

FIFTY-FIFTH DAY

Bismarck, March 24, 1981

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

The prayer was offered by Rev. Merrill Ronning, Charity Lutheran Church, Bismarck.

Father God,

Thank You for the strength You give to each of us as we live in Your world. Continue to grant us physical strength so we can give what is asked of us. Thank You for these men and women and their strength in carrying out their work.

God, today may we be given a spiritual strength to live according to Your Will. May we seek to know You better and walk in closer company to You! Guide all of our paths.

Lord, may we remember from where we've come and to where we are going. Give us courage to face the truth that all we have is from You. Everything we have is a gift. May we learn to understand this as we live.

In Your grace and favor we live. Amen.

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

A quorum was declared by the President.

MESSAGES TO THE HOUSE

Senate Chamber

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

House Bill No. 1042

House Bill No. 1267

Very respectfully,

LEO LEIDHOLM, Secretary

Senate Chamber

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

Senate Bill No. 2049

Senate Bill No. 2101

Senate Bill No. 2158

Senate Bill No. 2161

Senate Bill No. 2291

Senate Bill No. 2306

Senate Bill No. 2370

Senate Bill No. 2417

Senate Bill No. 2428

Senate Bill No. 2431

Very respectfully,

LEO LEIDHOLM, Secretary

Senate Chamber

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

House Bill No. 1154

Senators:

Senator Tennefos

Senator Erickson

Senator Lashkowitz

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. 2249

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

Senate Bill No. 2249

Senators:

Senator Adams

Senator Goodman

Senator Barth

Very respectfully,

LEO LEIDHOLM, Secretary

Senate Chamber

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

House Bill No. 1525

Senators:

Senator R. Christensen

Senator Quail

Senator Grotberg

House Bill No. 1589

Senators:

Senator Dykshoorn

Senator Parker

Senator Solberg

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. 2313, and now wishes to inform you that it does concur in the House amendments to Senate Bill No. 2313, and subsequently passed the same. Also, the Senate has dissolved the Senate conference committee on Senate Bill No. 2313.

Very respectfully,

LEO LEIDHOLM, Secretary

MESSAGES FROM THE HOUSE

House Chamber

Mr. President: I have the honor to inform you that the House has reconsidered its action by which it did not concur in the Senate amendments to House Bills Nos. 1227, 1290, and 1651, and that the House has concurred in the Senate amendments to House Bills Nos. 1227, 1290, and 1651 and subsequently passed the same and the House has dissolved the Conference Committees on House Bills Nos. 1227,

1290, and 1651.

Very respectfully,

ROY GILBREATH, Chief Clerk
House Chamber

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

House Bill No. 1189

House Bill No. 1231

House Bill No. 1568

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. 2233

Reps.:

Rep. Nicholas

Rep. Melby

Rep. B. Larson

Senate Bill No. 2363

Reps.:

Rep. Timm

Rep. Goetz

Rep. Koski

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. 2204

ROY GILBREATH, Chief Clerk

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2204

On page 1, line 3 of the engrossed bill, after the word "lines" and before the period insert the following: "; and to amend and reenact section 10-15-02 of the North Dakota Century Code, relating to the purposes for which cooperatives may be organized"

On page 1, after line 5 of the engrossed bill, insert the following new section:

"SECTION 1. AMENDMENT. Section 10-15-02 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

10-15-02. PURPOSES. Cooperatives may be organized under this chapter for any lawful purpose except banking, and insurance, ~~and building or operating public railroads,~~ but subject to statutes relating to the organization or operation of specified kinds of corporations or associations. A cooperative may build or operate a public railroad only under a contract, lease, or other arrangement with a regional railroad authority."

On page 1, line 6 of the engrossed bill, after the first period underscore the remainder of the line

On page 1 of the engrossed bill, underscore lines 7 through 28 and underscore the lines on all remaining pages of the bill

recommended by the Committee on Appropriations and printed on page 1641 of the Senate Journal be adopted, which motion prevailed.

Senator Lips moved that the rules be suspended, that House Bill No. 1269 be placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

House Bill No. 1269. — A Bill for an Act to provide grants for home weatherization programs; and to provide an appropriation.

Which has been read.

ROLL CALL

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

REGULAR SESSION									NORTH DAKOTA SENATE			1981 LEGISLATURE		
REGULAR SESSION			ROLL CALL			1981 LEGISLATURE								
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS			
● ADAMS			● GROTEBERG			● NELSON			● STREIBEL					
● ALBERS			● HANSON			● NETHING			● STROMME					
● BAKEWELL			● HOLMBERG			● OLIN			● TALLACKSON					
● BARTH			● ISZLER			● PARKER			● TENNEFOS					
● BERUBE			● LASHKOWITZ			● PETERSON			● THANE					
● CHRISTENSEN, H. #5			● LEE			● QUAIL			● TIERNEY					
● CHRISTENSEN, R. #36			● 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.

Senator Nething moved that the vote by which House Bill No. 1269 was passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Lips moved that the Senate do concur in the House amendments to Senate Bill No. 2035 as printed on page 1596 of the Senate Journal, which motion prevailed.

Senator Lips moved that the rules be suspended, that Senate Bill No. 2035 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. 2035. — A Bill for an Act making an appropriation for defraying the expenses of the teachers' fund for retirement of the state of North Dakota.

Which has been read.

ROLL CALL

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

REGULAR SESSION									NORTH DAKOTA SENATE			1981 LEGISLATURE		
REGULAR SESSION			ROLL CALL			1981 LEGISLATURE								
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS			
● ADAMS			● GROTEBERG			● NELSON			● STREIBEL					
● ALBERS			● HANSON			● NETHING			● STROMME					
● BAKEWELL			● HOLMBERG			● OLIN			● TALLACKSON					
● BARTH			● ISZLER			● PARKER			● TENNEFOS					
● BERUBE			● LASHKOWITZ			● PETERSON			● THANE					
● CHRISTENSEN, H. #5			● LEE			● QUAIL			● TIERNEY					
● CHRISTENSEN, R. #36			● 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.

MOTION

Senator Lips moved that the Senate do not concur in the House amendments to Senate Bill No. 2046 as printed on page 1596 of the Senate Journal, 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. 2046:

- Senator Tweten, Chairman
- Senator Streibel
- Senator Walsh

Senator Lee moved that the Senate do concur in the House amendments to Senate Bill No. 2130 as printed on page 1597 of the Senate Journal, which motion prevailed.

Senator Lee moved that the rules be suspended, that Senate Bill No. 2130 be deemed properly re-engrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

Senate Bill No. 2130. — A Bill for an Act to provide for a grant program for the protection and rehabilitation of lakes in North Dakota; and to provide an appropriation.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 42, nays 7, absent and not voting 1.

NORTH DAKOTA SENATE											
REGULAR SESSION						ROLL CALL			1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● ADAMS			● GROTBERG			● NELSON			● STREIBEL		
● ALBERS			● HANSON			● NETHING			● STROMME		
● BAKEWELL			● HOLMBERG			● OLIN			● TALLACKSON		
● BARTH			● ISZLER		●	● PARKER			● TENNEFOS		
● BERUBE			● LASKOWITZ			● PETERSON			● TWANE		●
● CHRISTENSEN, H. #5			● LEE			● QUAIL		●	● TIERNEY		
● CHRISTENSEN, R. #36			● 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.

Senator Nelson moved that the Senate do concur in the House amendments to Senate Bill No. 2196 as printed on page 1614 of the Senate Journal, which motion prevailed.

Senator Nelson moved that the rules be suspended, that Senate Bill No. 2196 be deemed properly re-engrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

Senate Bill No. 2196. — A Bill for an Act to amend and reenact section 15-40.2-08 of the North Dakota Century Code, providing for the state to pay for educating handicapped children when neither a parent nor a legal guardian is residing in North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 48, nays 0, absent and not voting 2.

NORTH DAKOTA SENATE									1981 LEGISLATURE		
REGULAR SESSION									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		
● BAKEWELL			● HOLMBERG			● OLIN			● TALLACKSON		
● BARTH			● ISZLER			● PARKER			● TENNEFOS		
● BERUBE			● LASHKOWITZ			● PETERSON			● THANE		
● CHRISTENSEN, H. #5			● LEE			● QUAIL			● TIERNY		
● 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			● NAA DEN			● STENEHJEM					

So the bill passed and the title was agreed to.

Senator Lips moved that the Senate do concur in the House amendments to Senate Bill No. 2207 as printed on page 1597 of the Senate Journal, which motion prevailed.

Senator Lips moved that the rules be suspended, that Senate Bill No. 2207 be deemed properly engrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

Senate Bill No. 2207. — A Bill for an Act to direct the adjutant general to compile, publish, and distribute a history of the North Dakota army national guard and the 164th infantry regiment; and to provide an appropriation.

Which has been read.

ROLL CALL

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

NORTH DAKOTA SENATE									1981 LEGISLATURE		
REGULAR SESSION									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		
● BAKEWELL			● HOLMBERG			● OLIN			● TALLACKSON		
● BARTH			● ISZLER			● PARKER			● TENNEFOS		
● BERUBE			● LASHKOWITZ			● PETERSON			● THANE		
● CHRISTENSEN, H. #5			● LEE			● QUAIL			● TIERNY		
● 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			● NAA DEN			● STENEHJEM					

So the bill passed and the title was agreed to.

Senator Lee moved that the Senate do concur in the House amendments to Senate Bill No. 2399 as printed on page 1614 of the Senate Journal, which motion prevailed.

Senator Lee moved that the rules be suspended, that Senate Bill No. 2399 be deemed properly re-engrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

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

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 41, nays 8, absent and not voting 1.

NORTH DAKOTA SENATE								
REGULAR SESSION						1981 LEGISLATURE		
ROLL-CALL								
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• ADAMS		•	• GROETBERG			• NELSON		• STREIBEL
• ALBERS			• HANSON			• NETHING		• STROMME
• BAKEWELL			• HOLMBERG			• OLIN		• TALLACKSON
• BARTH			• ISZLER			• PARKER		• TENNEFOS
• BERUBE			• LASHKOWITZ			• PETERSON		• THANE
• CHRISTENSEN, H. #5			• LEE			• QUAIL	•	• TIERNEY
• CHRISTENSEN, R. #36			• 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	•		• STENEHEJEM		

So the bill passed and the title was agreed to.

CONSIDERATION OF CONFERENCE COMMITTEE REPORTS

Senator Holmberg moved that the Conference Committee Report on Senate Bill No. 2078 as printed on pages 1642, 1643 of the Senate Journal be adopted, which motion prevailed.

Senator Holmberg moved that the rules be suspended, that Senate Bill No. 2078 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. 2078. — A Bill for an Act to amend and reenact sections 16-10-12, 16-10-12.1, 16.1-03-02, 16.1-03-11, 16.1-03-17, 16.1-03-18, and 16.1-05-05 of the North Dakota Century Code, relating to compensation paid election officials, persons who may participate in and vote at caucuses, the organization of the state committee, political party reorganization after apportionment, and applicability of the chapter on unfair and corrupt election practices; and to repeal sections 16-10-16 and 16.1-06-07, as created by the 1979 Session Laws, chapter 271, section 16, relating to compensation paid inspectors, judges, and clerks at elections and arrangement of names on the general election ballot.

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 48, nays 0, absent and not voting 2.

