

## FIFTY-FOURTH DAY

Bismarck, March 23, 1981

The Senate convened at 9:00 a.m., with President Sands presiding.

The prayer was offered by Rev. Lester Soberg, United Church of Christ, Bismarck.

Our Lord, we acknowledge that You are God.

But we are troubled to realize that we are seduced by the false gods of wealth and power. We are tempted to the idolatry of thinking that we are Gods, and worshipping ourselves.

Too often greed has displaced compassion; self-interest has perverted justice; concern about things has taken precedence over concern for people.

We have compromised our loyalty to You.

For those occasions when we have served these other gods we ask Your forgiveness—but we do so hesitantly, because we are not certain that we will or can change our ways, despite our impulse to do so.

Lord, help us to keep our priorities straight, and give us the courage to pursue their fulfillment.

That what we do may provide the greatest good for the greatest number of Your creatures. Amen.

The roll was called and all members were present except Senator Mutch.

A quorum was declared by the President.

PRESENTATION OF PETITIONS  
AND COMMUNICATIONS  
STATE OF NORTH DAKOTA  
EXECUTIVE OFFICE  
BISMARCK

March 20, 1981

The Honorable Ernest M. Sands  
President of the Senate  
Senate Chambers  
Bismarck, North Dakota 58505

Dear Mr. President:

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

Senate Bill: 2056  
Senate Bill: 2097  
Senate Bill: 2193  
Senate Bill: 2259  
Senate Bill: 2261  
Senate Bill: 2276  
Senate Bill: 2281

- Senate Bill: 2303
- Senate Bill: 2051
- Senate Bill: 2069
- Senate Bill: 2070
- Senate Bill: 2090
- Senate Bill: 2112
- Senate Bill: 2120
- Senate Bill: 2166
- Senate Bill: 2282
- Senate Bill: 2288
- Senate Bill: 2325
- Senate Bill: 2339
- Senate Bill: 2344
- Senate Bill: 2349
- Senate Bill: 2375
- Senate Bill: 2383
- Senate Bill: 2416
- Senate Bill: 2418
- Senate Bill: 2429

Sincerely,  
**ALLEN I. OLSON**  
 Governor

**CONSIDERATION OF AMENDMENTS**

Senator Goodman moved that House Bill No. 1199 be re-referred to the Committee on Finance and Taxation, which motion prevailed.

Senator Goodman moved that consideration of the amendments to House Bill No. 1641 be laid over two legislative days, which motion prevailed.

**SECOND READING OF HOUSE BILLS**

**House Bill No. 1040.** — A Bill for an Act making an appropriation for defraying the expenses of the game and fish department of the state of 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 45, nays 4, absent and not voting 1.

REGULAR SESSION									1981 LEGISLATURE		
NORTH DAKOTA SENATE											
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		
● BAKWELL			● HOLMBERG			● OLIN			TALLACKSON		
● BARTH			● ISZLER			● PARKER		●	● TENNEFOS		
● BERUBE			● LASHKOWITZ			● PETERSON			● THANE		
● CHRISTENSEN, H. IS			● LEE			● QUAIL		●	● TIERNEY		
● CHRISTENSEN, R. IS			● LEIBMAN			● 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			● STENEHEJEM					

So the bill passed and the title was agreed to.

Senator Nething moved that the vote by which House Bill No. 1040 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

**House Bill No. 1293.** — A Bill for an Act to amend and reenact sections 40-22-15, 40-24-02, and 40-24-07 of the North Dakota Century

Code, relating to exemption of sewer and water improvements from the requirement of issuing a resolution of necessity, interest rate borne by special assessments, and time period for payment of special assessments for street improvements.

Which has been read.

Senator Lashkowitz moved that House Bill No. 1293 be amended as follows:

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

And renumber the lines, sections, and pages accordingly.

Senator Lashkowitz moved that the proposed amendments be adopted which motion prevailed.

Senator Lashkowitz moved that the rules be suspended, that House Bill No. 1293 be placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

**House Bill No. 1293.** — A Bill for an Act to amend and reenact sections 40-22-15, 40-24-02, and 40-24-07 of the North Dakota Century Code, relating to exemption of sewer and water improvements from the requirement of issuing a resolution of necessity, interest rate borne by special assessments, and time period for payment of special assessments for street improvements.

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.

REGULAR SESSION									1981 LEGISLATURE								
NORTH DAKOTA SENATE									ROLL-CALL								
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS			
● ADAMS			● GROTBORG			● 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. JW			● LEIBHAN			● REDLIN			● TWETEN								
● CUSONS			● LIPS			● REITEN			● VOSPER								
● DOTZENROD			● LODGEN			● ROEN			● WALSH								
● DYKSHOORN			● MELLAND			● SHABLOW			● WESTROM								
● EYCKSON			● MOORE			● SOLBERG			● WRIGHT								
● FRITZELL			● MUTCH			● SORUM			● MR. PRESIDENT								
● GOODMAN			● NAADEN			● STENEJEM											

So the bill passed and the title was agreed to.

Senator Nething moved that the vote by which House Bill No. 1293 was passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Nething moved that the Senate stand in recess until 11:30 a.m., which motion prevailed.

The Senate reconvened, with President Sands presiding.

**MESSAGES FROM THE HOUSE**

**House Chamber**

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

- Rep. Kloubec
- Rep. Vander Vorst
- Rep. B. Larson

Very respectfully,

ROY GILBREATH, Chief Clerk  
House Chamber

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

Senate Bill No. 2079

Reps.:

Rep. Hill

Rep. Kent

Rep. Richard

Senate Bill No. 2141

Reps.:

Rep. Peltier

Rep. Metz

Rep. Gerl

Very respectfully,

ROY GILBREATH, Chief Clerk  
House Chamber

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

House Bill No. 1371

House Bill No. 1542

House Bill No. 1473

House Bill No. 1651

House Bill No. 1536

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

House Bill No. 1371

Reps.:

Rep. Swiontek

Rep. Hedstrom

Rep. E. Pomeroy

House Bill No. 1473

Reps.:

Rep. C. Anderson

Rep. Wentz

Rep. Heigaard

House Bill No. 1536

Reps.:

Rep. Kloubec

Rep. Kretschmar

Rep. G. Pomeroy

House Bill No. 1542

Reps.:

Rep. Nicholas

Rep. Mathney

Rep. Riehl

House Bill No. 1651

Reps.:

Rep. Mattson

Rep. A. Hausauer

Rep. Berg

Very respectfully,

ROY GILBREATH, Chief Clerk  
House Chamber

Mr. President: I have the honor to inform you that the House has

refused to concur in the Senate amendment to:

House Bill No. 1127  
House Bill No. 1177  
House Bill No. 1225  
House Bill No. 1276  
House Bill No. 1284  
House Bill No. 1290

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

House Bill No. 1127

Reps.:

Rep. Conmy  
Rep. Houmann  
Rep. Matchie  
House Bill No. 1177

Reps.:

Rep. Hughes  
Rep. Murphy  
Rep. Kelly  
House Bill No. 1225

Reps.:

Rep. Conmy  
Rep. Houmann  
Rep. Matchie  
House Bill No. 1276

Reps.:

Rep. Murphy  
Rep. Timm  
Rep. Richard  
House Bill No. 1284

Reps.:

Rep. A. Olson  
Rep. Martin  
Rep. Kelly  
House Bill No. 1290

Reps.:

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

ROY GILBREATH, Chief Clerk  
House Chamber

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

House Bill No. 1064  
House Bill No. 1197  
House Bill No. 1249  
House Bill No. 1313  
House Bill No. 1424  
House Bill No. 1497  
House Bill No. 1502  
House Bill No. 1504  
House Bill No. 1512  
House Bill No. 1532  
House Bill No. 1541  
House Bill No. 1554

House Bill No. 1635  
House Concurrent Resolution No. 3053  
and subsequently passed the same.

Very respectfully,

ROY GILBREATH, Chief Clerk

House Chamber

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

House Bill No. 1516  
and subsequently failed to pass the same.

Very respectfully,

ROY GILBREATH, Chief Clerk

House Chamber

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

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

ROY GILBREATH, Chief Clerk

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2035

On page 1 of the engrossed bill, line 14, delete the numerals "311,753" and insert in lieu thereof the numerals "301,419"

On page 1 of the engrossed bill, line 19, delete the numerals "907,376" and insert in lieu thereof the numerals "897,042"

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment deletes \$10,334 from the salaries and wages line of the Teachers' Fund for Retirement which is the amount included to fund a state employee noncontributory retirement program.

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2046

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

On page 1 of the engrossed bill, delete line 20

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

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

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

To delete the appropriation because funds are included in the Department of Agriculture budget.

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2130

On page 2, line 15 of the engrossed bill, delete the word "principally"

On page 2, line 16 of the engrossed bill, after the period, insert the following: "No grants shall be made for studies to determine the necessity or feasibility of eligible projects."

And renumber the lines, sections, and pages accordingly

On page 2 of the engrossed bill, line 12, delete the words "or up to sixty percent of the" and insert in lieu thereof a period

On page 2 of the engrossed bill, delete lines 13 through 16

And renumber the lines accordingly

HOUSE AMENDMENTS TO REENGROSSED SENATE BILL NO. 2203

On page 1, line 3 of the reengrossed bill, after the word "for" insert the words "community or" and on the same line, delete the words and semicolon "; and providing limits on the"

On page 1, line 4 of the reengrossed bill, delete the words "level of state support in the future"

On page 4, delete lines 4 through 7 of the reengrossed bill

And renumber the lines and pages accordingly

HOUSE AMENDMENTS TO SENATE BILL NO. 2207

On page 1, line 18, delete the words "Vietnam veterans adjusted compensation" and insert in lieu thereof the words "sinking fund for the state of North Dakota general obligation bonds, Vietnam conflict adjusted compensation series"

On page 1, line 19, delete the word "fund"

And renumber the lines accordingly

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2233

On page 1, line 3 of the engrossed bill, delete the word "and" and after "10-06-14" insert ", 10-06-15"

On page 1, line 12 of the engrossed bill, delete the second semicolon and the words "and declaring" and insert in lieu thereof a period

On page 1 of the engrossed bill, delete line 13

On page 2, line 17 of the engrossed bill, overstrike the word "stockholders" and insert in lieu thereof "shareholders"

On page 3, after line 11 of the engrossed bill, insert the following subsection language: "Neither a trust nor an estate may be a shareholder if the beneficiaries of the trust or the estate together with the other shareholders and members are more than fifteen in number."

On page 3, line 16 of the engrossed bill, delete the word "stockholders" and insert in lieu thereof "shareholders"

On page 3, line 31 of the engrossed bill, after the word "corporation", insert the following phrase: "owning or leasing land used for farming or ranching or"

On page 4, line 5 of the engrossed bill, after the word "farming", insert the words "or ranching"

On page 5, line 2 of the engrossed bill, following the period, insert the following: "The names and addresses and relationships of beneficiaries of trusts and estates must also be included in the report."

On page 6, line 33 of the engrossed bill, following the comma, insert the following: "or that a corporation is conducting the business of farming or ranching in violation of this chapter,"

On page 7, line 1 of the engrossed bill, delete the following: "owning or leasing" and insert in lieu thereof "shall, within the time set by the court not to exceed one year from the date of the court's

final order, divest itself of any farming or ranching land owned or leased by it in violation of this chapter, and cease all farming and ranching operations. Any corporation that fails to comply with the court's order shall be dissolved by the secretary of state."

