

JOURNAL OF THE HOUSE

Forty-eighth Legislative Assembly

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THIRTY-FIRST DAY

The House convened at 1:00 p.m., with Speaker Kelly presiding.

The prayer was offered by Rev. Richard Smith, St. Peter's Lutheran Church, Minnewaukan.

ROLL CALL

The roll was called and all members were present, except Representative Horgan.

A quorum was declared by the Speaker.

REVISION AND CORRECTION OF THE JOURNAL

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

REP. LAUGHLIN, Chairman

REP. HAMERLIK MOVED that the report be adopted, which motion prevailed.

MESSAGE TO THE SENATE

HOUSE CHAMBER

MR. PRESIDENT: I have the honor to transmit herewith the following which the House has passed and your favorable consideration is requested:

HB 1022, HB 1072, HB 1073, HB 1264, HB 1336, HB 1338,
HB 1650, HB 1680, HCR 3023, HCR 3042

Very respectfully,
CHARLES FLEMING, Chief Clerk

MESSAGES FROM THE SENATE

SENATE CHAMBER

MADAM SPEAKER: I have the honor to transmit herewith the following which the Senate has passed and your favorable consideration is requested on:

SB 2007, SB 2008, SB 2010, SB 2011, SB 2012, SB 2013,
SB 2014, SB 2036, SB 2084, SB 2172, SB 2296, SB 2351,
SB 2426, SB 2449, SB 2455

Very respectfully,
LEO LEIDHOLM, Secretary

SENATE CHAMBER

MADAM SPEAKER: I have the honor to transmit herewith the following which the President has signed and your signature is respectfully requested:

SCR 4013

Very respectfully,
LEO LEIDHOLM, Secretary

MOTIONS

REP. BACKES MOVED that the members of the Committee on Finance and Taxation be excused to finish their work, which motion prevailed.

REP. B. LARSON MOVED that HB 1676 be returned to the House floor from the Committee on Finance and Taxation, which motion prevailed.

REQUEST

REP. B. LARSON REQUESTED the unanimous consent of the House to withdraw HB 1676. There being no objection, it was so ordered by the Speaker.

MOTION

REP. B. LARSON MOVED that HB 1714 be returned to the House floor from the Committee on Finance and Taxation, which motion prevailed.

REQUEST

REP. B. LARSON REQUESTED the unanimous consent of the House to withdraw HB 1714. There being no objection, it was so ordered by the Speaker.

MOTION

REP. HJELLE MOVED that HB 1201 be returned to the Committee on Transportation, which motion prevailed.

SPEAKER KELLY ANNOUNCED that HB 1201 was rereferred to the Committee on Transportation.

SIXTH ORDER OF BUSINESS

REP. MERTENS MOVED that the amendments to HB 1036 as recommended by the Committee on Appropriations as printed on pages 1066 and 1067 of the House Journal be adopted, which motion prevailed.

REP. SINNER MOVED that the amendments to HB 1266 as recommended by the Committee on Finance and Taxation as printed on page 1068 of the House Journal be adopted, which motion prevailed.

REP. W. MEYER MOVED that the amendments to HB 1333 as recommended by the Committee on Agriculture as printed on pages 1068 and 1069 of the House Journal be adopted, which motion prevailed.

REP. HJELLE MOVED that the amendments to HB 1348 as recommended by the Committee on Transportation as printed on page 1069 of the House Journal be adopted, which motion prevailed.

REP. HJELLE MOVED that the amendments to HB 1374 as recommended by the Committee on Transportation as printed on pages 1069 and 1070 of the House Journal be adopted, which motion prevailed.

REP. DOTZENROD MOVED that the amendments to HB 1384 as recommended by the Committee on Political Subdivisions as printed on page 1070 of the House Journal be adopted, which motion prevailed.

REP. HJELLE MOVED that the amendments to HB 1397 as recommended by the Committee on Transportation as printed on page 1071 of the House Journal be adopted, which motion prevailed.

REP. HJELLE MOVED that the amendments to HB 1495 as recommended by the Committee on Transportation as printed on page 1071 of the House Journal be adopted, which motion prevailed.

REP. JACOBSON MOVED that the amendments to HB 1500 as recommended by the Committee on Education as printed on pages 1071 and 1072 of the House Journal be adopted, which motion prevailed.

REP. BROKAW MOVED that the amendments to HB 1523 as recommended by the Committee on Natural Resources as printed on page 1072 of the House Journal be adopted, which motion prevailed.

REP. R. MEIERS MOVED that the amendments to HB 1526 as recommended by the Committee on Social Services and Veterans Affairs as printed on pages 1072 and 1073 of the House Journal be adopted, which motion prevailed.

REP. R. MEIERS MOVED that the amendments to HB 1528 as recommended by the Committee on Social Services and Veterans Affairs as printed on pages 1074 and 1075 of the House Journal be adopted, which motion prevailed.

REP. R. MEIERS MOVED that the amendments to HB 1535 as recommended by the Committee on Social Services and Veterans Affairs as printed on page 1075 of the House Journal be adopted, which motion prevailed.

REP. R. MEIERS MOVED that the amendments to HB 1538 as recommended by the Committee on Social Services and Veterans Affairs as printed on pages 1075 and 1076 of the House Journal be adopted, which motion prevailed.

REP. DOTZENROD MOVED that the amendments to HB 1544 as recommended by the Committee on Political Subdivisions as printed on page 1076 of the House Journal be adopted, which motion prevailed.

REP. HJELLE MOVED that the amendments to HB 1568 as recommended by the Committee on Transportation as printed on pages 1077 and 1078 of the House Journal be adopted, which motion prevailed.

REP. DOTZENROD MOVED that the amendments to HB 1589 as recommended by the Committee on Political Subdivisions as printed on page 1078 of the House Journal be adopted, which motion prevailed.

REP. R. MEIERS MOVED that the amendments to HB 1591 as recommended by the Committee on Social Services and Veterans Affairs as printed on page 1079 of the House Journal be adopted, which motion prevailed.

REP. W. MEYER MOVED that the amendments to HB 1594 as recommended by the Committee on Agriculture as printed on page 1079 of the House Journal be adopted, which motion prevailed.

REP. HJELLE MOVED that the amendments to HB 1602 as recommended by the Committee on Transportation as printed on page 1080 of the House Journal be adopted, which motion prevailed.

REP. R. MEIERS MOVED that the amendments to HB 1615 as recommended by the Committee on Social Services and Veterans Affairs as printed on page 1080 of the House Journal be adopted, which motion prevailed.

REP. DOTZENROD MOVED that the amendments to HB 1640 as recommended by the Committee on Political Subdivisions as printed on page 1081 of the House Journal be adopted, which motion prevailed.

REP. HJELLE MOVED that the amendments to HB 1647 as recommended by the Committee on Transportation as printed on page 1081 of the House Journal be adopted, which motion prevailed.

REP. DOTZENROD MOVED that the amendments to HB 1657 as recommended by the Committee on Political Subdivisions as printed on pages 1081 and 1082 of the House Journal be adopted, which motion prevailed.

REP. HJELLE MOVED that the amendments to HB 1681 as recommended by the Committee on Transportation as printed on page 1082 of the House Journal be adopted, which motion prevailed.

REP. DOTZENROD MOVED that the amendments to HB 1683 as recommended by the Committee on Political Subdivisions as printed on page 1082 of the House Journal be adopted, which motion prevailed.

REP. DOTZENROD MOVED that the amendments to HB 1696 as recommended by the Committee on Political Subdivisions as printed on page 1083 of the House Journal be adopted, which motion prevailed.

REP. R. MEIERS MOVED that the amendments to HB 1716 as recommended by the Committee on Social Services and Veterans Affairs as

printed on page 1083 of the House Journal be adopted, which motion prevailed.

REPORTS OF PROCEDURAL COMMITTEE

MADAM SPEAKER: Your Committee on Enrollment and Engrossment respectfully reports that it has examined the following bill and finds the same correctly reengrossed:

HB 1057

REP. G. MARTIN, Chairman

REP. SHIDE MOVED that the report be adopted, which motion prevailed.

MADAM SPEAKER: Your Committee on Enrollment and Engrossment respectfully reports that it has examined the following bills and finds the same correctly engrossed:

HB 1018, HB 1034, HB 1143, HB 1246, HB 1250, HB 1354,
HB 1366, HB 1389, HB 1447, HB 1473, HB 1479, HB 1481,
HB 1531, HB 1543, HB 1566, HB 1579, HB 1649, HB 1653,
HB 1662, HB 1686, HB 1691, HCR 3031, HCR 3032

REP. G. MARTIN, Chairman

REP. SHIDE MOVED that the report be adopted, which motion prevailed.

MOTION

REP. BACKES MOVED that HB 1415, HB 1564, HB 1586, HB 1596, HB 1601, HB 1607, and HB 1717 be placed at the foot of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1253: A BILL for an Act to amend and reenact sections 15-20.1-08, 57-15-14, 57-15-52.1, and 57-16-05 of the North Dakota Century Code, relating to passage of mill levies with a fifty-five percent majority of approval by the voters.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended on pages 968 and 969 of the House Journal, the roll was called and there were 42 YEAS, 43 NAYS, 21 ABSENT AND NOT VOTING.

YEAS: Black; Boyle; Conmy; DeMers; DuBorø; Eagles;
Erdman; Gates; Gerl; Gullickson; Halmrast; Hamerlik;
Hanson, L.; Haugland; Hjelle; Hoffner, Serenus;
Hoffner, S. F.; Horgan; Jacobson; Koehn; Kuchera;
Lardy; Lautenschlager; Linderman; Lloyd; Meier, A.;
Mushik; Nalewaja; Nowatzki; O'Connell; Pomeroy, E.;
Rayl; Sanstead; Schoenwald; Swiontek; Unhjem; Vig;

Wentz; Williams, A.; Williams, C.; Williams, W.;
Madam Speaker

NAYS: Anderson, C.; Backes; Brokaw; Gorder; Gunsch;
Hanson, O.; Hill; Keller; Kent; Kingsbury; Kloubec;
Knudson; Kretschmar; Lang; Larson, R.; Lipsiea;
Martin, C.; Martinson; Meiers, R.; Melby; Mertens;
Meyer, R.; Meyer, W.; Murphy; Olafson; Olsen, D.;
Opedahl; O'Shea; Peltier; Retzer; Rice; Riley; Rued;
Schindler; Shide; Shockman; Solberg; Stofferahn;
Thompson; Vander Vorst; Watne; Whalen; Wold

ABSENT AND NOT VOTING: Anderson, R.; Aubol; Dotzenrod;
Goetz; Hausauer; Hughes; Koski; Larson, B.; Laughlin;
Martin, C.; Moore; Nicholas; Olson, A.; Peterson;
Pomeroy, G.; Richard; Riehl; Schneider; Sinner;
Strinden; Timm

HB 1253 was declared lost.

MOTIONS

REP. BACKES MOVED that HB 1279 be placed at the foot of the calendar, which motion prevailed.

REP. BACKES MOVED that HB 1306 be placed at the foot of the calendar, which motion prevailed.

REP. BACKES MOVED that HCR 3037 be moved to the head of the calendar, which motion prevailed.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3037: A concurrent resolution directing the Legislative Council to study the feasibility of appropriating to the various agricultural commodities promotion agencies all or a portion of the interest earned on the commodity assessments collected by those agencies and to identify other state agencies which perform services for the agricultural commodities agencies, the nature of those services, and to fix a reasonable charge for those services.

Which has been read.

The question being on the final adoption of the resolution.

HCR 3037 was declared adopted on a voice vote.

SECOND READING OF HOUSE BILL

HB 1342: A BILL for an Act to require individuals, spouses, and parents to pay, on a sliding income scale basis for

residents and at full costs for nonresidents, the cost of services provided to the individual by the Grafton state school, San Haven, and other facilities providing services to developmentally disabled persons; to create and enact a new subsection to section 54-44-04 of the North Dakota Century Code, relating to the powers and duties of the director of the office of management and budget; to amend and reenact sections 25-04-05, 25-09-01, 25-09-02, 25-09-02.2, 25-09-03, 25-09-05, 25-09-06, 25-09-07, 25-09-08, 25-09-09, and 25-09-10 of the North Dakota Century Code, relating to the liability of individuals, spouses, and parents for the cost of services provided for the developmentally disabled persons and the expense of care and treatment of patients at the state hospital; and to repeal section 25-09-04.1 of the North Dakota Century Code, relating to the expense of care and treatment of patients at Grafton state school.

Which has been read.

MOTION

REP. SERENUS HOFFNER MOVED the previous question, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 22 YEAS, 63 NAYS, 21 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Backes; Conmy; Gates; Gorder; Gunsch; Hanson, O.; Kent; Kingsbury; Knudson; Kretschmar; Kuchera; Melby; Olafson; Peltier; Rice; Riley; Rued; Schindler; Thompson; Vander Vorst; Whalen

NAYS: Black; Boyle; Brokaw; DeMers; DuBord; Eagles; Erdman; Gerl; Gullickson; Halmrast; Hamerlik; Hanson, L.; Haugland; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Jacobson; Keller; Kloubec; Koehn; Lang; Lardy; Larson, R.; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, G.; Martinson; Meier, A.; Meiers, R.; Mertens; Meyer, R.; Meyer, W.; Murphy; Mushik; Nalewaja; Nowatzki; O'Connell; Olsen, D.; Opedahl; O'Shea; Pomeroy, E.; Rayl; Retzer; Sanstead; Schoenwald; Shide; Shockman; Solberg; Stofferahn; Swiontek; Unhjem; Vig; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Wold; Madam Speaker

ABSENT AND NOT VOTING: Anderson, R.; Aubol; Dotzenrod; Goetz; Hausauer; Hughes; Koski; Larson, B.; Laughlin; Martin, C.; Moore; Nicholas; Olson, A.; Peterson; Pomeroy, G.; Richard; Riehl; Schneider; Sinner; Strinden; Timm

HB 1342 was declared lost.

MOTION

REP. BACKES MOVED that HB 1369 be placed at the foot of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILLS

HB 1488: A BILL for an Act to amend and reenact section 12.1-14-03 of the North Dakota Century Code, relating to penalties for unlawful inducements in connection with an election.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended on page 969 of the House Journal, the roll was called and there were 13 YEAS, 69 NAYS, 24 ABSENT AND NOT VOTING.

YEAS: Black; Gerl; Halmrast; Hoffner, S. F.; Knudson; Lloyd; Meier, A.; Melby; Sanstead; Solberg; Stofferahn; Vander Vorst; Vig

NAYS: Anderson, C.; Backes; Boyle; Brokaw; Conmy; DeMers; DuBord; Eagles; Erdman; Gates; Gorder; Gullickson; Gunsch; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hill; Hjelle; Hoffner, S.; Serenus; Horgan; Jacobson; Keller; Kent; Kingsbury; Kloubec; Koehn; Kretschmar; Lang; Lardy; Larson, R.; Lautenschlager; Linderman; Lipsiea; Martin, G.; Martinson; Meiers, R.; Mertens; Meyer, R.; Meyer, W.; Murphy; Mushik; Nalewaja; Nowatzki; O'Connell; Olafson; Olsen, D.; Opedahl; O'Shea; Peltier; Pomeroy, E.; Rayl; Retzer; Rice; Riley; Rued; Schindler; Schoenwald; Shide; Shockman; Swiontek; Unhjem; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Wold; Madam Speaker

ABSENT AND NOT VOTING: Anderson, R.; Aubol; Dotzenrod; Goetz; Hausauer; Hughes; Koski; Kuchera; Larson, B.; Laughlin; Martin, C.; Moore; Nicholas; Olson, A.; Peterson; Pomeroy, G.; Richard; Riehl; Schneider; Sinner; Strinden; Thompson; Timm; Whalen

HB 1488 was declared lost.

HB 1490: A BILL for an Act to amend and reenact subsection 1 of section 49-02-02 of the North Dakota Century Code, relating to the powers and duties of the public service commission.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended on page 970 of the House Journal, the roll was called and there were 29 YEAS, 53 NAYS, 24 ABSENT AND NOT VOTING.

YEAS: Black; Boyle; Brokaw; DeMers; Gorder; Hill; Hoffner, S. F.; Kent; Kingsbury; Knudson; Lang; Lardy; Larson, R.; Martin, G.; Meier, A.; Melby; Mushik; Olafson; O'Shea; Retzer; Rued; Schindler; Shide; Shockman; Stofferahn; Thompson; Vig; Williams, W.; Madam Speaker

NAYS: Anderson, C.; Backes; Conmy; DuBord; Eagles; Erdman; Gates; Gerl; Gullickson; Gunsch; Halmrast; Hamerlik; Hanson, L.; Haugland; Hjelle; Hoffner, Serenus; Horgan; Jacobson; Keller; Kloubec; Koehn; Kretschmar; Kuchera; Lautenschlager; Linderman; Lipsiea; Lloyd; Martinson; Meiers, R.; Mertens; Meyer, R.; Meyer, W.; Murphy; Nalewaja; Nowatzki; O'Connell; Opedahl; Peltier; Pomeroy, E.; Rayl; Rice; Riley; Sanstead; Schoenwald; Solberg; Strinden; Swiontek; Vander Vorst; Watne; Wentz; Williams, A.; Williams, C.; Wold

ABSENT AND NOT VOTING: Anderson, R.; Aubol; Dotzenrod; Goetz; Hanson, O.; Hausauer; Hughes; Koski; Larson, B.; Laughlin; Martin, C.; Moore; Nicholas; Olsen, D.; Olson, A.; Peterson; Pomeroy, G.; Richard; Riehl; Schneider; Sinner; Timm; Unhjem; Whalen

HB 1490 was declared lost.

MOTION

REP. BACKES MOVED that HB 1493 be placed at the foot of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILLS

HB 1555: A BILL for an Act to create and enact two new sections to chapter 54-44.3 of the North Dakota Century Code, relating to the listing of state classified job vacancies and eliminating or replacing personnel or positions by newly appointed or elected officials; to amend and reenact sections 54-44.3-01, 54-44.3-03, 54-44.3-06, 54-44.3-07, 54-44.3-10, 54-44.3-11, 54-44.3-12, and 54-44.3-20, relating to the structures and duties of the state personnel board, the director of the central personnel division and the categories of positions in state service included within classified service; and to provide for the expiration of the terms of the current members of the state personnel board.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended on page 915 of the House Journal, the roll was called and there were 58 YEAS, 26 NAYS, 22 ABSENT AND NOT VOTING.

YEAS: Backes; Black; Boyle; Brokaw; Conmy; DeMers; DuBord; Erdman; Gates; Gerl; Gullickson; Halmrast; Hamerlik; Hanson, L.; Haugland; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Jacobson; Keller; Knudson; Koehn; Kuchera; Lardy; Larson, R.; Lautenschlager; Linderman; Lloyd; Martin, G.; Martinson; Meier, A.; Meiers, R.; Mertens; Meyer, R.; Meyer, W.; Mushik; Nowatzki; O'Connell; Opedahl; O'Shea; Pomeroy, E.; Rayl; Retzer; Sanstead; Schoenwald; Shockman; Solberg; Stofferahn; Unhjem; Vig; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Madam Speaker

NAYS: Anderson, C.; Eagles; Gorder; Gunsch; Hanson, O.; Kent; Kingsbury; Kloubec; Kretschmar; Lang; Lipsiea; Melby; Murphy; Nalewaja; Olafson; Olsen, D.; Peltier; Rice; Riley; Schindler; Shide; Strinden; Swiontek; Thompson; Vander Vorst; Wold

ABSENT AND NOT VOTING: Anderson, R.; Aubol; Dotzenrod; Goetz; Hausauer; Hughes; Koski; Larson, B.; Laughlin; Martin, C.; Moore; Nicholas; Olson, A.; Peterson; Pomeroy, G.; Richard; Riehl; Rued; Schneider; Sinner; Timm; Whalen

HB 1555 passed and the title was agreed to.

HB 1575: A BILL for an Act to amend and reenact section 15-59-07.1 of the North Dakota Century Code, relating to boarding care for handicapped students.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended on page 916 of the House Journal, the roll was called and there were 60 YEAS, 26 NAYS, 20 ABSENT AND NOT VOTING.

YEAS: Backes; Black; Boyle; Brokaw; Conmy; DeMers; DuBord; Eagles; Erdman; Gerl; Gorder; Gullickson; Halmrast; Hamerlik; Hanson, L.; Haugland; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Jacobson; Keller; Kent; Knudson; Lardy; Larson, R.; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, G.; Martinson; Meier, A.; Meiers, R.; Meyer, R.; Meyer, W.; Mushik; Nowatzki; O'Connell; Olsen, D.; Opedahl; O'Shea; Pomeroy, E.; Rayl; Retzer; Sanstead;

Schoenwald; Shide; Shockman; Solberg; Stofferahn;
Swiontek; Vig; Watne; Wentz; Williams, A.;
Williams, C.; Williams, W.; Madam Speaker

NAYS: Anderson, C.; Gates; Gunsch; Hanson, O.; Kingsbury;
Kloubec; Koehn; Kretschmar; Kuchera; Lang; Melby;
Mertens; Murphy; Nalewaja; Olafson; Peltier; Rice;
Riley; Rued; Schindler; Strinden; Thompson; Unhjem;
Vander Vorst; Whalen; Wold

ABSENT AND NOT VOTING: Anderson, R.; Aubol; Dotzenrod;
Goetz; Hausauer; Hughes; Koski; Larson, B.; Laughlin;
Martin, C.; Moore; Nicholas; Olson, A.; Peterson;
Pomeroy, G.; Richard; Riehl; Schneider; Sinner; Timm

HB 1575 passed and the title was agreed to.

HB 1623: A BILL for an Act to provide payments in lieu of real estate taxes for certain research stations or experiment stations to the school districts in which the stations are located; to provide an effective date; and to declare an emergency.

Which has been read.

MOTION

REP. SANSTEAD MOVED the previous question, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill as amended on pages 918 and 919 of the House Journal, the roll was called and there were 27 YEAS, 55 NAYS, 24 ABSENT AND NOT VOTING.

YEAS: Brokaw; DeMers; DuBord; Gerl; Gullickson; Halmrast;
Hanson, L.; Hill; Hoffner; Serenus; Knudson;
Kretschmar; Lang; Lloyd; Meier, A.; Melby; Meyer, W.;
Mushik; Olafson; O'Shea; Retzer; Schindler; Shockman;
Strinden; Unhjem; Vander Vorst; Vig; Williams, W.

NAYS: Anderson, C.; Backes; Black; Boyle; Conmy; Eagles;
Erdman; Gates; Gunsch; Hamerlik; Hanson, O.; Haugland;
Hjelle; Hoffner, S. E.; Jacobson; Keller; Kent;
Kingsbury; Kloubec; Koehn; Kuchera; Lardy; Larson, R.;
Lautenschlager; Linderman; Lipsiea; Martin, G.;
Martinson; Meiers, R.; Meyer, R.; Murphy; Nalewaja;
Nowatzki; O'Connell; Olsen, D.; Opedahl; Peltier;
Pomeroy, E.; Rayl; Riley; Rued; Sanstead; Schoenwald;
Shide; Solberg; Stofferahn; Swiontek; Thompson; Watne;
Wentz; Whalen; Williams, A.; Williams, C.; Wold;
Madam Speaker

ABSENT AND NOT VOTING: Anderson, R.; Aubol; Dotzenrod; Goetz; Gorder; Hausauer; Horgan; Hughes; Koski; Larson, B.; Laughlin; Martin, C.; Mertens; Moore; Nicholas; Olson, A.; Peterson; Pomeroy, G.; Rice; Richard; Riehl; Schneider; Sinner; Timm

HB 1623 was declared lost.

