, 2280, 2291, 2295, 2334, 2345, 2346, 2371, 2373, 2374, 2395, 2399, 2400, 2405, 2414, SCR's Nos. 4036, 4051 and House Bills Nos. 1093, 1119, 1194, 1228, 1234, 1316, 1355, 1356, 1416 and 1423, the Senate adjourn and convene at 1:00 p.m., Wednesday, February 18, 1981, which motion prevailed.

LEO LEIDHOLM, Secretary