NORTH DAKOTA SENATE								
REGULAR SESSION						1981 LEGISLATURE		
ROLL-CALL								
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• ADAMS			• GROETBERG			• NELSON		• STREIBEL
• ALBERS			• HANSON			• NETHING		• STROMME
• BAKEWELL			• HOLMBERG			• OLIN		• TALLACKSON
• BARTH			• ISZLER			• PARKER		• TENNEFOS
• BERUBE			• LASHKOWITZ			• PETERSON		• THANE
• CHRISTENSEN, H. #5			• LEE			• QUAIL		• TIERNEY
• CHRISTENSEN, R. #36			• 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			• STENEHEJEM		

So the bill passed and the title was agreed to.

Senator Mutch moved that the Conference Committee Report on Senate Bill No. 2079 as printed on pages 1643, 1644 of the Senate Journal be adopted, which motion prevailed.

Senator Mutch moved that the rules be suspended, that Senate Bill No. 2079 be deemed properly re-engrossed and placed on the calendar,

as amended, for second reading and final passage, which motion prevailed.

Senate Bill No. 2079. — A Bill for an Act to provide for a transfer to the general fund; and to amend and reenact sections 39-26-11 and 39-26-12 of the North Dakota Century Code, relating to the abandoned motor vehicle disposal fund and the tax on motor vehicle registrations.

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									1981 LEGISLATURE								
NORTH DAKOTA SENATE									NORTH DAKOTA SENATE								
ROLL-CALL									ROLL-CALL								
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS			
			•			•			•			•					
•	ADAMS		•	GROETBERG		•	NELSON		•	STREIBEL		•	STROMME				
•	ALBERS		•	HANSON		•	NETHING		•	TALLACKSON		•	TENNEFOS				
•	BAKEWELL		•	HOLMBERG		•	OLIN		•	THANE		•	TIERNEY				
•	BARTH		•	ISLER		•	PARKER		•	TWETEN		•	VOSPER				
•	BERUBE		•	LASHKOWITZ		•	PETERSON		•	MR. PRESIDENT							
•	CHRISTENSEN, H. #5		•	LEE		•	QUAIL										
•	CHRISTENSEN, R. #30		•	LEIBMAN		•	REIDEN										
•	CUSSONS		•	LIPS		•	REITEN										
•	DOTTENROD		•	LODDEN		•	ROEN										
•	DYKSHOORN		•	MELLAND		•	SHABLOW										
•	ERICKSON		•	MOORE		•	SOLBERG										
•	FRITZELL		•	MUTCH		•	SORUM										
•	GOODMAN		•	NAADEN		•	STENEHJEM										

So the bill passed and the title was agreed to.

Senator Tierney moved that the Conference Committee Report on Senate Bill No. 2122 as printed on page 1644 of the Senate Journal be adopted, which motion prevailed.

Senator Tierney moved that the rules be suspended, that Senate Bill No. 2122 be deemed properly re-engrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

Senate Bill No. 2122. — A Bill for an Act to amend and reenact section 2-06-10, 15-55-02, 15-55-05.1, 18-10-08, 21-02-02, 21-02-13, 21-03-08, 23-11-19, 23-11-22, 23-24-10, 40-24-02, 40-24-19, 40-29-15, 40-31-09, 40-33-05, 40-34-03, 40-35-08, 40-35-09, 40-54-10, subsections 3 and 4 of section 40-58-10, subsections 1 and 2 of section 40-61-08, sections 54-17-25, 55-08-08, 61-02-48, 61-02-53, 61-08-07, 61-08-20, 61-12-38, 61-16-13, 61-16-28, 61-16-32, 61-21-50, and 61-21-53 of the North Dakota Century Code, relating to interest rate ceilings of bonds, warrants, and certificates of indebtedness issued by public entities and sold to the state of North Dakota or any of its agencies or instrumentalities, the denominations of certain warrants, and the sale of certain bonds under par value; and to repeal section 54-30-06 of the North Dakota Century Code, relating to interest rate of bonds; 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 48, nays 0, absent and not voting 2.

REGULAR SESSION									1981 LEGISLATURE								
NORTH DAKOTA SENATE									NORTH DAKOTA SENATE								
ROLL-CALL									ROLL-CALL								
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS			
•	ADAMS		•	GROETBERG		•	NELSON		•	STREIBEL		•	STROMME				
•	ALBERS		•	HANSON		•	NETHING		•	TALLACKSON		•	TENNEFOS				
•	BAKEWELL		•	HOLMBERG		•	OLIN		•	THANE		•	TIERNEY				
•	BARTH		•	ISLER		•	PARKER		•								
•	BERUBE		•	LASHKOWITZ		•	PETERSON										
•	CHRISTENSEN, H. #5		•	LEE		•	QUAIL										

● CHRISTENSEN, R. 136	● LEIBHAN	● REDLIN	● TWETEN
● CUSONS	● LIPS	● REITEN	● VOSPER
● DOTZENROD	● LODDEN	● ROEN	● WALSH
● DYKSHOORN	● MELLAND	● SHABLOW	● WENSTROM
● ERICKSON	● MOORE	● SOLBERG	● WRIGHT
● FRITZELL	● MUTCH	● SORUM	MR. PRESIDENT
● GOODMAN	● NAADEN	● STENEHJEM	

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

Senator Stenehjsem moved that the Conference Committee Report on Senate Bill No. 2132 as printed on page 1644 of the Senate Journal be adopted, which motion prevailed.

Senator Stenehjsem moved that the rules be suspended, that Senate Bill No. 2132 be deemed properly re-engrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

Senate Bill No. 2132. — A Bill for an Act to amend and reenact sections 14-10-05 and 50-12-17 of the North Dakota Century Code, relating to the penalty imposed for the illegal placement of a child for adoption.

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 48, nays 1, absent and not voting 1.

NORTH DAKOTA SENATE											
REGULAR SESSION						ROLL-CALL			1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● ADAMS			● GROTBERG			● NELSON			● STREIBEL		
● ALBERS			● HANSON			● NETHING			● STROMME		
● BAKWELL			● HOLMBERG			● OLIN			● TALLACKSON		
● BARTH			● ISZLER			● PARKER			● TENNEFOS		
● BERUBE			● LASKOWITZ			● PETERSON			● THANE	●	
● CHRISTENSEN, H. 15			● LEE			● QUAIL			● TIERNEY		
● CHRISTENSEN, R. 136			● LEIBHAN			● REDLIN	●		● TWETEN		
● CUSONS			● LIPS			● REITEN			● VOSPER		
● DOTZENROD			● LODDEN			● ROEN			● WALSH		
● DYKSHOORN			● MELLAND			● SHABLOW			● WENSTROM		
● ERICKSON			● MOORE			● SOLBERG			● WRIGHT		
● FRITZELL			● MUTCH			● SORUM			MR. PRESIDENT		
● GOODMAN			● NAADEN			● STENEHJEM					

So the bill passed and the title was agreed to.

Senator H. Christensen moved that the Conference Committee Report on Senate Bill No. 2389 as printed on page 1645 of the Senate Journal be adopted, which motion prevailed.

Senator H. Christensen moved that the rules be suspended, that Senate Bill No. 2389 be deemed properly re-engrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

Senate Bill No. 2389. — A Bill for an Act to amend and reenact sections 12-46-13, 12.1-04-01, 12.1-32-13, 27-20-33, and 27-20-34 of the North Dakota Century Code, relating to transfer of juvenile jurisdiction to adult court.

Which has been read.

ROLL CALL

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

NORTH DAKOTA SENATE											
REGULAR SESSION						ROLL-CALL			1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● ADAMS			● GROTBERG			● NELSON			● STREIBEL		
● ALBERS			● HANSON			● NETHING			● STROMME		

● BAKEWELL	● HOLMBERG	● OLIN	● TALLACKSON
● BARTH	● ISZLER	● PARKER	● TENNEFOS
● BERUBE	● LASHKOWITZ	● PETERSON	● THANE
● CHRISTENSEN, H. #5	● LEE	● QUAIL	● TIERNEY
● CHRISTENSEN, R. #34	● LEIBHAN	● REDLIN	● TWETEN
● CUSSONS	● LIPS	● REITEN	● VOSPER
● DOTZENROD	● LODOEN	● ROEN	● WALSH
● DYKSHOORN	● MELLAND	● SHABLOW	● WENSTROM
● ERICKSON	● MOORE	● SOLBERG	● WRIGHT
● FRITZELL	● MUTCH	● SORUM	MR. PRESIDENT
● GOODMAN	● NAADEN	● STENEHJEM	

So the bill passed and the title was agreed to.

Senator Cussons moved that the Conference Committee Report on House Bill No. 1132 as printed on page 1645 of the Senate Journal be adopted, which motion lost on a voice vote.

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. 1132, which motion prevailed.

The President appointed as a Conference Committee on House Bill No. 1132:

- Senator Cussons, Chairman
- Senator Peterson
- Senator Grotberg

MOTIONS

Senator Lips moved that the conference committee on House Bills Nos. 1227, 1290 and 1651 be dissolved, 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.

CONSIDERATION OF CONFERENCE COMMITTEE REPORTS

Senator Dykshoorn moved that the Conference Committee Report on House Bill No. 1184 as printed on page 1646 of the Senate Journal be adopted, which motion prevailed.

Senator Dykshoorn moved that the rules be suspended, that House Bill No. 1184 be placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1184. — A Bill for an Act to amend and reenact sections 44-08-04, 44-08-04.2, and 54-06-09 of the North Dakota Century Code, relating to expense accounts and mileage and travel expenses of state officers and employees.

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							1981 LEGISLATURE				
REGULAR SESSION			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					
● BAKEWELL			● HOLMBERG	● OLIN		● TALLACKSON					
● BARTH			● ISZLER	● PARKER		● TENNEFOS					
● BERUBE			● LASHKOWITZ	● PETERSON		● THANE					
● CHRISTENSEN, H. #5			● LEE	● QUAIL		● TIERNEY					
● CHRISTENSEN, R. #34			● LEIBHAN	● REDLIN		● TWETEN					
● CUSSONS			● LIPS	● REITEN		● VOSPER					
● DOTZENROD			● LODOEN	● ROEN		● WALSH					
● DYKSHOORN			● MELLAND	● SHABLOW		● WENSTROM					
● ERICKSON			● MOORE	● SOLBERG		● WRIGHT					
● FRITZELL			● MUTCH	● SORUM		MR. PRESIDENT					
● GOODMAN			● NAADEN	● STENEHJEM							

So the bill passed and the title was agreed to.

Senator Stenehjem moved that the Conference Committee Report on

House Bill No. 1411 as printed on pages 1646, 1647 of the Senate Journal be adopted, which motion prevailed.

Senator Stenehjem moved that the rules be suspended, that House Bill No. 1411 be placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

House Bill No. 1411. — A Bill for an Act to create a judicial nominating committee to make nominations in the event of a vacancy in the position of supreme court justice or district judge.

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 48, nays 0, absent and not voting 2.

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			• ISLER			• PARKER			• TENNEFOS		
• BERUBE			• LASHKOWITZ			• PETERSON			• THANE		
• CHRISTENSEN, H. 45			• LEE			• QUAIL			• TIERNEY		
• CHRISTENSEN, R. #36			• 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.

MESSAGES FROM THE HOUSE

House Chamber

Mr. President: I have the honor to inform you that the House respectfully requests the return of Senate Concurrent Resolution No. 4016.