RECOGNITION

SPEAKER KELLY ANNOUNCED that a former Representative was in the chambers, and requested that the House recognize former Representative Donald Hanson, and Representative Hanson was thereupon introduced to the House.

SECOND READING OF HOUSE BILL

HB 1643: A BILL for an Act to amend and reenact subsection 3 of section 16.1-08-02 of the North Dakota Century Code, relating to campaign contributions.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended on pages 971 and 972 of the House Journal, the roll was called and there were 75 YEAS, 7 NAYS, 24 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Backes; Black; Boyle; Brokaw; Conmy; DeMers; DuBord; Eagles; Erdman; Gates; Gerl; Gullickson; Halmrast; Hamerlik; Hanson, L.; Haugland; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Jacobson; Keller; Kloubec; Knudson; Koehn; Kretschmar; Kuchera; Lang; Lardy; Larson, R.; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, G.; Martinson; Meier, A.; Meiers, R.; Mertens; Meyer, R.; Murphy; Mushik; Nalewaja; Nowatzki; O'Connell; Olafson; Opedahl; O'Shea; Peltier; Pomeroy, E.; Rayl; Riley; Rued; Sanstead; Schindler; Schoenwald; Shide; Shockman; Solberg; Stofferahn; Strinden; Swiontek; Thompson; Unhjem; Vander Vorst; Vig; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Wold; Madam Speaker

NAYS: Gunsch; Hanson, O.; Kingsbury; Melby; Meyer, W.; Olsen, D.; Whalen

ABSENT AND NOT VOTING: Anderson, R.; Aubol; Dotzenrod; Goetz; Gorder; Hausauer; Hughes; Kent; Koski; Larson, B.; Laughlin; Martin, C.; Moore; Nicholas; Olson, A.; Peterson; Pomeroy, G.; Retzer; Rice; Richard; Riehl; Schneider; Sinner; Timm

HB 1643 passed and the title was agreed to.

MOTION

REP. BACKES MOVED that HB 1718 and HB 1724 be placed at the foot of the calendar, which motion prevailed.

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

HCR 3012: A concurrent resolution recognizing the need for public awareness of the leafy spurge problem in North Dakota, designating and urging the Governor to proclaim the second week of June as "Leafy Spurge Awareness and Eradication Week", and urging all appropriate state agencies to promote public awareness of the leafy spurge problem.

Which has been read.

The question being on the final adoption of the resolution.

HCR 3012 was declared adopted on a voice vote.

HCR 3018: A concurrent resolution directing the Legislative Council to study current mobile home and mobile home court laws and regulations, especially as they relate to high winds safety precautions.

Which has been read.

The question being on the final adoption of the resolution.

HCR 3018 was declared adopted on a voice vote.

HCR 3021: A concurrent resolution directing the Legislative Council to study North Dakota's beginning farmer programs and to determine the feasibility of requiring loan applicants to participate in the vocational education adult farm management program of supervised recordkeeping and management assistance.

Which has been read.

The question being on the final adoption of the resolution.

HCR 3021 was declared adopted on a voice vote.

HCR 3022: A concurrent resolution directing the Legislative Council to conduct a study of the desirability of adopting the model state soil conservation law in North Dakota.

Which has been read.

The question being on the final adoption of the resolution.

HCR 3022 was declared adopted on a voice vote.

HCR 3025: A concurrent resolution to establish a procedure for calling the Forty-eighth Legislative Assembly back into regular session after July 1, 1983, should the remaining constitutional time allotted for the regular session be needed.

Which has been read.

REQUEST

REP. E. POMEROY REQUESTED a recorded roll call vote on HCR 3025, which request was granted.

ROLL CALL

The question being on the final adoption of the resolution, the roll was called and there were 76 YEAS, 7 NAYS, 23 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Black; Boyle; Brokaw; Conmy; DeMers; DuBord; Erdman; Gates; Gorder; Gullickson; Gunsch; Halmrast; Hamerlik; Hanson, L.; Haugland; Hjelle; Hoffner; Serenus; Hoffner, S. F.; Horgan; Jacobson; Keller; Kent; Kingsbury; Knudson; Koehn; Kretschmar; Kuchera; Lang; Lardy; Larson, R.; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, G.; Martinson; Meier, A.; Meiers, R.; Melby; Mertens; Meyer, R.; Meyer, W.; Murphy; Mushik; Nalewaja; Nowatzki; O'Connell; Olafson; Olsen, D.; Opedahl; O'Shea; Peltier; Pomeroy, E.; Rayl; Retzer; Riley; Rued; Sanstead; Schindler; Schoenwald; Shockman; Solberg; Stofferahn; Strinden; Swiontek; Thompson; Unhjem; Vander Vorst; Vig; Watne; Wentz; Williams, A.; Williams, C.; Wold; Madam Speaker

NAYS: Backes; Eagles; Gerl; Hanson, O.; Kloubec; Shide; Whalen

ABSENT AND NOT VOTING: Anderson, R.; Aubol; Dotzenrod; Goetz; Hausauer; Hill; Hughes; Koski; Larson, B.; Laughlin; Martin, C.; Moore; Nicholas; Olson, A.; Peterson; Pomeroy, C.; Rice; Richard; Riehl; Schneider; Sinner; Timm; Williams, W.

So the resolution was declared adopted.

MOTION

REP. BACKES MOVED that the House stand in recess until 3:25 p.m., which motion prevailed.

THE HOUSE RECONVENED pursuant to recess taken, with Speaker Kelly presiding.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3030: A concurrent resolution expressing the support of the North Dakota Legislative Assembly for the construction of the Pembilier Dam Project.

Which has been read.

REQUESTS

REP. L. HANSON REQUESTED a recorded roll call vote on HCR 3030, which request was granted.

REP. CONMY REQUESTED that he be excused from voting on HCR 3030, because of a conflict of interest.

MOTION

REP. BACKES MOVED that Rep. Conmy be allowed to vote on HCR 3030, which motion prevailed.

ROLL CALL

The question being on the final adoption of the resolution, the roll was called and there were 48 YEAS, 49 NAYS, 9 ABSENT AND NOT VOTING.

YEAS: Black; Conmy; Eagles; Gerl; Goetz; Gorder; Gunsch; Hanson, O.; Haugland; Hjelle; Kent; Kingsbury; Kloubec; Koehn; Kretschmar; Kuchera; Lang; Larson, R.; Laughlin; Lautenschlager; Lipsiea; Martin, G.; Martinson; Melby; Mertens; Moore; Olafson; Olsen, D.; Olson, A.; Peltier; Rayl; Richard; Rued; Sanstead; Schindler; Schneider; Schoenwald; Shide; Solberg; Strinden; Timm; Unhjem; Vander Vorst; Vig; Wentz; Williams, C.; Wold; Madam Speaker

NAYS: Anderson, C.; Anderson, R.; Aubol; Backes; Boyle; Brokaw; DeMers; DuBord; Erdman; Gates; Gullickson; Halmrast; Hamerlik; Hanson, L.; Hill; Hoffner, Serenus; Hoffner, S. F.; Horgan; Hughes; Jacobson; Keller; Knudson; Koski; Lardy; Linderman; Lloyd; Martin, C.; Meier, A.; Meiers, R.; Meyer, R.; Meyer, W.; Murphy; Mushik; Nalewaja; O'Connell; Opedahl; O'Shea; Pomeroy, E.; Pomeroy, G.; Riehl; Riley; Shockman; Stofferahn; Swiontek; Thompson; Watne; Whalen; Williams, A.; Williams, W.

ABSENT AND NOT VOTING: Dotzenrod; Hausauer; Larson, B.; Nicholas; Nowatzki; Peterson; Retzer; Rice; Sinner

HCR 3030 was declared lost.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3033: A concurrent resolution urging Congress to require a proposed ethanol production facility to show a substantial net increase in the yield of liquid fuel for motive power on a caloric basis in order to qualify for any available federal assistance.

Which has been read.

The question being on the final adoption of the resolution.

HCR 3033 was declared adopted on a voice vote.

REQUEST

REP. BACKES REQUESTED that the members of the Committee on Transportation be excused to act on HB 1201.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3034: A concurrent resolution urging the Farmers Home Administration of the United States Department of Agriculture to develop a farm credit payment plan to allow farmers who use the credit of the United States Department of Agriculture to use farm produce to repay their loans to the government.

Which has been read.

The question being on the final adoption of the resolution.

HCR 3034 was declared adopted on a voice vote.

RECOGNITION

SPEAKER KELLY ANNOUNCED that a former Representative was in the chambers, and requested that the House recognize former Representative Ray Metzger, and Representative Metzger was thereupon introduced to the House.

SECOND READING OF HOUSE BILLS

HB 1096: A BILL for an Act to amend and reenact subsection 2 of section 39-03.1-27 of the North Dakota Century Code, relating to benefits under the North Dakota highway patrolmen's retirement system.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 36 YEAS, 62 NAYS, 8 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Aubol; Backes; Black; Brokaw; DuBord; Gerl; Hamerlik; Hanson, O.; Haugland; Hjelle; Horgan; Kent; Kingsbury; Kretschmar; Lang; Lardy; Larson, R.; Lloyd; Martin, C.; Meier, A.; Meyer, W.; Mushik; Olafson; Olson, A.; Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Schindler; Schneider; Shockman; Unhjem; Vander Vorst; Williams, C.; Williams, W.

NAYS: Anderson, R.; Boyle; Conmy; DeMers; Eagles; Erdman; Gates; Goetz; Gorder; Gullickson; Gunsch; Halmrast; Hanson, L.; Hill; Hoffner, Serenus; Hoffner, S. F.; Hughes; Jacobson; Keller; Kloubec; Knudson; Koehn; Koski; Kuchera; Larson, B.; Laughlin; Lautenschlager; Linderman; Lipsiea; Martin, G.; Martinson; Meiers, R.; Melby; Meyer, R.; Moore; Murphy; Nalewaja; Nicholas; Nowatzki; O'Connell; Olsen, D.; Opedahl; O'Shea; Peltier; Riehl; Riley; Rued; Sanstead; Schoenwald; Shide; Solberg; Stofferahn; Swiontek; Thompson; Timm; Vig; Watne; Wentz; Whalen; Williams, A.; Wold; Madam Speaker

ABSENT AND NOT VOTING: Dotzenrod; Hausauer; Mertens; Peterson; Rice; Richard; Sinner; Strinden

HB 1096 was declared lost.

HB 1478: A BILL for an Act to create and enact section 10-06-04.1 of the North Dakota Century Code, relating to the application of the corporate farming law to certain nonprofit organizations and trusts.

Which has been read.

MOTION

REP. PELTIER MOVED the previous question, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 89 YEAS, 11 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Aubol; Backes; Black; Boyle; Brokaw; Conmy; DeMers; DuBord; Eagles; Erdman; Gates; Gerl; Goetz; Gorder; Gullickson; Gunsch; Halmrast; Hamerlik; Hanson, O.; Haugland; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Hughes; Jacobson; Keller; Kent; Kingsbury; Kloubec; Knudson; Koehn; Koski; Kretschmar; Kuchera; Lang; Lardy;

Larson, R.; Lautenschlager; Lipsiea; Lloyd; Martin, C.;
 Martin, G.; Martinson; Meier, A.; Melby; Mertens;
 Meyer, R.; Meyer, W.; Moore; Mushik; Nalewaja;
 Nicholas; Nowatzki; Olafson; Olsen, D.; Olson, A.;
 Opedahl; O'Shea; Peltier; Peterson; Pomeroy, E.;
 Pomeroy, G.; Rayl; Retzer; Riehl; Riley; Rued;
 Schindler; Schneider; Schoenwald; Shide; Shockman;
 Stofferahn; Strinden; Swiontek; Thompson; Timm; Unhjem;
 Vander Vorst; Wentz; Whalen; Williams, A.;
 Williams, C.; Williams, W.; Wold

NAYS: Larson, B.; Laughlin; Linderman; Meiers, R.;
 Murphy; O'Connell; Sanstead; Solberg; Vig; Watne;
 Madam Speaker

ABSENT AND NOT VOTING: Dotzenrod; Hanson, L.; Hausauer;
 Rice; Richard; Sinner

HB 1478 passed and the title was agreed to.

HB 1512: A BILL for an Act to create and enact a new subsection
 to section 49-22-03 of the North Dakota Century Code,
 relating to energy conversion and transmission facility
 siting.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was
 called and there were 32 YEAS, 65 NAYS, 9 ABSENT AND NOT VOTING.

YEAS: Aubol; DeMers; Gorder; Halmrast; Hill;
 Hoffner, Serenus; Hoffner, S. F.; Horgan; Knudson;
 Koski; Lardy; Laughlin; Lloyd; Meier, A.; Meiers, R.;
 Mertens; Mushik; Nalewaja; Olafson; Olson, A.; O'Shea;
 Pomeroy, E.; Pomeroy, G.; Sanstead; Schindler;
 Schoenwald; Shockman; Stofferahn; Swiontek; Thompson;
 Unhjem; Vig

NAYS: Anderson, C.; Anderson, R.; Black; Boyle; Brokaw;
 Conmy; DuBord; Eagles; Erdman; Gates; Gerl; Goetz;
 Gullickson; Gunsch; Hamerlik; Hanson, L.; Hanson, O.;
 Haugland; Hjelle; Hughes; Jacobson; Keller; Kent;
 Kingsbury; Kloubec; Koehn; Kretschmar; Lang;
 Larson, B.; Larson, R.; Lautenschlager; Linderman;
 Lipsiea; Martin, G.; Martinson; Melby; Meyer, R.;
 Meyer, W.; Moore; Murphy; Nicholas; Nowatzki;
 O'Connell; Olsen, D.; Opedahl; Peltier; Peterson; Rayl;
 Retzer; Riehl; Riley; Rued; Schneider; Shide; Solberg;
 Timm; Vander Vorst; Watne; Wentz; Whalen; Williams, A.;
 Williams, C.; Williams, W.; Wold; Madam Speaker

ABSENT AND NOT VOTING: Backes; Dotzenrod; Hausauer;
Kuchera; Martin, C.; Rice; Richard; Sinner; Strinden

HB 1512 was declared lost.

MOTIONS

REP. BROKAW MOVED that the House reconsider its action whereby HB 1534 was passed, which motion prevailed.

REP. BROKAW MOVED that HB 1534 be rereferred to the Committee on Natural Resources, which motion prevailed.

SPEAKER KELLY ANNOUNCED that HB 1534 was referred to the Committee on Natural Resources.

SECOND READING OF HOUSE BILLS

HB 1616: A BILL for an Act to allow a court in its discretion to enter a judgment ordering periodic payments or a reversionary trust.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended on page 918 of the House Journal, the roll was called and there were 58 YEAS, 40 NAYS, 8 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Black; Brokaw; Conmy;
DeMers; DuBord; Eagles; Gates; Gorder; Gullickson;
Halmrast; Hamerlik; Hanson, O.; Haugland; Hughes;
Keller; Kent; Kingsbury; Kloubec; Koehn; Lardy;
Larson, R.; Laughlin; Lipsiea; Lloyd; Martin, G.;
Martinson; Melby; Meyer, R.; Moore; Murphy; Nalewaja;
Nicholas; Olafson; Olsen, D.; Olson, A.; Opedahl;
Peltier; Peterson; Rayl; Retzer; Riehl; Riley;
Schindler; Shide; Shockman; Strinden; Swiontek;
Thompson; Timm; Unhjem; Vander Vorst; Vig; Wentz;
Whalen; Williams, A.; Williams, C.

NAYS: Aubol; Backes; Boyle; Erdman; Gerl; Gunsch;
Hanson, L.; Hill; Hjelle; Hoffner; Serenus;
Hoffner, S. F.; Horgan; Jacobson; Koski; Kretschmar;
Kuchera; Lang; Larson, B.; Lautenschlager; Linderman;
Meier, A.; Meiers, R.; Mertens; Meyer, W.; Mushik;
Nowatzki; O'Connell; O'Shea; Pomeroy, E.; Pomeroy, G.;
Richard; Sanstead; Schneider; Schoenwald; Solberg;
Stofferahn; Watne; Williams, W.; Wold; Madam Speaker

ABSENT AND NOT VOTING: Dotzenrod; Goetz; Hausauer;
Knudson; Martin, C.; Rice; Rued; Sinner

HB 1616 passed and the title was agreed to.

HB 1018: A BILL for an Act making an appropriation for defraying the expenses of the department of banking and financial institutions of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended on page 1000 of the House Journal, the roll was called and there were 98 YEAS, 1 NAY, 7 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Aubol; Backes; Black; Boyle; Brokaw; Conmy; DeMers; DuBord; Eagles; Erdman; Gates; Gerl; Gorder; Gullickson; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Hughes; Jacobson; Keller; Kent; Kingsbury; Kloubec; Koehn; Koski; Kretschmar; Kuchera; Lang; Lardy; Larson, B.; Larson, R.; Laughlin; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, G.; Martinson; Meier, A.; Meiers, R.; Melby; Mertens; Meyer, R.; Meyer, W.; Moore; Mushik; Nalewaja; Nicholas; Nowatzki; O'Connell; Olafson; Olsen, D.; Olson, A.; Opedahl; O'Shea; Peltier; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Richard; Riehl; Riley; Rued; Sanstead; Schindler; Schneider; Schoenwald; Shide; Shockman; Solberg; Stofferahn; Strinden; Swiontek; Thompson; Timm; Unhjem; Vander Vorst; Vig; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Wold; Madam Speaker

NAYS: Murphy

ABSENT AND NOT VOTING: Dotzenrod; Goetz; Hausauer; Knudson; Martin, C.; Rice; Sinner

HB 1018 passed and the title was agreed to.

HB 1034: A BILL for an Act making an appropriation for defraying the administrative costs of the public employees retirement system and the group insurance program of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended on pages 1000 and 1001 of the House Journal, the roll was called and there were 92 YEAS, 4 NAYS, 10 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Aubol; Black; Boyle; Conmy; DeMers; DuBord; Eagles; Erdman; Gates; Gerl; Gorder; Gullickson; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Hughes; Jacobson; Keller; Kent; Kingsbury; Kloubec; Koehn; Koski; Kretschmar; Kuchera; Lang; Lardy; Larson, B.; Larson, R.; Laughlin; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, G.; Martinson; Meier, A.; Meiers, R.; Mertens; Meyer, R.; Meyer, W.; Moore; Mushik; Nalewaja; Nicholas; Nowatzki; O'Connell; Olafson; Olsen, D.; Olson, A.; Opedahl; O'Shea; Peltier; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Richard; Riehl; Riley; Sanstead; Schindler; Schneider; Schoenwald; Shide; Shockman; Solberg; Stofferahn; Swiontek; Thompson; Timm; Unhjem; Vander Vorst; Vig; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Wold; Madam Speaker

NAYS: Gunsch; Melby; Murphy; Rued

ABSENT AND NOT VOTING: Backes; Brokaw; Dotzenrod; Goetz; Hausauer; Knudson; Martin, C.; Rice; Sinner; Strinden

HB 1034 passed and the title was agreed to.

HB 1057: A BILL for an Act to amend and reenact sections 25-01.2-14, 25-04-13.1, 27-07.1-11, subsections 7 and 17 of section 30.1-01-06, sections 30.1-28-03, 30.1-28-04, 30.1-28-11, subsection 1 of section 30.1-28-12, sections 30.1-28-13, 30.1-29-08, 30.1-29-20, 30.1-29-21, and 50-06-05.3 of the North Dakota Century Code, relating to requirements for the individual habilitation plan, to the superintendent of Grafton state school acting as guardian, and a limited guardianship or conservatorship under the Uniform Probate Code; to repeal section 25-04-13.1 of the North Dakota Century Code, relating to the superintendent of Grafton state school acting as guardian; and to provide an effective date.

Which has been read.

MOTION

REP. RUED MOVED the previous question, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill as amended on page 1001 of the House Journal, the roll was called and there were 88 YEAS, 9 NAYS, 9 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Aubol; Backes; Black; Boyle; Brokaw; Conmy; DeMers; DuBord; Eagles; Erdman; Gates; Gerl; Gorder; Gullickson; Halmrast; Hamerlik;

Hanson, L.; Haugland; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Hughes; Jacobson; Keller; Kent; Kingsbury; Kloubec; Koehn; Koski; Kretschmar; Kuchera; Lang; Lardy; Larson, B.; Larson, R.; Laughlin; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, G.; Martinson; Meier, A.; Meiers, R.; Mertens; Meyer, R.; Meyer, W.; Murphy; Mushik; Nalewaja; Nicholas; Nowatzki; O'Connell; Olsen, D.; Olson, A.; Opedahl; O'Shea; Peltier; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Riehl; Riley; Sanstead; Schindler; Schneider; Schoenwald; Shide; Shockman; Stofferahn; Swiontek; Thompson; Timm; Unhjem; Vander Vorst; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Wold; Madam Speaker

NAYS: Gunsch; Hanson, O.; Melby; Olafson; Rued; Solberg; Strinden; Vig; Whalen

ABSENT AND NOT VOTING: Dotzenrod; Goetz; Hausauer; Knudson; Martin, C.; Moore; Rice; Richard; Sinner

HB 1057 passed and the title was agreed to.

HB 1143: A BILL for an Act to amend and reenact section 62-01-04.1 of the North Dakota Century Code, relating to the prohibition of pistols in liquor establishments and gaming sites.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended on page 1002 of the House Journal, the roll was called and there were 91 YEAS, 5 NAYS, 10 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Aubol; Backes; Black; Boyle; Brokaw; Conmy; DeMers; DuBord; Eagles; Erdman; Gates; Gerl; Gorder; Gullickson; Halmrast; Hamerlik; Hanson, L.; Haugland; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Hughes; Jacobson; Keller; Kent; Kingsbury; Kloubec; Koehn; Koski; Kretschmar; Kuchera; Lang; Lardy; Larson, R.; Laughlin; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, G.; Martinson; Meier, A.; Meiers, R.; Melby; Mertens; Meyer, R.; Meyer, W.; Moore; Mushik; Nalewaja; Nicholas; Nowatzki; O'Connell; Olafson; Olsen, D.; Olson, A.; Opedahl; O'Shea; Peltier; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Riehl; Riley; Sanstead; Schindler; Schneider; Schoenwald; Shide; Shockman; Solberg; Stofferahn; Strinden; Swiontek; Thompson; Timm; Unhjem; Vander Vorst; Vig; Watne; Williams, A.; Williams, C.; Williams, W.; Wold; Madam Speaker

NAYS: Gunsch; Hanson, O.; Murphy; Rued; Whalen

ABSENT AND NOT VOTING: Dotzenrod; Goetz; Hausauer;
Knudson; Larson, B.; Martin, C.; Rice; Richard; Sinner;
Wentz

HB 1143 passed and the title was agreed to.

HB 1246: A BILL for an Act to provide for a foster care parent grievance procedure.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended on pages 1002 and 1003 of the House Journal, the roll was called and there were 97 YEAS, 0 NAYS, 9 ABSENT AND NOT VOTING.