On page 7 of the engrossed bill, delete lines 2 through 4

On page 7, line 5 of the engrossed bill, delete the following: "or ranching purposes.", and delete the following: "three-year" and insert in lieu thereof "divestment"

On page 7, line 8 of the engrossed bill, after the word "corporation" insert "not authorized to do business under this chapter"; and delete the word "time" and insert in lieu thereof "divestment period"

On page 7, line 34 of the engrossed bill, delete "10-06-12" and insert in lieu thereof "10-06-13"

On page 8, after line 7 of the engrossed bill, insert the following new section:

"SECTION 12. Section 10-06-15 of the North Dakota Code is hereby created and enacted to read as follows:

10-06-15. PROTECTION OF MINORITY SHAREHOLDERS. If a shareholder owns less than fifty percent of the stock of a farming or ranching corporation doing business under this chapter, and if the terms and conditions for the repurchase of that stock by the corporation or by the other shareholders are not set forth in the bylaws, the instrument which transferred the shares to the shareholder, or are not the subject of a shareholders' agreement or an agreement between that shareholder and the corporation, then the disposition of such stock shall be determined by this section upon the withdrawal of the shareholder. Any shareholder who desires to withdraw from the corporation shall first offer the shares of stock for sale to the remaining shareholders in proportion to the shares owned by them. In the event not all of the shareholders wish to purchase the stock, any one shareholder can purchase all of the withdrawing shareholder's stock. In the event no shareholder desires to purchase the stock of a withdrawing shareholder, then the corporation itself may purchase the stock. In the event the corporation chooses not to purchase the stock of the withdrawing shareholder, then the withdrawing shareholder may sell the stock to any other person eligible to be a shareholder. In the event the withdrawing shareholder is unable to sell the stock to any other person eligible to become a shareholder, then the withdrawing shareholder may bring an action in district court to dissolve the corporation. The court, upon a finding that the withdrawing shareholder cannot sell the stock at a fair price, shall enter an order directing that the corporation itself or any or all of the remaining shareholders pro rata or otherwise shall have twelve months from the date of the court's order to purchase the withdrawing shareholder's stock at a fair price as determined by the court and that if the stock of the withdrawing shareholder is not completely purchased at said price, the corporation shall be dissolved and the assets of the corporation shall be first used to pay all the liabilities of the corporation with the remaining net assets to be distributed pro rata to the shareholders in proportion to their stock ownership. For the purpose of this section, a "fair" price for the withdrawing shareholder's stock shall be determined as though the stock were being valued for federal gift tax purposes under the Internal Revenue Code of 1954, as amended."

On page 8 of the engrossed bill, delete lines 11 through 13

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

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2249

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 sections 4-14.1-01, 4-14.1-02, 4-14.1-03, 57-50-01, 57-50-03.1, 57-50-05, and 57-54-08 of the North Dakota Century Code, relating to the production and taxation of synthetic fuels from agricultural products; to repeal sections 4-14.1-04 and 4-14.1-05 of the North Dakota Century Code, relating to meetings, personnel, and expenses of the agricultural products utilization commission; and to provide an effective date.

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

SECTION 1. AMENDMENT. Section 4-14.1-01 of the 1979 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

4-14.1-01. LEGISLATIVE POLICY AND PURPOSE. It is hereby declared to be the public policy of the state of North Dakota to protect and foster the prosperity and general welfare of its people by providing a new domestic source sources of energy, and by stimulating the agricultural economy of the state. In furtherance of this policy, it is the purpose of this chapter to provide necessary assistance in the construction, operation, development, and maintenance of an agriculturally derived alcohol plant agricultural and biomass residue derived fuel plants in North Dakota for the manufacture and marketing of agriculturally derived alcohol and methanol derived from agricultural and biomass residue derived fuel and byproducts.

SECTION 2. AMENDMENT. Section 4-14.1-02 of the 1979 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

4-14.1-02. AGRICULTURALLY-DERIVED-ALCOHOL-MOTOR VEHICLE-FUEL-TAX AGRICULTURAL PRODUCTS UTILIZATION FUND - PURPOSES. There is hereby created in the state treasury, a fund, to be known as the agriculturally-derived alcohol motor-vehicle-fuel-tax agricultural products utilization fund, which shall be used to provide a program for the implementation of a state agriculturally-derived alcohol agricultural and biomass residue derived fuel industry for motor vehicle fuels. The fund shall be used for the following purposes:

1. Establishment, with-cooperation-from-private industry in cooperation with private industry, farm operators, and farm organizations, of procedures and processes necessary to-the manufacture-and-marketing-of agriculturally derived-alcohol-blended-fuels-and-motor-vehicle fuels-blended-with-methanol-derived-from biomass-residue for the development of agricultural and biomass residue derived fuel.
2. Establishment of a procedure for entering the agriculturally-derived-alcohol-blended-fuel-and fuel-blended-with-methanol-derived-from-biomass residue agricultural and biomass residue derived fuel into the marketplace by private enterprise, farm operators, and farm organizations.
3. Analysis of the marketing process and testing of marketing procedures to assure acceptance of agriculturally-derived-alcohol-blended-fuels, motor-vehicle-fuels-blended-with-methanol derived-from-biomass-residue,-and-byproducts resulting-from-their-manufacture, agricultural and biomass residue derived fuel and byproducts in the private marketplace.

4. Cooperation with private industry, farm operators, and farm organizations to establish privately-owned agriculturally-derived alcohol agricultural and biomass residue derived fuel manufacturing plants in this state to supply demand for agriculturally-derived alcohol and methanol-derived-from-biomass-residue agricultural and biomass residue derived fuel.
5. Provision of grants to North Dakota institutions of higher learning and private industry to establish programs designed to educate private industry representatives, farm operators, and farm organization representatives in the manufacture and marketing of agricultural and biomass residue derived fuel and byproducts.

SECTION 3. AMENDMENT. Section 4-14.1-03 of the 1979 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

4-14.1-03. AGRICULTURAL PRODUCTS UTILIZATION COMMISSION--COMPOSITION--APPOINTMENT FUND - ADMINISTRATION BY COMMISSIONER OF AGRICULTURE - GRANT APPROVAL BY INDUSTRIAL COMMISSION. The agriculturally derived alcohol-motor-vehicle-fuel-tax agricultural products utilization fund shall be administered by the agricultural products utilization commission which is hereby established.--The commission shall consist of seven members to be appointed by the governor for terms of two years each, arranged so that at least three terms expire every year.--Four members shall be actively engaged in farming in this state, one member shall be actively engaged in the petroleum industry, and two members shall be actively engaged in business in this state.--Commission members may be reappointed to the commission.--Terms of commissioners shall run from the first day of July of odd-numbered years commissioner of agriculture. The commissioner shall, within the limits of legislative appropriations and with the approval of the industrial commission, provide grants for educational programs pursuant to subsection 5 of section 4-14.1-02.

SECTION 4. AMENDMENT. Section 57-50-01 of the 1979 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

57-50-01. REFUND OF TAX PROVIDED FOR - REDUCTION FOR AGRICULTURALLY-DERIVED-ALCOHOL-MOTOR-VEHICLE-FUEL-TAX AGRICULTURAL PRODUCTS UTILIZATION FUND. Any person who shall buy or use any motor vehicle fuel as defined in subsection 2 of section 57-54-03, for agricultural or industrial purposes, except motor vehicle fuel used in motor vehicles operated or intended to be operated in whole or in part upon any of the public highways of the state of North Dakota on which the motor vehicle fuel tax has been paid, shall be reimbursed or repaid within the time hereinafter provided, the amount of such tax paid by him upon the presentation to and the approval of the tax commissioner of a claim for refund. Provided, however, the amount of the tax refund provided for in this section shall be reduced by one-eighth one-fourth cent per gallon [3.79 liters], and the one-eighth one-fourth cent per gallon [3.79 liters] withheld from the refund shall be deposited in the agriculturally-derived-alcohol-motor-vehicle-fuel-tax agricultural products utilization fund. However, the amount of tax refund provided for in this section shall not be reduced for any claim for a refund submitted for aviation motor fuel by aircraft users. Those persons who have a valid tax assignment permit issued by the state tax commissioner under the provisions of section 57-50-11.1 shall be charged one-eighth

one-fourth cent per gallon [3.79 liters] by the dealer and the ~~one-eighth~~ one-fourth cent charge shall be remitted to the state tax commissioner by the dealer when the dealer submits the tax assigned invoices for credit. Those aviation gasoline fuel taxes collected, upon which no refund is claimed and those revenues remaining as unclaimed refunds under the provisions of the statutory refunds on aviation gasoline and aviation motor fuels are hereby appropriated, in accordance with the time limitations as provided by law, and used exclusively for construction, reconstruction, repair, maintenance, and operation of small landing strips near highways and communities in this state and for the purchase of necessary land required therefor and shall be administered and expended by the state of North Dakota aeronautics commission for the above purpose.

SECTION 5. AMENDMENT. Section 57-50-03.1 of the 1979 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

57-50-03.1. REFUND TO PREVENT DOUBLE TAXATION - REDUCTION FOR ~~AGRICULTURALLY-DERIVED-ALCOHOL-MOTOR VEHICLE-FUEL-TAX~~ AGRICULTURAL PRODUCTS UTILIZATION FUND. Any person to whom special fuel or motor vehicle fuel is sold on which the tax imposed by chapter 57-52 or chapter 57-54 has been paid who thereafter removes such fuel from this state to another state which requires payment of a tax upon the use of the fuel in that state shall be granted a refund of the tax that was paid pursuant to chapter 57-52 or chapter 57-54. Provided, however, the refund of tax paid pursuant to chapter 57-54 shall be reduced by the amount provided in section 57-50-01, and the reduction shall be deposited in the ~~agriculturally derived-alcohol-motor-vehicle-fuel-tax~~ agricultural products utilization fund. Such refund shall be granted only upon application to the tax commissioner on forms prescribed by the tax commissioner, including proof of payment of the tax imposed by the other state, and shall be subject to the limitations provided in section 57-50-03. The tax provided for in chapter 57-53 shall not be levied on sales of any such fuel for which a refund of tax is made pursuant to this section.

SECTION 6. AMENDMENT. Section 57-50-05 of the 1979 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

57-50-05. REFUND TO STATE OR POLITICAL SUBDIVISION. When any construction, reconstruction, or maintenance of a public road, highway, street, or airport is undertaken by the state or any county, city, township, park district, or other municipality in the state and where public funds of the United States, state, county, city, township, park district, or other municipality are directly used for the purchasing of motor vehicle fuel to be used in publicly owned vehicles for such construction, reconstruction, or maintenance, such motor vehicle fuel shall be subject to a refund of the tax paid thereon as provided for in this chapter and under the same terms and conditions. Provided, however, the refund provided for in this section shall not be reduced ~~for deposit to the agriculturally-derived-alcohol-motor-vehicle-fuel-tax fund by the amount to be deposited in the agricultural products utilization fund pursuant to section 57-50-01.~~

SECTION 7. AMENDMENT. Section 57-54-08 of the 1979 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

57-54-08. TAX IMPOSED ON MOTOR VEHICLE FUELS - TAX REDUCED FOR ~~AGRICULTURALLY-DERIVED-ALCOHOL-BLENDED~~ AGRICULTURAL AND BIOMASS RESIDUE DERIVED FUELS. There is

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hereby imposed a tax of eight cents per gallon [3.79 liters] on all motor vehicle fuel sold or used in this state. Provided, however, the tax imposed by this section on gasoline sold which contains a minimum ten percent blend of an agricultural ethyl alcohol whose purity is at least ninety-nine percent alcohol shall be four cents per gallon [3.79 liters]. The tax imposed by this section shall be collected by the dealer from the consumer on all sales. Sales of fuel in the original package may be made to a licensed dealer, and he shall have the option of collecting the tax imposed by this chapter, but on sales in the original package to persons other than licensed dealers, the dealer shall be liable for the tax thereon.

SECTION 8. AMENDMENT. Section 57-50-01 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

57-50-01. REFUND OF TAX PROVIDED FOR ~~REDUCTION FOR AGRICULTURAL PRODUCTS UTILIZATION FUND~~. Any person who shall buy or use any motor vehicle fuel as defined in subsection 2 of section 57-54-03, for agricultural or industrial purposes, except motor vehicle fuel used in motor vehicles operated or intended to be operated in whole or in part upon any of the public highways of the state of North Dakota on which the motor vehicle fuel tax has been paid, shall be reimbursed or repaid within the time hereinafter provided, the amount of such tax paid by him upon the presentation to and the approval of the tax commissioner of a claim for refund. ~~Provided, however, the amount of the tax refund provided for in this section shall be reduced by one-fourth cent per gallon {3.79 liters}, and the one-fourth cent per gallon {3.79 liters} withheld from the refund shall be deposited in the agricultural products utilization fund.~~ ~~However, the amount of tax refund provided for in this section shall not be reduced for any claim for a refund submitted for aviation motor fuel by aircraft users.~~ ~~These persons who have a valid tax assignment permit issued by the state tax commissioner under the provisions of section 57-50-11-1 shall be charged one-fourth cent per gallon {3.79 liters} by the dealer and the one-fourth cent charge shall be remitted to the state tax commissioner by the dealer when the dealer submits the tax assigned invoices for credit.~~ Those aviation gasoline fuel taxes collected, upon which no refund is claimed and those revenues remaining as unclaimed refunds under the provisions of the statutory refunds on aviation gasoline and aviation motor fuels are hereby appropriated, in accordance with the time limitations as provided by law, and used exclusively for construction, reconstruction, repair, maintenance, and operation of small landing strips near highways and communities in this state and for the purchase of necessary land required therefor and shall be administered and expended by the state of North Dakota aeronautics commission for the above purpose.