ROY GILBREATH, Chief Clerk

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. 1497, and subsequently did not concur in the Senate amendments to House Bill No. 1497, and the Speaker has appointed as a Conference Committee to meet with a like committee from the Senate the following:

- Rep. Timm
 - Rep. Hughes
 - Rep. Richard
- 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. 1418
- House Bill No. 1509
- House Bill No. 1529

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

House Bill No. 1418

Reps.:

- Rep. A. Olson
- Rep. Strinden

Rep. E. Pomeroy
 House Bill No. 1509
 Reps.:
 Rep. Richie
 Rep. Hill
 Rep. Sorum
 House Bill No. 1529
 Reps.:
 Rep. A. Hausauer
 Rep. Timm
 Rep. Berg
 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. 1227
 House Bill No. 1290
 House Bill No. 1399
 House Bill No. 1651
 and subsequently passed the same.
 Very respectfully,

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to transmit herewith the following on which the House has adopted the conference committee report and subsequently passed:
 House Bill No. 1177
 House Bill No. 1484
 House Bill No. 1563
 Very respectfully,

ROY GILBREATH, Chief Clerk

SECOND READING OF HOUSE BILLS

House Bill No. 1020. — A Bill for an Act making an appropriation for replacing property tax revenue losses to county equalization funds of the state of North Dakota.

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

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes 2, nays 47, absent and not voting 1.

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	•
•			ISLER	•		PARKER	•				TENNEFOS	•
		•	LASHKOWITZ	•		PETERSON	•				THANE	•
		•	LEE	•		QUAIL	•				TIERNEY	•
		•	LEIBHAN	•		REDLIN	•				TWETEN	•
		•	LIPS	•		REITEN	•				VOSPER	•
		•	LODOEN	•		ROEN	•				WALSH	•
		•	MELLAND	•	•	SHABLOW	•				WENSTROM	•
		•	MOORE	•		SOLBERG	•				WRIGHT	•
		•	MUTCH	•		SORUM	•				MR. PRESIDENT	•
		•	NAADEN	•		STENEHJEM	•					

House Bill No. 1020 was declared lost.

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

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

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes 28, nays 21, absent and not voting 1.

NORTH DAKOTA SENATE									1981 LEGISLATURE		
REGULAR SESSION						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		•	• LASHKOWITZ			• PETERSON			• THANE		
• CHRISTENSEN, H #5			• LEE			• QUAIL		•	• TIERNEY		
• CHRISTENSEN, R #36			• LEIBHAN			• REDLIN		•	• TWETEN		
• CUSSONS		•	• LIPS		•	• REITEN			• VOSPER		•
• DOTZENROD			• LODDOEN		•	• ROEN			• WALSH		
• DYKSHOORN		•	• MELLAND		•	• SHABLOW			• WENSTROM		
• ERICKSON			• MOORE		•	• SOLBERG			• WRIGHT		
• FRITZELL		•	• MUTCH			• SORUM		•	• MR. PRESIDENT		
• GOODMAN			• NAADEN		•	• STENEJEM					

So the bill passed and the title was agreed to.

Senator Nething moved that the Senate stand in recess until 1:30 p. m., which motion prevailed.

The Senate reconvened, with President Sands presiding.

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-fourth day and recommends that the same be corrected as follows:

On page 1596, after line 49, insert the following:

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

In the Journal of the Fifty-third day, correct as follows:
On page 1569, line 63, delete "2447" and insert "2247"

And when so corrected recommends that the same be approved.

Chairman
Senator Tennefos
Senator Walsh moved that the report be adopted, which motion prevailed.

MOTION

Senator Nething moved that the Senate return Senate Concurrent Resolution No. 4016 to the House, which motion prevailed.

MESSAGES TO THE HOUSE
Senate Chamber

Mr. Speaker: I have the honor to return Senate Concurrent Resolution No. 4016, which the House has requested.
Very respectfully,

LEO LEIDHOLM, Secretary

Senate Chamber

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

Senate Bill No. 2035

Senate Bill No. 2130

Senate Bill No. 2196

Senate Bill No. 2207

Senate Bill No. 2399

Refused to concur in the House amendment to:

Senate Bill No. 2046

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

Senate Bill No. 2046

Senators:

Senator Tweten

Senator Streibel

Senator Walsh

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. 1218

House Bill No. 1269

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return herewith the following on which the Senate has not adopted the conference committee report and the President has appointed as a new conference committee on:

House Bill No. 1132

Senators:

Senator Cussons

Senator Peterson

Senator Grotberg

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. 1038

House Bill No. 1060

House Bill No. 1061

House Bill No. 1072

House Bill No. 1591

House Concurrent Resolution No. 3072

Very Respectfully,

LEO LEIDHOLM, Secretary

MESSAGES FROM THE HOUSE

House Chamber

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

Senate Concurrent Resolution No. 4016

ROY GILBREATH, Chief Clerk

HOUSE AMENDMENTS TO ENGROSSED SENATE CONCURRENT RESOLUTION 4016

On page 1, line 17 of the engrossed concurrent resolution, after the word "if" insert "either", and after the numerals "3055" insert "or Senate Concurrent Resolution No. 4088"

And renumber the lines and pages accordingly

MESSAGES TO THE HOUSE

Senate Chamber

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

- Senate Bill No. 2078
- Senate Bill No. 2079
- Senate Bill No. 2122
- Senate Bill No. 2132
- Senate Bill No. 2389

Very respectfully,

LEO LEIDHOLM, Secretary

Senate Chamber

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

- House Bill No. 1184
- House Bill No. 1411

Very respectfully,

LEO LEIDHOLM, Secretary

MOTION

Senator Lips moved that House Bill No. 1092 which is on the 6th Order of Business, be re-referred to the Committee on Appropriations, which motion prevailed.

CONSIDERATION OF AMENDMENTS

Senator Lips moved that the amendments to House Bill No. 1009 recommended by the Committee on Appropriations and printed on pages 1632 - 1634 of the Senate Journal be adopted.

Senator Barth requested a recorded roll call vote on the motion to adopt the proposed amendments to House Bill No. 1009, which request was granted.

ROLL CALL

The question being on the motion to adopt the proposed amendments to House Bill No. 1009, the roll was called and there were 42 ayes, 7 nays, absent and not voting 1.

NORTH DAKOTA SENATE											
REGULAR SESSION						1981 LEGISLATURE					
ROLL-CALL											
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• ADAMS			• GROTEBERG			• 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	

The proposed amendments to House Bill No. 1009 were adopted.

Senator Melland moved that the rules be suspended, that House Bill No. 1009 be placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE BILLS

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

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 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			● GROETBERG			● NELSON			● STREIBEL		
● ALBERS			● HANSON			● NETHING			● STROMME		
● BAKWELL			● HOLMBERG			● OLIN			● TALLACKSON		
● BARTH			● ISZLER			● PARKER			● TENNEFOS		
● BERUBE			● LASHKOWITZ			● PETERSON			● THANE		
● CHRISTENSEN, H. #5			● LEE			● QUAIL			● TIERNEY		
● CHRISTENSEN, R. #36			● LEIBHAN			● REDLIN			● TWETEN		
● CUSSONS			● LIPS			● REITEN			● VOSPER		
● DOTZENROD			● LODOEN			● ROEN			● WALSH		
● DYKSHOORN			● MELLAND			● SHABLOW			● WENSTROM		
● ERICKSON			● MOORE			● SOLBERG			● WRIGHT		
● FRITZELL			● MUTCH			● SORUM			MR. PRESIDENT		
● GOODMAN			● NAADEN			● STENEHJEM					

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

House Bill No. 1656. — A Bill for an Act relating to the temporary authority of the social service board to administer the rent subsidy program; and to declare an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, 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			● GROETBERG			● NELSON			● STREIBEL		
● ALBERS			● HANSON			● NETHING			● STROMME		
● BAKWELL			● HOLMBERG			● OLIN			● TALLACKSON		
● BARTH			● ISZLER			● PARKER			● TENNEFOS		
● BERUBE			● LASHKOWITZ			● PETERSON			● THANE		
● CHRISTENSEN, H. #5			● LEE			● QUAIL			● TIERNEY		
● CHRISTENSEN, R. #36			● LEIBHAN			● REDLIN			● TWETEN		
● CUSSONS			● LIPS			● REITEN			● VOSPER		
● DOTZENROD			● LODOEN			● ROEN			● WALSH		
● DYKSHOORN			● MELLAND			● SHABLOW			● WENSTROM		
● ERICKSON			● MOORE			● SOLBERG			● WRIGHT		
● FRITZELL			● MUTCH			● SORUM			MR. PRESIDENT		
● GOODMAN			● NAADEN			● STENEHJEM					

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

**SECOND READING OF
HOUSE CONCURRENT RESOLUTION**

House Concurrent Resolution No. 3005. — A concurrent resolution to create and enact a new section to the Constitution of the State of North

Senator Goodman, Chairman
 Senator Moore
 Senator Shablow

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. 1529, which motion prevailed.

The President appointed as a Conference Committee on House Bill No. 1529:

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. 1509, which motion prevailed.

The President appointed as a Conference Committee on House Bill No. 1509:

Senator Sorum, Chairman
 Senator Iszler
 Senator Lashkowitz

CONSIDERATION OF MESSAGES
 FROM THE HOUSE

Senator Iszler moved that the Senate reconsider its action whereby it did not concur in the House amendments to Senate Bill No. 2214 as printed on page 1412 of the Senate Journal, and now does concur with the House amendments to Senate Bill No. 2214, which motion prevailed.

Senator Iszler moved that the rules be suspended, that Senate Bill No. 2214 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. 2214. — A Bill for an Act to amend and reenact subdivision m of subsection 1 of section 57-38-01.2, subsections 2 and 3 of section 57-38-67, and sections 57-38-68 and 57-38-69 of the North Dakota Century Code, relating to the adjustments to taxable income for individuals and fiduciaries derived from sales of land to beginning farmers, the definition of a beginning farmer and landowner, the income tax deduction for land sales to beginning farmers, and providing that rent received from beginning farmers is exempt from income tax; 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 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		●	GROTEBERG		●	NELSON		●	STREIBEL	
●	ALBERS		●	HANSON		●	NETHING		●	STROMME	
●	BAKEWELL		●	HOLMBERG		●	OLIN		●	TALACKSON	
●	BARTH		●	ISZLER		●	PARKER		●	TENNEFOS	
●	BERUBE		●	LASHKOWITZ		●	PETERSON		●	THANE	
●	CHRISTENSEN, H. #5		●	LEE		●	QUAIL		●	TIERNEY	
●	CHRISTENSEN, R. #36		●	LEIBHAN		●	REDLIN		●	TWETEN	
●	CUSSONS		●	LIPS		●	REITEN		●	VOSPER	
●	DOTZENROD		●	LODOEN		●	ROEN		●	WALSH	
●	DYKSHOORN		●	MELLAND		●	SHABLOW		●	WENSTROM	
●	ERICKSON		●	MOORE		●	SOLBERG		●	WRIGHT	
●	FRITZELL		●	MUTCH		●	SORUM		●	MR. PRESIDENT	
●	GOODMAN		●	NAADEN		●	STENEHJEM				

Senators:
Senator Peterson
Senator Stenehjem
Senator Cussons
House Bill No. 1497

Senators:
Senator Goodman
Senator Moore
Senator Shablow
House Bill No. 1509

Senators:
Senator Sorum
Senator Iszler
Senator Lashkowitz
House Bill No. 1529

Senators:
Senator Wright
Senator Goodman
Senator Barth

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 Concurrent Resolution No. 4087