YEAS: 'Anderson, C.; Anderson, R.; Aubol; Backes; Black; Boyle; Brokaw; Conmy; DeMers; DuBord; Eagles; Erdman; Gates; Gerl; Gorder; Gullickson; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Hughes; Jacobson; Keller; Kent; Kingsbury; Kloubec; Koehn; Koski; Kretschmar; Kuchera; Lang; Lardy; Larson, B.; 'Larson, R.; Laughlin; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, G.; Martinson; Meier, A.; Meiers, R.; Melby; Mertens; Meyer, R.; Meyer, W.; Moore; Murphy; Mushik; Nalewaja; Nowatzki; O'Connell; Olafson; Olsen, D.; Olson, A.; Opedahl; O'Shea; Peltier; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Richard; Riehl; Riley; Rued; Sanstead; Schindler; Schneider; Schoenwald; Shide; Shockman; Solberg; Stofferahn; Swiontek; Thompson; Timm; Unhjem; Vander Vorst; Vig; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Wold; Madam Speaker

NAYS: None

ABSENT AND NOT VOTING: Dotzenrod; Goetz; Hausauer;
Knudson; Martin, C.; Nicholas; Rice; Sinner; Strinden

HB 1246 passed and the title was agreed to.

HB 1250: A BILL for an Act to create and enact a new subsection to section 16.1-05-04 of the North Dakota Century Code, relating to duties of the members of election boards.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended on page 1003 of the House Journal, the roll was called and there were 96 YEAS, 0 NAYS, 10 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Aubol; Backes; Black; Boyle; Brokaw; Conmy; DeMers; DuBord; Eagles; Erdman; Gates; Gerl; Gorder; Gullickson; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Hughes; Jacobson; Keller; Kent; Kingsbury; Kloubec; Koehn; Koski; Kretschmar; Kuchera; Lang; Lardy; Larson, B.; Larson, R.; Laughlin; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, G.; Martinson; Meier, A.; Meiers, R.; Melby; Mertens; Meyer, R.; Meyer, W.; Moore; Murphy; Mushik; Nalewaja; Nicholas; Nowatzki; O'Connell; Olafson; Olsen, D.; Olson, A.; Opedahl; O'Shea; Peltier; Peterson; Pomeroy, G.; Retzer; Richard; Riehl; Riley; Rued; Sanstead; Schindler; Schneider; Schoenwald; Shide; Shockman; Solberg; Stofferahn; Swiontek; Thompson; Timm; Unhjem; Vander Vorst; Vig; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Wold; Madam Speaker

NAYS: None

ABSENT AND NOT VOTING: Dotzenrod; Goetz; Hausauer; Knudson; Martin, C.; Pomeroy, E.; Rayl; Rice; Sinner; Strinden

HB 1250 passed and the title was agreed to.

HB 1354: A BILL for an Act to amend and reenact section 10-06-07 of the North Dakota Century Code, relating to the requirements for corporate farming; and to provide a civil penalty.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended on page 1004 of the House Journal, the roll was called and there were 7 YEAS, 91 NAYS, 8 ABSENT AND NOT VOTING.

YEAS: Black; Horgan; Kuchera; Peltier; Timm; Vig; Wold

NAYS: Anderson, C.; Anderson, R.; Aubol; Backes; Boyle; Brokaw; Conmy; DeMers; DuBord; Eagles; Erdman; Gates; Gerl; Gorder; Gullickson; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Hughes; Jacobson; Keller; Kent; Kingsbury; Kloubec; Koehn; Koski;

Kretschmar; Lang; Lardy; Larson, B.; Larson, R.; Laughlin; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, G.; Martinson; Meier, A.; Meiers, R.; Melby; Mertens; Meyer, R.; Meyer, W.; Moore; Murphy; Mushik; Nalewaja; Nicholas; Nowatzki; O'Connell; Olafson; Olsen, D.; Olson, A.; Opedahl; O'Shea; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Richard; Riehl; Riley; Rued; Sanstead; Schindler; Schneider; Schoenwald; Shide; Shockman; Solberg; Stofferahn; Swiontek; Thompson; Unhjem; Vander Vorst; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Madam Speaker

ABSENT AND NOT VOTING: Dotzenrod; Goetz; Hausauer; Knudson; Martin, C.; Rice; Sinner; Strinden

HB 1354 was declared lost.

HB 1359: A BILL for an Act to create and enact a new section to chapter 15-04 of the North Dakota Century Code; and to amend and reenact section 15-04-10 of the North Dakota Century Code, relating to leasing of school lands by public auction.

Which has been read.

MOTION

REP. KOSKI MOVED the previous question, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 39 YEAS, 58 NAYS, 9 ABSENT AND NOT VOTING.

YEAS: Anderson, R.; Boyle; DuBord; Eagles; Gates; Gorder; Gullickson; Halmrast; Hamerlik; Haugland; Hjelle; Hughes; Keller; Kloubec; Koehn; Lang; Larson, R.; Laughlin; Martinson; Meyer, W.; Murphy; Nalewaja; Nicholas; Nowatzki; O'Connell; Olafson; Olsen, D.; Olson, A.; Opedahl; Schindler; Shide; Shockman; Stofferahn; Strinden; Swiontek; Thompson; Unhjem; Watne; Wentz

NAYS: Anderson, C.; Aubol; Backes; Black; Brokaw; Conmy; DeMers; Erdman; Gerl; Gunsch; Hanson, L.; Hanson, O.; Hill; Hoffner, Serenus; Hoffner, S. F.; Horgan; Jacobson; Kent; Kingsbury; Koski; Kretschmar; Kuchera; Lardy; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, G.; Meier, A.; Meiers, R.; Melby; Mertens; Meyer, R.; Moore; Mushik; O'Shea; Peltier; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Richard; Riehl; Riley; Rued; Sanstead; Schneider; Schoenwald; Solberg;

Timm; Vander Vorst; Vig; Williams, A.; Williams, C.;
Williams, W.; Wold; Madam Speaker

ABSENT AND NOT VOTING: Dotzenrod; Goetz; Hausauer;
Knudson; Larson, B.; Martin, C.; Rice; Sinner; Whalen

HB 1359 was declared lost.

HB 1366: A BILL for an Act to amend and reenact subsection 22 of
section 40-05-02 of the North Dakota Century Code, relating
to the power of a city to regulate the keeping of dogs.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended on
page 1004 of the House Journal, the roll was called and there
were 90 YEAS, 4 NAYS, 12 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Aubol; Backes; Boyle;
Brokaw; Conmy; DeMers; DuBord; Eagles; Erdman; Gates;
Gerl; Gorder; Gullickson; Gunsch; Halmrast; Hamerlik;
Hanson, O.; Haugland; Hill; Hjelle; Hoffner, Serenus;
Hoffner, S. F.; Horgan; Hughes; Jacobson; Keller; Kent;
Kingsbury; Kloubec; Koehn; Koski; Kretschmar; Kuchera;
Lang; Lardy; Larson, R.; Laughlin; Lautenschlager;
Linderman; Lipsiea; Lloyd; Martin, G.; Martinson;
Meiers, R.; Melby; Mertens; Meyer, R.; Moore; Mushik;
Nalewaja; Nicholas; Nowatzki; O'Connell; Olafson;
Olsen, D.; Olson, A.; Opedahl; O'Shea; Peltier;
Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Retzer;
Richard; Riehl; Riley; Sanstead; Schindler; Schneider;
Schoenwald; Shide; Shockman; Solberg; Strinden;
Swiontek; Thompson; Timm; Unhjem; Vander Vorst; Vig;
Watne; Wentz; Williams, A.; Williams, C.; Williams, W.;
Wold; Madam Speaker

NAYS: Black; Meier, A.; Meyer, W.; Murphy

ABSENT AND NOT VOTING: Dotzenrod; Goetz; Hanson, L.;
Hausauer; Knudson; Larson, B.; Martin, C.; Rice; Rued;
Sinner; Stofferahn; Whalen

HB 1366 passed and the title was agreed to.

HB 1389: A BILL for an Act to amend and reenact section
27-07.1-01 of the North Dakota Century Code, relating to
the filing requirements for a candidate for the office of
county judge.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended on page 1004 of the House Journal, the roll was called and there were 93 YEAS, 0 NAYS, 13 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Aubol; Backes; Black; Boyle; Brokaw; Conmy; DeMers; DuBord; Eagles; Erdman; Gates; Gerl; Gorder; Gunsch; Halmrast; Hamerlik; Hanson, O.; Haugland; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Hughes; Jacobson; Keller; Kent; Kingsbury; Kloubec; Koehn; Koski; Kretschmar; Kuchera; Lang; Lardy; Larson, R.; Laughlin; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, G.; Martinson; Meier, A.; Meiers, R.; Melby; Mertens; Meyer, R.; Meyer, W.; Moore; Murphy; Mushik; Nalewaja; Nicholas; Nowatzki; O'Connell; Olafson; Olsen, D.; Olson, A.; Opedahl; O'Shea; Peltier; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Richard; Riehl; Riley; Sanstead; Schindler; Schneider; Schoenwald; Shide; Shockman; Solberg; Stofferahn; Strinden; Swontek; Thompson; Timm; Vander Vorst; Vig; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Wold; Madam Speaker

NAYS: None

ABSENT AND NOT VOTING: Dotzenrod; Goetz; Gullickson; Hanson, L.; Hausauer; Knudson; Larson, B.; Martin, C.; Rice; Rued; Sinner; Unhjem; Whalen

HB 1389 passed and the title was agreed to.

HB 1447: A BILL for an Act to redefine "developmentally disabled person" and to require residential zoning for group homes for developmentally disabled persons in counties, cities, and townships.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended on pages 1005 and 1006 of the House Journal, the roll was called and there were 61 YEAS, 35 NAYS, 10 ABSENT AND NOT VOTING.

YEAS: Aubol; Backes; Boyle; Brokaw; Conmy; DeMers; DuBord; Erdman; Gerl; Halmrast; Hamerlik; Haugland; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Jacobson; Koski; Kretschmar; Lang; Lardy; Larson, B.; Laughlin; Lautenschlager; Linderman; Lloyd; Martin, G.; Martinson; Meier, A.; Meiers, R.; Mertens; Mushik;

Nalewaja; Nicholas; Nowatzki; O'Connell; Olsen, D.; Opedahl; O'Shea; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Riehl; Sanstead; Schneider; Schoenwald; Shide; Shockman; Stofferahn; Unhjem; Vander Vorst; Vig; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Madam Speaker

NAYS: Anderson, C.; Anderson, R.; Black; Eagles; Gates; Gorder; Gullickson; Gunsch; Hanson, O.; Hughes; Keller; Kent; Kingsbury; Kloubec; Koehn; Kuchera; Larson, R.; Lipsiea; Melby; Meyer, R.; Meyer, W.; Moore; Murphy; Olafson; Olson, A.; Peltier; Richard; Riley; Schindler; Solberg; Strinden; Swiontek; Thompson; Timm; Wold

ABSENT AND NOT VOTING: Dotzenrod; Goetz; Hanson, L.; Hausauer; Knudson; Martin, C.; Rice; Rued; Sinner; Whalen

HB 1447 passed and the title was agreed to.

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HB 1473: A BILL for an Act to amend and reenact subsection 2 of section 49-22-05.1 of the North Dakota Century Code, relating to exclusion and avoidance areas in energy conversion and transmission facility siting.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended on page 1006 of the House Journal, the roll was called and there were 96 YEAS, 0 NAYS, 10 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Aubol; Backes; Black; Boyle; Brokaw; Conmy; DeMers; DuBord; Eagles; Erdman; Gates; Gerl; Gorder; Gullickson; Gunsch; Halmrast; Hamerlik; Hanson, O.; Haugland; Hill; Hjelle; Hoffner; Serenus; Hoffner, S. F.; Horgan; Hughes; Jacobson; Keller; Kent; Kingsbury; Kloubec; Koehn; Koski; Kretschmar; Kuchera; Lang; Lardy; Larson, B.; Larson, R.; Laughlin; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, G.; Martinson; Meier, A.; Meiers, R.; Melby; Mertens; Meyer, R.; Meyer, W.; Moore; Murphy; Mushik; Nalewaja; Nicholas; Nowatzki; O'Connell; Olafson; Olsen, D.; Olson, A.; Opedahl; O'Shea; Peltier; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Richard; Riehl; Riley; Sanstead; Schindler; Schneider; Schoenwald; Shide; Shockman; Sinner; Solberg; Stofferahn; Strinden; Swiontek; Thompson; Timm; Vander Vorst; Vig; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Wold; Madam Speaker

NAYS: None

ABSENT AND NOT VOTING: Dotzenrod; Goetz; Hanson, L.;
Hausauer; Knudson; Martin, C.; Rice; Rued; Unhjem;
Whalen

HB 1473 passed and the title was agreed to.

MOTIONS

REP. BACKES MOVED that the absent members be excused, which motion prevailed.

REP. BACKES MOVED that the House be on the Fifth order of business, and at the conclusion of the Fifth order, the House be on the Ninth order of business, and at the conclusion of the Ninth order, the House be on the Thirteenth order of business, and at the conclusion of the Thirteenth order, the House stand adjourned until 9:00 a.m., Wednesday, February 16, 1983, which motion prevailed.

REPORTS OF STANDING COMMITTEES

MADAM SPEAKER: Your Committee on Appropriations to which was referred HB 1001 has had the same under consideration and recommends by a vote of 16 YEAS, 2 NAYS, 3 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

- On page 1, line 15, delete the numerals "1,096,298" and insert in lieu thereof the numerals "1,724,645"
- On page 1, line 16, delete the numerals "3,272,222" and insert in lieu thereof the numerals "2,643,642"
- On page 1, line 20, delete the numerals "4,449,666" and insert in lieu thereof the numerals "4,449,433"
- On page 1, line 23, delete the numerals "2,010,988" and insert in lieu thereof the numerals "1,938,972"
- On page 1, line 26, delete the numerals "3,487,252" and insert in lieu thereof the numerals "3,415,236"
- On page 1, line 27, delete the numerals "7,936,918" and insert in lieu thereof the numerals "7,864,669"

STATEMENT OF PURPOSE OF AMENDMENT:

Forty-eighth and Forty-ninth Legislative Assemblies

The following adjustments are made:

Salaries	Operating	Equipment	NCSL	Total
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	and Wages	Expenses			
Legislative Assembly Appropriation in HB 1001	\$1,096,298	\$3,272,222	\$25,830	\$55,316	\$4,449,666
Adjustment to limit increase in estimated salaries for legislative employees at House Appropriation salary guidelines	(64,203)				(64,203)
Adjustment to Salaries and Wages and Operating Expenses 1/	692,550	(628,580)			63,970
Legislative Assembly Appropriation as amended	\$1,724,645	\$2,643,642	\$25,830	\$55,316	\$4,449,433

1/ This adjustment includes the effect of the passage of Senate Bill No. 2361. The bill provides capital city legislators a salary of \$90 per day and other legislators a \$40 per day salary and \$50 per day expense reimbursement. These amounts compare to \$85 per day expense reimbursement and \$5 per legislative day salary during the 47th Legislative Assembly. Also, \$49,590 is added to salaries and wages for FICA taxes. In addition, Senate Bill No. 2361 increases mileage reimbursement from 10 to 25 cents per mile for a total estimated cost of \$94,000. The appropriation as amended provides funds for a Forty-ninth Legislative Assembly session of 95 calendar days.

Legislative Council

The salaries and wages line item is reduced by \$72,016 from the general fund. This reduces the amount originally included which was based upon the executive budget recommendation for compensation increases to a four percent salary increase the first year of the biennium with no funds for additional state contributions to retirement. Additional salary increases are to include a two percent salary increase for the second year of the biennium amounting to \$17,342 in a separate appropriation bill.

REP. MERTENS, Chairman

HB 1001 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Appropriations to which was referred HB 1004 has had the same under consideration and recommends by a vote of 21 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 1, after the word "Act" insert the words "to amend and reenact section 4 of chapter 208 of the 1979 Session Laws of North Dakota as amended by section 1 of chapter 175 of the 1981 Session Laws of North Dakota, authorizing the board of university and school lands to invest in property development related to the Dickinson experiment station land transfers; and"

On page 1, line 16, delete the numerals "895,892" and insert in lieu thereof the numerals "866,702"

On page 1, line 17, delete the numerals "187,195" and insert in lieu thereof the numerals "201,745"

On page 1, delete line 20

On page 1, after line 21, insert the following new line:

"Tuition assistance 400,000"

On page 1, line 23, delete the numerals "4,612,622" and insert in lieu thereof the numerals "2,639,982"

On page 1, line 25, delete the numerals "4,212,622" and insert in lieu thereof the numerals "2,239,982"

On page 1, line 28, delete the numerals "2,588,289" and insert in lieu thereof the numerals "2,676,929"

On page 2, line 1, delete the numerals "2,588,289" and insert in lieu thereof the numerals "2,676,929"

On page 2, after line 1, insert the following new sections:

"SECTION 3. AMENDMENT. Section 4 of chapter 208 of the 1979 Session Laws of North Dakota as amended by section 1 of chapter 175 of the 1981 Session Laws of North Dakota is hereby amended and reenacted to read as follows:

SECTION 4. The board of university and school lands may invest an amount not to exceed ~~three~~ four

million two hundred sixty-five thousand dollars from the permanent fund of the common schools as a loan to the board of higher education for the section 1 unit purchase, section 2 committee implementation, and section 6 land sale. The board of higher education is authorized to borrow from the board of university and school lands the sum of ~~three~~ four million two hundred sixty-five thousand dollars, or so much thereof as may be necessary, for the purpose of the section 1 unit purchase, section 2 committee implementation, and section 6 land sale. The loan from the board of university and school lands shall be for a term not to exceed ten years, but the amount of the loan, interest rate, and method of repayment are to be negotiated by the board of university and school lands and the board of higher education. The board of higher education is authorized to grant a security interest to the permanent fund of the common schools in the property to be acquired. The members of the state board of higher education shall not be held personally liable for repayment of any loan obtained under this section, and the board shall be liable for repayment only in the manner provided pursuant to this section.

SECTION 4. APPROPRIATION. There is hereby appropriated the loan proceeds from any loan under section 3 of this Act to the state board of higher education for the following purposes:

Land development for sale and	\$ 1,000,000
payment of interest on loans	
Total	\$ 1,000,000

There is also appropriated from any rents, profits, or proceeds described in section 7 of chapter 208 of the 1979 Session Laws of North Dakota an amount as necessary to pay interest due on loans made pursuant to this Act."

On page 2, line 2, delete the numerals "6,800,911" and insert in lieu thereof the numerals "4,916,911"

On page 2, line 3, delete the numerals "400,000" and insert in lieu thereof the numerals "1,400,000"

On page 2, line 4, delete the numerals "7,200,911" and insert in lieu thereof the numerals "6,316,911"

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Board of Higher Education

The salaries and wages line item is reduced by \$29,190 from the general fund. The reduction will allow funds for four percent salary increases the first year of the biennium and no salary increases in the second year. A contingent salary increase of two percent in the second year amounting to \$8,050 is to be provided in a separate appropriation bill. Funds are not provided for additional state contributions to retirement.

Operating expenses of the Board of Higher Education are increased by \$14,550 from the general fund. This increase provides \$4,550 of additional travel expenses for the Agricultural Consultation Board due to increased membership and \$10,000 for the Minot State College library space need study. The general fund appropriation is also increased by \$400,000 to provide funds for a tuition assistance program and reduced by \$2,358,000 to delete funds for a computer center at North Dakota State University.

Reciprocal Agreements

The general fund appropriation of reciprocal agreements is increased by \$88,640 to provide \$76,540 for five veterinary medicine positions and \$12,100 for two optometry positions in the second year of the biennium which continues these programs at the current level.

Other amendments to House Bill No. 1004 include a new section authorizing the Board of University and School Lands to invest an additional \$1 million from the permanent fund of the common schools as a loan to the Board of Higher Education for the development of the Dickinson Experiment Station land held for sale. An additional section appropriates the \$1 million to the board for land development and payment of interest on loans.

REP. MERTENS, Chairman

HB 1004 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Appropriations to which was referred HB 1005 has had the same under consideration and recommends by a vote of 19 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 16, delete the numerals "55,305,467" and insert in lieu thereof the numerals "53,838,655"

On page 1, line 19, delete the numerals "74,722,367" and insert in lieu thereof the numerals "73,255,555"

- On page 1, line 21, delete the numerals "57,956,297" and insert in lieu thereof the numerals "56,489,485"
- On page 1, line 23, delete the numerals "59,456,297" and insert in lieu thereof the numerals "57,989,485"
- On page 1, line 25, delete the numerals "25,561,408" and insert in lieu thereof the numerals "24,971,070"
- On page 1, line 26, delete the numerals "14,220,099" and insert in lieu thereof the numerals "14,520,099"
- On page 1, line 28, delete the numerals "40,839,324" and insert in lieu thereof the numerals "40,548,986"
- On page 2, line 1, delete the numerals "15,150,891" and insert in lieu thereof the numerals "15,108,823"
- On page 2, line 2, delete the numerals "25,688,433" and insert in lieu thereof the numerals "25,440,163"
- On page 2, line 5, delete the numerals "47,730,353" and insert in lieu thereof the numerals "46,464,448"
- On page 2, line 6, delete the numerals "16,222,248" and insert in lieu thereof the numerals "16,500,944"
- On page 2, line 7, delete the numerals "1,361,295" and insert in lieu thereof the numerals "1,715,341"
- On page 2, line 8, delete the numerals "65,313,896" and insert in lieu thereof the numerals "64,680,733"
- On page 2, line 10, delete the numerals "50,696,723" and insert in lieu thereof the numerals "50,063,560"
- On page 2, line 12, delete the numerals "52,196,723" and insert in lieu thereof the numerals "51,563,560"
- On page 2, line 14, delete the numerals "18,358,364" and insert in lieu thereof the numerals "17,816,727"
- On page 2, line 17, delete the numerals "24,574,823" and insert in lieu thereof the numerals "24,033,186"
- On page 2, line 19, delete the numerals "19,579,834" and insert in lieu thereof the numerals "19,038,197"
- On page 2, line 21, delete the numerals "19,996,334" and insert in lieu thereof the numerals "19,454,697"
- On page 2, line 23, delete the numerals "7,585,253" and insert in lieu thereof the numerals "7,362,477"

- On page 2, line 26, delete the numerals "10,395,030" and insert in lieu thereof the numerals "10,172,254"
- On page 2, line 28, delete the numerals "9,063,707" and insert in lieu thereof the numerals "8,840,931"
- On page 2, line 30, delete the numerals "9,241,489" and insert in lieu thereof the numerals "9,018,713"
- On page 2, line 32, delete the numerals "5,216,122" and insert in lieu thereof the numerals "5,060,516"
- On page 2, line 35, delete the numerals "7,329,497" and insert in lieu thereof the numerals "7,173,891"
- On page 3, line 2, delete the numerals "6,219,888" and insert in lieu thereof the numerals "6,064,282"
- On page 3, line 4, delete the numerals "6,302,688" and insert in lieu thereof the numerals "6,147,082"
- On page 3, line 6, delete the numerals "14,071,747" and insert in lieu thereof the numerals "13,658,833"
- On page 3, line 8, delete the numerals "301,124" and insert in lieu thereof the numerals "361,124"
- On page 3, line 9, delete the numerals "17,418,339" and insert in lieu thereof the numerals "17,065,425"
- On page 3, line 11, delete the numerals "12,792,044" and insert in lieu thereof the numerals "12,439,130"
- On page 3, line 13, delete the numerals "13,169,844" and insert in lieu thereof the numerals "12,816,930"
- On page 3, line 15, delete the numerals "6,794,197" and insert in lieu thereof the numerals "6,594,135"
- On page 3, line 18, delete the numerals "8,969,894" and insert in lieu thereof the numerals "8,769,832"
- On page 3, line 20, delete the numerals "7,322,578" and insert in lieu thereof the numerals "7,122,516"
- On page 3, line 22, delete the numerals "7,526,578" and insert in lieu thereof the numerals "7,326,516"
- On page 3, line 25, delete the numerals "2,760,028" and insert in lieu thereof the numerals "2,700,231"
- On page 3, line 26, delete the numerals "776,655" and insert in lieu thereof the numerals "825,455"

- On page 3, line 28, delete the numerals "3,592,652" and insert in lieu thereof the numerals "3,581,655"
- On page 3, line 30, delete the numerals "3,101,434" and insert in lieu thereof the numerals "3,090,437"
- On page 3, line 31, delete the numerals "136,495" and insert in lieu thereof the numerals "128,995"
- On page 3, line 32, delete the numerals "3,237,929" and insert in lieu thereof the numerals "3,219,432"
- On page 3, line 34, delete the numerals "1,136,082" and insert in lieu thereof the numerals "1,159,018"
- On page 4, line 1, delete the numerals "344,986" and insert in lieu thereof the numerals "355,986"
- On page 4, line 3, delete the numerals "1,546,376" and insert in lieu thereof the numerals "1,580,312"
- On page 4, line 4, delete the numerals "658,189" and insert in lieu thereof the numerals "644,259"
- On page 4, line 5, delete the numerals "888,187" and insert in lieu thereof the numerals "936,053"
- On page 4, line 7, delete the numerals "919,208" and insert in lieu thereof the numerals "967,074"
- On page 4, line 9, delete the numerals "422,083" and insert in lieu thereof the numerals "411,346"
- On page 4, line 12, delete the numerals "537,803" and insert in lieu thereof the numerals "527,066"
- On page 4, line 13, delete the numerals "220,550" and insert in lieu thereof the numerals "216,255"
- On page 4, line 14, delete the numerals "317,253" and insert in lieu thereof the numerals "310,811"
- On page 4, line 16, delete the numerals "11,978,131" and insert in lieu thereof the numerals "11,660,947"
- On page 4, line 19, delete the numerals "18,476,415" and insert in lieu thereof the numerals "18,159,231"
- On page 4, line 20, delete the numerals "198,052,776" and insert in lieu thereof the numerals "194,296,063"
- On page 4, line 21, delete the numerals "80,090,038" and insert in lieu thereof the numerals "79,712,561"

On page 4, line 22, delete the numerals "278,142,814" and insert in lieu thereof the numerals "274,008,624"

On page 4, after line 26, insert the following new section:

"SECTION 3. APPROPRIATION. There is hereby appropriated out of any moneys in the general fund in the state treasury the sum of \$41,600, or so much thereof as may be necessary, to the North Dakota forest service during the biennium beginning July 1, 1983, and ending June 30, 1985, to replace an estimated reduction in federal fund receipts. General fund moneys are to be used only in the event of a reduction and only to the extent of such reduction in the receipt of federal funds by the North Dakota forest service."