SECTION 9. AMENDMENT. Section 57-50-03.1 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

57-50-03.1. REFUND TO PREVENT DOUBLE TAXATION ~~REDUCTION FOR AGRICULTURAL PRODUCTS UTILIZATION FUND~~. Any person to whom special fuel or motor vehicle fuel is sold on which the tax imposed by chapter 57-52 or chapter 57-54 has been paid who thereafter removes such fuel from this state to another state which requires payment of a tax upon the use of the fuel in that state shall be granted a refund of the tax that was paid pursuant to chapter 57-52 or chapter 57-54. ~~Provided, however, the refund of tax paid pursuant to chapter 57-54 shall be reduced by the amount provided in section 57-50-01, and the reduction shall be deposited in the agricultural~~

~~products-utilization-fund-~~ Such refund shall be granted only upon application to the tax commissioner on forms prescribed by the tax commissioner, including proof of payment of the tax imposed by the other state, and shall be subject to the limitations provided in section 57-50-03. The tax provided for in chapter 57-53 shall not be levied on sales of any such fuel for which a refund of tax is made pursuant to this section.

SECTION 10. AMENDMENT. Section 57-50-05 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

57-50-05. REFUND TO STATE OR POLITICAL SUBDIVISION. When any construction, reconstruction, or maintenance of a public road, highway, street, or airport is undertaken by the state or any county, city, township, park district, or other municipality in the state and where public funds of the United States, state, county, city, township, park district, or other municipality are directly used for the purchasing of motor vehicle fuel to be used in publicly owned vehicles for such construction, reconstruction, or maintenance, such motor vehicle fuel shall be subject to a refund of the tax paid thereon as provided for in this chapter and under the same terms and conditions. ~~Provided, however, the refund provided for in this section shall not be reduced by the amount to be deposited to the agricultural products utilization fund pursuant to section 57-50-01.~~

SECTION 11. REPEAL. Sections 4-14.1-04 and 4-14.1-05 of the 1979 Supplement to the North Dakota Century Code are hereby repealed.

SECTION 12. EFFECTIVE DATE. Sections 8 through 10 of this Act shall become effective on July 1, 1983."

And renumber the lines, pages and sections accordingly

HOUSE AMENDMENTS TO REENGROSSED SENATE BILL NO. 2323

- On page 1 of the reengrossed bill, line 4, delete the words "a new" and insert in lieu thereof the following: "five new subsections to section 57-02-01 of the North Dakota Century Code, relating to definitions"
- On page 1 of the reengrossed bill, delete line 5
- On page 1 of the reengrossed bill, line 6, delete the words "provide a property protection clause"
- On page 1 of the reengrossed bill, line 27, delete the words "defined in" and insert in lieu thereof the words "determined pursuant to"
- On page 2 of the reengrossed bill, delete lines 1 through 10
- On page 2 of the reengrossed bill, line 12, delete the words "Agricultural lands are those which are used for raising"
- On page 2 of the reengrossed bill, delete line 13
- On page 2 of the reengrossed bill, line 14, delete the words and period "include platted lands."
- On page 2 of the reengrossed bill, line 21, after the period

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insert the following new sentence: "For purposes of this section, "annual gross return" for cropland means thirty percent of annual gross income produced, and "annual gross return" for land used for grazing farm animals means fifty percent of an amount determined to represent the annual gross income potential of the land which would be produced if the land were used for the growing of hay."

- On page 3 of the reengrossed bill, line 4, after the second quotation marks and before the comma insert the following: "for years after 1983"
- On page 3 of the reengrossed bill, line 15, delete the words "In lieu of farm residences being exempt" and insert in lieu thereof the following sentence: "To find the "capitalized average annual gross return" for 1981, 1982, and 1983, the average annual gross return shall be capitalized at seven and one-half percent."
- On page 3 of the reengrossed bill, delete lines 16 through 21
- On page 3 of the reengrossed bill, line 22, delete the following: "tax commissioner, with the"
- On page 3 of the reengrossed bill, line 23, delete the words "assistance of the"
- On page 3 of the reengrossed bill, line 24, delete the comma
- On page 3 of the reengrossed bill, line 26, after the word "basis" insert the following: "and to provide the tax commissioner with this information by December first of each year"
- On page 3 of the reengrossed bill, line 27, delete the word "fifteenth" and insert in lieu thereof the word "first"
- On page 4 of the reengrossed bill, line 15, delete the numeral "5" and insert in lieu thereof the numeral "7"
- On page 8 of the reengrossed bill, after line 27, insert the following new section:

"SECTION 5. Five new subsections to section 57-02-01 of the 1979 Supplement to the North Dakota Century Code are hereby created and enacted to read as follows:

"Agricultural property" means lands which are used for raising agricultural crops or grazing farm animals but shall not include platted lands.

"Residential property" means all property, or portions of property, used by an individual or group of individuals as a dwelling, but not including hotel and motel accommodations required to be licensed under chapter 23-09 nor structures providing living accommodations for four or more separate family units.

"Centrally assessed property" means all property except railroad operating property, which is assessed by the state board of equalization pursuant to chapters 57-06 and 57-32.

"Railroad property" means the operating property, including franchises, of each railroad operated in this state including any electric or other street or interurban railway.  
"Commercial property" means all property, or portions of property, not included in the above-defined classes of property."

On page 11 of the reengrossed bill, delete lines 4 through 35 and insert in lieu thereof the following:

"57-02-27. PROPERTY TO BE ASSESSED AT A PERCENTAGE OF FULL VALUE - CLASSIFICATION OF PROPERTY - LIMITATION ON ASSESSMENT OF ANNEXED AGRICULTURAL LANDS. All property subject to taxation based on the value thereof shall be assessed at ~~its true and full value in money~~, as follows:

1. All residential property to be assessed at nine percent of true and full value. If any property is used for both residential and nonresidential purposes, the assessment shall be prorated accordingly.
2. All agricultural property to be assessed at ten percent of true and full value as determined pursuant to section 2 of this Act.
3. All commercial and railroad property to be assessed at ten percent of true and full value.
4. All centrally assessed property, except railroad property, to be assessed at fourteen percent of true and full value for the 1981 property tax year, thirteen percent of true and full value for the 1982 property tax year, twelve percent of true and full value for the 1983 property tax year, eleven percent of true and full value for the 1984 property tax year, and ten percent of true and full value for all property tax years beginning on or after January 1, 1985.

The resulting amounts shall be known as the assessed valuation. In determining the true and full value of real and personal property, except agricultural property, the assessor shall not adopt a lower or different standard of value because the same is to serve as a basis of taxation, nor shall he adopt as a criterion of value the price at which said property would sell at auction, or at forced sale, or in the aggregate with all the property in the town or district, but he shall value each article or description by itself, and at such sum or price as he believes the same to be fairly worth in money. In assessing any tract, or lot of real property, there shall be determined the value of the land, exclusive of improvements, and the value of all taxable improvements and structures thereon, and the aggregate value of the property, including all taxable structures and other improvements, excluding the value of crops growing upon cultivated lands. In valuing any real property upon which there is a coal or other mine, or stone or other quarry, the same shall be valued at such a price as such property, including the mine or quarry, would sell for at a fair voluntary sale for cash. Agricultural lands within the corporate limits of a city, ~~whether or~~ which are not platted, shall constitute agricultural property and be so classified and valued for ad valorem property tax purposes until such lands are put to another use. Such valuation shall be uniform with the assessed-value valuation of adjoining unannexed agricultural land."

And renumber the lines, sections, and pages accordingly

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2363

On page 1, line 1 of the engrossed bill, after the words "A BILL" delete the remainder of the bill and insert in lieu thereof the following: "for an Act to create and enact a new subsection to section 39-01-15, a new subsection to section 39-06.1-06, a new subsection to section 39-10-48,

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and a new subsection to section 39-10-50 of the North Dakota Century Code, relating to parking spaces designated for use by physically handicapped persons on state charitable or penal institution property or on the state capitol grounds, authority of law enforcement officers to enforce traffic and parking violations on state charitable and penal institution property and on the state capitol grounds, to fees assessed for violations, and to envelopes for traffic and parking violations on state charitable and penal institution property or on the state capitol grounds.

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

SECTION 1. A new subsection to section 39-01-15 of the North Dakota Century Code is hereby created and enacted to read as follows:

No person may stop, stand, or park any vehicle in any designated parking space which is reserved for the physically handicapped on any state charitable or penal institution property or on the state capitol grounds unless the vehicle displays a physically handicapped identification certificate or insignia issued by the motor vehicle registrar to a physically handicapped person.

SECTION 2. STATE HIGHWAY DEPARTMENT - PROVISION OF ENVELOPES FOR TRAFFIC AND PARKING VIOLATIONS ON STATE CHARITABLE OR PENAL INSTITUTION PROPERTY OR STATE CAPITOL GROUNDS. The state highway department shall provide preprinted envelopes for any person who elects to post bond by mail, pursuant to section 39-06.1-02, for a violation of section 1 of this Act or any state traffic parking regulations on any state charitable or penal institution property or on the state capitol grounds.

SECTION 3. A new subsection to section 39-06.1-06 of the North Dakota Century Code is hereby created and enacted to read as follows:

For a violation of section 1 of this Act, any municipal ordinance equivalent to section 1 of this Act, or any traffic parking regulations on any state charitable or penal institution property or on the state capitol grounds, a fee in the amount of five dollars.

SECTION 4. A new subsection to section 39-10-48 of the North Dakota Century Code is hereby created and enacted to read as follows:

Whenever any authorized law enforcement officer finds, on state charitable or penal institution property or on the state capitol grounds, a vehicle standing, stopped, or parked in a dangerous location or in violation of any official traffic control device prohibiting or restricting the stopping, standing, or parking of any vehicle, the officer shall place a written warning on the vehicle for the first offense and thereafter an authorized traffic citation may be issued. However, no traffic citation may be issued for a violation of this subsection occurring on the state capitol grounds during a legislative session.

SECTION 5. A new subsection to section 39-10-50 of the North Dakota Century Code is hereby created and enacted to read as follows:

The state highway department, with respect to streets, roadways, and parking areas of any



state charitable or penal institution and on the state capitol grounds, may authorize the purchase and placement by the director of institutions of official traffic control devices prohibiting or restricting the stopping, standing, or parking of vehicles. The placement of signs pursuant to this section shall be done when, in the department's opinion, the stopping, standing, or parking is dangerous or would unduly interfere with the free movement of traffic, especially the free flow of traffic required for proper fire protection. No person may stop, stand, or park any vehicle in violation of the restriction indicated by any official traffic control device. Any registered owner shall be presumed to have been the operator of a vehicle that is parked in violation of any official traffic control device prohibiting or restricting the stopping, standing, or parking of vehicles on any highway, state charitable or penal institution property, or on the state capitol grounds. This presumption may be rebutted by a showing of clear and convincing evidence to the contrary.

However, no traffic citation may be issued for a violation of this subsection occurring on the state capitol grounds during a legislative session."