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

Senate Concurrent Resolution No. 4087

Senators:
Senator Thane
Senator Wright
Senator Barth

Very respectfully,

LEO LEIDHOLM, Secretary

MESSAGES FROM THE HOUSE

House Chamber

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

House Bill No. 1093
House Bill No. 1108
House Bill No. 1145
House Bill No. 1178
House Bill No. 1180
House Bill No. 1217
House Bill No. 1288
House Bill No. 1292
House Bill No. 1304
House Bill No. 1332
House Bill No. 1343
House Bill No. 1384
House Bill No. 1395
House Bill No. 1404
House Bill No. 1430
House Bill No. 1463
House Bill No. 1520
House Bill No. 1545
House Bill No. 1571

House Bill No. 1619
 House Bill No. 1638
 House Concurrent Resolution No. 3001
 House Concurrent Resolution No. 3031
 House Concurrent Resolution No. 3032
 House Concurrent Resolution No. 3035
 House Concurrent Resolution No. 3039
 House Concurrent Resolution No. 3048
 House Concurrent Resolution No. 3049
 House Concurrent Resolution No. 3051
 House Concurrent Resolution No. 3056
 House Concurrent Resolution No. 3058
 House Concurrent Resolution No. 3062
 House Concurrent Resolution No. 3081

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

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. 2249

Reps.:

Rep. Hughes
 Rep. Moore
 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. 1027

House Bill No. 1028

House Bill No. 1049

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

House Bill No. 1027

Reps.:

Rep. Kuchera
 Rep. Lipsiea
 Rep. Solberg
 House Bill No. 1028

Reps.:

Rep. Lipsiea
 Rep. Unhjem
 Rep. Mertens
 House Bill No. 1049

Reps.:

Rep. Unhjem
 Rep. R. Jacobson
 Rep. Mushik

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. 1033

House Bill No. 1040

House Bill No. 1204

House Bill No. 1653

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

House Bill No. 1033

House Bill No. 1653

Reps.:

Rep. Koland

Rep. Marsden

Rep. Solberg

House Bill No. 1040

Reps.:

Rep. Unhjem

Rep. Kuchera

Rep. Meiers

Reps.:

Rep. Freborg

Rep. Gunsch

Rep. Opedahl

House Bill No. 1204

Reps.:

Rep. Wagner

Rep. A. Olson

Rep. E. Pomeroy

Very respectfully,

ROY GILBREATH, Chief Clerk

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Goodman moved that the Senate do concur in the House amendments to Senate Bill No. 2323 as printed on pages 1603 - 1605 of the Senate Journal, which motion prevailed.

Senator Goodman moved that the rules be suspended, that Senate Bill No. 2323 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. 2323. — A Bill for an Act relating to the taxation of property at true and full value, the assessment of agricultural land, protection of taxpayers and taxing districts for certain years, and statements of full consideration; to create and enact five new subsections to section 57-02-01 of the North Dakota Century Code, relating to definitions; to amend and reenact sections 57-02-11, 57-02-27, and 57-02-28, subsection 1 of section 57-13-04, and section 57-55-04 of the North Dakota Century Code, relating to the annual assessment of property at true and full value, the basis for the computation of property taxes, the powers and duties of the state board of equalization, and the taxation of mobile homes; to provide a penalty; to provide an effective date; 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 yeas 32, nays 17, absent and not voting 1.

NORTH DAKOTA SENATE											
REGULAR SESSION						1981 LEGISLATURE					
ROLL-CALL											
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
•	ADAMS		•	GROTBORG		•	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
• 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, the title was agreed to, but the emergency clause lost.

MOTION

Senator Iszler moved that House Bills Nos. 1306 and 1357 be moved to the head of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1306. — A Bill for an Act to amend and reenact section 10-06-06 of the North Dakota Century Code, relating to a penalty provision for those corporations in violation of the corporate farming prohibition.

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

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes 1, nays 46, absent and not voting 3.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
	•			•			•	
ADAMS	•		GROTBERG	•		NELSON	•	STREIBEL
ALBERS	•		HANSON	•		NETHING	•	STROMME
BAKEWELL	•		HOLMBERG	•		OLIN	•	TALLACKSON
BARTH	•		ISZLER	•		PARKER	•	TENNEFOS
BERUBE	•		LASHKOWITZ	•		PETERSON	•	THANE
CHRISTENSEN, H. #5	•		LEE	•		QUAIL	•	TIERNEY
CHRISTENSEN, R. #36	•		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	•	

House Bill No. 1306 was declared lost.

House Bill No. 1357. — A Bill for an Act to amend and reenact sections 10-06-02 and 10-06-03 of the North Dakota Century Code, relating to the disposal of agricultural lands acquired by corporations.

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

ROLL CALL

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

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
	•			•			•	
ADAMS	•		GROTBERG	•		NELSON	•	STREIBEL
ALBERS	•		HANSON	•		NETHING	•	STROMME
BAKEWELL	•		HOLMBERG	•		OLIN	•	TALLACKSON
BARTH	•		ISZLER	•		PARKER	•	TENNEFOS
BERUBE	•		LASHKOWITZ	•		PETERSON	•	THANE
CHRISTENSEN, H. #5	•		LEE	•		QUAIL	•	TIERNEY
CHRISTENSEN, R. #36	•		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	

House Bill No. 1357 was declared lost.

MOTIONS

Senator Lips 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. 1027, which motion prevailed.

The President appointed as a Conference Committee on House Bill No. 1027:

Senator Vosper, Chairman
 Senator Wenstrom
 Senator Tallackson

Senator Lips 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. 1028, which motion prevailed.

The President appointed as a Conference Committee on House Bill No. 1028:

Senator Hanson, Chairman
 Senator Wenstrom
 Senator Walsh

Senator Lips 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. 1033, which motion prevailed.

The President appointed as a Conference Committee on House Bill No. 1033:

Senator Melland, Chairman
 Senator Streibel
 Senator Walsh

Senator Lips 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. 1040, which motion prevailed.

The President appointed as a Conference Committee on House Bill No. 1040:

Senator Fritzell, Chairman
 Senator Naaden
 Senator Walsh

Senator Lips 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. 1049, which motion prevailed.

The President appointed as a Conference Committee on House Bill No. 1049:

Senator Lips, Chairman
 Senator Thane
 Senator Tallackson

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. 1204, which motion prevailed.

The President appointed as a Conference Committee on House Bill No. 1204:

Senator Peterson, Chairman
 Senator Stenehjem
 Senator Grotberg

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. 1277, which motion prevailed.

The President appointed as a Conference Committee on House Bill No. 1277:

- Senator Holmberg, Chairman
- Senator Stenehjem
- Senator Stromme

Senator Lips 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. 1653, which motion prevailed.

The President appointed as a Conference Committee on House Bill No. 1653:

- Senator Lips, Chairman
- Senator Hanson
- Senator Tallackson

POINT OF PERSONAL PRIVILEGE

Senator Dykshoorn:

Mr. President, Members of the Senate: Mandan, where the West begins, will be celebrating its centennial this year, and there are many events planned each month through November. The biggest event will be the Fourth of July. There will be a rodeo on July 2-4, a centennial parade on July 18 at 7:30 p.m., a rodeo parade on July 4 at 11:00 a.m., and all-class reunion on June 30 at the Community Center. There will be activities held in the park July 1-4 including art, entertainment, and eating. The week of May 25-30 is Centennial Railroad Week at Burlington Northern. They will have an open house at their new facilities in Mandan. In addition, there are several businesses that are 100 years old including First Northwestern Bank which will be holding its celebration November 16-20, and the Masons will be holding an open house to celebrate their 100 years. St. Joseph's Church will observe its 100 years June 3-7, the First Methodist Church June 28, and the Presbyterian Church on June 27 and 28. The Mandan Centennial Polka Fest will be October 15-17 at the Community Center.

Morton County is also 100 years old this year and will hold a big celebration in New Salem during the county fair, August 21-23. Almont will celebrate its Diamond Jubilee June 19-21.

Report of Conference Committees

Mr. PRESIDENT: Your Conference Committee to whom was referred HOUSE Bill No. 1568 has had the same under consideration and recommends:

That the House accede to the Senate amendments

For the Senate

For the House

Wm. M. Minter
 Sen. Mutch
Ralph Christensen
 Sen. Ralph Christensen
Wm. M. Minter
 Sen. Parker
 Sen. Mutch

Boyle Dief
 Rep. Diefz
Metz
 Rep. Metz
Dotzenrod
 Rep. Dotzenrod

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

Mr. PRESIDENT: Your Conference Committee to whom was referred SENATE Bill No. 2127 has had the same under

consideration and recommends:

That the House recede from its amendments and that Senate Bill No. 2127 be amended as follows:

On page 1, line 18, of the engrossed bill, after the word "class" delete "A" and insert in lieu thereof "B"

On page 4, line 35 of the engrossed bill, after "one hundred" insert "five"

And renumber the lines and pages accordingly

For the Senate
Sen. Mutch-Chrnm. *R. Mutch*
Ralph Christensen
Sen. R. Christenson
William C. Parker
Sen. Parker

For the House
Rep. Vandervorst-Chrnm.
Rep. Gerl
Rep. Gerl
Rep. Heiström
Rep. Heiström
Rep. Mattson

SENATE Bill No. 2127 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. 2160 has had the same under consideration and recommends:

that the House recedes from its amendments as follows:

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

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

and further amends as follows:

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

For the Senate
Senator Nelson *Sen. Nelson*
Senator Quail
Senator Redlin (absent)

For the House
Rep. Kretschmar *W. E. Mutch*
Rep. G. Pomeroy *G. Pomeroy*
Rep. Mattson *Rep. Mattson*

Senate Bill No. 2160 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. 2213 has had the same under consideration and recommends:

That the House recede from its amendments and that Senate Bill 2213 be amended as follows:

- On page 1 of the engrossed bill, line 3, delete the words "to allow farm implements to be moved" and insert in lieu thereof the following: ",relating to movement of farm implements"
On page 1 of the engrossed bill, line 4, after the word "highways" delete "other than interstate highways at anytime of"
On page 1 of the engrossed bill line 5 delete "the day or night"
On page 1 of the engrossed bill, line 12, remove the overstrike over the words "between-sunrise-and"
On page 1 of the engrossed bill, line 13, remove the overstrike over the word "sunset", and after the period insert the following: "Furthermore, the limitation shall not apply to implements of husbandry being moved between sunset and sunrise by resident farmers, ranchers, or dealers on public state, county, or township highway systems other than interstate highway systems."
On page 1 of the engrossed bill, line 22, delete the words "unless the external borders of the vehicle"
On page 1 of the engrossed bill, line 23, delete the words "shall be lighted"

And renumber the lines and pages accordingly

For the Senate: SENATOR BRICKSON, SENATOR MUTCH, SENATOR DYKHOORN. For the House: Rep. Dan Olson, Rep. Gunderson, Rep: Richard

Senate Bill No. 2213 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. 2286 has had the same under consideration and recommends:

that the Senate accede to the House amendments and that Senate Bill 2286 be further amended as follows:

On page 1 of the engrossed bill, line 21, delete the word "ten" and insert the word "twenty"

For the Senate	For the House
Sen. Holmberg <u>Ray Holmberg</u>	Rep. Metz <u>Ray Metz</u>
Sen. Lodoen <u>Lodoen</u>	Rep. Conroy <u>Conroy</u>
Sen. Berube <u>Phillips Berube</u>	Rep. Kelly <u>Jack Kelly</u>

SENATE Bill No. 2286 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. 2374 has had the same under consideration and recommends:

that the Senate accede to the House amendments and that Senate Bill 2374 be further amended as follows:

On page 3, after line 29 of the engrossed bill, insert the following section:

SECTION 8. LIMITATION ON ADDITIONAL STATE AID. Any person whose application for a loan guarantee under this Act is approved shall not be eligible to receive additional aid in the form of a loan, grant, or guarantee from any state agency, department, or instrumentality.

and renumber the lines, pages, and sections accordingly

For the Senate	For the House
Sen. Lodoen <u>Lodoen</u>	Rep. VanderVorst <u>VanderVorst</u>
Sen. Holmberg <u>Ray Holmberg</u>	Rep. C. Anderson <u>Charles Anderson</u>
Sen. Shablow <u>Shablow</u>	Rep. B. Larson <u>Bruce Larson</u>

Senate Bill No. 2374 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. 1189 has had the same under consideration and recommends:

That the Senate recede from its amendment and that HB 1189 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 subsections 12, 13, and 14 to section 43-15-10 and a new section to chapter 43-15 of the North Dakota Century Code, relating to powers of the board of pharmacy and to disciplinary penalties for pharmacists; and to amend and reenact subsection 1 of section 43-15-10 of the North Dakota Century Code, relating to powers of the board of pharmacy.