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

University of North Dakota

The salaries and wages line item is reduced by \$1,466,812 from the general fund to allow funds for four percent salary increases the first year of the biennium and no salary increases in the second year. A contingent salary increase of two percent in the second year amounting to \$517,678 is to be provided in a separate appropriation bill. Funds are not provided for additional state contributions to retirement.

UND Medical Center

The salaries and wages line item is reduced by \$685,338, of which \$548,270 is from the general fund and \$137,068 is from other funds. This reduction will allow funds for four percent salary increases the first year of the biennium and no salary increases in the second year. A contingent salary increase of two percent in the second year amounting to \$238,810 is to be provided in a separate appropriation bill. Funds are not provided for additional state contributions to retirement. Salaries and wages are also increased by \$95,000, from funds to be provided by the Health Department, for 2 FTE genetic technicians.

The operating expenses line item is increased by \$300,000 from the general fund for lease costs of additional space at the north unit of the Medical School.

North Dakota State University

The salaries and wages line item is reduced by \$1,265,905 from the general fund to allow funds for four percent

salary increases the first year of the biennium and no salary increases in the second year. A contingent salary increase of two percent in the second year amounting to \$446,773 is to be provided in a separate appropriation bill. Funds are not provided for additional state contributions to retirement.

The operating line item is increased by \$278,696 to provide reasonable increases for such items as library books and periodicals, classroom and office supplies, travel, repairs, and maintenance contracts.

The equipment line item is increased by \$354,046 to restore the equipment budget to the 1983-85 requested level.

North Dakota State School of Science

The salaries and wages line item is reduced by \$541,637 from the general fund. This reduction will allow funds for four percent salary increases the first year of the biennium and no salary increases in the second year. A contingent salary increase of two percent in the second year amounting to \$171,315 is to be provided in a separate appropriation bill. Funds are not provided for additional state contributions to retirement.

Dickinson State College

The salaries and wages line item is reduced by \$222,776 from the general fund. This reduction will allow funds for four percent salary increases the first year of the biennium and no salary increases in the second year. A contingent salary increase of two percent in the second year amounting to \$70,793 is to be provided in a separate appropriation bill. Funds are not provided for additional state contributions to retirement.

Mayville State College

The salaries and wages line item is reduced by \$155,606 from the general fund. The reduction will allow funds for four percent salary increases the first year of the biennium and no salary increases in the second year. A contingent salary increase of two percent in the second year amounting to \$48,658 is to be provided in a separate appropriation bill. Funds are not provided for additional state contributions to retirement.

Minot State College

The salaries and wages line item is reduced by \$412,914 from the general fund to allow funds for four percent salary increases the first year of the biennium and no salary increases in the second year. A contingent salary

increase of two percent in the second year amounting to \$131,336 is to be provided in a separate appropriation bill. Funds are not provided for additional state contributions to retirement.

The equipment line item is increased by \$60,000 from the general fund to provide the necessary funds for a reconditioned high lift to be used campuswide.

Valley City State College

The salaries and wages line item is reduced by \$200,062 from the general fund to allow funds for four percent salary increases the first year of the biennium and no salary increases in the second year. A contingent salary increase of two percent in the second year amounting to \$63,405 is to be provided in a separate appropriation bill. Funds are not provided for additional state contributions to retirement.

NDSU-Bottineau Branch

The salaries and wages line item is reduced by \$59,797 from the general fund. Of the total, \$81,095 is a reduction that will allow funds for four percent salary increases the first year of the biennium and no salary increases in the second year. A contingent salary increase of two percent in the second year amounting to \$25,759 is to be provided in a separate appropriation bill. Funds are not provided for additional state contributions to retirement. The net reduction to salaries and wages also includes a \$21,298 general fund increase to provide funds for one custodian for operations of the U.S. Shelterbelt Research Station.

The operating expenses line item is increased by \$48,800 from the general fund to provide funds for operation of the U.S. Shelterbelt Research Station.

The capital improvements line item is reduced by \$7,500 to remove funds for greenhouse roof repair and headhouse cooling.

Forest Service

The salaries and wages line item is increased by \$22,936, which includes a \$36,866 general fund increase and a \$13,930 decrease from other funds. Of the total, \$33,380 is a reduction that will allow funds for four percent salary increases the first year of the biennium and no salary increases in the second year. A contingent salary increase of two percent in the second year amounting to \$10,679 is to be provided in a separate appropriation bill. Funds are not provided for additional state contributions to retirement. The net increases to salaries and wages

also includes a \$56,316 general fund increase to provide funds for 1.25 FTE tree improvement specialist positions.

The operating expenses line item is increased by \$11,000 from the general fund to provide operating funds for the 1.25 FTE tree improvement specialist positions.

A \$41,600 general fund appropriation replaces an estimated reduction in federal fund receipts. The general funds are only available in the event there is an actual reduction in federal fund receipts for the biennium.

NDSU - State Toxicologist

The salaries and wages line item is reduced by \$10,737, of which \$6,442 is from the general fund and \$4,295 is from other funds. This reduction will allow funds for four percent salary increases the first year of the biennium and no salary increases in the second year. A contingent salary increase of two percent in the second year amounting to \$3,949 is to be provided in a separate appropriation bill. Funds are not provided for additional state contributions to retirement.

Medical Center Rehabilitation Hospital

The salaries and wages line item is reduced by \$317,184 from other funds. This reduction will allow funds for four percent salary increases the first year of the biennium and no salary increases in the second year. A contingent salary increase of two percent in the second year amounting to \$111,945 is to be provided in a separate appropriation bill. Funds are not provided for additional state contributions to retirement.

REP. MERTENS, Chairman

HB 1005 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Appropriations to which was referred HB 1006 has had the same under consideration and recommends by a vote of 17 YEAS, 1 NAY, 3 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 15, delete the numerals "2,039,246" and insert in lieu thereof the numerals "1,936,827"

On page 1, line 21, delete the numerals "21,611,729" and insert in lieu thereof the numerals "21,509,310"

On page 1, line 22, delete the numerals "7,510,003" and insert in lieu thereof the numerals "7,454,697"

On page 1, line 23, delete the numerals "14,101,726" and insert in lieu thereof the numerals "14,054,613"

And renumber the lines accordingly.

STATEMENT OF PURPOSE OF AMENDMENT:

Vocational Education

The salaries and wages line item is reduced by \$102,419 of which \$47,113 is from the general fund and \$55,306 is from other funds. This reduction will allow funds for four percent salary increases the first year of the biennium and no salary increases in the second year. A contingent salary increase of two percent in the second year amounting to \$18,348 is to be provided in a separate appropriation bill. Funds are not provided for additional state contributions to retirement.

REP. MERTENS, Chairman

HB 1006 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Appropriations to which was referred HB 1007 has had the same under consideration and recommends by a vote of 16 YEAS, 3 NAYS, 2 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 19, delete the numerals "8,176,000" and insert in lieu thereof the numerals "7,650,776"

On page 1, line 20, delete the numerals "3,643,128" and insert in lieu thereof the numerals "4,168,352"

On page 1, line 26, delete the numerals "2,614,050" and insert in lieu thereof the numerals "2,504,050"

On page 1, line 27, delete the numerals "1,586,126" and insert in lieu thereof the numerals "1,696,126"

On page 2, line 8, delete the numerals "2,465,419" and insert in lieu thereof the numerals "2,363,433"

On page 2, line 9, delete the numerals "1,185,558" and insert in lieu thereof the numerals "1,287,544"

On page 2, line 10, delete the numerals "6,414,812" and insert in lieu thereof the numerals "7,152,022"

On page 2, line 11, delete the numerals "13,255,469" and insert in lieu thereof the numerals "12,518,259"

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Bismarck Junior College

The general fund appropriation of Bismarck Junior College is increased by \$525,224, with a corresponding decrease in estimated income, to provide \$325,224 of state funds for a four percent increase in salaries and wages in the first year of the biennium and \$200,000 of state funds for a power plant technology program. The executive budget includes \$230,000 of estimated income for this program.

Lake Region Community College

The general fund appropriation of Lake Region Community College is increased by \$110,000, with a corresponding decrease in estimated income, to provide state funds for a four percent increase in salaries and wages in the first year of the biennium.

UND-Williston Center

The general fund appropriation of UND-Williston Center is increased by \$101,986, with a corresponding decrease in estimated income, to provide state funds for a four percent increase in salaries and wages in the first year of the biennium.

REP. MERTENS, Chairman

HB 1007 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Appropriations to which was referred HB 1009 has had the same under consideration and recommends by a vote of 17 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 5, delete the words "and to repeal sections 4-14.1-03" and insert in lieu thereof the words "and providing for a transfer of funds from the coal development impact fund."

On page 1, delete lines 6 and 7

On page 1, line 20, delete the numerals "15,561,802" and insert in lieu thereof the numerals "15,394,714"

On page 1, line 23, delete the numerals "18,683,301" and insert in lieu thereof the numerals "18,516,213"

On page 1, line 24, delete the numerals "10,333,497" and insert in lieu thereof the numerals "10,345,557"

On page 1, line 25, delete the numerals "8,349,804" and insert in lieu thereof the numerals "8,170,656"

On page 2, line 11, delete the numerals "257,811" and insert in lieu thereof the numerals "249,392"

On page 2, line 13, remove the underscore

On page 2, after line 13, insert the following new line:

"Northern crops institute supplement 100,000"

On page 2, line 14, delete the numerals "789,911" and insert in lieu thereof the numerals "881,492"

On page 2, line 15, delete the numerals "301,117" and insert in lieu thereof the numerals "297,263"

On page 2, line 16, delete the numerals "488,794" and insert in lieu thereof the numerals "584,229"

On page 2, line 18, delete the numerals "23,626,373" and insert in lieu thereof the numerals "23,060,919"

On page 2, line 19, delete the numerals "4,980,314" and insert in lieu thereof the numerals "5,582,721"

On page 2, line 20, delete the numerals "1,413,808" and insert in lieu thereof the numerals "1,603,558"

On page 2, delete line 21

On page 2, line 22, delete the numerals "30,158,170" and insert in lieu thereof the numerals "30,247,198"

On page 2, line 23, delete the numerals "11,379,923" and insert in lieu thereof the numerals "11,457,146"

On page 2, line 24, delete the numerals "18,778,247" and insert in lieu thereof the numerals "18,790,052"

On page 2, line 26, delete the numerals "19,803,247" and insert in lieu thereof the numerals "19,815,052"

On page 2, line 28, delete the numerals "599,055" and insert in lieu thereof the numerals "581,796"

On page 2, line 29, delete the numerals "346,910" and insert in lieu thereof the numerals "369,842"

On page 2, line 30, delete the numerals "74,159" and insert in lieu thereof the numerals "141,000"

- On page 2, line 31, delete the numerals "1,020,124" and insert in lieu thereof the numerals "1,092,638"
- On page 2, line 32, delete the numerals "162,324" and insert in lieu thereof the numerals "195,002"
- On page 2, line 33, delete the numerals "857,800" and insert in lieu thereof the numerals "897,636"
- On page 2, line 34, delete the numerals "22,929" and insert in lieu thereof the numerals "126,222"
- On page 2, line 35, delete the numerals "880,729" and insert in lieu thereof the numerals "1,023,858"
- On page 3, line 2, delete the numerals "186,886" and insert in lieu thereof the numerals "280,204"
- On page 3, line 3, delete the numerals "150,193" and insert in lieu thereof the numerals "163,399"
- On page 3, line 4, delete the numerals "76,927" and insert in lieu thereof the numerals "108,100"
- On page 3, line 5, delete the numerals "414,006" and insert in lieu thereof the numerals "551,703"
- On page 3, line 6, delete the numerals "101,581" and insert in lieu thereof the numerals "111,999"
- On page 3, line 7, delete the numerals "312,425" and insert in lieu thereof the numerals "439,704"
- On page 3, line 9, delete the numerals "346,825" and insert in lieu thereof the numerals "474,104"
- On page 3, line 11, delete the numerals "221,210" and insert in lieu thereof the numerals "300,496"
- On page 3, line 12, delete the numerals "120,241" and insert in lieu thereof the numerals "149,215"
- On page 3, line 13, delete the numerals "101,000" and insert in lieu thereof the numerals "113,700"
- On page 3, line 14, delete the numerals "442,451" and insert in lieu thereof the numerals "563,411"
- On page 3, line 16, delete the numerals "397,451" and insert in lieu thereof the numerals "518,411"
- On page 3, line 18, delete the numerals "439,651" and insert in lieu thereof the numerals "560,611"

- On page 3, line 20, delete the numerals "318,640" and insert in lieu thereof the numerals "310,329"
- On page 3, line 21, delete the numerals "188,540" and insert in lieu thereof the numerals "197,790"
- On page 3, line 22, delete the numerals "158,486" and insert in lieu thereof the numerals "198,000"
- On page 3, line 23, delete the numerals "665,666" and insert in lieu thereof the numerals "706,119"
- On page 3, line 25, delete the numerals "360,604" and insert in lieu thereof the numerals "401,057"
- On page 3, line 26, delete the numerals "14,000" and insert in lieu thereof the numerals "284,000"
- On page 3, line 27, delete the numerals "374,604" and insert in lieu thereof the numerals "685,057"
- On page 3, line 29, delete the numerals "354,031" and insert in lieu thereof the numerals "343,446"
- On page 3, line 30, delete the numerals "116,638" and insert in lieu thereof the numerals "125,483"
- On page 3, line 31, delete the numerals "56,066" and insert in lieu thereof the numerals "62,499"
- On page 3, line 32, delete the numerals "526,735" and insert in lieu thereof the numerals "531,428"
- On page 3, line 33, delete the numerals "56,066" and insert in lieu thereof the numerals "62,499"
- On page 3, line 34, delete the numerals "470,669" and insert in lieu thereof the numerals "468,929"
- On page 4, line 1, delete the numerals "481,669" and insert in lieu thereof the numerals "479,929"
- On page 4, line 3, delete the numerals "574,602" and insert in lieu thereof the numerals "559,590"
- On page 4, line 4, delete the numerals "421,492" and insert in lieu thereof the numerals "585,636"
- On page 4, line 6, delete the words "all funds" and insert in lieu thereof the words "operating budget"
- On page 4, line 6, delete the numerals "1,115,109" and insert in lieu thereof the numerals "1,264,241"

On page 4, after line 7, insert the following lines:

"Net operating budget	\$ 794,640
Capital improvements	<u>30,000"</u>

On page 4, line 8, delete the the numerals "645,508" and insert in lieu thereof the numerals "824,640"

On page 4, line 10, delete the numerals "190,844" and insert in lieu thereof the numerals "185,621"

On page 4, line 13, delete the numerals "719,070" and insert in lieu thereof the numerals "713,847"

On page 4, line 15, delete the numerals "213,055" and insert in lieu thereof the numerals "248,108"

On page 4, line 16, delete the numerals "223,232" and insert in lieu thereof the numerals "272,632"

On page 4, line 17, delete the numerals "208,610" and insert in lieu thereof the numerals "237,668"

On page 4, line 18, delete the numerals "644,897" and insert in lieu thereof the numerals "758,408"

On page 4, line 19, delete the numerals "47,292" and insert in lieu thereof the numerals "86,000"

On page 4, line 20, delete the numerals "597,605" and insert in lieu thereof the numerals "672,408"

On page 4, line 22, delete the numerals "608,605" and insert in lieu thereof the numerals "683,408"

On page 4, after line 23, insert the following new line:

"Coal reclamaton research	\$500,000"
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On page 4, line 24, delete the dollar sign

On page 4, line 25, delete the numerals "189,320" and insert in lieu thereof the numerals "689,320"

On page 4, after line 25, insert the following:

"AGRICULTURAL PRODUCTS UTILIZATION COMMISSION

Salaries and wages	\$ 96,513
Operating expenses	51,752
Equipment	<u>1,835</u>
Total agriculturally derived alcohol motor vehicle fuel tax fund appropriation"	\$150,100

- On page 4, line 26, delete the numerals "32,419,436" and insert in lieu thereof the numerals "33,301,544"
- On page 4, line 27, delete the numerals "25,010,512" and insert in lieu thereof the numerals "27,129,055"
- On page 4, line 28, delete the numerals "57,429,948" and insert in lieu thereof the numerals "60,430,599"
- On page 5, line 22, delete the word "encumbered" and insert in lieu thereof the word "unencumbered"
- On page 6, after line 4, insert the following new sections:

"SECTION 4. STORAGE FACILITIES. Structures for storage of agricultural products may be authorized for construction by the state board of higher education when such structures do not exceed \$25,000 in cost.

SECTION 5. APPROPRIATION. There is hereby appropriated \$300,000 to the main experiment station, out of any funds available from the sale of animals by the experiment stations due to adverse climate conditions, for the purpose of purchasing replacement animals at the respective experiment stations during the biennium beginning July 1, 1983, and ending June 30, 1985.

SECTION 6. RESEARCH/EXTENSION CONSTRUCTION - APPROPRIATION. Provision is hereby made in this section for the main agricultural experiment station or any of its branch stations to accept a gift dedicated to the construction of a facility to house research and extension service staff. The facility is to be constructed at or near the station headquarters site. The total construction cost shall not exceed \$1,000,000. Any funds received are hereby appropriated, but shall not be expended pursuant to this section without the approval of the legislative council's budget section.

SECTION 7. TRANSFER. There is hereby authorized, as included in the appropriation to the land reclamation research center in section 1 of this Act, a transfer of \$500,000, or so much thereof as may be necessary, from the coal development impact fund for the purposes of funding the coal reclamation research project. Such funds shall be transferred by the director of the energy development impact office from the reclamation research line item of the coal development impact fund to the land reclamation research center operating fund, upon receipt of an

itemized statement of expenditures from the land reclamation research center."

On page 6, delete lines 5 through 17

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Extension Division

The salaries and wages line item is reduced by \$167,088, of which \$179,148 is a reduction from the general fund and \$12,060 is an increase in other funds. Of the net reduction, \$437,483, of which \$421,543 is from the general fund, is a reduction that will allow funds for four percent salary increases the first year of the biennium and no salary increases in the second year. A contingent salary increase of two percent in the second year amounting to \$151,244, of which \$119,825 is from the general fund, is to be provided in a separate appropriation bill. Funds are not provided for additional state contributions to retirement.

An addition of \$270,395, of which \$242,395 is from the general fund, is included to provide eight FTE positions; two FTE for Electronic Technology Systems management program, two FTE agricultural economic agents for Farm Management and Marketing and four FTE area home economists.

Northern Crops Institute

The salaries and wages line item is reduced by \$8,419 of which \$4,565 is from the general fund and \$3,854 is from other funds. This reduction will allow funds for four percent salary increases the first year of the biennium and no salary increases in the second year. A contingent salary increase of two percent in the second year amounting to \$2,484, of which \$1,347 is from the general fund, is to be provided in a separate appropriation bill. Funds are not provided for additional state contributions to retirement.

The new line item provides a \$100,000 appropriation from the general fund to be used at the discretion of the institute for salaries, operating expenses, and equipment.

Experiment Station - Main Station

The salaries and wages line item is reduced by \$565,454 from the general fund. Of the net total,

\$646,335 is a reduction that will allow funds for four percent salary increases the first year of the biennium and no salary increases in the second year. A contingent salary increase of two percent in the second year amounting to \$228,406 from the general fund is to be provided in a separate appropriation bill. Funds are not provided for additional state contributions to retirement. Other changes to salaries and wages are an addition of \$80,881 for one FTE technician in genetic engineering and one FTE plant pathologist for research on potato diseases.

The operating expenses line item is increased by \$602,407, \$483,709 from the general fund, of which \$548,607 is to provide operating expenses for professional staff at the current level and \$53,800 for the operating expenses of the two additional technicians.

The equipment line item is increased by \$189,750, \$93,550 from the general fund to provide \$150,000 to fund equipment at the current level and \$39,750 for the equipment for the two additional technicians.

The agricultural products research and promotion line item is eliminated. Funding is restored to the Agricultural Products Utilization Commission.

Dickinson Experiment Station

The salaries and wages line item is reduced by \$17,259 from the general fund to allow funds for four percent salary increases the first year of the biennium and no salary increases in the second year. A contingent salary increase of two percent in the second year amounting to \$5,790 is to be provided in a separate appropriation bill. Funds are not provided for additional state contributions to retirement.