And renumber the lines and pages accordingly

House Chamber

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

Senate Bill No. 2081  
Senate Bill No. 2415

ROY GILBREATH, Chief Clerk

House Chamber

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

House Concurrent Resolution No. 3005  
House Concurrent Resolution No. 3083

ROY GILREATH, Chief Clerk

House Chamber

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

Senate Bill No. 2202  
Senate Concurrent Resolution No. 4002  
Senate Concurrent Resolution No. 4004  
Senate Concurrent Resolution No. 4008  
Senate Concurrent Resolution No. 4016  
Senate Concurrent Resolution No. 4085

ROY GILBREATH, Chief Clerk

House Chamber

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

House Bill No. 1132  
House Bill No. 1184  
House Bill No. 1411  
Very respectfully,

ROY GILBREATH, Chief Clerk

## MESSAGES TO THE HOUSE

## Senate Chamber

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

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

LEO LEIDHOLM, Secretary

Senate Chamber

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

Senate Bill No. 2021  
 Senate Bill No. 2061  
 Senate Bill No. 2068  
 Senate Bill No. 2118  
 Senate Bill No. 2135  
 Senate Bill No. 2142  
 Senate Bill No. 2149  
 Senate Bill No. 2184  
 Senate Bill No. 2187  
 Senate Bill No. 2230  
 Senate Bill No. 2247  
 Senate Bill No. 2274  
 Senate Bill No. 2301  
 Senate Bill No. 2308  
 Senate Bill No. 2322  
 Senate Bill No. 2338  
 Senate Bill No. 2356  
 Senate Bill No. 2377  
 Senate Bill No. 2419  
 Senate Bill No. 2424  
 Senate Concurrent Resolution No. 4043

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

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

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

Senate Bill No. 2038

Senators:

Senator Thane  
 Senator Naaden  
 Senator Tallackson  
 Senate Bill No. 2117

Senators:

Senator Tennefos  
 Senator Mutch

Senator Parker  
Senate Bill No. 2152

Senators:

Senator Adams  
Senator Cussons  
Senator Peterson  
Senate Bill No. 2160

Senators:

Senator Nelson  
Senator Quail  
Senator Redlin  
Senate Bill No. 2213

Senators:

Senator Erickson  
Senator Mutch  
Senator Dykshoorn  
Senate Bill No. 2286

Senators:

Senator Holmberg  
Senator Lodoen  
Senator Berube

Very respectfully,

LEO LEIDHOLM, Secretary

Senate Chamber

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

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

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

Senate Bill No. 2358

Senators:

Senator Goodman  
Senator Wright  
Senator Shablow  
Senate Bill No. 2364

Senators:

Senator Adams  
Senator Goodman  
Senator Shablow  
Senate Bill No. 2374

Senators:

Senator Lodoen  
Senator Holmberg  
Senator Shablow  
Senate Bill No. 2394

Senators:

Senator Tierney  
Senator Nelson  
Senator Berube  
Senate Bill No. 2404

Senators:

Senator Melland  
Senator Thane  
Senator Walsh  
Very respectfully,

LEO LEIDHOLM, Secretary

**SIGNING OF BILLS AND RESOLUTIONS**

The Secretary announced that the President signed the following:  
House Concurrent Resolution No. 3041

LEO LEIDHOLM, Secretary

Senate Chamber

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

LEO LEIDHOLM, Secretary

**REPORT OF PROCEDURAL COMMITTEE**

The committee on Enrollment and Engrossment respectfully reports that:

~~Senate Concurrent Resolution No. 4047~~  
~~Senate Concurrent Resolution No. 4053~~  
~~Senate Concurrent Resolution No. 4082~~

\_\_\_\_\_ were delivered to the \_\_\_\_\_ Secretary of State for his filing  
on March 23, 1981. \_\_\_\_\_  
(date)

*Stella H. Fritzell*  
Stella Fritzell, Chairman.  
"NOT BORN BIRTH PRODUCTS"

The committee on Enrollment and Engrossment respectfully reports that:

~~Senate Bill No. 2113~~  
~~Senate Bill No. 2251~~  
~~Senate Bill No. 2296~~  
~~Senate Bill No. 2299~~  
~~Senate Bill No. 2354~~  
~~Senate Bill No. 2378~~  
~~Senate Bill No. 2381~~  
~~Senate Bill No. 2413~~  
~~Senate Bill No. 2423~~

\_\_\_\_\_ were delivered to the \_\_\_\_\_ Governor for his approval  
on March 23, 1981. \_\_\_\_\_

*Stella H. Fritzell*  
Stella Fritzell, Chairman.  
"NOT BORN BIRTH PRODUCTS"

**MESSAGES TO THE HOUSE**

Senate Chamber

Mr. Speaker: I have the honor to return herewith the following,  
which the Senate has amended:  
House Bill No. 1040  
House Bill No. 1293

LEO LEIDHOLM, Secretary

Senate Chamber

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

- House Bill No. 1006
- House Bill No. 1033
- House Bill No. 1036
- House Bill No. 1529

Very Respectfully,

LEO LEIDHOLM, Secretary

Senate Chamber

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

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

LEO LEIDHOLM, Secretary

Correction and Revision of The Journal

Mr. \_\_\_\_\_ President \_\_\_\_\_ Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the \_\_\_\_\_ Fifty-third \_\_\_\_\_ day and recommends that the same be corrected as follows:

On page 1563, line 53, after the word "to" insert "and the emergency clause carried".

And when so corrected recommends that the same be approved \_\_\_\_\_

\_\_\_\_\_ Senator Sorum \_\_\_\_\_ moved that the report be adopted, which motion prevailed. \_\_\_\_\_ Senator Tennessee Chairman

POINT OF PERSONAL PRIVILEGE

Senator Adams: Mr. President, I rise on a point of personal privilege and request my remarks be printed in the Journal. Mr. President, ladies and gentlemen of the Senate, for the second time in five years, the NDSU-Bottineau Hockey Team has competed in the National Junior College Hockey Championship Tournament. To qualify for this national tournament, NDSU-Bottineau challenged the Minnesota Junior College Representative (Hibbing Community College) and won handily by the score of 7-4. Bottineau advanced to the semi-finals to play a strong DuPage Community College Team. DuPage of Glen Ellyn, Illinois, has a student population of 23,000 and was the defending national champion. Although NDSU-Bottineau lost the game in the last few minutes of the third period, they played extremely well and represented North Dakota in an outstanding manner. As a result of its performance throughout the year and in the national tournament, the NDSU-Bottineau Hockey Team ended its season as the Number 4 Junior College Team in the nation.

Approximately half of the team members are graduates of North Dakota high schools; one-fourth are Canadians (NDSU-Bottineau is ten miles from the U.S.-Canadian border); and the remainder are from out-of-state.

NDSU-Bottineau is most widely known for its specialized technical

programs in forestry, natural resources, and environmental studies. However, the national attention given to the College and the State due to the Hockey Team's performance is something all of us take pride in.

Report of Conference Committees

Mr. PRESIDENT: Your Conference Committee to whom was referred SENATE Bill No. 2141 has had the same under consideration and recommends:

that the House recede from its amendments

For the Senate: Senator Tennesfos-Chrym, Senator Mutch, Senator Parker, Senator Tennesfos. For the House: Rep. Peltier-Chrym, Rep. Metz, Rep. Gerl. Moved that the report be adopted, which motion prevailed.

Mr. PRESIDENT: Your Conference Committee to whom was referred SENATE Bill No. 2237 has had the same under consideration and recommends:

that the House recede from its amendments

For the Senate: Sen. Reiten, Sen. Holmberg, Sen. Shablow, Senator Reiten. For the House: Rep. Wentz, Rep. Moore, Rep. Kelly. Moved that the report be adopted, which motion prevailed.

Mr. President: Your Conference Committee to whom was referred Senate Concurrent Resolution No. 4067 has had the same under consideration and recommends:

that the House recede from its amendments

For the Senate: Senator Stenehjer, Senator Lashkowitz, Senator Iszler. For the House: Representative Reed, Representative Hourmahn, Representative Heigaard. Moved that the report be adopted, which motion prevailed.

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

**CONSIDERATION OF MESSAGES  
FROM THE HOUSE**

Senator Holmberg moved that the Senate do concur in the House amendments to Senate Bill No. 2262 as printed on page 1394 of the Senate Journal, which motion prevailed.

Senator Holmberg moved that the rules be suspended, that Senate Bill No. 2262 be deemed properly engrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

**SECOND READING OF SENATE BILLS**

**Senate Bill No. 2262.** — A Bill for an Act to amend and reenact subsection 4 of section 21.03-41 of the North Dakota Century Code, relating to the value of property for purposes of determining indebtedness limitations of political subdivisions; 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						1981 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●			●	GROTBERG		●	NELSON		●	STREIBEL	
●			●	HANSON		●	NETHING		●	STROMME	
●			●	HOLMBERG		●	OLIN		●	TALLACKSON	
●			●	ISZLER		●	PARKER		●	TENNEFOS	
●			●	LASHKOWITZ		●	PETERSON		●	THANE	
●			●	LEE		●	QUAIL		●	TIERNEY	
●			●	LEIBHAN		●	REDLIN		●	TWETEN	
●			●	LIPS		●	REITEN		●	VOSPER	
●			●	LODGEN		●	ROEN		●	WALSH	
●			●	MELLAND		●	SHABLOW		●	WESTROM	
●			●	MOORE		●	SOLBERG		●	WRIGHT	
●			●	MUTCH		●	SORIUM		●	MR. PRESIDENT	
●			●	NAADEN		●	STENEHJEM				

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

Senator Reiten moved that the Senate do concur in the House amendments to Senate Bill No. 2355 as printed on pages 1550 and 1551 of the Senate Journal, which motion prevailed.

Senator Reiten moved that the rules be suspended, that Senate Bill No. 2355 be deemed properly re-engrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

**SECOND READING OF SENATE BILLS**

**Senate Bill No. 2355.** — A Bill for an Act to create and enact a new section to chapter 43-07 of the North Dakota Century Code, relating to the limit on retention of payment under construction contracts.

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
●			●	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. #34	● LEIBMAN	● REDLIN	● TWETEN
● CUSSONS	● LIPS	● REITEN	● VOISPER
● 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.

Senator Nething moved that the Senate stand in recess until 1:00 p. m., which motion prevailed.

The Senate reconvened, with President Sands presiding.

#### MESSAGE FROM THE HOUSE

##### House Chamber

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

Senate Bill No. 2196

Senate Bill No. 2399

ROY GILBREATH, Chief Clerk

#### HOUSE AMENDMENTS TO REENGROSSED SENATE BILL NO. 2196

On page 1, line 4 of the engrossed bill, delete the words "the school district" and insert in lieu thereof the words "North Dakota"

On page 2, line 18 of the engrossed bill, delete the words "that district" and insert in lieu thereof the words "North Dakota"

#### HOUSE AMENDMENTS TO REENGROSSED SENATE BILL NO. 2399

On page 4, line 34 of the reengrossed bill, delete the word "fifty" and insert in lieu thereof the words "one hundred"

On page 6, line 32 of the reengrossed bill, delete the word "has" and insert in lieu thereof the word "have"

On page 7, line 1 of the reengrossed bill, delete the word "commission" and insert in lieu thereof the word "commissioner"

And renumber lines and pages accordingly.

#### MOTIONS

Senator Iszler moved that the Senate do not concur in the House amendments to Senate Bill No. 2233 and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed.

#### APPOINTMENT OF A CONFERENCE COMMITTEE

The President appointed as a conference committee on Senate Bill No. 2233:

Senator Albers, Chairman

Senator Iszler

Senator Dotzenrod

Senator Solberg moved that the Senate do not concur in the House amendments to Senate Bill No. 2363 and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed.

#### APPOINTMENT OF A CONFERENCE COMMITTEE

The President appointed as a conference committee on Senate Bill



No. 2363:

Senator Tennefos, Chairman  
 Senator Dykshoorn  
 Senator Lashkowitz

APPOINTMENT OF  
 CONFERENCE COMMITTEES

Senator H. Christensen moved that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on House Bill No. 1127, which motion prevailed.

The President appointed as a Conference Committee on House Bill No. 1127:

Sentor Holmberg, Chairman  
 Senator Stenehjerm  
 Senator Stromme

Senator Goodman moved that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on House Bill No. 1177, which motion prevailed.

The President appointed as a Conference Committee on House Bill No. 1177:

Senator Wright, Chairman  
 Senator Goodman  
 Senator Barth

Senator H. Christensen moved that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on House Bill No. 1225, which motion prevailed.

The President appointed as a Conference Committee on House Bill No. 1225:

Sentor Stenehjerm, Chairman  
 Senator H. Christensen  
 Senator Lashkowitz

Senator Goodman moved that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on House Bill No. 1284, which motion prevailed.

The President appointed as a Conference Committee on House Bill No. 1284:

Senator Goodman, Chairman  
 Senator Moore  
 Senator Shablow

Senator Nelson moved that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on House Bill No. 1276, which motion prevailed.

The President appointed as a Conference Committee on House Bill No. 1276:

Senator Peterson, Chairman  
 Senator Nelson  
 Senator Dotzenrod

Senator Goodman moved that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on House Bill No. 1290, which motion prevailed.

The President appointed as a Conference Committee on House Bill No. 1290:

Senator Adams, Chairman  
 Senator Goodman  
 Senator Barth

Senator Peterson moved that the President appoint a committee of three to act with a like committee from the House as a Conference

Committee on House Bill No. 1371, which motion prevailed.

The President appointed as a Conference Committee on House Bill No. 1371:

Senator Adams, Chairman  
 Senator Stenehjem  
 Senator Stromme

Senator H. Christensen moved that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on House Bill No. 1473, which motion prevailed.

The President appointed as a Conference Committee on House Bill No. 1473:

Senator H. Christensen, Chairman  
 Senator Stenehjem  
 Senator Sorum

Senator Lee moved that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on House Bill No. 1536, which motion prevailed.