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

SECTION 1. Subsections 12, 13 and 14 to section 43-15-10 of the 1979 Supplement to the North Dakota Century Code are hereby created and enacted to read as follows:

12. To regulate and control the practice of pharmacy in North Dakota.
13. To adopt, amend, and repeal rules for the regulation of pharmacies and pharmacists providing radio-pharmaceutical services, including special training, education, and experience for pharmacists and physical design of space, safeguards and equipment for pharmacies.
14. To make, adopt, amend, and repeal rules as may be deemed necessary by the board from time to time for the proper administration and enforcement of this chapter.

SECTION 2. AMENDMENT. Subsection 1 of section 43-15-10 of the 1979 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

1. ~~To cancel, revoke, or suspend the certificate and registration of any registered pharmacist who~~ To refuse to issue or renew, or may suspend, revoke or restrict the certificate, registration or permit of any pharmacist or registered pharmacist, upon one or more of the following grounds:
 - a. Is addicted to any drug habit.
 - b. Uses any advertising statements of a character tending to deceive or mislead the public.
 - c. Is a chronic or persistent inebriate.
 - d. Permits or engages in the unauthorized sale of narcotic drugs or controlled substances.
 - e. Permits or engages an unauthorized person to practice pharmacy.
 - f. Is mentally or physically incompetent to handle his pharmaceutical duties.
 - g. Is guilty of fraud, deception, or misrepresentation in passing his pharmacist examination.
 - h. ~~Willfully and repeatedly violates~~ Is found by the board in violation of any of the provisions of the laws regulating pharmacists or the rules and regulations established by the board.
 - i. Unprofessional conduct as that term is defined by the rules and regulations of the board.
 - j. Incapacity of a nature that prevents a pharmacist from engaging in the practice of pharmacy with reasonable skill, competence, and safety to the public.

- k. Is found guilty by a court of competent jurisdiction of one or more of the following:
- (1) A felony, as defined by the statutes of North Dakota.
 - (2) Any act involving moral turpitude or gross immorality.
 - (3) Violations of the pharmacy or the drug laws of North Dakota or rules and regulations pertaining thereto, or of statutes, rules or regulations of any other state, or of the federal government.
1. Fraud or intentional misrepresentation by a pharmacist in securing the issuance or renewal of a certificate of registration or pharmacy permit.

SECTION 3. A new section to chapter 43-15 of the North Dakota Century Code is hereby created and enacted to read as follows:

PENALTIES, REINSTATEMENT, CRIMINAL PROSECUTIONS, AND JUDICIAL REVIEW.

1. Upon the finding of the existence of grounds for discipline of any person holding, seeking, or renewing a certificate of registration, permit, or license under this chapter, the board may impose one or more of the following penalties:
 - a. Suspension of the offender's certificate of registration, permit, or license for a term to be determined by the board.
 - b. Revocation of the offender's certificate of registration, permit, or license.
 - c. Restriction of the offender's certificate of registration, permit, or license to prohibit the offender from performing certain acts or from engaging in the practice of pharmacy in a particular manner for a term to be determined by the board.
 - d. Refusal to renew offender's certificate of registration, permit, or license.
 - e. Placement of the offender on probation and supervision by the board for a period to be determined by the board.
2. Any person whose certificate of registration, permit, or license to practice pharmacy in North Dakota has been suspended, revoked, or restricted pursuant to this chapter, whether voluntarily or by action of the board, shall have the right, at reasonable intervals, to petition the board for reinstatement of such certificate of registration, permit, or license. A petition shall be made in writing and in the form prescribed by the board. Upon investigation and hearing, the board may in its discretion grant or deny such petition, or it may modify its original finding to reflect any circumstances which have changed sufficiently to warrant such modifications.
3. Nothing herein shall be construed as barring criminal prosecutions for violations of this chapter where such violations are deemed as criminal offenses in other statutes of North Dakota or of the United States.
4. All final decisions by the board shall be subject to judicial review pursuant to chapter 28-32."

And renumber the lines and pages accordingly

For the Senate
William C. Parker
 Sen. Parker
Sen. Tennessee
 Sen. Tennessee
Sen. Grotberg
 Sen. Grotberg

For the House
Rep. Anderson
 Rep. Anderson
Rep. Murray
 Rep. Murray
Rep. Horgan
 Rep. Horgan

House Bill No. 1189 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. 1231 has had the same under consideration and recommends:

That the Senate recede from its amendments and that House Bill 1231 be amended as follows:

On page 3 of the engrossed bill, after line 9, insert the following new subsection:

"3. A petition for recall must include, before the signature lines, the name of the person being recalled, the office from which that person is being recalled, and a list of the names and post office addresses of not less than five electors of the state, county, or district in which the official is to be recalled who are sponsoring the recall."

On page 3 of the engrossed bill, line 10, delete the numeral "3" and insert in lieu thereof the numeral "4"

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

For the Senate
Rep. Holmberg
 Sen. Holmberg
Sen. Prum
 Sen. Prum
Sen. Lashkowitz
 Sen. Lashkowitz

For the House
Rep. D. Olson
 Rep. D. Olson
Rep. Boyum
 Rep. Boyum
Rep. E. Pomeroy
 Rep. E. Pomeroy

House Bill No. 1231 was placed on the 7th order of business on the calendar for the succeeding legislative day.

Report of Standing Committee

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1001

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 17, delete the numerals "831,000" and insert in lieu thereof the numerals "803,202"
- On page 1 of the engrossed bill, line 18, delete the numerals "155,090" and insert in lieu thereof the numerals "165,090"
- On page 1 of the engrossed bill, line 23, delete the numerals "1,334,090" and insert in lieu thereof the numerals "1,316,292"
- On page 1 of the engrossed bill, line 25, delete the numerals "1,004,090" and insert in lieu thereof the numerals "986,292"
- On page 1 of the engrossed bill, line 28, delete the numerals "89,800" and insert in lieu thereof the numerals "59,600"
- On page 2 of the engrossed bill, line 1, delete the numerals "89,800" and insert in lieu thereof the numerals "59,600"
- On page 2 of the engrossed bill, line 4, delete the numerals "118,750" and insert in lieu thereof the numerals "100,000"
- On page 2 of the engrossed bill, line 5, delete the numerals "118,750" and insert in lieu thereof the numerals "100,000"
- On page 2 of the engrossed bill, line 8, delete the numerals "53,054" and insert in lieu thereof the numerals "51,420"
- On page 2 of the engrossed bill, line 11, delete the numerals "63,614" and insert in lieu thereof the numerals "61,980"
- On page 2 of the engrossed bill, line 14, delete the numerals "708,245" and insert in lieu thereof the numerals "685,107"
- On page 2 of the engrossed bill, line 15, delete the numerals "72,923" and insert in lieu thereof the numerals "87,805"
- On page 2 of the engrossed bill, line 19, delete the numerals "851,448" and insert in lieu thereof the numerals "843,192"
- On page 2 of the engrossed bill, line 27, delete the numerals "153,837" and insert in lieu thereof the numerals "148,841"
- On page 2 of the engrossed bill, delete lines 30 through 32
- On page 2 of the engrossed bill, line 33, delete the numerals "194,860" and insert in lieu thereof the numerals "344,291"
- On page 3 of the engrossed bill, line 1, delete the numerals "3,694,674" and insert in lieu thereof the numerals "3,572,408"
- On page 3 of the engrossed bill, line 2, delete the numerals "1,263,305" and insert in lieu thereof the numerals "1,261,559"
- On page 3 of the engrossed bill, line 8, delete the numerals "6,078,968" and insert in lieu thereof the numerals "5,954,956"
- On page 3 of the engrossed bill, line 10, delete the numerals "5,348,968" and insert in lieu thereof the numerals "5,224,956"
- On page 3 of the engrossed bill, line 13, delete the numerals "2,498,985" and insert in lieu thereof the numerals "2,416,279"
- On page 3 of the engrossed bill, line 14, delete the numerals "321,999" and insert in lieu thereof the numerals "314,791"
- On page 3 of the engrossed bill, line 17, delete the numerals "2,859,737" and insert in lieu thereof the numerals "2,769,823"
- On page 3 of the engrossed bill, line 20, delete the numerals "459,310" and insert in lieu thereof the numerals "444,425"
- On page 3 of the engrossed bill, line 21, delete the numerals "53,731" and insert in lieu thereof the numerals "50,931"

- On page 3 of the engrossed bill, line 24, delete the numerals "535,526" and insert in lieu thereof the numerals "517,841"
- On page 3 of the engrossed bill, line 27, delete the numerals "5,567,380" and insert in lieu thereof the numerals "5,473,146"
- On page 3 of the engrossed bill, line 28, delete the numerals "1,341,985" and insert in lieu thereof the numerals "1,348,670"
- On page 3 of the engrossed bill, line 30, delete the numerals "27,400" and insert in lieu thereof the numerals "29,254"
- On page 3 of the engrossed bill, line 31, delete the numerals "7,891,361" and insert in lieu thereof the numerals "7,805,666"
- On page 3 of the engrossed bill, line 34, delete the numerals "908,406" and insert in lieu thereof the numerals "829,666"
- On page 4 of the engrossed bill, line 1, delete the numerals "103,128" and insert in lieu thereof the numerals "102,057"
- On page 4 of the engrossed bill, line 4, delete the numerals "1,042,758" and insert in lieu thereof the numerals "962,947"
- On page 4 of the engrossed bill, line 7, delete the numerals "336,820" and insert in lieu thereof the numerals "325,586"
- On page 4 of the engrossed bill, line 10, delete the numerals "464,411" and insert in lieu thereof the numerals "453,177"
- On page 4 of the engrossed bill, line 12, delete the numerals "418,804" and insert in lieu thereof the numerals "407,570"
- On page 4 of the engrossed bill, line 15, delete the numerals "3,359,822" and insert in lieu thereof the numerals "3,253,687"
- On page 4 of the engrossed bill, line 16, delete the numerals "5,229,201" and insert in lieu thereof the numerals "5,216,998"
- On page 4 of the engrossed bill, line 20, delete the numerals "10,061,786" and insert in lieu thereof the numerals "9,943,448"
- On page 4 of the engrossed bill, line 21, delete the numerals "5,425,389" and insert in lieu thereof the numerals "5,395,850"
- On page 4 of the engrossed bill, line 22, delete the numerals "4,636,397" and insert in lieu thereof the numerals "4,547,598"
- On page 4 of the engrossed bill, line 25, delete the numerals "1,526,375" and insert in lieu thereof the numerals "1,477,493"
- On page 4 of the engrossed bill, line 26, delete the numerals "601,719" and insert in lieu thereof the numerals "597,774"
- On page 4 of the engrossed bill, line 27, underscore the numerals "27,725"
- On page 4 of the engrossed bill, delete line 28
- On page 4 of the engrossed bill, line 29, delete the numerals "3,155,819" and insert in lieu thereof the numerals "2,102,992"
- On page 4 of the engrossed bill, line 30, delete the numerals "181,193" and insert in lieu thereof the numerals "177,605"
- On page 4 of the engrossed bill, line 31, delete the numerals "2,974,626" and insert in lieu thereof the numerals "1,925,387"
- On page 5 of the engrossed bill, line 1, delete the words "each of the calendar years" and insert in lieu thereof the following:
"the period beginning January 1, 1981, and ending December 31,"
- On page 5 of the engrossed bill, line 2, delete the following:
"of 1981 and"