The operating expenses line item is increased by \$22,932 from the general fund to allow funding at the current service level.

The equipment line item is increased by \$66,841, \$34,163 from the general fund to allow funding at the current service level.

The capital improvements line item is increased by \$103,293 from the general fund to allow funds for feedlot renovation.

Hettinger Experiment Station

The salaries and wages line item is increased by \$93,318 from the general fund. Of the total net increase, \$4,876 is a reduction that will allow funds for four percent salary increases the first year of the biennium and no salary increases in the second year. A contingent salary increase of two percent in the second year amounting to \$1,809 is to be provided in a separate appropriation bill. Funds are not provided for additional state contributions to retirement. Other changes to salaries and wages are an addition of \$98,194 from the general fund for one FTE agronomist and one FTE technician for minimum and no-till research.

The operating expenses line item is increased by \$13,206 from the general fund; \$7,606 to allow current level and \$5,600 for the two positions added.

The equipment line item is increased by \$31,173, \$20,755 from the general fund, for purchase of additional livestock and machinery.

Langdon Experiment Station

The salaries and wages line item is increased by \$79,286 from the general fund. Of the total net increase, \$5,377 is a reduction that will allow funds for four percent salary increases the first year of the biennium and no salary increases in the second year. A contingent salary increase of two percent in the second year amounting to \$2,094 is to be provided in a separate appropriation bill. Funds are not provided for additional state contributions to retirement. Other changes to salaries and wages are an addition of \$84,663 from the general fund for two FTE positions, one agronomist and one technician, to be used in developing new crop varieties and related work in pesticides and conservation tillage.

The operating expenses line item is increased by \$28,974 from the general fund; \$18,974 for current services and \$10,000 for the two positions added.

The equipment line item is increased by \$12,700 from the general fund for requested mower, sprayer and minicomputer.

North Central Experiment Station

The salaries and wages line item is reduced by \$8,311 from the general fund to allow funds for four percent salary increases the first year of the biennium and no salary increases in the second year. A contingent salary increase of two percent in the second year

amounting to \$3,090 is to be provided in a separate appropriation bill. Funds are not provided for additional state contributions to retirement.

The operating expenses line item is increased by \$9,250 from the general fund for professional services and travel.

The equipment line item is increased by \$39,514 from the general fund to provide for the purchase of an auger, tractor, mower, and miscellaneous equipment.

The capital improvements line item is increased by \$270,000 from the general fund to provide funds for a seed cleaning facility for production of foundation seeds.

Williston Experiment Station

The salaries and wages line item is reduced by \$10,585 from the general fund to allow funds for four percent salary increases the first year of the biennium and no salary increases in the second year. A contingent salary increase of two percent in the second year amounting to \$3,421 is to be provided in a separate appropriation bill. Funds are not provided for additional state contributions to retirement.

The operating expenses line item is increased by \$8,845 from the general fund for professional services and travel.

The equipment line item is increased by \$6,433 from other funds to provide for purchase of office equipment, bag conveyor, snowblower, and other miscellaneous equipment.

Carrington Experiment Station

The salaries and wages line item is reduced by \$15,012 from the general fund to allow funds for four percent salary increases the first year of the biennium and no salary increases in the second year. A contingent salary increase of two percent in the second year amounting to \$5,571 is to be provided in a separate appropriation bill. Funds are not provided for additional state contributions to retirement.

The operating expenses line item is increased by \$164,144 from the general fund to restore inflationary adjustments in the executive budget, primarily to electricity.

A capital improvements line item of \$30,000 from the general fund is added to provide funds for extension center site preparation.

Agronomy Seed Farm

The salaries and wages line item is reduced by \$5,223 from other funds. This reduction will allow funds for four percent salary increases the first year of the biennium and no salary increases in the second year. A contingent salary increase of two percent in the second year amounting to \$1,846 is to be provided in a separate appropriation bill. Funds are not provided for additional state contributions to retirement.

Central Grassland Experiment Station

The salaries and wages line item is increased by \$35,053 from the general fund. Of the total net increase, \$5,442 is a reduction that will allow funds for four percent salary increases the first year of the biennium and no salary increases in the second year. A contingent salary increase of two percent in the second year amounting to \$2,068 is to be provided in a separate appropriation bill. Funds are not provided for additional state contributions to retirement. Other changes to salaries and wages are the addition of \$40,495 from the general fund for a field research technician.

The operating expenses line item is increased by \$49,400, of which \$39,750 is from the general fund; \$40,000 is to restore current service level and \$9,400 for the position added.

The equipment line item is increased by \$29,058 from other funds; \$18,708 to restore current service level and \$10,350 for the position added.

Agricultural Products Utilization Commission

Restores to the commission funding which was eliminated in the executive budget. The amendments increase general fund appropriations by \$882,108 and increase special fund appropriations by \$2,118,543.

REP. MERTENS, Chairman

HB 1009 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Appropriations to which was referred HB 1010 has had the same under consideration and recommends by a vote of 15 YEAS, 4 NAYS, 2 ABSENT AND NOT VOTING

that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 14, delete the numerals "12,466,574" and insert in lieu thereof the numerals "12,026,413"

On page 1, line 15, delete the numerals "11,126,271" and insert in lieu thereof the numerals "11,151,271"

On page 1, line 18, delete the numerals "5,802,125" and insert in lieu thereof the numerals "5,897,125"

On page 1, delete line 19

On page 1, line 20, delete the numerals "30,449,761" and insert in lieu thereof the numerals "29,999,600"

On page 1, line 21, delete the numerals "21,446,975" and insert in lieu thereof the numerals "21,051,894"

On page 1, line 22, delete the numerals "9,002,786" and insert in lieu thereof the numerals "8,947,706"

On page 2, delete lines 3 through 6

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Health Department

The salaries and wages line item is reduced by \$440,161 of which \$175,080 is from the general fund and \$265,081 is from other funds to allow funds for four percent salary increases the first year of the biennium and no salary increases in the second year. A contingent salary increase of two percent in the second year amounting to \$114,197, \$56,790 from the general fund, is to be provided in a separate appropriation bill. Funds are not provided for additional state contributions to retirement.

The operating expenses line item is increased by \$25,000 from the general fund to provide additional in-state travel funds for the Environmental Health Division to assist the division in performing its statutory duties.

The grants, benefits, and claims line item is increased by \$95,000 from the general fund to provide a grant to fund the salary costs of the UND Medical School genetics research program.

This amendment eliminates the Lake rehabilitation line item consisting of \$130,000 of estimated income and related Section 3. It is the intent of this amendment that the

Lake rehabilitation grant program established in Chapter 634 of the 1981 Session Laws in the amount of \$300,000 from the general fund be allowed to continue as provided in that chapter through June 30, 1985.

REP. MERTENS, Chairman

HB 1010 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Appropriations to which was referred HB 1016 has had the same under consideration and recommends by a vote of 18 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 13, delete the numerals "290,401" and insert in lieu thereof the numerals "280,870"

On page 1, line 17, delete the numerals "2,500,000" and insert in lieu thereof the numerals "3,000,000"

On page 1, line 18, delete the numerals "3,382,381" and insert in lieu thereof the numerals "3,872,850"

On page 1, line 19, delete the numerals "2,775,077" and insert in lieu thereof the numerals "2,768,272"

On page 1, line 20, delete the numerals "607,304" and insert in lieu thereof the numerals "1,104,578"

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

The salaries and wages line item of the Aeronautics Commission is reduced by \$9,531 of which \$2,726 is from the general fund and \$6,805 is from other funds. This reduction will allow funds for four percent salary increases the first year of the biennium and no salary increases in the second year. A contingent salary increase of two percent in the second year amounting to \$2,646 is to be provided in a separate appropriation bill. Funds are not provided for additional state contributions to retirement.

The grants, benefits, and claims line item of the Aeronautics Commission is increased by \$500,000 from the general fund to provide additional funds for state airport grants.

REP. MERTENS, Chairman

HB 1016 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Appropriations to which was referred HB 1017 has had the same under consideration and recommends by a vote of 12 YEAS, 9 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 13, delete the numerals "164,884" and insert in lieu thereof the numerals "276,533"

On page 1, line 14, delete the numerals "730,667" and insert in lieu thereof the numerals "1,221,416"

On page 1, after line 14, insert the following new line:

"Data processing	\$48,770"
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On page 1, line 15, delete the numerals "900" and insert in lieu thereof the numerals "2,340"

On page 1, line 16, delete the numerals "1,000,000" and insert in lieu thereof the numerals "1,050,000"

On page 1, line 17, delete the numerals "1,896,451" and insert in lieu thereof the numerals "2,599,059"

On page 1, line 18, delete the numerals "1,722,717" and insert in lieu thereof the numerals: "1,727,327"

On page 1, line 19, delete the numerals "173,734" and insert in lieu thereof the numerals "871,732"

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

The salaries and wages line item of the Weather Modification Board is increased by \$111,649, of which \$107,039 is from the general fund and \$4,610 is from other funds. Of the net total, \$3,950 is a reduction from the general fund that will allow funds for four percent salary increases the first year of the biennium and no salary increases in the second year. A contingent salary increase of two percent in the second year amounting to \$1,767 from the general fund is to be provided in a separate appropriation bill. Funds are not provided for additional state contributions to retirement. Other changes to salaries and wages are an increase to temporary salaries of \$54,020, of which \$49,410 is from the general fund and \$4,610 is from other funds, and an increase of \$61,579 from the general fund to provide funds for one FTE meteorologist, a position which is currently authorized and filled.

The operating expenses line item is increased by \$490,749, a new data processing line item of \$48,770 is added, the equipment line item is increased by \$1,440, and the research line item is increased by \$50,000, all from the general fund, to provide general fund support for the weather modification operations and research programs.

REP. MERTENS, Chairman

HB 1017 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Appropriations to which was referred HB 1023 has had the same under consideration and recommends by a vote of 18 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 19, delete the numerals "36,767" and insert in lieu thereof the numerals "33,887"

On page 1, line 22, delete the numerals "1,482,046" and insert in lieu thereof the numerals "1,479,166"

On page 2, line 11, delete the numerals "449,894" and insert in lieu thereof the numerals "436,882"

On page 2, line 17, delete the numerals "2,197,468" and insert in lieu thereof the numerals "2,184,456"

On page 2, line 18, delete the numerals "4,920,914" and insert in lieu thereof the numerals "4,905,022"

On page 2, line 19, delete the numerals "4,920,914" and insert in lieu thereof the numerals "4,905,022"

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Sunflower Council

The salaries and wages line item for the Sunflower Council is reduced by \$2,880 from the sunflower fund. Of the total, \$1,180 is a reduction that will allow funds for four percent salary increases the first year of the biennium and no salary increases in the second year. A contingent salary increase of two percent in the second year amounting to \$327 is to be provided in a separate appropriation bill. Funds are not provided for additional state contributions to retirement. The total reduction also includes a reduction of \$1,700 for a change in hospitalization.

State Wheat Commission

The salaries and wages line item for the State Wheat Commission is reduced by \$13,012 from the wheat promotion fund. Of the total, \$14,249 is a reduction that will allow funds for four percent salary increases the first year of the biennium and no salary increases in the second year. A contingent salary increase of two percent in the second year amounting to \$3,919 is to be provided in a separate appropriation bill. Funds are not provided for additional state contributions to retirement. The net reduction to salaries and wages also includes an increase of \$1,237 for payroll adjustments.

REP. MERTENS, Chairman

HB 1023 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Appropriations to which was referred HB 1024 has had the same under consideration and recommends by a vote of 17 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 12, delete the numerals "165,000" and insert in lieu thereof the numerals "215,000"

On page 1, line 13, delete the numerals "165,000" and insert in lieu thereof the numerals "215,000"

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

The amount appropriated for premiums is increased to \$215,000.

REP. MERTENS, Chairman

HB 1024 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Appropriations to which was referred HB 1025 has had the same under consideration and recommends by a vote of 17 YEAS, 1 NAY, 3 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 14, delete the numerals "1,096,061" and insert in lieu thereof the numerals "1,024,822"

On page 1, line 15, delete the numerals "1,410,929" and insert in lieu thereof the numerals "1,297,676"

On page 1, line 17, delete the numerals "2,514,716" and insert in lieu thereof the numerals "2,330,224"

On page 1, line 18, delete the numerals "1,366,335" and insert in lieu thereof the numerals "1,334,577"

On page 1, line 19, delete the numerals "1,148,381" and insert in lieu thereof the numerals "995,647"

On page 1, line 27, delete the numerals "1,366,335" and insert in lieu thereof the numerals "1,334,577"

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Economic Development Commission

The salaries and wages line item is reduced by \$71,239 of which \$62,481 is from the general fund and \$8,758 is from other funds. Of the total, \$32,438, \$23,680 from the general fund, is a reduction that will allow funds for four percent salary increases the first year of the biennium and no salary increases in the second year. A contingent salary increase of two percent in the second year amounting to \$9,413, \$6,871 from the general fund, is to be provided in a separate appropriation bill. Funds are not provided for additional state contributions to retirement. Other changes to salaries and wages include a reduction of \$38,801 from the general fund to delete a vacant community economic development specialist position.

The operating expenses line item is reduced by \$113,253, \$90,253 from the general fund. The reduction consists of \$35,000 from the general fund to discontinue the community development program; \$16,000 from the general fund to delete funds for agricultural processing feasibility studies; \$23,000 from other funds to delete funds that would have allowed the Economic Development Commission to contract with a private vendor to prepare tourism packets; and \$39,253 from the general fund to reduce travel expenses by one-third.

REP. MERTENS, Chairman

HB 1025 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Appropriations to which was referred HB 1028 has had the same under consideration and recommends by a vote of 20 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 14, delete the numerals "8,334,470" and insert in lieu thereof the numerals "10,364,880"

On page 1, line 15, delete the numerals "1,897,851" and insert in lieu thereof the numerals "2,374,113"

On page 1, line 17, delete the numerals "699,739" and insert in lieu thereof the numerals "942,439"

On page 1, after line 17, insert the following new line:

"Capital improvements 40,000"

On page 1, line 18, delete the numerals "10,978,139" and insert in lieu thereof the numerals "13,767,511"

On page 1, line 19, delete the numerals "1,437,380" and insert in lieu thereof the numerals "4,367,674"

On page 1, line 20, delete the numerals "9,540,759" and insert in lieu thereof the numerals "9,399,837"

On page 2, line 17, delete the numerals "1,023,122" and insert in lieu thereof the numerals "4,045,212"

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

The salaries and wages line item for the Highway Patrol is increased by \$2,030,410, of which \$229,595 is a decrease from the general fund and \$2,260,005 is an increase from other funds. Of the net total, \$360,120 is a reduction that will allow funds for four percent salary increases the first year of the biennium and no salary increases in the second year. A contingent salary increase of two percent in the second year amounting to \$88,901 is to be provided in a separate appropriation bill. Funds are not provided for additional state contributions to retirement. The total also includes an increase of \$2,380,847 for the transfer of the truck regulatory function within the Highway Patrol.

REP. MERTENS, Chairman

HB 1028 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Appropriations to which was referred HB 1029 has had the same under consideration and recommends by a vote of 18 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 13, delete the numerals "56,501,962" and insert in lieu thereof the numerals "52,093,661"

On page 1, line 14, delete the numerals "42,133,801" and insert in lieu thereof the numerals "41,591,389"

On page 1, line 15, delete the numerals "1,334,870" and insert in lieu thereof the numerals "1,251,966"

On page 1, line 16, delete the numerals "6,542,267" and insert in lieu thereof the numerals "6,299,567"

On page 1, line 18, delete the numerals "8,508,500" and insert in lieu thereof the numerals "8,468,500"

On page 1, delete line 19

On page 1, line 20, delete the numerals "179,401,560" and insert in lieu thereof the numerals "236,398,560"

On page 1, line 21, delete the numerals "297,298,110" and insert in lieu thereof the numerals "348,958,793"

On page 1, line 22, delete the numerals "297,179,662" and insert in lieu thereof the numerals "348,840,345"

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

The salaries and wages line item of the State Highway Department is reduced by \$4,408,301 from other funds. Of the total, \$2,017,005 is from a reduction that will allow funds for four percent salary increases the first year of the biennium and no salary increases in the second year. A contingent salary increase of two percent in the second year amounting to \$442,977 is to be provided in a separate appropriation bill. Funds are not provided for additional state contributions to retirement. The net reduction to salaries and wages also includes a \$2,591,296 decrease for the transfer of 60 Truck Regulatory positions to the Highway Patrol and seven Truck Regulatory positions to the Motor Vehicle Department; and a \$200,000 increase to correct an error in temporary and overtime fringe benefit calculations.

The State Highway Department operating expenses are reduced by \$542,412, data processing is reduced by \$82,904, equipment is reduced by \$242,700, and capital improvements are reduced by \$40,000. These reductions from other funds all relate to the transfer of the 67 Truck Regulatory positions.

The \$20,000 for the motorcycle safety program is removed. This program will be transferred to the Department of Public Instruction.

The State Highway Department contracts are increased by \$56,997,000 with a corresponding increase in estimated income to reflect the additional availability of federal funds.

REP. MERTENS, Chairman

HB 1029 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Appropriations to which was referred HB 1030 has had the same under consideration and recommends by a vote of 14 YEAS, 7 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 14, delete the numerals "367,376" and insert in lieu thereof the numerals "384,948"

On page 1, line 15, delete the numerals "108,107" and insert in lieu thereof the numerals "119,960"

On page 1, line 16, delete the numerals "1,400" and insert in lieu thereof the numerals "4,255"

On page 1, line 17, delete the numerals "476,883" and insert in lieu thereof the numerals "509,163"

On page 1, line 18, delete the numerals "224,414" and insert in lieu thereof the numerals "205,845"

On page 1, line 19, delete the numerals "252,469" and insert in lieu thereof the numerals "303,318"

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Upper Great Plains Transportation Institute

The salaries and wages line item is increase by \$17,572. This net amount consists of an increase of \$27,045 from the general fund for a half-time clerk-typist and other temporary salaries, and a decrease of \$9,473 from other funds which is a reduction that will allow funds for four percent salary increases the first year of the biennium and no salary increases in the second year. A contingent salary increase of two percent in the second year amounting to \$3,436 is to be provided in a separate appropriation bill. Funds are not provided for additional state contributions to retirement.

The operating expenses line item is increased by \$11,853 from the general fund to provide additional travel funds.

The equipment line item is increased by \$2,855 from the general fund.

In addition to these changes, the general fund appropriation is increased by \$9,096 and the estimated income line item is reduced by \$9,096 to reflect an anticipated total level of estimated income of \$205,845.

REP. MERTENS, Chairman

HB 1030 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Appropriations to which was referred HB 1031 has had the same under consideration and recommends by a vote of 16 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 13, delete the numerals "1,683,370" and insert in lieu thereof the numerals "1,820,582"

On page 1, line 14, delete the numerals "1,330,598" and insert in lieu thereof the numerals "1,396,748"

On page 1, line 15, delete the numerals "896,067" and insert in lieu thereof the numerals "978,971"

On page 1, line 21, delete the numerals "4,371,978" and insert in lieu thereof the numerals "4,658,244"

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

The salaries and wages line item for the Motor Vehicle Department is increased by \$137,212 from the motor vehicle registration fund. Of the total, \$63,138 is a reduction that will allow funds for four percent salary increases the first year of the biennium and no salary increases in the second year. A contingent salary increase of two percent in the second year amounting to \$16,220 is to be provided in a separate appropriation bill. Funds are not provided for additional state contributions to retirement. The total also includes an increase of \$210,448 for the transfer of seven Truck Regulatory positions from the Highway Department. An increase of \$4,527 for changes in hospitalization and a reduction of \$14,625 for payroll changes due to employee turnover are also included in the total.

The operating expenses line item is increased by \$66,150 and data processing is increased by \$82,904 due to the transfer of the seven positions from the Highway Department.

REP. MERTENS, Chairman

HB 1031 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Appropriations to which was referred HB 1033 has had the same under consideration and recommends by a vote of 21 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

- On page 1, line 16, delete the numerals "1,825,017" and insert in lieu thereof the numerals "1,752,107"
- On page 1, line 21, delete the numerals "2,516,567" and insert in lieu thereof the numerals "2,443,657"
- On page 1, line 25, delete the numerals "5,297,042" and insert in lieu thereof the numerals "5,132,453"
- On page 1, line 27, delete the numerals "1,702,097" and insert in lieu thereof the numerals "1,666,767"
- On page 1, line 28, delete the numerals "581,785" and insert in lieu thereof the numerals "512,785"
- On page 2, line 2, delete the numerals "10,540,149" and insert in lieu thereof the numerals "10,271,230"
- On page 2, line 6, delete the numerals "8,129,264" and insert in lieu thereof the numerals "7,859,742"
- On page 2, line 10, delete the numerals "13,862,753" and insert in lieu thereof the numerals "13,593,231"
- On page 2, line 13, delete the numerals "788,736" and insert in lieu thereof the numerals "762,636"
- On page 2, line 18, delete the words "HAP contingency" and insert in lieu thereof the word "Contingency"
- On page 2, line 21, delete the numerals "9,416,550" and insert in lieu thereof the numerals "9,390,450"
- On page 2, line 22, delete the numerals "36,336,019" and insert in lieu thereof the numerals "35,698,568"
- On page 2, line 23, delete the numerals "36,336,019" and insert in lieu thereof the numerals "35,698,568"

And renumber the lines accordingly

REP. MERTENS, Chairman

HB 1033 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Appropriations to which was referred HB 1037 has had the same under consideration and recommends by a vote of 19 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 14, delete the numerals "2,825,479" and insert in lieu thereof the numerals "2,721,254"

On page 1, line 19, delete the numerals "4,187,472" and insert in lieu thereof the numerals "4,083,247"

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

The salaries and wages line item for the Workmen's Compensation Bureau is reduced by \$104,225 from other funds. Of the total, \$95,412 is a reduction that will allow funds for four percent salary increases the first year of the biennium and no salary increases in the second year. A contingent salary increase of two percent in the second year amounting to \$25,640 is to be provided in a separate appropriation bill. Funds are not provided for additional state contributions to retirement. The total decrease also includes a reduction of \$8,813 for other adjustments to payroll, including a decrease to provide an accountant III position at \$2,114 per month instead of a deputy administrator position currently at \$3,125 per month.

REP. MERTENS, Chairman

HB 1037 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Appropriations to which was referred HB 1038 has had the same under consideration and recommends by a vote of 14 YEAS, 7 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 13, delete the numerals "50,532" and insert in lieu thereof the numerals "48,812"

On page 1, line 17, delete the numerals "279,392" and insert in lieu thereof the numerals "277,672"

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

The salaries and wages line item for Crime Victims Reparations is reduced by \$1,720 from the general fund. This is a reduction that will allow funds for four percent salary increases the first year of the biennium and no salary increases in the second year. A contingent salary increase of two percent in the second year amounting to \$477 is to be provided in a separate appropriation bill. Funds are not provided for additional state contributions to retirement.

REP. MERTENS, Chairman

HB 1038 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Appropriations to which was referred HB 1079 has had the same under consideration and recommends by a vote of 15 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

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 to provide an appropriation for construction, remodeling, and equipping of, or for additions to, buildings and other projects of state agencies, departments, and institutions.