The President appointed as a Conference Committee on House Bill No. 1536:

Senator R. Christensen, Chairman  
 Senator Lee  
 Senator Redlin

Senator Goodman moved that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on House Bill No. 1542, which motion prevailed.

The President appointed as a Conference Committee on House Bill No. 1542:

Senator Moore, Chairman  
 Senator Lee  
 Senator Shablow

Senator Solberg moved that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on House Bill No. 1589, which motion prevailed.

The President appointed as a Conference Committee on House Bill No. 1589:

Senator Dykshoorn, Chairman  
 Senator Parker  
 Senator Solberg

Senator Goodman moved that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on House Bill No. 1651, which motion prevailed.

The President appointed as a Conference Committee on House Bill No. 1651:

Senator Moore, Chairman  
 Senator Wright  
 Senator Shablow

#### FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

**House Concurrent Resolution No. 3005.** — A concurrent resolution to create and enact a new section to the Constitution of the State of North Dakota, relating to special sessions of the legislative assembly; and to amend and reenact sections 23 and 41 of article IV and section 5 of article V of the Constitution of the State of North Dakota, relating to the maximum duration of legislative sessions, effective dates of legislative acts, and the powers of the governor.

#### STATEMENT OF INTENT

This amendment would allow the governor to limit the purpose and length of any special session of the legislature called by the governor. The legislative assembly would also be allowed to call itself into special session if requested in writing by two-thirds of the members of each house. Finally, the amendment specifies when a measure passed by the legislative assembly becomes law.

Was read the first time and referred to the committee on Constitutional Revision.

**House Concurrent Resolution No. 3083.** — A concurrent resolution congratulating Jan Zook on her election as president of the United States Jayceettes.

Was read the first time.

Senator Wright moved that the rules be suspended, that House Concurrent Resolution No. 3083 as printed on pages 1919 and 1920 of the House Journal, be placed on the calendar for second reading and final passage, which motion prevailed.

**SECOND READING OF A HOUSE CONCURRENT RESOLUTION**

**House Concurrent Resolution No. 3083.** — A concurrent resolution congratulating Jan Zook on her election as president of the United States Jayceettes.

Was read the second time.

The question being on the final adoption of the resolution, House Concurrent Resolution No. 3083 was declared adopted on a voice vote.

**CONFIRMATION SESSION**

Senator Nothing moved that the Senate resolve itself into a confirmation session, which motion prevailed.

**REPORT OF SELECT COMMITTEES**

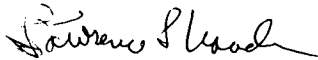
Mr. President ..... : Your Select Committee appointed to

consider the nominations for membership on the Post Secondary Education Commission recommends that the Senate do advise and consent to the appointments of:

Mr. Harold Anderson, Bismarck

Mr. John Jensen, Fargo

Mr. R. C. Hadlich, Grand Forks



Senator Naaden  
Chairman

Senator Naaden ..... moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President ..... : Your Select Committee appointed to

consider the nominations for membership on the Council on the Arts recommends that the Senate do advise and consent to the appointments of:

## JOURNAL OF THE SENATE

Mr. Charles Stroup, Hazen  
 Mrs. Marjorie Mattson, Minot  
 Mrs. Arlene Saugstad, Minot  
 Susan Gallagher Freeman, Fargo  
 Dr. Bruce Jacobsen, Grand Forks  
 Kathie Anderson, Grand Forks  
 Mrs. Audrey Kloubec, Fargo  
 Mr. Neil Allen, Dickinson  
 Mrs. Gloria Legrid, Jamestown  
 Patricia O'Hara Smith, Bismarck  
 Mrs. Mary Ellen Berning, Minot  
 Mr. David Peske, Bismarck

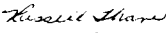
  
 Senator Olin  
 Chairman

Senator Olin ..... moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. ... President.....: Your Select Committee appointed to

consider the nominations for membership on the State Board of Public School Education recommends that the Senate do advise and consent to the appointments of:

Mr. Al McIntyre, Hettinger  
 Mrs. Sandra Hughes, Williston  
 Mr. Ralph Kingsbury, Nash  
 Dr. Vern Bennett, Fargo

  
 Senator Thane  
 Chairman

Senator Thane ..... moved that the report be adopted.

## MOTIONS

Senator Melland moved that the question be divided on the motion that the report to advise and consent to the appointments for membership on the State Board of Public School Education, be adopted, that Dr. Vern Bennett's appointment be voted upon separately, which motion prevailed.

The question being on the motion to advise and consent to the appointments of Mr. Al McIntyre, Mrs. Sandra Hughes, and Mr. Ralph Kingsbury, the appointments were confirmed by a voice vote.

Senator Redlin requested a recorded roll call vote on the motion to advise and consent to the appointment of Dr. Vern Bennett, which request was granted.

ROLL CALL

The question being the on the motion to advise and consent to the appointment of Dr. Vern Bennett for membership on the State Board of Public School Education, the roll was called and there were ayes 28, nays 22, 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			• GROTOBERG			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. #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		•	• STENENJEM		•			

The appointment of Dr. Vern Bennett was confirmed.

Senator Nething moved that the Senate dissolve itself from the confirmation session, which motion prevailed.

Report of Procedural Committee

MR. PRESIDENT:

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

- House Bill No. 1072
- House Bill No. 1591
- House Concurrent Resolution No. 3072

and find the same correctly } Engrossed

*Stella H. Fritzell*  
 \_\_\_\_\_  
 Stella Fritzell  
 Chairman

Senator Moore 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:

- House Bill No. 1038
- House Bill No. 1060
- House Bill No. 1061

and find the same correctly } Re Engrossed

*Stella H. Fritzell*  
 \_\_\_\_\_  
 Stella Fritzell  
 Chairman

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

MESSAGES FROM THE HOUSE  
 House Chamber

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

- House Bill No. 1328
- House Bill No. 1435

House Concurrent Resolution No. 3055  
and subsequently passed the same.

Very respectfully,

ROY GILBREATH, Chief Clerk  
House Chamber

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

Senate Bill No. 2213

Reps.:

Rep. Dan Olson

Rep. Gunderson

Rep. Richard

Senate Bill No. 2358

Reps.:

Rep. Moore

Rep. Crabtree

Rep. Richard

Senate Bill No. 2394

Reps.:

Rep. Schindler

Rep. H. Larson

Rep. Berger

Very respectfully,

ROY GILBREATH, Chief Clerk  
House Chamber

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

House Bill No. 1277

Reps.:

Rep. Kretschmar

Rep. Conmy

Rep Heigaard

Very respectfully,

ROY GILBREATH, Chief Clerk

#### POINT OF PERSONAL PRIVILEGE

Senator Tweten: Mr. President, I rise on a point of personal privilege and request my remarks be printed in the journal.

Last Saturday evening for the fourth time in seven years the Hillsboro Burros captured the championship in North Dakota Class B basketball competition defeating Edmore 80 to 53.

Coach Ed Beyer in his 20 years as head coach has taken eight teams to state, bringing home first place trophies in 1973, 74, 77 and again this year after a 25-0 season.

The outstanding team spirit of the Hillsboro Burros and Coach Ed Beyer, their managers and cheerleaders, carries forth to the whole community and is shown by the large numbers of loyal fans who have followed them throughout the season year after year and to state tournaments in eight of the 20 years coach Beyer has been coach at Hillsboro.

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



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		● STORMME
● BAKEWELL			● HOLMBERG			● OLIN		● TALLACKSON
● BARTH			● ISZLER			● PARKER		● TENNEFOS
● BERUBE			● LASHKOWITZ			● PETERSON		● THANE
● CHRISTENSEN, H. JS			● LEE			● QUAIL		● TIERNEY
● CHRISTENSEN, R. J34			● 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			● NAA DEN			● STENEHJEM		

So the bill passed and the title was agreed to.

Senator H. Christensen moved that the Conference Committee Report on Senate Bill No. 2161 as printed on pages 1579 - 1586 of the Senate Journal be adopted, which motion prevailed.

Senator H. Christensen moved that the rules be suspended, that Senate Bill No. 2161 be deemed properly re-engrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

**Senate Bill No. 2161.** — A Bill for an Act to prohibit campaign contributions by corporations, cooperative corporations, and associations; to repeal sections 16-20-05, 16-20-08, 16-20-09, 16-20-10, and 16-20-12 of the North Dakota Century Code, relating to campaign contributions by corporations and cooperative corporations; and to provide a penalty.

Which has been read.

ROLL CALL

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

REGULAR SESSION			NORTH DAKOTA SENATE ROLL-CALL			1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● ADAMS			● GROTBERG			● NELSON		● STREIBEL
● ALBERS			● HANSON			● NETHING		● STORMME
● BAKEWELL			● HOLMBERG			● OLIN		● TALLACKSON
● BARTH			● ISZLER			● PARKER		● TENNEFOS
● BERUBE			● LASHKOWITZ		●	● PETERSON		● THANE
● CHRISTENSEN, H. JS			● LEE			● QUAIL		● TIERNEY
● CHRISTENSEN, R. J34			● 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			● NAA DEN			● STENEHJEM		

So the bill passed and the title was agreed to.

Senator Holmberg moved that the Conference Committee Report on Senate Bill No. 2306 as printed on page 1586 of the Senate Journal be adopted, which motion prevailed.

Senator Holmberg moved that the rules be suspended, that Senate Bill No. 2306 be deemed properly re-engrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILLS

**Senate Bill No. 2306.** — A Bill for an Act to amend and reenact section 16-18-09 of the North Dakota Century Code, relating to obtaining a ballot for absentee voting.

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 10, 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. JW			● LEIBHAN			● REDLIN			● TWETEN		
● CUSSONS			● LIPS			● REITEN			● VOSPER		
● DOTZENROD			● LODOEN			● ROEN			● WALSH		
● DYKSHOORN			● MELLAND			● SHARLOW			● WENSTROM		
● ERICKSON			● MOORE			● SOLBERG			● WRIGHT		
● FRITZELL			● MUTCH			● SORUM			● MR. PRESIDENT		
● GOODMAN			● NAADEN			● STENEHJEM					

So the bill passed and the title was agreed to.

MOTIONS

Senator Iszler moved that the Conference Committee Report on the Senate Bill No. 2370 as printed on page 1587 of the Senate Journal be adopted, which motion prevailed.

Sentor Iszler moved that the rules be suspended, that Senate Bill No. 2370 be deemed properly re-engrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2370. — A Bill for an Act to amend and reenact section 46-05-03 of the North Dakota Century Code, relating to legal notice fees; 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 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. JS			● LEE			● QUAIL			● TIERNEY		
● CHRISTENSEN, R. JW			● LEIBHAN			● REDLIN			● TWETEN		
● CUSSONS			● LIPS			● REITEN			● VOSPER		
● DOTZENROD			● LODOEN			● ROEN			● WALSH		
● DYKSHOORN			● MELLAND			● SHARLOW			● 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.

MOTIONS

Senator Lodoen moved that the Conference Committee Report on Senate Bill No. 2417 as printed on page 1587 of the Senate Journal be adopted, which motion prevailed.

Senator Lodoen moved that the rules be suspended, that Senate Bill No. 2417 be deemed properly re-engrossed and placed on the calendar, as amended, for second reading and final passage, 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 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			● 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. JS			● LEIBAHN			● REIDIN			● 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.

**MOTIONS**

Senator Wright moved that the Conference Committee Report on Senate Bill No. 2428 as printed on pages 1587, 1588 of the Senate Journal be adopted, which motion prevailed.

Senator Wright moved that the rules be suspended, that Senate Bill No. 2428 be deemed properly re-engrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

**SECOND READING OF SENATE BILLS**

**Senate Bill No. 2428.** — A Bill for an Act to create and enact two new subsections to section 57-02-08 of the North Dakota Century Code, relating to exemption of property from taxation; and to provide an effective date.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 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. JS			● LEE			● QUAIL			● TIERNEY		
● CHRISTENSEN, R. JS			● LEIBAHN			● 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.

**MOTIONS**

Senator Sorum moved that the Conference Committee Report on Senate Bill No. 2431 as printed on page 1588 of the Senate Journal be adopted, which motion prevailed.

Senator Sorum moved that the rules be suspended, that Senate Bill No. 2431 be deemed properly engrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

**SECOND READING OF SENATE BILLS**

**Senate Bill No. 2431.** — A Bill for an Act to amend and reenact section 57-37.1-12 and subsection 1 of section 57-37.1-13 of the North Dakota Century Code, relating to access to the safe deposit box of a decedent.