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

<u>Official</u>	Expense Payment	Expense	Expense Payment
	January 1, 1981 -June 30, 1981	Payment July 1, 1981- June 30, 1982	July 1, 1982- December 31, 1982
Governor	\$ 2,706	\$10,128	\$ 7,350
Secretary of state	1,014	5,220	4,158
Attorney general	1,896	7,560	5,598
Superintendent of public instruction	1,398	6,108	4,656
Tax commissioner	1,648	6,608	4,906
Insurance commissioner	1,014	5,220	4,158
Public service commissioners	10,292	30,160	19,724
Agriculture commissioner	1,014	5,220	4,158
State auditor	1,014	5,220	4,158
State treasurer	1,014	5,220	4,158
Labor commissioner	1,014	5,220	4,158

On page 5 of the engrossed bill, line 23, delete the numerals "289,000" and insert in lieu thereof the numerals "183,090"

On page 5 of the engrossed bill, line 28, delete the numerals "289,000" and insert in lieu thereof the numerals "183,090"

On page 5 of the engrossed bill, line 31, delete the numerals "28,561,967" and insert in lieu thereof the numerals "26,982,461"

On page 5 of the engrossed bill, line 32, delete the numerals "6,866,616" and insert in lieu thereof the numerals "6,679,062"

On page 5 of the engrossed bill, line 33, delete the numerals "35,428,583" and insert in lieu thereof the numerals "33,661,523"

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

On page 7 of the engrossed bill, delete lines 1 through 18

On page 7 of the engrossed bill, line 19, delete the numeral "8" and insert in lieu thereof the numeral "7"

On page 7 of the engrossed bill, after line 21, insert the following:

"SECTION 8. LEGISLATIVE INTENT - OLD WEST REGIONAL COMMISSION APPROPRIATION. It is the intent of the legislative assembly that the appropriation for the old west regional commission in subdivision 3 of section 1 of this Act only be expended if federal funds are available for the old west regional commission."

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Governor's Office

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

Governor's Association

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

Old West Regional Commission

This appropriation is reduced by \$18,750 to \$100,000. Also, a section of legislative intent is added to the bill which states that the general fund appropriation for the Old West Regional Commission

shall only be expended if federal funds are available for the commission.

Lieutenant Governor

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

Secretary of State

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

Secretary of State - Records Management and Microfilming

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

Attorney General

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

State Auditor

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

State Treasurer

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

State Tax Commissioner

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

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

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

Insurance Commissioner

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

Labor Commissioner

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

Public Service Commission

The salaries and wages line item is reduced \$106,135 to delete funds for the noncontributory retirement plan. The operating expense line item is reduced \$12,203 in accordance with legislative guide-

lines of nine percent per year regarding inflation. The estimated income line item is reduced \$22,257 for the special fund amount deleted for the noncontributory retirement plan and \$7,282 for the amount deleted for operating expenses.

Agriculture Commissioner

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

State Officers Expense Payments

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

ANALYSIS OF SALARIES AND UNVOUCHERED EXPENSE ALLOWANCE FOR ELECTED OFFICIALS

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

State Official	January 1, 1981-June 30, 1981			July 1, 1981-June 30, 1982			July 1, 1982-December 31, 1982		
	Statutory Salary	Annualized Expense Allowance	Total	Statutory Salary	Annualized Expense Allowance	Total	Statutory Salary	Annualized Expense Allowance	Total
Governor	\$47,000	\$ 5,412	\$52,412	\$47,000	\$10,128	\$57,128	\$47,000	\$ 14,700	\$61,700
Lt. Governor	8,000	0	8,000	8,000	0	8,000	8,000	0	8,000
Secretary of State	33,500	2,028	35,528	33,500	5,220	38,720	33,500	8,316	41,816
Attorney General	38,000	3,792	41,792	38,000	7,560	45,560	38,000	11,196	49,196
Superintendent of Public Instruction	34,000	2,796	36,796	34,000	6,108	40,108	34,000	9,312	43,312
Tax Commissioner	33,500	3,296	36,796	33,500	6,608	40,108	33,500	9,812	43,312
Insurance Commissioner	33,500	2,028	35,528	33,500	5,220	38,720	33,500	8,316	41,816
Public Service Commissioner	22,500	13,028	35,528	22,500	18,220	38,720	22,500	19,316	41,816
Public Service Commissioner	30,000	5,528	35,528	30,000	8,720	38,720	30,000	11,816	41,816
Public Service Commissioner	33,500	2,028	35,528	33,500	5,220	38,720	33,500	8,316	41,816
Agriculture Commissioner	33,500	2,028	35,528	33,500	5,220	38,720	33,500	8,316	41,816
State Auditor	33,500	2,028	35,528	33,500	5,220	38,720	33,500	8,316	41,816
State Treasurer	33,500	2,028	35,528	33,500	5,220	38,720	33,500	8,316	41,816
Labor Commissioner	33,500	2,028	35,528	33,500	5,220	38,720	33,500	8,316	41,816
Total		<u>\$48,048</u>			<u>\$91,884</u>			<u>\$134,364</u>	

1981-82 total expense allowance calculated as follows:

6 months - January 1, 1981-June 30, 1981 = \$48,048 ÷ 2 = \$ 24,024
 12 months - July 1, 1981-June 30, 1982 = 91,884
 6 months - July 1, 1982-December 31, 1982 = \$134,364 ÷ 2 = 67,182
Total \$183,090

And when so amended recommends the same do pass

John E. Lips
 Senator Lips Chairman

House Bill No. 1001 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. 1004

Has had the same under consideration and recommends that the same

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

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

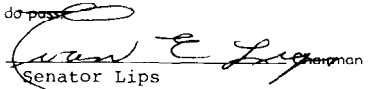
On page 1, line 13, delete the numerals "4,510,000" and insert in lieu thereof the numerals "6,290,000"

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This appropriation is increased \$1,780,000 to increase the exemption from \$9,000 of annual income to \$10,000.

And when so amended recommends the same do pass


Senator Lips

House Bill No. 1004 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. 1008

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 "2,751,510" and insert in lieu thereof the numerals "2,662,512"

On page 1 of the engrossed bill, line 22, delete the numerals "1,112,500" and insert in lieu thereof the numerals "243,500"

On page 1 of the engrossed bill, line 23, delete the numerals "4,468,725" and insert in lieu thereof the numerals "3,510,727"

On page 1 of the engrossed bill, line 25, delete the numerals "3,942,993" and insert in lieu thereof the numerals "2,984,995"

On page 1 of the engrossed bill, line 28, delete the numerals "1,538,440" and insert in lieu thereof the numerals "1,490,964"

On page 2 of the engrossed bill, line 4, delete the numerals "1,132,000" and insert in lieu thereof the numerals "93,000"

On page 2 of the engrossed bill, line 5, delete the numerals "3,114,969" and insert in lieu thereof the numerals "2,028,493"

On page 2 of the engrossed bill, line 7, delete the numerals "2,771,328" and insert in lieu thereof the numerals "1,684,852"

On page 2 of the engrossed bill, line 8, delete the numerals "6,714,321" and insert in lieu thereof the numerals "4,669,847"

On page 2 of the engrossed bill, line 10, delete the numerals "7,583,694" and insert in lieu thereof the numerals "5,539,220"

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

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

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

School for the Deaf

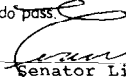
The salaries and wages line item for the School for the Deaf is

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

School for the Blind

The salaries and wages line item for the School for the Blind is reduced by \$47,476 from the general fund to delete funds for a noncontributory retirement plan. The capital improvements line item is reduced by \$1,039,000 from the general fund by deleting \$839,000 for a classroom and library addition and by deleting \$200,000 for a garage/storage building addition.

And when so amended recommends the same do pass.


 Senator Lips Chairman

House Bill No. 1008 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. 1011

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 19, delete the numerals "5,720,085" and insert in lieu thereof the numerals "5,546,804"

On page 1 of the reengrossed bill, line 24, delete the numerals "16,666,891" and insert in lieu thereof the numerals "16,493,610"

On page 1 of the reengrossed bill, line 26, delete the numerals "16,079,068" and insert in lieu thereof the numerals "15,905,787"

On page 2 of the reengrossed bill, line 1, delete the numerals "725,699" and insert in lieu thereof the numerals "702,076"

On page 2 of the reengrossed bill, line 5, delete the numerals "7,755,502" and insert in lieu thereof the numerals "7,731,879"

On page 2 of the reengrossed bill, line 6, delete the numerals "5,123,974" and insert in lieu thereof the numerals "5,100,351"

On page 2 of the reengrossed bill, line 8, delete the numerals "18,710,596" and insert in lieu thereof the numerals "18,537,315"

On page 2 of the reengrossed bill, line 9, delete the numerals "5,711,797" and insert in lieu thereof the numerals "5,688,174"

On page 2 of the reengrossed bill, line 10, delete the numerals "24,422,393" and insert in lieu thereof the numerals "24,225,489"

On page 2 of the reengrossed bill, delete lines 25 through 35

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

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

State Penitentiary

The salaries and wages line item is reduced \$173,281 to delete funds for the noncontributory retirement plan.

Roughrider Industries

The salaries and wages line item is reduced \$23,623 to delete funds for the noncontributory retirement plan.

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

Corwin E. Lips Chairman
Senator Lips

House _____ Bill No. 1011 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. 1013 _____

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 15, delete the numerals "31,512,962" and insert in lieu thereof the numerals "30,516,821"

On page 1 of the engrossed bill, line 16, delete the numerals "5,318,951" and insert in lieu thereof the numerals "5,300,951"

On page 1 of the engrossed bill, line 19, delete the numerals "10,489,523" and insert in lieu thereof the numerals "2,489,523"

On page 1 of the engrossed bill, line 20, delete the numerals "48,193,380" and insert in lieu thereof the numerals "39,179,239"

On page 1 of the engrossed bill, line 22, delete the numerals "38,500,380" and insert in lieu thereof the numerals "29,486,239"

On page 1 of the engrossed bill, delete lines 23 through 28

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

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

The salaries and wages line item of the State Hospital is decreased by \$996,141 which is the amount included for the noncontributory retirement program.