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

SECTION 1. TRANSFER. If general fund revenues exceed \$453,000,000 for the year ending June 30, 1984, the director of the office of management and budget shall direct the state treasurer to transfer from the general fund to the state capital construction fund the sum of \$27,534,330, or so much thereof as may be necessary, or the amount by which general fund revenues exceed \$453,000,000 for the year ending June 30, 1984, whichever is less. 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 \$27,534,330, or so much thereof as may be necessary, to state agencies, departments, and institutions as provided in this

section, for the construction and equipping of buildings and facilities, or the remodeling of buildings and facilities within the limitations provided in this section during the biennium beginning July 1, 1983, and ending June 30, 1985.

Name of Agency, Department, or Institution	Type of Facility	State Funds
North Dakota state university	Computer center	\$ 2,358,000
State school of science	Agriculture mechanics and welding building	2,273,600
State fair association	Exhibition building	1,394,730
State penitentiary	Remodeling and construction projects	7,500,000
State hospital- Jamestown	Steam line	1,005,000
State historical society	Historical society projects	150,000
State parks and recreation department	Park projects	253,000
Minot state college	Classroom building	500,000
University of North Dakota	Abbott hall addition	3,000,000
Minot state college	Library	5,000,000
North Dakota state university- experiment station	Animal care and research facility	4,100,000
Total		\$27,534,330

The order in which the projects are listed in this section is the priority list for their construction, equipping, or remodeling. The construction or remodeling of a project may commence if more than fifty percent of the amount appropriated in this section for the 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, 1985, there are not sufficient funds in the capital construction fund to commence construction or remodeling of a project in accordance with the provisions of this Act, construction on that project shall not be commenced and those funds shall be returned to the general fund. If on June 30, 1985, sufficient funds are in the capital construction fund to complete a project in accordance with the provisions of this Act, but have not been paid out for all expenses to be incurred in its completion, such funds as may be necessary to complete the 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 in this section, any moneys available from federal or other sources to construct or remodel any projects listed in this Act. In no event shall any project 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

REP. MERTENS, Chairman

HB 1079 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Natural Resources to which was referred HB 1084 has had the same under consideration and recommends by a vote of 13 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 1, delete the word "rights" and insert in lieu thereof the word "interest"

On page 1, line 3, delete the word "rights" and insert in lieu thereof the word "interests"

On page 1, line 8, delete the word "Definitions" and insert in lieu thereof the words "'Mineral interest' defined"

On page 1, line 9, delete the colon and insert in lieu thereof the following language: "'mineral interest' includes any interest in oil, gas, coal, clay, gravel, uranium, and all other minerals of any kind and nature, whether created by grant, assignment, reservation, or otherwise."

On page 1, delete lines 10 through 18

On page 1, line 20, delete the word "right" and insert in lieu thereof the word "interest"

- On page 1, line 24, delete the word "right" and insert in lieu thereof the word "interest"
- On page 1, line 25, delete the first word "right" and insert in lieu thereof the word "interest" and delete the second word "right" and insert in lieu thereof the word "interest"
- On page 1, line 27, delete the word "right" and insert in lieu thereof the word "interest"
- On page 2, line 5, delete the word "rights" and insert in lieu thereof the word "interest"
- On page 2, line 6, delete the word "right" and insert in lieu thereof the word "interest" and delete the word "under" and insert in lieu thereof the words ", mortgage, assignment, and conveyance of the mineral interest filed of record in the office of the register of deeds in the county in which the mineral interest is located."
- On page 2, delete line 7 through 12 and insert in lieu thereof the following language:
- "5. The mineral interest on any tract is subject to an order or an agreement to an order or an agreement to pool or unitize, filed of record in the office of the register of deeds in the county in which the mineral interest is located."
- On page 2, line 13, delete the word "right" and insert in lieu thereof the word "interest"
- On page 2, line 17, delete the word "right" and insert in lieu thereof the word "interest"
- On page 2, line 19, delete the word "right" and insert in lieu thereof the word "interest"
- On page 2, line 22, delete the word "right" and insert in lieu thereof the word "interest"
- On page 2, line 25, after the period insert the following language: "A joint tenant, but not a tenant in common, may file a claim on behalf of oneself and other joint tenants."
- On page 2, line 27, delete the word "right" and insert in lieu thereof the word "interest" and after the word "a" insert the word "legal"

- On page 2, line 28, delete the word "right" and insert in lieu thereof the word "interest"
- On page 2, line 29, delete the word "right" and insert in lieu thereof the word "interest"
- On page 2, line 31, delete the word "right" and insert in lieu thereof the word "interest"
- On page 2, line 32, delete the word "right" and insert in lieu thereof the word "interest"
- On page 3, line 3, delete the word "right" and insert in lieu thereof the word "interest"
- On page 3, line 5, delete the word "ten" and insert in lieu thereof the word "one" and delete the word "rights" and insert in lieu thereof the word "interests"
- On page 3, line 6, delete the word "right" and insert in lieu thereof the word "interest"
- On page 3, line 9, delete the word "rights" and insert in lieu thereof the word "interests"
- On page 3, line 11, delete the word "rights" and insert in lieu thereof the word "interests"
- On page 3, line 17, delete the word "right" and insert in lieu thereof the word "interest"
- On page 3, line 19, delete the word "right" and insert in lieu thereof the word "interest"
- On page 3, line 20, delete the words "who will" and insert in lieu thereof the words "intending to"
- On page 3, line 21, delete the word "right" and insert in lieu thereof the word "interest" and delete the word "may" and insert in lieu thereof the word "shall"
- On page 3, line 24, delete the word "a" and insert in lieu thereof the words "the official county" and delete the words "of general"
- On page 3, line 25, delete the words "circulation in" and insert in lieu thereof the word "of" and delete the word "right" and insert in lieu thereof the word "interest"
- On page 3, line 26, delete the word "right" and insert in lieu thereof the word "interest"

On page 3, line 29, delete the word "right" and insert in lieu thereof the word "interest"

On page 3, line 32, delete the word "rights" and insert in lieu thereof the word "interests"

On page 3, line 33, delete the word "right" and insert in lieu thereof the word "interest"

On page 4, line 3, delete the word "right" and insert in lieu thereof the word "interest"

On page 4, delete lines 6 through 9

On page 4, after line 12 insert the following new section:

"SECTION 8. APPLICABILITY. This Act does not apply to any mineral interest owned by any governmental body or agency thereof and this Act is both prospective and retrospective in its application."

And renumber the lines, sections, and pages accordingly
 REP. BROKAW, Chairman

HB 1084 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Social Services and Veterans Affairs to which was referred HB 1133 has had the same under consideration and recommends by a vote of 10 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 3, line 7, after the second word "of" insert the word "age,"

On page 3, line 8, delete the word "or", and after the word "sex" insert the words ", or physical or mental disability"

On page 3, line 14, after the word "of" insert the word "age,", and delete the word "or"

On page 3, line 15, after the word "sex" insert the words ", or physical or mental disability"

On page 4, line 11, after the word "particular" insert the word "age,"

On page 4, line 12, delete the word "or", and after the word "origin" insert the words ", or physical or mental disability"

- On page 4, line 28, after the word "the" insert the word "age,"
- On page 4, line 29, after the word "origin," delete the word "or", and after the word "sex" insert the words ", or physical or mental disability"
- On page 5, line 24, after the second word "of" insert the word "age,"
- On page 5, line 25, after the word "origin," delete the word "or", and after the word "sex" insert the words ", or physical or mental disability"
- On page 6, line 10, after the word "of" insert the word "age,"
- On page 6, line 11, delete the word "or", and after the word "sex" insert the words ", or physical or mental disability"
- On page 6, line 16, after the period insert the following sentence: "Nothing in this chapter shall prohibit institutions of higher education from limiting the leasing or rental of campus housing facilities by sex."
- On page 8, line 14, after the period insert the following sentence: "Before a person may bring a private civil action under this Act, that person must first exhaust the administrative remedies provided under this Act."

And renumber the lines and pages accordingly

REP. R. MEIERS, Chairman

HB 1133 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Appropriations to which was referred HB 1146 has had the same under consideration and recommends by a vote of 17 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION:

- On page 1, line 1, after the words "A BILL" delete the remainder of the bill and insert in lieu thereof the following: "for an Act to provide for a program for access to recreational areas, improvements in such areas, and a tax; to create a new subdivision to subsection 4 of section 39-04-19, relating to the registration of boat trailers; to provide an appropriation; and to provide an effective date."

SECTION 1. Access program. The director of state parks and recreation, the state game and fish commissioner, and the state highway commissioner, acting as a board, shall establish a recreational area access program. The program is to consist of roads designated by the board which provide access to recreational areas that require improvement to enhance public access to such areas, and recreational areas designated by the board which are in need of recreational facilities.

SECTION 2. Responsibility - Improvements. The authorization of any improvement under section 1 of this Act must designate the agency responsible for overseeing the completion of the improvement.

SECTION 3. Access program fund - Matching funds - Appropriation. Except as otherwise provided in this Act, the taxes and fees imposed by this Act must be deposited in a recreational area access program fund in the state treasury. The moneys raised by this Act for the fund must be matched by an equal amount from the state highway department or from any available federal funds and deposited in the recreational area access program fund in the state treasury. There is hereby appropriated \$1,140,000 from the recreational area access program fund and any available matching moneys to the board referred to in section 1 for the purpose of access program projects for the biennium beginning January 1, 1984, and ending June 30, 1985. This appropriation is not subject to section 54-27-10.

SECTION 4. Access program tax. A tax or fee to fund the access program is imposed as follows:

1. An annual tax of five dollars on each mobile home, house trailer, and travel trailer registered under section 39-18-03.
2. An annual tax of five dollars on each house car registered under section 39-04-19.
3. An annual tax of five dollars on each four-wheel-drive vehicle registered under section 39-04-19.
4. An annual recreational area access program fee of three dollars on each person receiving a fishing or hunting license. This fee is to be paid only once annually by a person, regardless of the number of licenses received by that person, and shall be collected in a manner established by the

state game and fish commissioner by rule. A person under sixteen years of age or totally and permanently disabled is exempt from paying this fee. The state game and fish commissioner may deposit these fees in the access program fund to match any highway department expenditure for an improvement under this Act.

SECTION 5. A new subdivision to subsection 4 of section 39-04-19 of the 1981 Supplement to the North Dakota Century Code is hereby created and enacted to read as follows:

Six dollars for trailers designed for the transportation of boats. The registration fees collected for the registration of boat trailers shall be deposited in the recreational area access fund in the state treasury.

SECTION 6. EFFECTIVE DATE. This Act becomes effective on January 1, 1984, and is effective through June 30, 1993, and after that date is ineffective."

And renumber the lines and pages accordingly

REP. MERTENS, Chairman

HB 1146 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Transportation to which was referred HB 1201 has had the same under consideration and recommends by a vote of 16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION:

- On page 1, line 17, overstrike the words "Provided, however, the" and insert immediately thereafter the word "The" and overstrike the words "imposed by this section"
- On page 1, line 19, overstrike the words "shall be" and insert immediately thereafter the word "is"
- On page 1, line 20, after the word "liters]" insert the words "less than the tax imposed by this section on the sale or delivery of special fuel"
- On page 2, line 9, overstrike the words "Provided, however, the" and insert immediately thereafter the word "The" and overstrike the word "imposed"

On page 2, line 10, overstrike the words "by this section"

On page 2, line 12, overstrike the words "shall be" and insert immediately thereafter the word "is"

On page 2, line 13, after the word "liters]" insert the words "less than the tax imposed by this section on the sale or delivery of other motor vehicle fuels"

And renumber the lines and pages accordingly

REP. HJELLE, Chairman

HB 1201 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Appropriations to which was referred HB 1249 has had the same under consideration and recommends by a vote of 15 YEAS, 4 NAYS, 2 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 8, delete the words "; and to provide an"

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

On page 3, delete lines 27 through 34

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment was to allow the concept to live in spite of the fiscal situation.

REP. MERTENS, Chairman

HB 1249 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Education to which was referred HB 1286 has had the same under consideration and recommends by a vote of 17 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 2, line 29, after the word "purchase" insert the words ", within twelve months after the effective date of this Act,"

And renumber the lines accordingly

REP. JACOBSON, Chairman

HB 1286 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Political Subdivisions to which was referred HB 1370 has had the same under consideration and recommends by a vote of 12 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 4, delete the numeral "39-18-03" and insert in lieu thereof the numeral "39-18-05"

On page 1, line 5, delete the numerals "57-55-01.1, 57-55-04,"

On page 1, line 6, after the word "to" insert the words "permits for transporting mobile homes, and" and delete the words "and titling"

On page 1, delete lines 11 through 28

Delete page 2

On page 3, delete lines 1 through 21 and insert in lieu thereof the following new section:

"SECTION 1. AMENDMENT. Section 39-18-05 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

39-18-05. Width, length, and height of mobile home operated in the state of North Dakota - Oversize permits. It shall be unlawful for any person to operate or tow a mobile home upon the highways of the state of North Dakota, the length of which mobile home shall be over sixty feet [18.29 meters], or which shall have a body width of over eight feet [2.44 meters] and a height of over twelve and one-half feet [3.51 meters], except as otherwise provided in this section. Mobile homes moved in the interest of merchandising or relocation of a home shall be considered "good cause".

1. For good cause shown therefor, the state highway department may, at its discretion, issue single trip permits for movement of a mobile home exceeding statutory size to persons or firms having adequate towing vehicle and insurance coverage. The state highway department shall have authority to establish reasonable permit conditions and regulations in the interest of safety, public interest, and adverse weather conditions. The state highway department shall have authority to revoke permits when such holder violates or abuses the privilege or conditions of permit.

2. For good cause shown therefor, the state highway department may issue annual permits for movement of mobile homes exceeding statutory size, to mobile home manufacturers, dealers, or transport companies; providing, however, that the towing vehicle shall consist of a three-fourths ton [680.39 kilograms] or larger truck with dual wheels, and that no annual permits shall be issued for movement of mobile homes exceeding overall dimensions of one hundred twenty inches [304.8 centimeters] wide, plus safety equipment, if required.
3. No oversize permits shall be valid during period of sunset to sunrise or during period of twelve noon Saturday to sunrise Monday or on holidays of New Year's, Memorial, Independence, Labor, Thanksgiving, and Christmas days.
4. For each permit issued there shall be charged a fee of five dollars, except that on annual permits each movement shall be charged a transit fee of five dollars. Further, no mobile home having a width in excess of eight feet [2.44 meters] shall be moved at a speed in excess of fifty-five miles [88.51 kilometers] per hour. No mobile home shall be moved unless such movement is covered by liability insurance in the amount of at least one hundred thousand dollars for bodily injury liability for one person, at least three hundred thousand dollars for bodily injury liability for one accident, and at least twenty thousand dollars property damage liability.
5. The state highway department shall provide a copy of permits issued under this section to the county director of tax equalization for the county into which the mobile home is being moved.

On page 3, line 26, delete the word "means", and overstrike the word "any"

On page 3, line 27, overstrike the words "non-self-propelled vehicular" and insert immediately thereafter the words "means a", and after the word "structure" insert the words ", either single or

- multi-sectional, which is", and after the first word "a" insert the word "permanent"
- On page 3, line 30, after the overstruck word "~~and~~" insert immediately thereafter the words "owned or"
- On page 3, line 34, after the word "utility" insert the word "company"
- On page 4, delete lines 1 through 35
- On page 5, delete lines 1 and 2
- On page 5, line 25, overstrike the words "it shall be" and overstrike the words "duty of such owner, operator, or manager"
- On page 5, line 26, overstrike the words "to furnish a", and overstrike the word "providing" and insert immediately thereafter the words "shall provide"
- On page 5, line 29, delete the words "The report shall include a listing of the port of"
- On page 5, delete line 30
- On page 5, line 31, delete the words "quarterly report."
- On page 6, line 10, remove the overstrike over the words "~~if it is owned and occupied by a welfare recipient~~"
- On page 6, line 11, remove the overstrike over the word "~~, provided~~"
- On page 6, line 12, remove the overstrike over the words "~~such mobile home is not permanently attached to the~~"
- On page 6, line 13, remove the overstrike over the words "~~land and classified as real property.~~"
- On page 6, line 14, remove the overstrike over the letter "e-", and overstrike the word "his"
- On page 6, line 15, overstrike the word "his" and overstrike the word "widow" and insert immediately thereafter the word "spouse"
- On page 6, line 17, remove the overstrike over the letter "~~d-~~", and delete the letter "c."
- On page 6, line 20, remove the overstrike over the letter "e-", and delete the letter "d.", and overstrike the word "his"

On page 7, line 18, overstrike the word "he" and insert immediately thereafter the words "the director"

On page 7, line 19, overstrike the word "he" and insert immediately thereafter the words "the director"

On page 7, line 25, overstrike the word "his" and insert immediately thereafter the words "the director's"

On page 7, line 27, overstrike the word "his" and insert immediately thereafter the words "the director's"

On page 7, line 28, overstrike the word "he" and insert immediately thereafter the words "the director"

On page 8, line 5, delete the words "A mobile home being moved on the"

On page 8, delete lines 6 through 13

On page 8, line 14, delete the words "park from which the mobile home is being moved."

On page 8, line 15, remove the overstrike over the words "an infraction"

On page 8, line 16, delete the words "a class B misdemeanor" and insert in lieu thereof the words "but the minimum penalty shall be one hundred dollars"

And renumber the lines, sections, and pages accordingly
REP. DOTZENROD, Chairman

HB 1370 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Industry, Business, and Labor to which was referred HB 1400 has had the same under consideration and recommends by a vote of 12 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 1, after the words "A BILL" delete the remainder of the bill and insert in lieu thereof: "for an Act to amend and reenact section 51-13-05 of the North Dakota Century Code, relating to prepayment of retail installment loans and computation of interest due at time of repayment.

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

SECTION 1. AMENDMENT. Section 51-13-05 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

51-13-05. Credit upon anticipation of payments. Notwithstanding the provisions of any retail installment contract to the contrary, any buyer may pay in full at any time before maturity the debt of any retail installment contract and in so paying such debt shall receive a refund credit thereon for such anticipation. The amount of such refund credit shall represent at least as great a proportion of the credit service charge after first deducting from such credit service charge an acquisition cost of fifteen dollars, as the sum of the periodic time balances after the month in which prepayment is made, bears to the sum of all the periodic time balances under the schedule of installments in the original contract. Where the amount of the credit for anticipation of payment is less than one dollar, no refund need be made. Prepayment of loans. A borrower may prepay the entire principal balance on a loan, and the lender may not require the borrower to pay more than the sum of:

1. The principal amount of the loan;
2. Applicable charges for late payments;
3. An acquisition charge of not more than forty dollars; and
4. The interest on the outstanding balance of the loan, computed each day over the actual life of the loan, using a daily rate of interest that does not exceed the annual percentage rate applicable to the loan, as that rate would be required to be disclosed if the loan were governed by the Truth in Lending Act (15 U.S.C. 1601) divided by at least three hundred sixty."

And renumber the lines and pages accordingly

REP. S. F. HOFFNER, Chairman

HB 1400 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Industry, Business, and Labor to which was referred HB 1402 has had the same under consideration and recommends by a vote of 10 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 1, after the words "A BILL" delete the remainder of the bill and insert in lieu thereof the following: "for an Act to create and enact a new section to chapter 34-01 of the North Dakota Century Code, relating to assessment by a labor union or labor organization of actual representation expenses from nonunion employees.

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

SECTION 1. A new section to chapter 34-01 of the North Dakota Century Code is hereby created and enacted to read as follows:

Collection of actual representation expenses from nonunion employees. A labor union or labor organization may collect actual representation expenses from a nonunion employee in a bargaining unit of a management entity with which the labor union or labor organization has a contract. Representation expenses may be assessed only in instances in which a nonunion employee has specifically requested in writing to utilize representation by a labor union or labor organization, and an assessment made under this section shall not be construed as an abridgement of any rights guaranteed under section 34-01-14.

A nonunion employee may not be compelled to pay any expenses incurred by a labor union or labor organization in the course of general contract negotiations or collective bargaining. As used in this section "actual representation expenses" are limited to those actual expenses which are sustained by a labor union or labor organization in processing any grievance of a nonunion employee. This section does not abridge or in any way interfere with rights guaranteed employees generally under the Labor Management Reporting and Disclosure Act of 1959 [29 U.S.C. 401 et seq.]."

And renumber the lines accordingly

REP. S. F. HOFFNER, Chairman

HB 1402 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Social Services and Veterans Affairs to which was referred HB 1404 has had the same under consideration and recommends by a vote of 11 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 2, line 7, after the period insert the following new language:

"6. The occupational therapist may enter a case for the purposes of providing consultation and indirect services and evaluating an individual for the need of services. Implementation of direct occupational therapy to individuals for their specific medical conditions shall be based on an order from a physician licensed in the state of North Dakota."

On page 4, line 2, delete the words "At least three" and insert in lieu thereof the word "Three"

On page 4, line 4, delete the words "either a licensed occupational"

On page 4, line 5, delete the words "therapist or"

On page 7, line 23, after the word "examination" insert the words "as established by the American occupational therapy association"

On page 8, line 13, delete the word "association" and insert in lieu thereof the words "American occupational therapy association"

On page 9, line 29, delete the word "board" and insert in lieu thereof the words "American occupational therapy association"

And renumber the lines, subsections, and pages accordingly
REP. R. MEIERS, Chairman

HB 1404 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Social Services and Veterans Affairs to which was referred HB 1408 has had the same under consideration and recommends by a vote of 16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, delete lines 1 through 9 and insert in lieu thereof:

"A BILL for an Act to create and enact a new subsection to section 43-17-31 of the North Dakota Century Code, relating to the grounds for revocation or suspension of a physician's license; and to amend and reenact section 25-02-04 of the North Dakota Century Code, relating to the licensure of physicians on the professional staff of the state hospital."

On page 1, line 24, delete the words "regular or special"

On page 2, delete lines 1 through 7

On page 2, line 11, after the word "restrictions" insert the words "or conditions" and delete the word "special"

And renumber the lines, sections, and pages accordingly
REP. R. MEIERS, Chairman

HB 1408 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Judiciary to which was referred HB 1410 has had the same under consideration and recommends by a vote of 14 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION:

On page 1, line 21, after the word "of" insert the word "forty"

On page 1, line 22, delete the word "majority" and after the word "of" delete the words "sixty-five years" and insert in lieu thereof the word "seventy"

On page 5, line 2, delete the word "accommodation" and insert in lieu thereof the word "assistance"

On page 5, line 9, delete the word "accommodation" and insert in lieu thereof the word "assistance"

On page 5, line 20, delete the word "accommodation" and insert in lieu thereof the word "assistance"

On page 5, line 22, after the second comma, insert the word "or"

On page 5, line 23, delete the words "newspaper or electronic media"

On page 5, line 28, delete the word "accommodation" and insert in lieu thereof the word "assistance"

On page 6, line 21, delete the words "The burden on"

On page 6, line 22, delete the words "so showing is upon the employer."