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.

REGULAR SESSION			NORTH DAKOTA SENATE			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. JW			● LEIBHAN			● REDLIN		● TWETEN
● CUSSONS			● LIPS			● REITEN		● VOSPER
● DOTZENROD			● LODGEN			● 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.

Senator Cussons moved that the Conference Committee Report on House Bill No. 1042, as printed on pages 1588 - 1589 of the Senate Journal be adopted, which motion prevailed.

Senator Cussons moved that the rules be suspended, that House Bill No. 1042 be placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

**SECOND READING OF HOUSE BILLS**

**House Bill No. 1042.** — A Bill for an Act to amend and reenact subsection 1 of section 28-32-01 of the North Dakota Century Code, relating to the definition of administrative agency as used in the law governing the procedure and practice of administrative agencies.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 47, nays 0, absent and not voting 3.

REGULAR SESSION			NORTH DAKOTA SENATE			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. JW			● LEIBHAN			● REDLIN		● TWETEN
● CUSSONS			● LIPS			● REITEN		● VOSPER
● DOTZENROD			● LODGEN			● 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.

MOTIONS

Senator Holmberg moved that the Conference Committee Report on House Bill No. 1267 as printed on page 1589 of the Senate Journal be adopted, which motion prevailed.

Senator Holmberg moved that the rules be suspended, that House Bill No. 1267 be placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1267. — A Bill for an Act to amend and reenact sections 18-10-07 and 18-10-14 of the North Dakota Century Code, relating to rural fire district mill levies.

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			● LODGEN			● ROEN			● WALSH		
● DYKSHOORN			● MELLAND			● SHABLOW			● WENSTROM		
● ERICKSON			● MOORE			● SOLBERG			● WRIGHT		
● FRITZELL			● HUTCH			● SORUM			● MR. PRESIDENT		
● GOODMAN			● NAADEN			● STENEHEJEM					

So the bill passed and the title was agreed to.

Report of Conference Committees

Mr. President : Your Conference Committee to whom was referred Senate Bill No. 2291 has had the same under consideration and recommends:

that the House recede from its amendments

For the Senate James M. Cussons Rep. Martinson For the House  
 Senator Stenehjem Rep. Zimbleman  
 Senator Stromme Rep. Matchie

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

Mr. President : Your Conference Committee to whom was referred Senate Bill No. 2158 has had the same under consideration and recommends:

House recedes from its amendments

For the Senate  
 Sen. Tennefos Tennefos  
 Sen. Quail Quail  
 Sen. Grotberg Grotberg  
 Sen. Tennefos \_\_\_\_\_

For the House  
 Rep. Kloubec Kloubec  
 Rep. Lang Lang  
 Rep. Dotzenrod Dotzenrod  
 \_\_\_\_\_ moved that the report be adopted, which motion prevailed.

**CONSIDERATION OF MESSAGES FROM THE HOUSE**

Senator Goodman moved that the Senate reconsider its action whereby it appointed as a conference committee on Senate Bill No. 2314, which motion prevailed.

Senator Goodman moved that the Senate do concur in the House amendments to Senate Bill No. 2314 as printed on pages 1480 and 1481 of the Senate Journal, which motion prevailed.

Senator Goodman moved that the rules be suspended, that Senate Bill No. 2314 be deemed properly re-engrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

**SECOND READING OF SENATE BILLS**

**Senate Bill No. 2314.** — A Bill for an Act to allow a city tax on rental accommodations of up to two percent to promote tourism, providing for administration and collection of the tax by the state tax commissioner, and providing penalties.

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 43, nays 7, absent and not voting 0.

NORTH DAKOTA SENATE											
REGULAR SESSION						1981 LEGISLATURE					
ROLL-CALL						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			• STROMME		
• BAKWELL			• HOLMBERG			• OLIN			• TALLACKSON		
• BARTH			• ISZLER	•		• PARKER			• TENNEFOS	•	
• BERUBE			• LASKOWITZ			• 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.

**MOTION**

Senator Nething moved that the Senate stand in recess until 4:00 p.m., which motion prevailed.

The Senate reconvened, with President Sands presiding.

**MESSAGES TO THE HOUSE**

**Senate Chamber**

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

House Bill No. 1127

Senators:

Senator Holmberg  
 Senator Stenehjerm

Senator Stromme  
House Bill No. 1177

Senators:

Senator Wright  
Senator Goodman  
Senator Barth  
House Bill No. 1225

Senators:

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

Senators:

Senator Peterson  
Senator Nelson  
Senator Dotzenrod  
House Bill No. 1284

Senators:

Senator Goodman  
Senator Moore  
Senator Shablow  
House Bill No. 1290

Senators:

Senator Adams  
Senator Goodman  
Senator Barth

Very Respectfully,

LEO LEIDHOLM, Secretary

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

House Bill No. 1371

Senators:

Senator Adams  
Senator Stenehjerm  
Senator Stromme  
House Bill No. 1473

Senators:

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

Senators:

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

Senators:

Senator Moore  
Senator Lee  
Senator Shablow  
House Bill No. 1651

Senators:

Senator Moore  
Senator Wright  
Senator Shablow

Very Respectfully,

LEO LEIDHOLM, Secretary  
Senate Chamber

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

Senate Bill No. 2262

Senate Bill No. 2355

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

Senate Bill No. 2233

Senate Bill No. 2363

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

Senate Bill No. 2233

Senators:

Senator Albers

Senator Iszler

Senator Dotzenrod

Senate Bill No. 2363

Senators:

Senator Tennefos

Senator Dykshoorn

Senator Lashkowitz

Very respectfully,

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has reconsidered its action whereby it did not concur with the House amendments to Senate Bill No. 2314, and now wishes to inform you that it does concur in the House amendments to Senate Bill No. 2314, and subsequently passed the same. Also, the Senate has dissolved the Senate conference committee on Senate Bill No. 2314.

Very respectfully,

LEO LEIDHOLM, Secretary

Senate Chamber

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

Senate Bill No. 2141

Senate Bill No. 2237

Senate Concurrent Resolution No. 4067

Very respectfully,

LEO LEIDHOLM, Secretary

MESSAGES FROM THE HOUSE

House Chamber

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

Senate Bill No. 2374

Reps.:

Rep. VanderVorst

Rep. C. Anderson

Rep. B. Larson

Senate Bill No. 2404

Reps.:

Rep. Lipsiea  
 Rep. Marsden  
 Rep. Mertens  
 Very respectfully,

ROY GILBREATH, Chief Clerk  
 House Chamber

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

Senate Bill No. 2038

Reps.:

Rep. Kuchera  
 Rep. Kingsbury  
 Rep. Opedahl  
 Senate Bill No. 2117

Reps.:

Rep. VanderVorst  
 Rep. Peltier  
 Rep. Gerl  
 Senate Bill No. 2152

Reps.:

Rep. Hedstrom  
 Rep. Swiontek  
 Rep. Hoffner  
 Senate Bill No. 2160

Reps.:

Rep. Kretschmar  
 Rep. Mattson  
 Rep. G. Pomeroy  
 Senate Bill No. 2286

Reps.:

Rep. Metz  
 Rep. Conmy  
 Rep. Kelly  
 Senate Bill No. 2364

Reps.:

Rep. Goetz  
 Rep. Mattson  
 Rep. Kelly  
 Very respectfully,

ROY GILBREATH, Chief Clerk  
 MOTION

Senator Stenehjem moved that the Senate reconsider the action whereby a conference committee was appointed on Senate Bill No. 2313, which motion prevailed.

Senator Stenehjem moved that the Senate do concur in the House amendments to Senate Bill No. 2313 as printed on pages 1394 and 1395 of the Senate Journal, which motion prevailed.

Senator Stenehjem moved that the rules be suspended, that Senate Bill No. 2313 be deemed properly engrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

#### SECOND READING OF SENATE BILLS

**Senate Bill No. 2313.** — A Bill for an Act to amend and reenact sections 27-07-23, 27-08-27, 27-08-38, subsections 4, 6, 7, 8, and 9 of section 29-15-21, sections 33-03-05, and 33-03-11 of the North Dakota Century Code, relating to assignment of judges and change of venue.



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			● GROTEBERG			● 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.

REPORT OF PROCEDURAL COMMITTEES

Mr. President: Your Procedural Committee on Committees

respectfully submit the following committee to consider the nomination for State Securities Commissioner:

- Mutch, Chairman
- Reiten
- Iszler
- Holmberg
- Quail
- Groteberg
- Stromme

*David E. Nething*  
 Senator Nething  
 Chairman

Senator Nething moved that the report be adopted, which motion prevailed and the report was adopted.

PRESENTATION OF PETITIONS  
 AND COMMUNICATIONS  
 STATE OF NORTH DAKOTA  
 EXECUTIVE OFFICE  
 BISMARCK

March 20, 1981

The Honorable Ernest M. Sands  
 President of the Senate  
 Senate Chambers  
 State Capitol  
 Bismarck, North Dakota  
 Dear Mr. President:

Pursuant to Section 10-04-03 of the North Dakota Century Code, enclosed and forwarded is the appointment of Dale Sandstrom, Bismarck, North Dakota, as State Securities Commissioner for confirmation by the Senate.

It is requested that the Senate give its favorable consideration to this appointment at its earliest convenience.

Sincerely,  
ALLEN I. OLSON  
Governor

The President referred the appointment of Dale Sandstrom, Bismarck, to the select committee for State Securities Commissioner.

#### MOTIONS

Senator Reiten moved that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on House Bill No 1525, which motion prevailed.

The President appointed as a Conference Committee on House Bill No. 1525:

Senator R. Christensen, Chairman  
Senator Quail  
Senator Grotberg

Senator Goodman moved that the Senate do not concur in the House amendments to Senate Bill No. 2249 and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed.

#### APPOINTMENT OF A CONFERENCE COMMITTEE

The President appointed as a conference committee on Senate Bill No. 2249:

Senator Adams, Chairman  
Senator Goodman  
Senator Barth

### Report of Standing Committee

Mr. President: Your Committee on Appropriations

to whom was referred House Bill No. 1009

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 18, delete the numerals "26,217,656" and insert in lieu thereof the numerals "24,491,425"

On page 1 of the engrossed bill, line 22, delete the numerals "16,246,520" and insert in lieu thereof the numerals "14,209,432"

On page 1 of the engrossed bill, line 23, delete the numerals "47,914,592" and insert in lieu thereof the numerals "44,151,273"

On page 1 of the engrossed bill, line 24, delete the numerals "17,435,718" and insert in lieu thereof the numerals "17,440,718"

On page 1 of the engrossed bill, line 25, delete the numerals "30,478,874" and insert in lieu thereof the numerals "26,710,555"

On page 1 of the engrossed bill, line 28, delete the numerals "8,657,802" and insert in lieu thereof the numerals "8,193,399"

- On page 2 of the engrossed bill, line 5, delete the numerals "12,878,368" and insert in lieu thereof the numerals "12,413,965"
- On page 2 of the engrossed bill, line 7, delete the numerals "11,576,510" and insert in lieu thereof the numerals "11,112,107"
- On page 2 of the engrossed bill, line 8, delete the numerals "42,055,384" and insert in lieu thereof the numerals "37,822,662"
- On page 2 of the engrossed bill, line 9, delete the numerals "18,737,576" and insert in lieu thereof the numerals "18,742,576"
- On page 2 of the engrossed bill, line 10, delete the numerals "60,792,960" and insert in lieu thereof the numerals "56,565,238"
- On page 2 of the engrossed bill, line 19, delete the word "items" and insert in lieu thereof the word "item" and delete the following: "Capital improvements" and"
- On page 2 of the engrossed bill, line 20, delete the word "include" and insert in lieu thereof the word "includes"
- On page 2 of the engrossed bill, delete lines 24 through 35
- On page 3 of the engrossed bill, delete lines 1 and 2
- And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:Grafton State School

The salaries and wages line item is reduced \$872,909 to delete funds for the noncontributory retirement plan. Also, the salaries and wages line item is reduced by \$522,425 to delete funds for the following positions: 1 motor vehicle mechanic, 1 maintenance worker, 53 ward attendant I's for the last six months of the biennium, 4 psychologists, and 2 vocational rehabilitation counselors. Also, the salaries and wages line item is reduced \$330,897 due to extended phasing in of the remaining 195 new positions in this appropriation. It is the intent of the Legislative Assembly that funds for the deleted positions be made available by the next Legislative Assembly for employment of such positions during the 1983-85 biennium to continue efforts to the phase in of additional staff to upgrade programs for the developmentally disabled residents.