The operating expense line item is reduced by \$18,000 which represents a \$1 severance tax which the hospital will not have to pay on the estimated 18,000 tons of coal to be used during the 1981-83 biennium at the State Hospital.

The capital improvements line is decreased by \$8,000,000 for the new ward building which is included in House Bill No. 1341.

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

Corwin E. Lips Chairman
Senator Lips

House Bill No. 1013 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. 1039

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 14, delete the numerals "223,797" and insert in lieu thereof the numerals "216,727"
On page 1 of the engrossed bill, line 17, delete the numerals "22,000,000" and insert in lieu thereof the numerals "20,000,000"
On page 1 of the engrossed bill, line 18, delete the numerals "22,356,957" and insert in lieu thereof the numerals "20,349,887"
On page 1 of the engrossed bill, line 19, delete the numerals "12,178,479" and insert in lieu thereof the numerals "12,174,944"
On page 1 of the engrossed bill, line 20, delete the numerals "10,178,478" and insert in lieu thereof the numerals "8,174,943"
On page 2 of the engrossed bill, delete lines 11 through 20
And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

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

The grants, benefits, and claims item is reduced by \$2,000,000 from the general fund, to provide a total of \$20,000,000 in energy development impact grants; \$12,000,000 for coal development impact grants, and \$8,000,000, from the general fund, for oil development impact grants.

And when so amended recommends the same do pass

Handwritten signature of Senator Lips, Chairman

House Bill No. 1039 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. 1341

Has had the same under consideration and recommends that the same

do pass do not pass be placed on calendar without recommendation

be amended as follows:

On page 1, line 1, after the words "A BILL" delete the remainder of the bill and insert in lieu thereof the

following: "for an Act for a conditional transfer of funds to a state capital construction fund; and providing an appropriation for the construction, remodeling, and equipping of, or for additions to, buildings of state agencies, departments, and institutions.

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

SECTION 1. APPROPRIATION - TRANSFER. In the event that the amount of revenues deposited in the general fund of the state treasury for the fiscal year ending June 30, 1981, exceeds \$350,000,000, the director of the department of accounts and purchases shall direct the state treasurer to transfer from the general fund to the state capital construction fund the sum of \$22,189,000, which is hereby appropriated, or so much thereof as may be necessary, or the amount by which the revenues deposited in the general fund for the fiscal year ending June 30, 1981, exceeds \$350,000,000, whichever is less. In the event that the revenues deposited in the general fund of the state treasury for the fiscal year ending June 30, 1982, exceed \$410,000,000, the director of the department of accounts and purchases shall direct the state treasurer to transfer from the general fund to the state capital construction fund the funds that are in excess of \$410,000,000, or so much thereof as may be necessary, for the projects listed in section 2 of this Act for which funds were not previously transferred from the general fund to the capital construction fund, or the amount by which the revenues deposited in the general fund for the fiscal year ending June 30, 1982, exceed \$410,000,000, whichever is less. In addition to other transfers authorized by this section, if more than fifty percent of the amount appropriated in section 2 of this Act for a specific facility, in priority order, is transferred from the general fund to the capital construction fund on the dates authorized in this section, the director of the department of accounts and purchases shall direct the state treasurer to transfer the additional amounts required to complete such facility, not to exceed the total appropriation of state funds for such facility as set forth in section 2. Funds transferred pursuant to this section shall be expended by the various agencies, departments, and institutions for the construction or addition, remodeling, and equipping of buildings in accordance with specific appropriation made by the legislative assembly in section 2 of this Act.

SECTION 2. APPROPRIATION. There is hereby appropriated out of any moneys in the state capital construction fund, the sum of \$22,189,000, or so much thereof as may be necessary, to the state agencies, departments, and institutions listed herein, for the construction and equipping of buildings and facilities, or the remodeling of buildings and facilities within the limitations hereafter stated in this section during the biennium beginning July 1, 1981, and ending June 30, 1983.

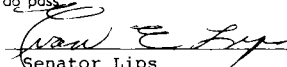
NAME OF AGENCY, DEPARTMENT, OR INSTITUTION	TYPE OF FACILITY	STATE FUNDS
Minot state college	Complete athletic facility	\$ 400,000
School for the deaf	Activities building	869,000
Dickinson state college	Multipurpose arena	990,000
University of North Dakota	Physical education facility addition	6,000,000
State hospital	Ward building	8,000,000
International peace garden	Superintendent's residence and utility lines	85,000

North Dakota state university	Computer center addition	1,270,000
State school of science	Agricultural mechanics and welding building	1,875,000
Northern crop institute, North Dakota state university	New facility	1,500,000
State fair association	Exhibition building	<u>1,200,000</u>
Total		\$ 22,189,000

The order in which the projects are listed in this section shall be the priority list for the construction, equipping, or remodeling of such buildings or facilities. The construction or remodeling of a building or facility shall be allowed to commence if more than fifty percent of the amount appropriated in this section for such building or facility is available and has been transferred from the general fund to the state capital construction fund as provided in this Act. If on June 30, 1983, there are not sufficient funds in the capital construction fund to commence construction or remodeling of a building or facility in accordance with the provisions of this Act, such construction shall not be commenced and such funds shall be returned to the general fund. If on June 30, 1983, sufficient funds are in the capital construction fund to complete a building or facility in accordance with the provisions of this Act, but have not been paid out for all expenses to be incurred in completion of such building or facility, such funds as may be necessary to complete such project or projects shall remain in the capital construction fund until spent for such purposes. In addition to the appropriations and authorizations set forth in this Act, there is hereby appropriated to the state agencies, departments, and institutions listed herein, any moneys available from federal or other sources to construct or remodel the buildings and facilities set forth in this Act. In no event shall any building or facility exceed the cost indicated in the column "state funds" except to the extent funds may be received from federal or other sources."

And renumber the lines and pages accordingly

And when so amended recommends the same do pass

 Chairman
Genator Lips

House Bill No. 1341 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. 1365

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 for a special excise fuel tax of three percent and to provide for distribution of the tax to the highway distribution fund and to townships; to amend and reenact section 39-04-19 of the North Dakota Century Code, relating to motor vehicle registration fees; and to provide an expiration date.

JOURNAL OF THE SENATE

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

SECTION 1. SPECIAL EXCISE FUEL TAX LEVIED - DEFINITIONS. There is hereby levied and imposed a special excise fuel tax at the rate of three percent of the sale price on all sales to dealers of motor vehicle fuel and special fuel used in motor vehicles. For the purposes of this Act:

1. "Motor vehicle" means all vehicles, engines, or machines movable or immovable, except aircraft, which are operated in whole or in part by internal combustion of one or more of the motor vehicle fuels or special fuels defined in chapters 57-52 and 57-54.
2. "Motor vehicle fuels" has the same meaning as defined in subsection 2 of section 57-54-03.
3. "Special fuel" has the same meaning as defined in subsection 4 of section 57-52-03.

SECTION 2. DISTRIBUTION OF SPECIAL EXCISE FUEL TAX. All taxes collected under section 1 of this Act shall be transferred by the tax commissioner to the state treasurer and divided by the treasurer between the highway tax distribution fund and local townships, or counties in the case of unorganized townships, in the following manner:

1. An amount equal to 2.15 percent of the sale price shall be deposited in the highway tax distribution fund created under section 54-27-19.
2. An amount equal to .85 percent of the sale price shall be distributed to township road and bridge funds or to the appropriate county fund in the case of unorganized townships. Eighty percent of the distribution is to be based upon the proportionate number of miles of township roads within the organized or unorganized township as compared with the total number of miles of township roads in the state. The remaining twenty percent of the distribution is to be based upon the proportionate population within the organized or unorganized township as compared to the total population of organized and unorganized townships in the state. These funds are to be used for the construction or maintenance of township roads and may not be used to purchase road building or road maintenance equipment. However, no township, or county in the case of unorganized townships, shall receive any funds under this subsection unless that township is levying at least ninety-five percent of the mill levies authorized by law.

SECTION 3. AMENDMENT. Section 39-04-19 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

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

1. Nonresidents electing to pay mile tax in lieu of registration, when authorized to do so by the commissioner, shall pay a fee of ten fifteen dollars for a trip permit which shall be valid for a period of seventy-two hours.

All fees collected under the provisions of this subsection shall be credited to the highway construction fund.

2. Motor vehicles required to be registered in this state shall be furnished license plates upon the payment of the following annual fees; however, if a motor vehicle first becomes subject to registration other than at the beginning of the registration period, such fees shall be prorated on a monthly basis. The minimum fee charged hereunder shall be five ten dollars:

- a. Passenger motor vehicles including buses for hire, hearses, and ambulances:

Gross Weights	YEARS REGISTERED				
	1st, 2nd, and 3rd Years	4th, 5th, and 6th Years	7th, 8th, and 9th Years	10th and Subsequent Years	
1,999 or less	\$-32.00	\$-25.00	\$-19.00	\$-15.00	
2,000-2,399	34.00	27.00	20.00	15.00	
2,400-2,799	36.00	29.00	22.00	15.00	
2,800-3,199	38.00	30.00	23.00	16.00	
3,200-3,599	42.00	33.00	25.00	17.00	
3,600-3,999	46.00	37.00	28.00	19.00	
4,000-4,499	56.00	45.00	34.00	23.00	
4,500-4,999	72.00	57.00	43.00	29.00	
5,000-5,999	100.00	80.00	60.00	40.00	
6,000-6,999	130.00	104.00	78.00	52.00	
7,000-7,999	160.00	128.00	96.00	64.00	
8,000-8,999	190.00	152.00	114.00	76.00	
9,000 and over	220.00	176.00	132.00	88.00	
2,399 or less	\$ 42.00	\$ 33.00	\$ 25.00	\$ 20.00	
2,400-3,199	48.00	38.00	29.00	20.00	
3,200-3,999	56.00	45.00	34.00	23.00	
4,000-4,499	72.00	57.00	43.00	29.00	
4,500-4,999	94.00	75.00	56.00	38.00	
5,000 and over	130.00	105.00	78.00	52.00	

~~In addition to the fees required in this subsection and section 49-18-327, all~~ All motor buses used for the transportation of persons for hire over the highways of this state which have a seating capacity of more than seven twelve passengers shall pay an ~~annual additional license fee of twelve dollars for each passenger capacity in excess of seven.~~ Motor a registration fee of three times the fee listed for a gross weight of five thousand pounds [2267.96 kilograms] or more, except motor passenger buses operating exclusively within the corporate limits of any city shall not be required to pay this fee.