On page 6, line 33, delete the word "accommodation" and insert in lieu thereof the word "assistance"

On page 7, line 4, delete the word "accommodation" and insert in lieu thereof the word "assistance"

- On page 7, line 34, delete the word "accommodation" and insert in lieu thereof the word "assistance"
- On page 8, line 5, delete the word "accommodation" and insert in lieu thereof the word "assistance"
- On page 8, line 12, delete the word "accommodation" and insert in lieu thereof the word "assistance"
- On page 8, line 21, delete the word "accommodation" and insert in lieu thereof the word "assistance"
- On page 8, line 33, delete the word "accommodation" and insert in lieu thereof the word "assistance"
- On page 9, line 5, delete the word "accommodation" and insert in lieu thereof the word "assistance"
- On page 9, line 11, delete the word "accommodation" and insert in lieu thereof the word "assistance"
- On page 9, line 16, delete the word "peson" and insert in lieu thereof the word "person"
- On page 9, line 23, delete the word "accommodation" and insert in lieu thereof the word "assistance"
- On page 10, line 3, delete the word "accommodation" and insert in lieu thereof the word "assistance"
- On page 10, line 10, delete the words ", obtained housing," and insert in lieu thereof the word "or" and delete the words ", or public"
- On page 10, line 11, delete the words "accommodations or services"
- On page 10, line 13, after the period insert the following:
"Any person claiming to be aggrieved by a discriminatory practice in violation of this Act with regard to housing or public accommodations or services may bring an action in the district court in any district in the state in which the unlawful practice is alleged to have been committed, or in the judicial district in which the person would have obtained housing or public accommodations or services were it not for the alleged discriminatory act within one hundred eighty days of the alleged act of wrongdoing."

And renumber the lines and pages accordingly

REP. E. POMEROY, Chairman

HB 1440 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: A majority of your Committee on Finance and Taxation to which was referred HB 1460 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 1, delete the word "section" and insert in lieu thereof the word "sections", and after the numeral "57-38-62" insert the words "and 57-38-63"

On page 1, line 25, delete the word "one" and insert in lieu thereof the word "five"

On page 2, after line 2, insert the following new section:

"SECTION 2. AMENDMENT. Section 57-38-63 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

57-38-63. Payment of estimated tax. No later than April fifteenth of the taxable year the taxpayer shall file the declaration of estimated tax and make payment of no less than one-quarter of the amount of tax due thereon with the tax commissioner. If at this time a payment of at least one-quarter but less than the entire amount of tax due is made by the taxpayer the balance of the tax shall then be paid in three equal installments on the fifteenth days of the following months of June, September, and January. Provided that a taxpayer having a taxable year other than a calendar year shall file a declaration of estimated tax and remit payment of tax due on the fifteenth day of the fourth, sixth, and ninth month of its taxable year, and the first month of the following taxable year."

And renumber the lines, sections, and pages accordingly

Rep. Sinner
Rep. Riehl
Rep. Aubol
Rep. Koski
Rep. B. Larson
Rep. Laughlin
Rep. G. Pomeroy
Rep. Richard
Rep. Schneider

MADAM SPEAKER: A minority of your Committee on Finance and Taxation to which was referred HB 1460 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

- On page 1, line 1, delete the word "section" and insert in lieu thereof the word "sections", and after the numeral "57-38-62" insert the words "and 57-38-63"
- On page 1, line 10, after the word "individual" insert the words "and corporate"
- On page 1, line 11, after the word "individual" insert the words "and corporate"
- On page 1, line 18, after the word "dollars" insert the words "for individual and five thousand dollars for corporate taxpayers"
- On page 1, delete lines 19 through 25
- On page 2, after line 2, insert the following new section:

"SECTION 2. AMENDMENT. Section 57-38-63 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

57-38-63. Payment of estimated tax. No later than April fifteenth of the taxable year the taxpayer shall file the declaration of estimated tax and make payment of no less than one-quarter of the amount of tax due thereon with the tax commissioner. If at this time a payment of at least one-quarter but less than the entire amount of tax due is made by the taxpayer the balance of the tax shall then be paid in three equal installments on the fifteenth days of the following months of June, September, and January. Provided that a taxpayer having a taxable year other than a calendar year shall file a declaration of estimated tax and remit payment of tax due on the fifteenth day of the fourth, sixth, and ninth month of its taxable year, and the first month of the following taxable year."

And renumber the lines, sections, and pages accordingly

Rep. R. Anderson
Rep. Goetz
Rep. Hughes
Rep. C. Martin
Rep. Moore
Rep. Nicholas
Rep. A. Olson
Rep. Timm

REP. SINNER, Chairman

HB 1460 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Education to which was referred HB 1462 has had the same under consideration and recommends by a vote of 14 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 2, line 3, remove the overstrike over the words
"each from a different institution of higher
learning"

On page 2, delete line 4

On page 2, line 5, delete the word "institution"

On page 2, line 7, delete the comma and insert in lieu thereof the word "and"

On page 2, line 8, delete the words ", and be at least a"

On page 2, line 9, delete the words "college junior"

And renumber the lines accordingly

REP. JACOBSON, Chairman

HB 1462 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Finance and Taxation to which was referred HB 1476 has had the same under consideration and recommends by a vote of 9 YEAS, 8 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO NOT PASS:

On page 1, line 2, delete the words "and sections 57-38-29 and 57-38-30"

On page 1, line 4, delete the words "and providing for temporary"

On page 1, line 5, delete the words "increases in the rates of tax on individuals and corporations"

On page 2, delete lines 3 through 35

On page 3, delete lines 1 through 29

And renumber the lines, sections, and pages accordingly

REP. SINNER, Chairman

HB 1476 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Education to which was referred HB 1482 has had the same under consideration and recommends by a

vote of 11 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 5, after the word "boards" insert the words
"; and to declare an emergency"

On page 2, after line 6, insert the following new section:

"SECTION 4. EMERGENCY. This Act is hereby declared to be an emergency measure and is in effect from and after its passage and approval."

And renumber the lines, sections, and pages accordingly

REP. JACOBSON, Chairman

HB 1482 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Social Services and Veterans Affairs to which was referred HB 1494 has had the same under consideration and recommends by a vote of 14 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 2, line 27, overstrike the word "The", delete the word "practice", overstrike the words "of speech", and insert immediately thereafter the word "Speech"

On page 3, line 2, overstrike the comma following the word "conditions" and insert immediately thereafter the word "in" and overstrike the comma following the word "individuals"

On page 3, line 24, overstrike the words "and current"

On page 3, line 25, after the word "speech" insert the words "-language pathologist" and overstrike the words "hearing specialist" and insert immediately thereafter the words "teacher of the hearing impaired"

On page 5, remove the overstrikes from lines 10 through 13

On page 5, line 20, after the word "a" insert the word "licensed"

On page 6, line 27, overstrike the comma and following the word "and" insert the words ", except for the consumer member,"

On page 8, line 24, delete the second word "to"

On page 8, line 25, delete the words "establish standards and procedures"

On page 8, after line 34, insert the following new subdivision:

"i. Carrying out the purposes of this Act."

On page 9, delete lines 1 through 7

On page 9, line 17, delete the word "- Exception"

On page 11, line 1, remove the overstrike over the words "One year from the date of revocation of"

And renumber the lines, subsections, and pages accordingly
REP. R. MEIERS, Chairman

HB 1494 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Finance and Taxation to which was referred HB 1499 has had the same under consideration and recommends by a vote of 10 YEAS, 7 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO NOT PASS:

On page 1, line 15, delete the words "in the account of the Bank of North Dakota"

On page 1, line 19, delete the word "a" and insert in lieu thereof the words "an account at the" and delete the words "account to which all tax"

On page 1, line 20, delete the words "deposits shall be credited"

On page 2, line 7, after the word "three" insert the word "business" and delete the words "of the transfer of the deposited funds"

On page 2, line 9, delete the words "together with a statement"

On page 2, delete lines 10 and 11

On page 2, line 12, delete the word "month," and after the word "seven" insert the word "business"

On page 3, line 3, delete the words "in the account of the Bank of North Dakota"

- On page 3, line 7, delete the word "a" and insert in lieu thereof the words "an account at the" and delete the word "account"
- On page 3, line 22, after the word "three" insert the word "business" and delete the words "of the transfer of the deposited funds"
- On page 3, line 24, delete the words "together with a statement"
- On page 3, delete lines 25 and 26
- On page 3, line 27, delete the word "month," and after the word "seven" insert the word "business"
- On page 4, line 15, delete the words "in the account of the"
- On page 4, line 16, delete the words "Bank of North Dakota"
- On page 4, line 19, delete the word "a" and insert in lieu thereof the words "an account at the"
- On page 4, line 20, delete the word "account"
- On page 4, line 35, after the word "three" insert the word "business" and delete the words "of the transfer of the deposited funds"
- On page 5, line 2, delete the words "together with a statement"
- On page 5, delete lines 3 and 4
- On page 5, line 5, delete the word "month," and after the word "seven" insert the word "business"

And renumber the lines and pages accordingly

REP. SINNER, Chairman

HB 1499 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Education to which was referred HB 1516 has had the same under consideration and recommends by a vote of 13 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

- On page 1, line 1, after the words "A BILL" delete the remainder of the bill and insert in lieu thereof the following: "for an Act to create and enact a new section to chapter 15-47 of the North Dakota Century

Code, relating to school district evaluation, renewal, or discharge of superintendents or chief administrators of school districts.

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

SECTION 1. A new section to chapter 15-47 of the North Dakota Century Code is hereby created and enacted to read as follows:

Evaluation, renewal, or discharge of superintendents or chief administrators of school districts. At least once during the course of every school year the school board of each school district shall conduct a formal and written evaluation of the performance of the superintendent or chief administrator employed by the district. Such written evaluation of a superintendent or administrator's performance must include recommendations with respect to all subject areas within which the school board considers the performance to be unsatisfactory. Descriptions provided by the governing body of unsatisfactory performance shall provide in reasonable detail the basis for its unfavorable assessment of the unsatisfactory performance. Upon adoption by the board of an unfavorable recommendation of a superintendent or chief administrator conducted pursuant to this section, the governing body shall deliver a copy of the evaluation to the superintendent or chief administrator. The superintendent or chief administrator, upon receipt of an unfavorable evaluation, may respond in writing to the substance and content of the evaluation, and such a response shall become a permanent attachment to the superintendent or chief administrator's personnel file. The school board shall meet with the superintendent to discuss the unfavorable evaluation no later than April fifteenth of each year.

Throughout the term of a contract between a school district and a superintendent or chief administrator the superintendent or chief administrator shall be subject to discharge for good and just causes, provided however, that the school board may not arbitrarily or capriciously require the superintendent or chief administrator's dismissal. In the event that a school district governing body intends to discharge a superintendent or chief administrator, the superintendent or chief administrator shall be served with a detailed and written description of the reasons given by the school board for the proposed dismissal. Following service of the written description of the reasons for

proposed dismissal, the superintendent or chief administrator shall be granted a hearing before the governing body for which reasonable advance notice shall be required. In the event that a superintendent or chief administrator chooses to be accompanied by an attorney, the superintendent or chief administrator's legal expenses attributable to that representation shall be incurred by the superintendent or chief administrator.

If a school district fails to provide notification to a superintendent or chief administrator in writing between February fifteenth and April fifteenth of each year that the school board intends not to renew the superintendent or chief administrator's contract, the district shall be deemed to have renewed the contract for a period of one year extending from the termination date set forth in the existing contract."

And renumber the lines accordingly

REP. JACOBSON, Chairman

HB 1516 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Finance and Taxation to which was referred HB 1519 has had the same under consideration and recommends by a vote of 16 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 1, delete the word "sections" and insert in lieu thereof the word "section" and delete the second word "and"

On page 1, line 2, delete the numeral "57-38-61" and delete the word "minimum"

On page 1, line 9, delete the words "of refunds"

On page 1, line 10, remove the overstrike over the words "income tax"

On page 1, line 12, delete the words "including interest," remove the overstrike over the words "exceed one dollar", and delete the word "be"

On page 1, line 13, delete the words "five dollars or more"

On page 1, line 14, remove the overstrike over the word "income"

On page 1, line 16, remove the overstrike over the words "~~exceeds one dollar~~" and delete the words "is five dollars or more"

On page 1, line 28, remove the overstrike over the word "~~No~~"

On page 2, remove the overstrike over lines 1 and 2

On page 2, delete lines 8 through 24

And renumber the lines accordingly

REP. SINNER, Chairman

HB 1519 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Finance and Taxation to which was referred HB 1520 has had the same under consideration and recommends by a vote of 13 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 12, after the word "vehicles" insert the words ", as defined in subsection 32 of section 39-01-01,"

And renumber the lines accordingly

REP. SINNER, Chairman

HB 1520 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Natural Resources to which was referred Engrossed HB 1534 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1 of the engrossed bill, delete lines 21 through 25

And renumber the lines accordingly

REP. BROKAW, Chairman

Engrossed HB 1534 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Finance and Taxation to which was referred HB 1569 has had the same under consideration and recommends by a vote of 14 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 1, after the words "A BILL" delete the remainder of the bill and insert in lieu thereof the following new language: "for an Act to create and enact a new paragraph to subdivision b of subsection 3 of section 57-62-02 of the North Dakota Century Code, relating to the allocation of money from the coal development fund to non-coal-producing counties in which there is located an electrical generating plant.

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

SECTION 1. A new paragraph to subdivision b of subsection 3 of section 57-62-02 of the 1981 Supplement to the North Dakota Century Code is hereby created and enacted to read as follows:

Notwithstanding the other provisions of this subdivision, if a tipple of a currently active coal mining operating in a county is within fifteen miles[24.14 kilometers] of a non-coal-producing county in which an electrical generating plant is located which has the capacity of at least sixty thousand kilowatts and which is assessed by the state board of equalization, the revenue apportioned to the non-coal-producing county shall be equal to fifty percent of that amount which the non-coal-producing county would have otherwise received under this subdivision, and the revenue apportioned to the coal-producing county shall be increased by the other fifty percent."

And renumber the lines and pages accordingly

REP. SINNER, Chairman

HB 1569 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Education to which was referred HB 1570 has had the same under consideration and recommends by a vote of 14 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 2, line 29, after the period insert the following sentence: "The term "receiving school district" for the purposes of this section means a school district other than the district of a child's residence."

And renumber the lines accordingly

REP. JACOBSON, Chairman

HB 1570 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Finance and Taxation to which was referred HB 1582 has had the same under consideration and recommends by a vote of 17 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 17, delete the words "any board, bureau, commission," and insert in lieu thereof the words "the child support unit of the department of human services."

On page 1, delete lines 18 through 20

And renumber the lines and pages accordingly

REP. SINNER, Chairman

HB 1582 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Education to which was referred HB 1619 has had the same under consideration and recommends by a vote of 11 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 4, after the word "schools" insert the words "; and to provide an effective date"

On page 4, line 23, after the period insert the following new sentence: "Provided, however, that only matters pertaining to monetary compensation may be submitted to binding arbitration."

On page 5, line 23, after the word "resources" insert the word "reasonably"

On page 5, line 26, after the word "resources" insert the word "reasonably"

On page 5, line 27, delete the words "However, this determination shall"

On page 5, delete line 28

On page 5, after line 30, insert the following new section:

"SECTION 2. EFFECTIVE DATE. The provisions of this Act shall be in effect for the biennium beginning July 1, 1983, and ending June 30, 1985."

And renumber the lines, sections, and pages accordingly
REP. JACOBSON, Chairman

HB 1619 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Industry, Business, and Labor to which was referred HB 1627 has had the same under consideration and recommends by a vote of 15 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 1, delete the words "subsection 1 of"

On page 1, line 6, delete the words "Subsection 1 of section" and insert in lieu thereof the word "Section"

On page 1, delete lines 9 through 22 and insert in lieu thereof the following new section:

"28-01.1-02. Statute of limitation.

1. There shall be no recovery of damages for personal injury, death, or damage to property caused by a defective product, except as provided in subsection 4, unless the injury, death, or damage occurred within ten years of the date of initial purchase for use or consumption, or within eleven years of the date of manufacture of a product, where that action is based upon, or arises out of, any of the following:
 - a. Breach of any implied warranties.
 - b. Defects in design, inspection, testing, or manufacture.
 - c. Failure to warn.
 - d. Failure to properly instruct in the use of a product.
2. The provisions of this section shall apply to all persons, regardless of minority or other legal disability, but shall not apply to any cause of action where the personal

injury, death, or damage to property occurs within two years after July 1, 1979.

3. If a manufacturer, wholesaler, or retailer issues a recall of a product in any state, modifies a product, or becomes aware of any defect in a product at any time, and fails to notify or warn a user of the product who is subsequently injured or damaged as a result of the defect, the provisions of subsection 1 shall not bar any action against the manufacturer, wholesaler, or retailer based upon, or arising out of, the defect.
4. Any action to recover damages based on injury allegedly resulting from exposure to asbestos composed of chrysotile, amosite, crocidolite, tremolite anthrophyllite, actinolite, or any combination thereof, shall be commenced within four years after the injured person has been informed of discovery of the injury by competent medical authority and that such injury was caused by exposure to asbestos as described herein, or within four years after the discovery of facts which would reasonably lead to such discovery, whichever is earlier. No action commenced under this subsection based on the doctrine of strict liability in tort shall be commenced or maintained against any seller of a product which is alleged to contain or possess a defective condition unreasonably dangerous to the buyer, user, or consumer unless such seller is also the manufacturer of such product or the manufacturer of the part thereof claimed to be defective. Nothing in this subsection shall be construed to permit an action to be brought based on an injury described in this subsection discovered more than two years prior to the effective date of this Act."

And renumber the lines, sections, and pages accordingly

REP. S. F. HOFFNER, Chairman

HB 1627 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: A majority of your Committee on Finance and Taxation to which was referred HB 1639 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 1, delete the word "sections" and insert in lieu thereof the word "section" and after the second word "and" insert the words "subsection 2 of section 57-38-30.3"

On page 1, line 2, delete the numeral "57-38-30"

On pge 1, line 3, delete the words "and corporation"

On page 1, after line 28, insert the following new subsections:

"7. On taxable income in excess of fifty thousand dollars, a tax of nine percent.

8. On taxable income in excess of seventy-five thousand dollars, a tax of ten percent."

On page 2, delete lines 1 through 25 and insert in lieu thereof the following new section:

"SECTION 2. AMENDMENT. Subsection 2 of section 57-38-30.3 of the 1981 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

2. A tax is hereby imposed for each taxable year upon income earned or received in that taxable year by every resident and nonresident individual, estate, and trust. This tax shall be ~~seven~~ twelve and one-half percent of the individual's, estate's, or trust's adjusted federal income tax liability for the taxable year."

And renumber the lines, sections, and pages accordingly

Rep. Sinner
Rep. Riehl
Rep. Aubol
Rep. Koski
Rep. B. Larson
Rep. Laughlin
Rep. G. Pomeroy
Rep. Richard
Rep. Schneider

MADAM SPEAKER: A minority of your Committee on Finance and Taxation to which was referred HB 1639 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 1, after the numeral "57-38-29" insert the words ", 57-38-29.1, 57-38-30, and subsection 2 of section 57-38-30.3", and delete the second word "and"

On page 1, line 2, delete the numeral "57-38-30"

On page 1, line 3, delete the words "and corporations"

On page 2, delete lines 1 through 25 and insert in lieu thereof the following new sections:

"SECTION 2. AMENDMENT. Section 57-38-29.1 of the 1981 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

57-38-29.1. Energy cost relief credit. Except as limited herein, there shall be allowed to individuals, estates, and trusts required to file an income tax return, a credit equal to the tax liability imposed by section 57-38-29 or section 57-38-30.3. This credit shall be placed on the state income tax return as a separate line item entitled "energy cost relief credit" which shall follow the computation of tax liability pursuant to the provisions of chapter 57-38. The income tax liability computed on the income tax return shall be reduced by the amount of this credit; provided, that the maximum credit deducted for any taxable year on any return shall not exceed one hundred twenty-five dollars for any taxable year multiplied by a fraction, the numerator of which is the adjusted gross income taxable to this state and the denominator of which is the total adjusted gross income as reported on the federal income tax return. Interest income from United States obligations and other income not taxable to this state because of federal statutes, United States or state constitutional provisions shall be excluded from the numerator.

SECTION 3. AMENDMENT. Subsection 2 of section 57-38-30.3 of the 1981 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

2. A tax is hereby imposed for each taxable year upon income earned or received in that taxable year by every resident and nonresident individual, estate, and trust. This tax shall be seven eight and one-half percent of the individual's, estate's, or trust's adjusted federal income tax liability for the taxable year."

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

Rep. R. Anderson
Rep. Goetz
Rep. Hughes
Rep. C. Martin
Rep. Moore
Rep. Nicholas
Rep. A. Olson
Rep. Timm

REP. SINNER, Chairman

HB 1639 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Appropriations to which was referred HB 1644 has had the same under consideration and recommends by a vote of 17 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 22, delete the word "foster" and insert in lieu thereof the word "family"

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment was to remove the word "foster" and insert a less restrictive term.

REP. MERTENS, Chairman

HB 1644 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Finance and Taxation to which was referred HB 1652 has had the same under consideration and recommends by a vote of 10 YEAS, 7 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO NOT PASS:

On page 1, line 1, delete the word "repeal" and insert in lieu thereof the words "amend and reenact"

On page 1, line 6, delete the word "REPEAL" and insert in lieu thereof the word "AMENDMENT"

On page 1, line 7, delete the word "repealed" and insert in lieu thereof the following: "amended and reenacted to read as follows:

15. a- All farm structures, and improvements located on agricultural lands, except any farm structure which is a residence shall not be exempt. This subsection shall be construed to exempt farm buildings and improvements only, and shall not be construed to exempt from taxation industrial plants, or structures of any kind not used or intended for use as a part of a farm plant; or as a farm residence. Any structure or structures used in connection with a retail or wholesale business other than farming, even though situated on agricultural land, shall not be exempt under this subsection.

b- It is the intent of the legislative assembly that this exemption as applied to a residence shall be strictly construed and interpreted to exempt only a residence which is situated on a farm and which is occupied or used by a person who is a farmer and that the exemption shall not be applied to property which is occupied or used by a person who is not a farmer. For purposes of this subdivision-

{1} "Farm" means a single tract or contiguous tracts of agricultural land containing a minimum of ten acres {4.05 hectares} and which normally provides a farmer, who is actually farming the land or engaged in the raising of livestock or other similar operations normally associated with farming and ranching, with not less than fifty percent of his annual net income-

{2} "Farmer" means an individual who normally devotes the major portion of his time to the activities of producing products of the soil, poultry, livestock, or dairy farming in such products¹ unmanufactured state and who normally receives not less than fifty percent of his annual net income from any one or more of the foregoing activities; and the term

also includes an individual who is retired because of illness or age and who at the time of retirement owned and occupied as a farmer as defined above the residence in which he lives and for which the exemption is claimed.

(3) "Net income from farming activities" described in paragraph 2 means taxable income from those activities as computed for income tax purposes pursuant to chapter 57-38 adjusted to include the following:

(a) The difference between gross sales price less expenses of sale and the amount reported for sales of agricultural products for which the farmer reported a capital gain.

(b) Interest expenses from farming activities which have been deducted in computing taxable income.

(4) For purposes of applying the income requirements of this subdivision, if a husband and wife reside together in a residence claimed as exempt under this subdivision because both or one of them is a farmer, not less than fifty percent of their combined net income from all sources must be net income from farming activities as defined in paragraph 3 in order for the residence to qualify for the exemption.