The capital improvements line item which includes \$2,934,926 for the remodeling of West and Wylie Halls is reduced by \$1,467,463 since a phasing in of the remodeling of these facilities is recommended during the 1981-83 and 1983-85 bienniums. It is the intent of the Legislative Assembly that these two facilities be remodeled as deinstitutionalization living centers for continuation of the Midway program at the institution. It is intended that the next Legislative Assembly provide funds to complete the remodeling of these facilities into deinstitutionalization living centers. The capital improvements line item is also reduced \$569,625 to delete funds for the central receiving and storage addition.

The estimated income line item is increased by \$5,000 for increased estimates of revenue from sale of meals. It is the intent of the Legislative Assembly that charges to employees for meals eaten at the institution be at least equal to the cost of such meals.

San Haven

The salaries and wages line item is reduced \$312,837 to delete funds for the noncontributory retirement plan. Also, the line item is reduced \$74,137 to allow funds to employ five of the 11 additional nurse positions during the second year of the 1981-83 biennium rather than for the entire biennium. Also, a reduction of \$77,429 is made to delete funds for three of the nine recommended additional program technicians. It is the intent of the Legislative Assembly that the operating appropriation and capital improvements

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appropriation provides the necessary funds to adequately upgrade the programs for developmentally disabled residents at San Haven.

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

*Stan E. Lipp* Chairman  
Senator Lipp

House Bill No. 1009 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 House Bill No. 1020

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:

*Stan E. Lipp* Chairman  
Senator Lipp

House Bill No. 1020 was placed on the 14th

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

Mr. President: Your Committee on Appropriations

to whom was referred House Bill No. 1092

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 reengrossed bill, line 4, delete the following: "; and to repeal" and insert in lieu thereof a period

On page 1 of the reengrossed bill, delete lines 5 through 7

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

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

1. For schoolbuses transporting pupils who live outside the incorporated limits of the city in which the school the pupil is enrolled in is located, a sum equal to twenty thirty-four cents per mile [1.61 kilometers] during the first year of the 1981-83 biennium and thirty-eight cents during the second year of the 1981-83 biennium for schoolbuses having a capacity of sixteen or fewer pupils and forty sixty-eight cents per mile [1.61 kilometers] during the first year of the 1981-83 biennium and seventy-six cents per mile the second year of the 1981-83 biennium for schoolbuses having a capacity of seventeen or more pupils. In addition, those school districts qualifying for payments for buses having a capacity of seventeen or more pupils shall be entitled to an amount equal to fifteen hundred

~~cents per day for each public school pupil living outside the city limits who is transported in such buses, provided that no such payment shall be made for any pupil who lives within the incorporated limits of a city with a population in excess of two hundred fifty and an area in excess of two square miles (518-00 hectares) in which the school in which he is enrolled is located except as provided in section 15-40.1-16.1.~~

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

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

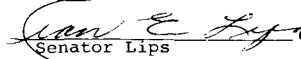
On page 3 of the reengrossed bill, delete lines 1 through 6

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

The bill is amended to provide that school foundation payments are to be reduced by the amount of oil and gas lease bonuses distributed to the schools under Section 15-08-01.1. The bill is also amended to make the language in Section 15-40.1-16 conform to the language of that section in Senate Bill No. 2245 which has already passed both houses.

And when so amended recommends the same do pass

 Chairman  
Senator Lips

House Bill No. 1092 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 House Bill No. 1199

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 create and enact a new section to chapter 57-38 of the North Dakota Century Code, relating to a simplified optional method of computing state income tax liability; and to provide an effective date.

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

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

SIMPLIFIED OPTIONAL METHOD OF COMPUTING TAX.

1. Notwithstanding the other provisions of this chapter, an individual, estate, or trust may elect to determine state income tax liability by applying the provisions of this Act. Any taxpayer electing to determine his income tax liability pursuant to this Act shall only be eligible for those adjustments or credits which are specifically provided for in this Act.
2. A tax is hereby imposed for each taxable year upon income earned or received in that taxable year by every resident and nonresident individual, estate, and trust. This tax shall be seven and one-half percent of the individual's, estate's, or trust's adjusted federal income tax liability for the taxable year.
3. The adjusted federal income tax liability for a resident individual, estate, and trust shall be determined by multiplying the federal income tax liability by a fraction, the numerator of which is the adjusted gross income taxable to this state and the denominator of which is the total adjusted gross income as reported on the federal income tax return. Interest income from United States obligations and other income not taxable to this state because of federal statutes, United States or state constitutional provisions shall be excluded from the numerator.
4. The adjusted federal income tax liability of a nonresident individual, estate, and trust shall be determined by multiplying the federal income tax liability by a fraction, the numerator of which is the adjusted gross income derived from sources within this state and the denominator of which is the total adjusted gross income as reported on the federal income tax return. Interest income from United States obligations and other income not taxable to this state because of federal statutes, United States or state constitutional provisions shall be excluded from the numerator.
5. For the purposes of this Act, the term "federal income tax liability" means the individual's, estate's, or trust's federal income tax liability as computed for federal income tax purposes using tax tables or schedule TC, plus additional taxes due on federal income tax schedules or forms 4970, 4972, 5544, 5405, section 72(m)(5) penalty tax, 4625, 6251, and 5329, and before credit for contributions to candidates for public office, credit for the elderly (schedule R&RP), credit for child and dependent care expenses (form 2441), investment credit (form 3468), foreign tax credit (form 1116), work incentive credit (form 4874), jobs credit (form 5884), residential energy credit (form 5695), and before reduction for federal income tax withheld, estimated payments, earned income credit, excess Federal Insurance Contributions Act (chapter 21 of the Internal Revenue Code of 1954, as amended), and the federal Railroad Retirement Tax Act (chapter 22

of the Internal Revenue Code of 1954, as amended), taxes withheld, credit for federal taxes on special fuels and oils, and regulated investment company credits. The term does not include amounts due for self-employment tax or social security tax and railroad retirement tax on tips.

6. Where a husband and wife determine their federal income tax liability for the taxable year on a joint federal income tax return they may elect to determine their North Dakota income taxes separately. The federal income tax liability shall be apportioned between them in the proportion that the adjusted gross income of each bears to their combined adjusted gross income. The adjusted gross income of each shall be determined in the same way that each would have been required to determine it if they had filed separate federal income tax returns.
7.
  - a. A resident individual, estate, or trust shall be allowed a credit against the tax otherwise due under this Act for the amount of any income tax imposed on the taxpayer for the taxable year by another state or territory of the United States or the District of Columbia on income derived from sources therein and which is also subject to tax under this Act.
  - b. The credit provided under this subsection shall not exceed the proportion of the tax otherwise due under this Act that the amount of the taxpayer's adjusted gross income derived from sources in the other taxing jurisdiction bears to the taxpayer's entire adjusted gross income as reported on the taxpayer's federal income tax return.
8. An individual, estate, or trust shall be allowed as a credit against the tax otherwise due under this Act the energy cost relief credit provided for in initiated measure No. 6 as approved by the voters in the November 1980 general election.
9.
  - a. Individuals, estates, or trusts receiving a refund of federal income tax for a year for which an election to file state income tax returns has been made under this Act shall file amended state income tax returns reducing the federal income tax liability for the year for which the federal income tax refund is granted and shall not report the federal income tax refund in the year received.
  - b. Individuals, estates, or trusts assessed additional federal income tax for a year for which an election to file state income tax returns has been made under this Act shall file amended state income tax returns increasing the federal income tax liability for the year for which the additional federal income tax is assessed and shall not report increased federal income tax liability in the year in which the additional federal income tax is paid.
10. The tax commissioner may prescribe procedures and guidelines to prevent requiring income that

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had been previously taxed under this chapter from becoming taxed again because of the provisions of this section and may prescribe procedures and guidelines to prevent any income from becoming exempt from taxation because of the provisions of this section if it would otherwise have been subject to taxation under the provisions of this chapter.

SECTION 2. EFFECTIVE DATE. The provisions of this Act shall be effective for all taxable years beginning in 1981 and 1982 only."

And renumber the lines and pages accordingly

And when so amended recommends the same do pass.

 Chairman  
Senator Chuck Goodman

House Bill No. 1199 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. 1218

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 provide candidate accountability by requiring the filing of statements of campaign contributions by candidates, political parties, and political committees, the audit of such statements; and to provide a penalty.

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

SECTION 1. DEFINITIONS. As used in this Act, unless the context otherwise plainly requires:

1. "Candidate" means a person whose name is presented for nomination to public office at any primary election whether the person is actually nominated or not; a person whose name is printed as a candidate on an official ballot used at any election; or a person who seeks election through write-in votes.
2. "Contribution" means a gift, subscription, loan, advance, or deposit of money, made for the purpose of influencing the nomination for election, or election, of any person to office. Contribution also means a contract, promise, or agreement, express or implied, whether or not legally enforceable, to make a contribution for any of the above purposes, and includes funds received by a political committee which are transferred to that committee from another political committee or other source. This definition does not include:
  - a. A loan of money from a bank or other lending institution made in the regular course of business.
  - b. Time spent by volunteer campaign or political party workers.



- c. Money spent by a candidate on his own behalf.
  - d. Any money received from a district or state committee of a political party, as established pursuant to sections 16.1-03-06 and 16.1-03-08, except for contributions reported pursuant to section 3 of this Act.
3. "Person" means an individual, partnership, committee, association, corporation, cooperative corporation, or other organization or group of persons.
  4. "Political committee" means any committee, club, association, or other group of persons which receives contributions primarily for political purposes.
  5. "Political party" means any association, committee, or organization which nominates a candidate for election to any office which may be filled by a vote of the electors of this state or any of its political subdivisions and whose name appears on the election ballot as the candidate of such association, committee, or organization.
  6. "Political purpose" or "political purposes" means any activity undertaken in support of or in opposition to the election or nomination of a candidate.
  7. "Public office" means every statewide or legislative office to which persons can be elected by vote of the people under the laws of this state.

SECTION 2. PREELECTION STATEMENT REQUIRED OF CANDIDATES - CONTENTS - ADDITIONAL STATEMENTS. Any candidate for a public office at any general, primary, or special election shall make and file a statement in accordance with this section. The statement shall be filed on the thirtieth day prior to any election and be complete through the thirty-third day prior to the election and shall contain a detailed statement of all contributions received from an individual or a political committee which exceed one hundred dollars in amount.

The statement shall include the name and mailing address of all contributors listed. Within fifteen days after the election, each candidate, or his committee, shall file an additional statement in the same form to be complete through ten days after the election. Within thirty days of the close of the calendar year, each candidate, or his committee shall file an additional statement in the same form for the remainder of the calendar year. All reports filed pursuant to this section shall be consecutive and, taken together, shall cover the entire year's receipts. In determining the amount of individual contributions from any contributor, all amounts received from the same contributor during the reporting period shall be aggregated for the purposes of the statements required by this Act.

The form of all statements required by this Act shall be as prescribed by the secretary of state. Statements of a legislative candidate shall be filed in the office of the county auditor of the candidate's county of residence. Statements of state office candidates and any other required statements shall be filed in the office of the secretary of state.

No candidate shall be required to file any

## JOURNAL OF THE SENATE

statement required by this Act if he has not received any contributions in excess of one hundred dollars.

SECTION 3. CONTRIBUTIONS STATEMENT REQUIRED OF POLITICAL PARTIES. Any political party which receives contributions in excess of one hundred dollars and which contributes money to a candidate in excess of one hundred dollars shall, within thirty days of the close of the calendar year, do one of the following:

1. File a statement listing the total amount contributed to or expended on behalf of a candidate or candidates.
2. File a statement containing a detailed list of all contributions received from an individual or political committee which exceed one hundred dollars in amount. The statement shall include the name and mailing address of all contributors listed.

SECTION 4. SUPPLEMENTAL STATEMENT REQUIRED ON LARGE CONTRIBUTIONS RECEIVED AFTER ORIGINAL STATEMENT - FILING TIME. If any candidate shall receive any contribution of five hundred dollars or more within the nine days immediately prior to any election from any individual contributor, that candidate shall make and file a supplemental statement in the same form as required by section 2, stating the name and street address of such contributor and the amount of the contribution, and file the statement in the appropriate office within forty-eight hours of the receipt of the contribution.