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

Gross Weights	YEARS REGISTERED				
	1st-2nd, and 3rd Years	4th and 5th Years	6th and 7th Years	8th and Subsequent Years	
0-4,000	\$26.00	\$21.00	\$16.00	\$15.00	
4,001-6,000	31.00	25.00	20.00	15.00	

6,001--8,000	36-00	29-00	23-00	15-00
8,001--10,000	41-00	34-00	26-00	16-00
10,001--12,000	47-00	38-00	29-00	18-00
12,001--14,000	52-00	42-00	32-00	20-00
14,001--16,000	57-00	46-00	35-00	22-00
16,001--18,000	62-00	50-00	38-00	24-00
18,001--20,000	68-00	55-00	42-00	26-00
20,001--22,000	73-00	59-00	45-00	27-00
22,001--24,000	78-00	63-00	48-00	29-00

Gross Weights	1st, 2nd, and 3rd Years	4th, 5th, 6th, and 7th Years	8th and Subsequent Years
0- 4,000	\$ 34.00	\$25.00	\$20.00
4,001- 6,000	41.00	29.00	21.00
6,001- 8,000	47.00	34.00	22.00
8,001-10,000	54.00	39.00	23.00
10,001-12,000	63.00	45.00	25.00
12,001-14,000	68.00	49.00	27.00
14,001-16,000	75.00	54.00	29.00
16,001-18,000	81.00	59.00	32.00
18,001-20,000	89.00	64.00	36.00
20,001-22,000	96.00	69.00	38.00
22,001-24,000	104.00	76.00	42.00

YEARS REGISTERED

Gross Weights	1st, 2nd, 3rd, and 4th Years	5th, 6th, 7th, 8th, and 9th Years	10th and Subsequent Years
24,001--26,000	6--176-00	6--141-00	6--123-00
26,001--28,000	211-00	169-00	148-00
28,001--30,000	246-00	197-00	172-00
30,001--32,000	281-00	225-00	197-00
32,001--34,000	316-00	253-00	221-00
34,001--36,000	351-00	281-00	246-00
36,001--38,000	386-00	309-00	270-00
38,001--40,000	421-00	337-00	295-00
40,001--42,000	456-00	365-00	319-00
42,001--44,000	491-00	393-00	344-00
44,001--46,000	526-00	421-00	368-00
46,001--48,000	561-00	449-00	393-00
48,001--50,000	596-00	477-00	417-00
50,001--52,000	631-00	505-00	442-00
52,001--54,000	666-00	533-00	466-00
54,001--56,000	701-00	561-00	491-00
56,001--58,000	736-00	589-00	515-00
58,001--60,000	771-00	617-00	540-00
60,001--62,000	806-00	645-00	564-00
62,001--64,000	841-00	673-00	589-00
64,001--66,000	876-00	701-00	613-00
66,001--68,000	911-00	729-00	638-00
68,001--70,000	946-00	757-00	662-00
70,001--72,000	981-00	785-00	687-00
72,001--74,000	1,016-00	813-00	711-00
74,001--76,000	1,051-00	841-00	736-00
76,001--78,000	1,086-00	869-00	760-00
78,001--80,000	1,121-00	897-00	785-00
80,001--82,000	1,156-00	925-00	809-00
82,001--84,000	1,191-00	953-00	833-00
84,001--86,000	1,226-00	981-00	857-00
86,001--88,000	1,261-00	1,009-00	881-00
88,001--90,000	1,296-00	1,037-00	905-00
90,001--92,000	1,331-00	1,065-00	929-00
92,001--94,000	1,366-00	1,093-00	953-00
94,001--96,000	1,401-00	1,121-00	977-00
96,001--98,000	1,436-00	1,149-00	1,001-00
98,001--100,000	1,471-00	1,177-00	1,025-00
100,001--102,000	1,506-00	1,205-00	1,049-00
102,001--104,000	1,541-00	1,233-00	1,073-00
104,001--105,500	1,576-00	1,261-00	1,097-00
24,001- 26,000	\$ 222.00	\$ 177.00	\$ 156.00
26,001- 28,000	265.00	213.00	186.00
28,001- 30,000	310.00	248.00	217.00

30,001- 32,000	354.00	283.00	248.00
32,001- 34,000	398.00	319.00	279.00
34,001- 36,000	442.00	354.00	309.00
36,001- 38,000	486.00	389.00	341.00
38,001- 40,000	532.00	425.00	372.00
40,001- 42,000	575.00	460.00	403.00
42,001- 44,000	619.00	495.00	433.00
44,001- 46,000	663.00	530.00	465.00
46,001- 48,000	707.00	565.00	495.00
48,001- 50,000	751.00	601.00	526.00
50,001- 52,000	795.00	636.00	557.00
52,001- 54,000	839.00	671.00	588.00
54,001- 56,000	883.00	707.00	619.00
56,001- 58,000	927.00	742.00	649.00
58,001- 60,000	973.00	779.00	681.00
60,001- 62,000	1,017.00	814.00	712.00
62,001- 64,000	1,061.00	849.00	743.00
64,001- 66,000	1,098.00	878.00	767.00
66,001- 68,000	1,135.00	906.00	795.00
68,001- 70,000	1,172.00	938.00	820.00
70,001- 72,000	1,210.00	968.00	847.00
72,001- 74,000	1,247.00	998.00	873.00
74,001- 76,000	1,285.00	1,028.00	900.00
76,001- 78,000	1,324.00	1,059.00	927.00
78,001- 80,000	1,368.00	1,094.00	958.00
80,001- 82,000	1,410.00	1,128.00	987.00
82,001- 84,000	1,471.00	1,177.00	1,030.00
84,001- 86,000	1,555.00	1,244.00	1,086.00
86,001- 88,000	1,639.00	1,311.00	1,147.00
88,001- 90,000	1,723.00	1,378.00	1,207.00
90,001- 92,000	1,808.00	1,447.00	1,266.00
92,001- 94,000	1,891.00	1,513.00	1,324.00
94,001- 96,000	1,975.00	1,580.00	1,383.00
96,001- 98,000	2,059.00	1,647.00	1,441.00
98,001-100,000	2,143.00	1,715.00	1,500.00
100,001-102,000	2,209.00	1,767.00	1,547.00
102,001-104,000	2,293.00	1,835.00	1,606.00
104,001-105,500	2,396.00	1,917.00	1,678.00

c. Motorcycles+

(1)--Without sideear, six dollars per
motoreyeie-

(2)--With sideear, ten dollars per unit.

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

3. Motor vehicles acquired by disabled veterans under the provisions of Public Law 79-663 as amended into [38 U.S.C. 1901] shall be exempt from the payment of state sales or use tax and, if paid, such veterans shall be entitled to a refund. This exemption shall also apply to any passenger motor vehicle or pickup truck not exceeding ten thousand pounds [4535.92 kilograms] gross weight subsequently purchased or acquired by such a disabled veteran, provided that it shall be allowed only with respect to one such motor vehicle owned by such a disabled veteran at any one time.

4. Every trailer, semitrailer, and farm trailer required to be registered under this chapter shall be furnished registration plates upon the payment of one of the following annual fees:

a. Ten dollars for trailers and farm trailers which are not semitrailers, including

trailers which are offered for lease or rent to the public.

- b. Ten dollars per axle, limited to a maximum of thirty dollars, for semitrailers and farm trailers which are semitrailers, when the gross weight, not including the weight of the towing vehicle, does not exceed twenty-four thousand pounds [10886.22 kilograms].
- c. Ten dollars for semitrailers when the gross weight, not including the weight of the towing vehicle, exceeds twenty-four thousand pounds [10886.22 kilograms].

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

5. Trucks or combinations of trucks and trailers weighing from 24,001 to 82,000 pounds [10886.66 to 37194.57 kilograms] which are used as farm vehicles only, shall be entitled to registration pursuant to the following fee schedule and the provisions of this subsection. Farm vehicles shall be considered, for the purpose of this subsection, as trucks or combinations of trucks and trailers weighing from 24,001 to 82,000 pounds [10886.66 to 37194.57 kilograms] owned, or leased for a minimum period of one year by a bona fide resident farmer who uses such vehicles exclusively for transporting his own property or other property on a farm work exchange basis with other farmers between farms and the usual local trading places but not in connection with any commercial retail or wholesale business being conducted from such farms, nor otherwise for hire.

Gross Weights	YEARS REGISTERED			
	1st, 2nd, and 3rd Years	4th and 5th Years	6th and 7th Years	8th and Subsequent Years
24,001-26,000	\$-86.00	\$-69.00	\$-52.00	\$-31.00
26,001-28,000	96.00	77.00	58.00	35.00
28,001-30,000	106.00	85.00	64.00	39.00
30,001-32,000	116.00	93.00	70.00	43.00
32,001-34,000	126.00	101.00	76.00	47.00
34,001-36,000	136.00	109.00	82.00	51.00
36,001-38,000	146.00	117.00	88.00	55.00
38,001-40,000	156.00	125.00	94.00	59.00
40,001-42,000	166.00	133.00	100.00	63.00
42,001-44,000	176.00	141.00	106.00	67.00
44,001-46,000	186.00	149.00	112.00	71.00
46,001-48,000	196.00	157.00	118.00	75.00
48,001-50,000	206.00	165.00	124.00	79.00
50,001-52,000	216.00	173.00	130.00	83.00
52,001-54,000	226.00	181.00	136.00	87.00
54,001-56,000	236.00	189.00	142.00	91.00
56,001-58,000	246.00	197.00	148.00	95.00
58,001-60,000	256.00	205.00	154.00	99.00
60,001-62,000	266.00	213.00	160.00	103.00
62,001-64,000	276.00	221.00	166.00	107.00
64,001-66,000	286.00	229.00	172.00	111.00
66,001-68,000	296.00	237.00	178.00	115.00
68,001-70,000	306.00	245.00	184.00	119.00
70,001-72,000	316.00	253.00	190.00	123.00
72,001-74,000	326.00	261.00	196.00	127.00
74,001-76,000	336.00	269.00	202.00	131.00
76,001-78,000	346.00	277.00	208.00	135.00

70,001-80,000	356.00	285.00	214.00	139.00
80,001-82,000	366.00	293.00	220.00	143.00
24,001-26,000	\$110.00	\$ 88.00	\$ 66.00	\$ 44.00
26,001-28,000	123.00	99.00	74.00	50.00
28,001-30,000	136.00	109.00	82.00	55.00
30,001-32,000	149.00	120.00	90.00	60.00
32,001-34,000	162.00	130.00	98.00	65.00
34,001-36,000	175.00	141.00	105.00	70.00
36,001-38,000	188.00	151.00	113.00	76.00
38,001-40,000	201.00	161.00	121.00	81.00
40,001-42,000	214.00	172.00	129.00	86.00
42,001-44,000	227.00	182.00	137.00	91.00
44,001-46,000	240.00	192.00	144.00	96.00
46,001-48,000	253.00	203.00	152.00	102.00
48,001-50,000	266.00	214.00	160.00	107.00
50,001-52,000	279.00	224.00	168.00	112.00
52,001-54,000	292.00	234.00	176.00	117.00
54,001-56,000	305.00	244.00	183.00	122.00
56,001-58,000	318.00	255.00	191.00	128.00
58,001-60,000	331.00	265.00	199.00	133.00
60,001-62,000	344.00	276.00	207.00	138.00
62,001-64,000	357.00	286.00	214.00	143.00
64,001-66,000	370.00	296.00	222.00	148.00
66,001-68,000	383.00	307.00	230.00	154.00
68,001-70,000	396.00	317.00	238.00	159.00
70,001-72,000	409.00	328.00	246.00	164.00
72,001-74,000	422.00	338.00	254.00	169.00
74,001-76,000	435.00	348.00	261.00	174.00
76,001-78,000	448.00	359.00	269.00	180.00
78,001-80,000	461.00	369.00	277.00	185.00
80,001-82,000	474.00	380.00	285.00	190.00

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

SECTION 4. EXPIRATION DATE. The provisions of sections 1 and 2 of this bill shall be effective through June 30, 1983, and after that date shall be ineffective."

And renumber the lines and pages accordingly

And when so amended recommends the same do pass.

Senator Lips Chairman

House Bill No. 1365 was placed on the 6th

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 and the 7th Order of Business, the Senate adjourn and convene at 9:00 a.m., Wednesday, March 25, 1981, which motion prevailed.

LEO LEIDHOLM, Secretary