(5) When exemption is claimed under this subdivision for a residence, the assessor may require that the occupant of the residence who it is claimed is a farmer provide to the assessor for the year or years specified by the assessor a written statement in which it is stated that fifty percent or more of the net income of that occupant was, or was not, net income from farming activities, provided, that

if that occupant is married and they both occupy the residence, it shall be stated in the written statement that their net income from farming activities was, or was not, fifty percent or more of their combined net income from all sources."

And renumber the lines and pages accordingly

REP. SINNER, Chairman

HB 1652 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Industry, Business, and Labor to which was referred HB 1656 has had the same under consideration and recommends by a vote of 10 YEAS, 4 NAYS, 2 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 1, delete the word "a", and delete the word "subdivision" and insert in lieu thereof the word "subdivisions"

On page 1, line 2, delete the word "subsection" and insert in lieu thereof the words "subsections 17 and"

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

"SECTION 1. AMENDMENT. A new subdivision to subsection 17 of section 52-01-01 of the North Dakota Century Code is hereby created and enacted to read as follows:

Service performed as the president, vice president, secretary, treasurer, or secretary-treasurer of a family corporation which is an employer under subsection 15. A family corporation is one in which the officers are related to each other in a manner which meets the relationship test applied under the Internal Revenue Code for determining eligibility to claim an individual as a dependent."

On page 1, line 9, delete the word "Service" and insert in lieu thereof the words "Unless included under section 1 of this Act, service"

And renumber the lines, sections, and pages accordingly

REP. S. F. HOFFNER, Chairman

HB 1656 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Appropriations to which was referred HB 1667 has had the same under consideration and recommends by a vote of 18 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 14, delete the numerals "277,160" and insert in lieu thereof the numerals "199,760"

On page 1, line 20, delete the numerals "28,500" and insert in lieu thereof the numerals "10,000"

On page 1, after line 20, insert the following new line:

"Operating expenses	5,500"
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On page 1, line 21, delete the numerals "248,660" and insert in lieu thereof the numerals "184,260"

On page 1, line 22, delete the numerals "277,160" and insert in lieu thereof the numerals "199,760"

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

The salaries and wages line item is reduced by \$18,500 to provide for a half-time network coordinator for the second year of the biennium. The radio network will be under construction the first year of the biennium.

An operating expenses line item in the amount of \$5,500 is added to provide for:

Communications	\$ 1,500
Travel	1,000
Supplies	1,000
Desk & misc. office equip.	<u>2,000</u>
Total Operating Expenses	\$ 5,500

The capital improvements line item is reduced by \$64,400. The new amount will provide for:

Completing microwave loop	\$110,700
Radio send/receive equipment:	
Minot to KFJM	\$14,800
KFJM to KDSU	26,630
KDSU to KCND	11,600
KCND to Minot	12,930
Network control equipment	<u>8,200</u>
	<u>73,560</u>

Total Capital Improvements

\$184,260

REP. MERTENS, Chairman

HB 1667 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Appropriations to which was referred HB 1668 has had the same under consideration and recommends by a vote of 11 YEAS, 10 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

- On page 1, line 2, delete the words "to defray the expenses of" and insert in lieu thereof the word "for", and delete the word "program" and insert in lieu thereof the words "and small business operating loan guarantee fund"
- On page 1, line 3, delete the words "and a farm loan guarantee program"
- On page 1, line 8, delete the numeral "\$50,000,000" and insert in lieu thereof the numeral "\$25,000,000"
- On page 1, line 9, after the word "of" insert the word "establishing"
- On page 1, line 10, delete the words "program and a farm loan guarantee program" and insert in lieu thereof the words "and small business operating loan guarantee fund"
- On page 1, line 13, delete the words "make operating loans to farmers and to"
- On page 1, line 14, after the word "farmers" insert the words "or between lenders and small businessmen"
- On page 1, line 15, after the period insert the following:
"The commission shall adopt rules which will enable the commission to provide a ninety percent guarantee for up to two hundred fifty million dollars of farm operating and small business operating loans for the 1983 and 1984 calendar years. Unexpended funds shall revert to the general fund in the state treasury on June 30, 1985."

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

The appropriation to the Industrial Commission is reduced by \$25 million and is available for the purpose of establishing a farm operating and small business operating loan guarantee fund. The commission is authorized to adopt rules enabling a 90% guarantee of up to \$250 million of farm operating and small business operating loans for the 1983 and 1984 calendar years.

REP. MERTENS, Chairman

HB 1668 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Education to which was referred HB 1670 has had the same under consideration and recommends by a vote of 16 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 1, after the words "A BILL" delete the remainder of the bill and insert in lieu thereof the following: "for an Act to amend and reenact subsection 5 of section 15-47-38 of the North Dakota Century Code, relating to the nonrenewal of a teachers' contract.

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

SECTION 1. Subsection 5 of section 15-47-38 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

5. The school board of any school district contemplating not renewing a teacher's contract, as provided in section 15-47-27, shall notify the teacher in writing of such contemplated nonrenewal no later than April first. The teacher shall be informed in writing of the time, which shall not be later than April seventh, and place of a special school board meeting for the purpose of discussing and acting upon such contemplated nonrenewal. The teacher shall also be informed in writing of the reasons for nonrenewal. The reasons shall be sufficient to justify the contemplated action of the board and shall not be frivolous or arbitrary but shall be related to the ability, competence, or qualifications of the teacher as a teacher, or the necessities of the district such as lack of funds calling for a reduction in the teaching staff. At the meeting with the board the teacher may then produce such

evidence as may be necessary to evaluate the reasons for nonrenewal, and either party may produce witnesses to confirm or refute the reasons. The school board shall give an explanation and shall discuss and confirm at the meeting its reasons for the contemplated nonrenewal of the contract. The administrator shall substantiate the reasons with evidence adduced at the meeting with witnesses who are subject to questioning for the purpose of clarification. At the meeting, the board shall discuss the reasons and determine whether or not the administrator has, in fact, substantiated the reasons. If the board finds that the reasons have not been substantiated, the nonrenewal proceedings will be dismissed. The meeting shall be an executive session of the board unless both the school board and the teacher shall agree that it shall be open to other persons or the public. The teacher may be represented at the meeting by any two representatives of his own choosing; and the teacher's spouse, or one other family member of the teacher's choice, may also attend the meeting if the teacher so desires. In addition to board members, the school district clerk, and the superintendent, the school board may be represented by two other representatives of its own choosing at such executive session. At the meeting, if the teacher so requests, he shall be granted a continuance of not to exceed seven days. No cause of action for libel or slander shall lie for any statement expressed either orally or in writing at any executive session of the school board held for the purposes provided for in this section. The determination not to renew a contract if made in good faith shall be final and binding on all parties. Final notice of the determination not to renew a contract shall be given in writing by April fifteenth as provided in section 15-47-27."

And renumber the lines accordingly

REP. JACOBSON, Chairman

HB 1670 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Industry, Business, and Labor to which was referred HB 1693 has had the same under consideration and recommends by a vote of 13 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION:

On page 2, line 4, after the period insert the following sentence: "The bureau may request and designate a licensed physician to provide a second opinion regarding the claimant's qualification; however, no individual shall be charged fees of any kind for the cost of such second opinion."

And renumber the lines accordingly

REP. S. F. HOFFNER, Chairman

HB 1693 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Appropriations to which was rereferred HB 1695 has had the same under consideration and recommends by a vote of 15 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 3, delete the word "to"

On page 1, delete lines 4 through 7

On page 1, delete lines 16 through 27, and insert in lieu thereof the following new section:

"SECTION 2. APPROPRIATION. Any federal funds that become available during the biennium ending June 30, 1985, to implement the provisions of this Act are hereby appropriated. Funds appropriated pursuant to this section may not be expended without approval of the budget section of the legislative council."

Delete page 2

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment would allow for the use of any Federal funds which might become available during the biennium for the purpose of implementing this Act.

REP. MERTENS, Chairman

HB 1695 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Transportation to which was referred HB 1701 has had the same under consideration and recommends by a vote of 15 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 1, after the word "to" insert the words "create a new paragraph to subdivision e of subsection 3 of section 39-12-04 of the North Dakota Century Code, relating to exemption from motor vehicle length limits; and to"

On page 1, line 17, after the word "husbandry" insert the words "and is being moved by a resident farmer, rancher, or dealer"

On page 1, line 18, delete the word "twenty-five" and insert in lieu thereof the word "forty" and delete the numeral "40.25" and insert in lieu thereof the numeral "64.40"

On page 1, after line 21, insert the following:

"SECTION 2. A new paragraph to subdivision e of subsection 3 of section 39-12-04 of the 1981 Supplement to the North Dakota Century Code is hereby created and enacted as follows:

Only when federal law requires the exemption, truck-tractor and semitrailer or truck-tractor, semitrailer and trailer when operated on the interstate highway system or parts of the federal-aid primary system as designated by the commissioner."

And renumber the lines and pages accordingly

REP. HJELLE, Chairman

HB 1701 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Natural Resources to which was referred HB 1706 has had the same under consideration and recommends by a vote of 9 YEAS, 6 NAYS, 2 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO NOT PASS:

On page 1, line 12, after the word "chapter" insert the words "who fully complies with the requirements of section 2 of this Act"

- On page 1, line 15, delete the comma and insert in lieu thereof the words "and fifty percent of the value of in-kind services provided in lieu of payment of water use fees charged pursuant to section 2 of this Act.", and delete the word "and" and insert in lieu thereof the words "The credit"
- On page 1, line 16, after the first word "the" insert the word "same"
- On page 1, line 17, delete the word "paid" and insert in lieu thereof the word "due", and after the period insert the following sentence: "The credit may not exceed the tax imposed by this chapter."
- On page 1, line 24, delete the word "two" and insert in lieu thereof the word "one"
- On page 2, after line 10 insert the following new subsection:

"3. The fees provided for in this section shall be paid on a monthly basis by the twentieth day of each succeeding month in the manner prescribed by the state engineer, who shall certify the amount and origin of fees collected to the tax commissioner. Any water users who fail to pay the fees in the manner provided for in this section are subject to a penalty of five dollars or a sum equal to five percent of the fees due, whichever is greater, together with interest at the rate of one percent of the fees due for each month or fraction thereof during which the delinquency continues, and are not eligible for the credit provided for in this Act. If the delinquency continues for three months or more, the water permit of the delinquent water user shall be subject to forfeiture and cancellation by the state engineer after notice and hearing as established by rule by the state engineer. Any appeal may be taken from the decision of the state engineer pursuant to chapter 28-32."

- On page 2, line 11, delete the numeral "3" and insert in lieu thereof the numeral "4"
- On page 2, line 15, delete the numeral "4" and insert in lieu thereof the numeral "5"
- On page 2, line 25, delete the numeral "5" and insert in lieu thereof the numeral "6"

And renumber the lines and pages accordingly

REP. BROKAW, Chairman

HB 1706 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Finance and Taxation to which was referred HB 1708 has had the same under consideration and recommends by a vote of 9 YEAS, 8 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO NOT PASS:

On page 1, line 10, delete the words "Van Sickle ARC judgment surtax" and insert in lieu thereof the word "Surtax"

On page 1, line 11, delete the words "individual, estate, trust, and"

On page 1, line 14, delete the words "entitled "Van"

On page 1, line 15, delete the words "Sickle-ARC judgment surtax", "

On page 1, line 17, delete the word "person" and insert in lieu thereof the word "corporation"

And renumber the lines accordingly

REP. SINNER, Chairman

HB 1708 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Finance and Taxation to which was referred HB 1709 has had the same under consideration and recommends by a vote of 11 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO NOT PASS:

On page 1, line 6, after the semicolon insert the words "to provide for a penalty and interest;"

On page 1, line 16, remove the overstrike over the word "annual"

On page 1, line 23, remove the overstrike over the word "year" and delete the words "calendar quarter"

On page 1, line 25, delete the words "the sixtieth day after the last"

On page 1, line 26, delete the words "day of the calendar quarter" and insert in lieu thereof the words "March first of each year"

REP. SINNER, Chairman

HB 1709 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Finance and Taxation to which was referred HB 1710 has had the same under consideration and recommends by a vote of 9 YEAS, 8 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO NOT PASS:

On page 1, line 1, delete the word "sections" and insert in lieu thereof the word "section" and delete the comma

On page 1, line 2, delete the numeral "57-38-30,"

On page 1, line 3, delete the word "and"

On page 1, line 4, delete the word "corporations"

On page 2, delete lines 1 through 25

And renumber the lines, pages, and sections accordingly
REP. SINNER, Chairman

HB 1710 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Finance and Taxation to which was referred HB 1711 has had the same under consideration and recommends by a vote of 16 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 3, after the word "beverages" insert the words "; to provide an effective date; and to declare an emergency"

On page 2, after line 12, insert the following new sections:

"SECTION 3. EFFECTIVE DATE. This Act becomes effective on April 1, 1983.

SECTION 4. EMERGENCY. This Act is hereby declared to be an emergency measure and is in effect from and after its passage and approval."

And renumber the lines, sections, and pages accordingly
REP. SINNER, Chairman

HB 1711 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Finance and Taxation to which was referred HB 1712 has had the same under consideration and recommends by a vote of 15 YEAS, 1 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 2, after the word "cigarettes" insert the words "; to provide an effective date; and to declare an emergency"

On page 1, after line 22, insert the following new sections:

"SECTION 2. EFFECTIVE DATE. This Act becomes effective on April 1, 1983.

SECTION 3. EMERGENCY. This Act is hereby declared to be an emergency measure and is in effect from and after its passage and approval."

And renumber the lines and pages accordingly

REP. SINNER, Chairman

HB 1712 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: A majority of your Committee on Finance and Taxation to which was referred HB 1715 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

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

On page 2, after line 2, insert the following new section:

"SECTION 2. EFFECTIVE DATE. This Act is effective for taxable years beginning after December 31, 1982."

And renumber the lines and sections accordingly

Rep. Sinner
Rep. Riehl
Rep. Aubol
Rep. Koski
Rep. B. Larson
Rep. Laughlin
Rep. G. Pomeroy
Rep. Richard
Rep. Schneider

MADAM SPEAKER: A minority of your Committee on Finance and Taxation to which was referred HB 1715 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 1, after the word "Act" delete the remainder of the bill and insert in lieu thereof the following new language: "to create and enact a new section to chapter 57-38 of the North Dakota Century Code, relating to a surtax on corporate income tax liability; and to provide an effective date.

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

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

Imposition of surtax on corporate income tax liability.
A surtax is hereby imposed on the income of every corporation that is required to file an income tax return pursuant to the provisions of this chapter. The rate of the tax is fifteen percent of the state income tax liability for each corporation filing an income tax return pursuant to the provisions of this chapter.

SECTION 2. EFFECTIVE DATE. This Act is effective for taxable years beginning after December 31, 1982."

And renumber the lines and pages accordingly

Rep. R. Anderson
Rep. Goetz
Rep. Hughes
Rep. C. Martin
Rep. Moore
Rep. Nicholas
Rep. A. Olson
Rep. Timm

REP. SINNER, Chairman

HB 1715 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Appropriations to which was referred HB 1723 has had the same under consideration and recommends by a vote of 11 YEAS, 9 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 2, delete the words "state grain" and insert in lieu thereof the words "agricultural products"

On page 1, line 9, delete the numeral "\$50,000,000" and insert in lieu thereof the numeral "\$10,000,000"

On page 1, line 11, delete the words "state grain" and insert in lieu thereof the words "agricultural products"

On page 1, line 14, delete the word "grain" and insert in lieu thereof the words "North Dakota agricultural"

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment is to expand the subsidy area to include all North Dakota agricultural products, and the appropriation was decreased in light of the fiscal restraints on the state.

REP. MERTENS, Chairman

HB 1723 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Transportation to which was referred SB 2141 has had the same under consideration and recommends by a vote of 16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 3, line 7, delete the word "each" and insert in lieu thereof the words "the initial"

On page 4, line 17, remove the overstrike over the word "~~ten~~"

On page 4, line 18, delete the word "twenty-five"

And renumber the lines and pages accordingly

REP. HJELLE, Chairman

SB 2141 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Appropriations to which was referred HB 1041 has had the same under consideration and recommends by a vote of 16 YEAS, 2 NAYS, 3 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. MERTENS, Chairman

HB 1041 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Appropriations to which was referred HB 1116 has had the same under consideration and recommends by a vote of 18 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. MERTENS, Chairman

HB 1116 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Appropriations to which was referred Engrossed HB 1236 has had the same under consideration and recommends by a vote of 19 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING that the same DO PASS.

REP. MERTENS, Chairman

Engrossed HB 1236 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Finance and Taxation to which was referred HB 1373 has had the same under consideration and recommends by a vote of 17 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

REP. SINNER, Chairman

HB 1373 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Appropriations to which was referred Engrossed HB 1421 has had the same under consideration and recommends by a vote of 17 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING that the same DO PASS.

REP. MERTENS, Chairman

Engrossed HB 1421 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Appropriations to which was referred Engrossed HB 1496 has had the same under consideration and recommends by a vote of 17 YEAS, 1 NAY, 3 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. MERTENS, Chairman

Engrossed HB 1496 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Finance and Taxation to which was referred HB 1511 has had the same under consideration and recommends by a vote of 14 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

REP. SINNER, Chairman

HB 1511 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Appropriations to which was rereferred Engrossed HB 1518 has had the same under consideration and recommends by a vote of 20 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

REP. MERTENS, Chairman

Engrossed HB 1518 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Appropriations to which was rereferred Engrossed HB 1597 has had the same under consideration and recommends by a vote of 18 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. MERTENS, Chairman

Engrossed HB 1597 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Finance and Taxation to which was referred HB 1618 has had the same under consideration and recommends by a vote of 8 YEAS, 7 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

REP. SINNER, Chairman

HB 1618 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on State and Federal Government to which was referred HB 1635 has had the same under consideration and recommends by a vote of 12 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. L. HANSON, Chairman

HB 1635 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Finance and Taxation to which was referred HB 1638 has had the same under consideration and recommends by a vote of 9 YEAS, 6 NAYS, 2 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. SINNER, Chairman

HB 1638 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Appropriations to which was referred HB 1720 has had the same under consideration and recommends by a vote of 18 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. MERTENS, Chairman

HB 1720 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Appropriations to which was rereferred Engrossed HB 1725 has had the same under consideration and recommends by a vote of 13 YEAS, 5 NAYS, 3 ABSENT AND NOT VOTING that the same DO PASS.

REP. MERTENS, Chairman

Engrossed HB 1725 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Committee on Education to which was referred HCR 3048 has had the same under consideration and recommends by a vote of 13 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. JACOBSON, Chairman

HCR 3048 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

Rep. Vander Vorst introduced:

HCR 3059: A concurrent resolution directing the Legislative Council to study agriculture education in school curriculums and to study programs which will promote awareness of the importance of agriculture in the education system of North Dakota.

Was read the first time and referred to the Committee on Agriculture.

Reps. Olafson, Brokaw, W. Meyer and Sens. Nething, Vosper introduced:

HCR 3060: A concurrent resolution directing the Legislative Council to study agricultural commodities export financing and marketing techniques; local processing of agricultural commodities; and innovative uses of the Bank of North Dakota, state mill and elevator, agricultural commodities groups, and other state agencies in an effort toward discovering alternatives to promote the enhancement of agricultural commodities prices.

Was read the first time and referred to the Committee on Agriculture.

Rep. Kretschmar introduced:

HCR 3061: A concurrent resolution directing the Legislative Council to study the penalty provisions in the game and fish laws of this state.

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

Reps. Koski, Black, Conmy introduced:

HCR 3062: A concurrent resolution directing the Legislative Council to study the effect of state laws and

administrative rules on mobile homes and mobile home ownership, particularly with respect to laws and regulations affecting mobile home taxation, safety, and mobile home parks.

Was read the first time and referred to the Committee on Political Subdivisions.

FIRST READING OF SENATE BILLS

SB 2007: A BILL for an Act making an appropriation for defraying the expenses of the state industrial school of the state of North Dakota.

Was read the first time and referred to the Committee on Appropriations.

SB 2008: A BILL for an Act making an appropriation for defraying the expenses of the school for the deaf and the school for the blind of the state of North Dakota.

Was read the first time and referred to the Committee on Appropriations.

SB 2010: A BILL for an Act making an appropriation for defraying the expenses of the radio communications department of the state of North Dakota.

Was read the first time and referred to the Committee on Appropriations.

SB 2011: A BILL for an Act making an appropriation for defraying the expenses of the state penitentiary and various divisions thereof of the state of North Dakota; and declaring an emergency.

Was read the first time and referred to the Committee on Appropriations.

SB 2012: A BILL for an Act making an appropriation for defraying the expenses of the state library of the state of North Dakota.

Was read the first time and referred to the Committee on Appropriations.

SB 2013: A BILL for an Act making an appropriation for defraying the expenses of the state hospital of the state of North Dakota.

Was read the first time and referred to the Committee on Appropriations.

SB 2014: A BILL for an Act making an appropriation for defraying the expenses of the soldiers' home of the state of North Dakota; and providing for a transfer of earnings from the veterans' postwar trust fund.

Was read the first time and referred to the Committee on Appropriations.

SB 2036: A BILL for an Act making an appropriation to the director of institutions to defray the expenses of the

court-ordered monitor assigned to review the state's deinstitutionalization efforts; and declaring an emergency. Was read the first time and referred to the Committee on Appropriations.

SB 2084: A BILL for an Act to amend and reenact section 14-07.1-06 of the North Dakota Century Code, relating to warrantless arrests for domestic violence. Was read the first time and referred to the Committee on Judiciary.

SB 2172: A BILL for an Act to create and enact two new subsections to section 65-01-02 of the North Dakota Century Code, relating to definitions of disability and preexisting condition; and to amend and reenact subsections 8 and 11 of section 65-01-02, and sections 65-05-14 and 65-05-15 of the North Dakota Century Code, relating to definitions of injury and permanent impairment, permanent impairment benefits, and aggravation of compensable injuries. Was read the first time and referred to the Committee on Industry, Business, and Labor.

SB 2296: A BILL for an Act to amend and reenact subsection 1 of section 57-15-56 of the North Dakota Century Code, relating to mill levies by counties and cities for programs for senior citizens; and to provide an appropriation for state matching grants for county and city programs for senior citizens. Was read the first time and referred to the Committee on Political Subdivisions.

SB 2351: A BILL for an Act relating to the promotion, advertising, research, and development of barley, creating a state barley council and prescribing its powers, duties, and authority, prescribing a tax on barley production, providing for its collection; to provide a penalty; and to provide an appropriation. Was read the first time and referred to the Committee on Agriculture.

SB 2426: A BILL for an Act to amend and reenact section 40-16-04 of the North Dakota Century Code, relating to reports prepared by city auditors. Was read the first time and referred to the Committee on Political Subdivisions.

SB 2449: A BILL for an Act to amend and reenact subsection 8 of section 25-03.1-02 and section 25-03.1-03 of the North Dakota Century Code, relating to jurisdiction in mental health commitment hearings. Was read the first time and referred to the Committee on Judiciary.

SB 2455: A BILL for an Act to create and enact a new section to chapter 12.1-27.1 of the North Dakota Century Code, relating to obscenity involving a minor; to amend and

reenact subsections 4, 5, and 8 of section 12.1-27.1-01 and subsection 1 of section 12.1-27.1-03.1 of the North Dakota Century Code, relating to obscenity control; and to provide a penalty.

Was read the first time and referred to the Committee on Judiciary.

The House stood adjourned pursuant to Representative Backes' motion.

CHARLES FLEMING, Chief Clerk