SECTION 5. ANNUAL AUDIT BY SECRETARY OF STATE - RANDOM AND REQUESTED AUDITS - REPORTS. The secretary of state may arrange an audit of any statement filed pursuant to this Act. The secretary of state shall arrange an audit of any statement that the attorney general requests to be audited. The results of the audit shall be reported to the attorney general.

SECTION 6. REQUIREMENTS. A statement required by this Act to be filed with the secretary of state or county auditor shall be:

1. Verified by the oath or affirmation of the person filing the statement, taken before any officer authorized to administer oaths.
2. Deemed properly filed when deposited in an established post office within the prescribed time, postage affixed, and directed to the secretary of state or county auditor, but in the event it is not received, a duplicate of the statement shall be promptly filed upon notice by the secretary of state or county auditor of its nonreceipt.
3. Preserved by the secretary of state or county auditor for a period of four years from the date of filing. The statement is to be considered a part of the public records of his office and shall be open to public inspection.

SECTION 7. PENALTY. Any person who shall willfully violate any provision of this Act shall be guilty of an infraction."

MONDAY, MARCH 23, 1981

1641

And when so amended recommends the same do pass.

*Harold Christensen*  
Chairman  
Senator H. Christensen

House Bill No. 1218 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 House Bill No. 1269

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 6, delete the words "federal aid coordinator" and insert in lieu thereof the words "industrial commission or its designee"

On page 1 of the engrossed bill, delete lines 10 through 17 and insert in lieu thereof the following: "used for direct consumer benefit programs to support labor and material costs for roof repair and heating plant repair to effect energy conservation. No funds shall be used for administrative purposes."

On page 1 of the engrossed bill, line 22, delete the words "federal aid coordinator" and insert in lieu thereof the words "industrial commission or its designee"

On page 1 of the engrossed bill, line 26, delete the following: "In addition, each"

On page 1 of the engrossed bill, delete lines 27 and 28

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

On page 2 of the engrossed bill, line 12, delete the numerals "1,000,000" and insert in lieu thereof the numerals "680,000"

On page 2 of the engrossed bill, delete lines 13 through 17 and insert in lieu thereof the following: "necessary, to the industrial commission or its designee for grants as provided"

And renumber the lines and pages accordingly

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

*Wan E. Dyer*  
Chairman  
Senator Lips

House Bill No. 1269 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 House Bill No. 1565

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:

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*Frank E. Lips*  
Senator Lips Chairman

House Bill No. 1565 was placed on the 14th

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. 1656

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*  
Senator Lodoen Chairman

HOUSE Bill No. 1656 was placed on the 14th

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

Mr. PRESIDENT: Your Committee on JOINT CONSTITUTIONAL REVISION HOUSE CONCURRENT to whom was referred RESOLUTION No. 3005

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:

As amended by the joint committee and adopted by the house

*Wenstrom* Co-Chairman *Swiontek* Co-Chairman  
HOUSE Sen. Wenstrom Rep. Swiontek

CONCURRENT RESOLUTION No. 3005 was placed on the 14th

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

Report of Conference Committees

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 2072 has had the same under

consideration and recommends that the Senate accede to the house amendments and that the following amendments be adopted:

On page 1 of the engrossed bill, line 2, after the second comma, insert the following: "16.1-03-11,"

On page 1 of the engrossed bill, line 5, after the first comma, insert the following: "the organization of the state committee,"

On page 3 of the engrossed bill, after line 15, insert the following

new section:

"SECTION 4. AMENDMENT. Section 16.1-03-11 of the 1979 Interim Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

16.1-03-11. STATE COMMITTEE - MEETINGS - ORGANIZATION - VACANCIES. The state committee shall meet on or before July first of each odd-numbered year. The committee shall organize by selecting a chairman, vice chairman, vice chairwoman, if provided for in the rules of the party, secretary, and treasurer and by adopting rules and modes of procedure. The officers elected need not be members of the committee, but they shall become voting members of the committee after their election. These officers, together with the national committeeman, national committeewoman, a representative of state elected officials who are members of that party, the party's floor leaders in the house of representatives and senate and four district chairmen to be selected by the state committee, shall constitute the executive committee of the state committee. If a vacancy occurs in the office of committee treasurer, the committee chairman may appoint a person to serve as acting treasurer. The vacancy shall be permanently filled for the balance of the term by a majority vote of the state committee at the first committee meeting following the occurrence of the vacancy. A vacancy in an office of the state committee, other than a party district chairman, shall be filled upon a majority vote of the state committee."

And renumber the lines, sections, and pages accordingly For the Senate For the House

Senator Holmberg

Representative Conmy

Senator Stenejem

Representative Houdmann

Senator Stromme

Representative E. Pomeroy

Senate Bill No. 2078 was placed on the seventh

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

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

red SENATE Bill No. 2079 has had the same under

consideration and recommends:

that the House recede from its amendments and Senate Bill 2079 be amended as follows:

On page 1, line 15 of the reengrossed bill, after the overstruck period insert the following sentence: "All moneys derived from the investment of the fund are to be credited to the fund."

On page 2, line 5 of the reengrossed bill, delete the word "four" and insert in lieu thereof the word "five"

On page 2, line 6 of the reengrossed bill, after the comma insert the word "the tax shall be suspended and", and delete the word "four" and insert in lieu thereof the word "five"

On page 2, line 7 of the reengrossed bill, after the period insert the sentence: If the tax has been suspended and on the first day of July in any year the amount of uncommitted money in the abandoned motor vehicle disposal fund is one hundred thousand dollars or less the tax shall be reimposed on and after January first of the succeeding year."

On page 2, line 10 of the reengrossed bill, delete the numerals

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"400,000" and insert in lieu thereof the numerals "500,000"

And renumber the lines and pages accordingly

For the Senate	For the House
SENATOR MUTCH <i>Mutch</i>	REPRESENTATIVE HILL <i>Ray Hill</i>
SENATOR ERICKSON <i>Erickson</i>	REPRESENTATIVE KENT <i>David Kent</i>
SENATOR TENNEFOS <i>Tennefos</i>	REPRESENTATIVE RICHARD <i>Allen Richard</i>

SENATE Bill No. 2079 was placed on the 7th

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

Mr. PRESIDENT: Your Conference Committee to whom was referred SENATE Bill No. 2122 has had the same under consideration and recommends:

that the House recede from its amendments and that Senate Bill 2122 be amended as follows:

On page 14, line 9 of the engrossed bill, overstrike the word "percent" and after the word "~~exceeding~~" insert "percentage points"

On page 18, line 28 of the engrossed bill, overstrike the word "percent" and after the word "~~annually~~" insert "percentage points"

On page 31, line 19 of the engrossed bill, overstrike the word "percent" and after the word "~~than~~" insert "percentage points"

and renumber the lines accordingly

For the Senate	For the House
Sen. Tierney <i>Tierney</i>	Rep. Black <i>Black</i>
Sen. Lodoen <i>Lodoen</i>	Rep. Boyum <i>John Boyum</i>
Sen. Shablow <i>Shablow</i>	Rep. Kelly <i>Rep. Kelly</i>

SENATE Bill No. 2122 was placed on the Seventh

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

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 2132 has had the same under consideration and recommends:

that the House recede from its amendments and Senate Bill #2132 be amended as follows:

On page 2, line 16, of the engrossed bill, after the word "of" insert the following words "notice of"

and renumber the lines and pages accordingly

For the Senate  
*Wayne Stangor*  
 Senator Stenehjem  
 Senator Adams  
 Senator Grotberg

For the House  
 Representative Reed  
 Representative G. Reiten  
 Representative Hoffner

Senate Bill No. 2132 was placed on the seventh

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

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 2389 has had the same under consideration and recommends: that the senate accede to the house amendments

For the Senate  
 Senator Christensen  
 Senator Stenehjem  
 Senator Stromme

For the House  
 Representative Houmann  
 Representative Richie  
 Representative E. Pomeroy

Senate Bill No. 2389 was placed on the seventh

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

Mr. PRESIDENT: Your Conference Committee to whom was referred HOUSE Bill No. 1132 has had the same under consideration and recommends:

That the Senate recede from its amendment and that HB 1132 be amended as follows:

On page 2, line 35 of the engrossed bill, delete the word "four" and insert in lieu thereof the word "five"

And renumber the lines accordingly

For the Senate  
 Sen. Gaussons  
 Sen. Peterson  
 Sen. Grotberg

For the House  
 Rep. Alice Olson  
 Rep. Dagne Olsen  
 Rep. Earl Pomeroy

HOUSE Bill No. 1132 was placed on the 7th.

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

Mr. President: Your Conference Committee to whom was referred House Bill No. 1184 has had the same under

consideration and recommends:

That the Senate recede from its amendments and that HB 1184 be amended as follows:

On page 5 of the engrossed bill, line 1, after the period delete the word "In" and insert in lieu thereof the following: "Reimbursement for private airplane travel shall be calculated as follows:

- a. If reimbursement is for one properly authorized and reimbursable passenger, reimbursement shall be paid on a per-mile basis as provided in this subsection.
- b. If reimbursement is claimed for a chartered private aircraft, reimbursement may not exceed the cost of regular coach fare on a commercial flight, if one is scheduled between the point of departure, point of destination, and return, for each properly authorized and reimbursable passenger on the charter flight; or, where there is no such regularly scheduled commercial flight, the actual cost of the charter.

No reimbursement shall be paid for leased private aircraft. In order to be reimbursed for the chartering of a private aircraft pursuant to subdivision b of this subsection, the charter agreement must receive prior approval from the director of the department of accounts and purchases who shall take comparable travel costs and the savings of time into account in making his decision."

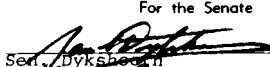

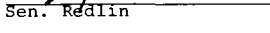
On page 5 of the engrossed bill, delete lines 2 through 6

On page 5 of the engrossed bill, line 7, delete the words and period "is less than the expense of a commercial flight."

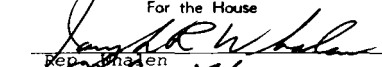

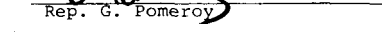
On page 5 of the engrossed bill, line 19, overstrike the word "When" and immediately thereafter insert the following: "Except as provided in subsection 1, when"

And renumber the lines and pages accordingly

For the Senate

  
 Sen. Dykstra  
  
 Sen. Gibson  
  
 Sen. Redlin

For the House

  
 Rep. Whalen  
  
 Rep. G. Hanson  
  
 Rep. G. Pomeroy

House Bill No. 1184 was placed on the 7th

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

Mr. President: Your Conference Committee to whom was referred House Bill No. 1411 has had the same under

consideration and recommends:

That the Senate recede from the following amendments:

On page 3, line 5, delete the word "two" and insert in lieu thereof the word "three"

On page 3, line 11, after the word "least" delete the word "two" and insert in lieu thereof the word "three"

That the House accede to the following Senate amendment:



On page 3, line 13, delete the numeral "2" and insert in lieu thereof the numeral "3"

That the Senate recede from the following amendment:

On page 3, line 14, after the word "least" delete the word "two" and insert in lieu thereof the word "three"

That the House accede to the following Senate amendments:

On page 3, line 17, after the word "subsection" delete the numeral "2" and insert in lieu thereof the numeral "3"

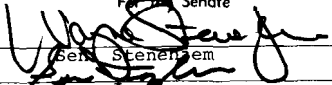
On page 3, line 21, after the word "do" delete the word "either" and insert in lieu thereof the word "any"

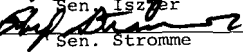
On page 3, after line 26, insert the following subsection:


"2. Return the list of nominees and direct the committee to reconvene."

And renumber the lines, subsections and pages accordingly


For the Senate


  
 \_\_\_\_\_  
 Sen. Steneberg

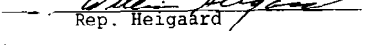
  
 \_\_\_\_\_  
 Sen. Iszter

  
 \_\_\_\_\_  
 Sen. Stromme

For the House

  
 \_\_\_\_\_  
 Rep. Katschuma

  
 \_\_\_\_\_  
 Rep. C. Anderson

  
 \_\_\_\_\_  
 Rep. Heigaard

House Bill No. 1411 was placed on the 7th

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

Senator Thane moved that the absent Senator be excused, which motion prevailed.

Senator Nething moved that at the conclusion of the 5th Order of Business, the 7th Order of Business and after the reading of House Bills Nos. 1020, 1565, 1656, and HCR No. 3005, the Senate adjourn and convene at 9:00 a.m., Tuesday, March 24, 1981, which motion prevailed.

LEO LEIDHOLM, Secretary