

THURSDAY, APRIL 7, 1983

2465

JOURNAL OF THE HOUSE

Forty-eighth Legislative Assembly

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SIXTY-FOURTH DAY

Bismarck, April 7, 1983

The House convened at 8:00 a.m., with Speaker Kelly presiding.

The prayer was offered by Rev. M. D. Wolff, First Baptist Church, Bismarck.

ROLL CALL

The roll was called and all members were present, except Representatives Gerl, Kretschmar, Kuchera, Lang, Lipsiea, and C. Martin.

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 Sixty-third day and finds the same to be correct.

We have reexamined the Journal of the Fifty-seventh day and recommend that the same be corrected as follows and when so corrected, recommends that the same be approved:

On page 2243, after line 38, insert the following:

"SENATE CHAMBER

MADAM SPEAKER: I have the honor to inform you that the Senate has concurred in the House amendments to SB 2142, and subsequently passed the same.

Very respectfully,  
LEO LEIDHOLM, Secretary"  
REP. LAUGHLIN, Chairman

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

PRESENTATION OF PETITIONS AND COMMUNICATIONS

Allen I. Olson  
Governor

April 6, 1983

The Honorable Tish Kelly  
Speaker of the House  
House Chambers  
State Capitol

Bismarck, North Dakota 58505

Dear Madam Speaker:

This is to inform you that on April 5, 1983, I signed HB 1182.

Sincerely,

ALLEN I. OLSON  
Governor

MOTION

REP. BACKES MOVED that the House stand in recess until 9:30 a.m., which motion prevailed.

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

MESSAGES FROM THE SENATE

SENATE CHAMBER

MADAM SPEAKER: I have the honor to return herewith the following which the President has signed:

HB 1017, HB 1367, HB 1627

Very respectfully,  
LEO LEIDHOLM, Secretary

SENATE CHAMBER

MADAM SPEAKER: I have the honor to return herewith the following on which the Senate has adopted the conference committee reports and subsequently passed the same:

HB 1044, HB 1049, HB 1130, HB 1151, HB 1165, HB 1203,  
HB 1208, HB 1296, HB 1336, HB 1370, HB 1387, HB 1400,  
HB 1421, HB 1516, HB 1583, HB 1647, HB 1661, HB 1688,  
HCR 3038

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 4056, SCR 4057

Very respectfully,  
LEO LEIDHOLM, Secretary

SENATE CHAMBER

MADAM SPEAKER: I have the honor to inform you that the President has appointed Senator Bakewell to replace Senator Leibhan on the Senate Conference Committee on SB 2277.

Very respectfully,  
LEO LEIDHOLM, Secretary

THURSDAY, APRIL 7, 1983

2467

MOTION

REP. BACKES MOVED that the House stand in recess until 11:00 a.m., which motion prevailed.

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

REPORTS OF PROCEDURAL COMMITTEE

MADAM SPEAKER: Your Committee on Enrollment and Engrossment respectfully report that the following bill was delivered to the Governor for his approval at the hour of 10:37 a.m., April 7, 1983:

HB 1367

REP. G. MARTIN, Chairman

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

MADAM SPEAKER: Your Committee on Enrollment and Engrossment respectfully report that the following bills were delivered to the Governor for his approval at the hour of 10:37 a.m., April 7, 1983:

HB 1017, HB 1627

REP. G. MARTIN, Chairman

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

SIGNING OF BILLS AND RESOLUTIONS

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following:

SCR 4056, SCR 4057

CHARLES FLEMING, Chief Clerk

MOTION

REP. BACKES MOVED that the House stand in recess until 1:00 p.m., which motion prevailed.

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

MESSAGES FROM THE SENATE  
SENATE CHAMBER

MADAM SPEAKER: I have the honor to return herewith the following which the Senate has passed unchanged:

HCR 3096

Very respectfully,  
LEO LEIDHOLM, Secretary

## SENATE CHAMBER

MADAM SPEAKER: I have the honor to transmit herewith the following on which the Senate has adopted the conference committee reports and subsequently passed the same:

SB 2047, SB 2049, SB 2066, SB 2104, SB 2108, SB 2122,  
SB 2170, SB 2199, SB 2245, SB 2322, SB 2327, SB 2350,  
SB 2358, SB 2408, SB 2446, SB 2473, SB 2491

Very respectfully,  
LEO LEIDHOLM, Secretary

## 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:

SCR 4061

Very respectfully,  
LEO LEIDHOLM, Secretary

## MESSAGES TO THE SENATE

## HOUSE CHAMBER

MR. PRESIDENT: I have the honor to inform you that the House has refused to concur in the Senate amendments to HB 1001 and HB 1539, and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1001: Reps. Mertens, Boyle, Hausauer  
HB 1539: Reps. Hjelle, Richard, R. Anderson

Very respectfully,  
CHARLES FLEMING, Chief Clerk

## HOUSE CHAMBER

MR. PRESIDENT: I have the honor to return herewith the following to which the House had laid the amendments on the table:

SB 2309

Very respectfully,  
CHARLES FLEMING, Chief Clerk

## HOUSE CHAMBER

MR. PRESIDENT: I have the honor to return herewith the following which the House has passed unchanged:

SB 2500, SCR 4058

Very respectfully,  
CHARLES FLEMING, Chief Clerk

## HOUSE CHAMBER

MR. PRESIDENT: I have the honor to return herewith the following which the House has amended:

SB 2026

Very respectfully,  
CHARLES FLEMING, Chief Clerk

HOUSE CHAMBER

MR. PRESIDENT: I have the honor to inform you that the House has concurred in the Senate amendments to HB 1473, HCR 3028, and HCR 3029 and subsequently passed the same.

Very respectfully,  
CHARLES FLEMING, Chief Clerk

HOUSE CHAMBER

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

HB 1420

Very respectfully,  
CHARLES FLEMING, Chief Clerk

HOUSE CHAMBER

MR. PRESIDENT: I have the honor to return herewith the following which the Speaker has signed:

SCR 4056, SCR 4057

Very respectfully,  
CHARLES FLEMING, Chief Clerk

HOUSE CHAMBER

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

HCR 3097

Very respectfully,  
CHARLES FLEMING, Chief Clerk

REPORT OF STANDING COMMITTEE

MADAM SPEAKER: Your Committee on Appropriations to which was rereferred Engrossed SB 2001 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 of the engrossed bill, line 3, after the word "Dakota" and before the semicolon insert the words "and for the state waterbank program"

On page 1 of the engrossed bill, line 3, delete the words "providing for a transfer of funds from the coal development"

On page 1 of the engrossed bill, line 4, delete the words "impact fund;"

- On page 2 of the engrossed bill, line 3, delete the numerals "845,840" and insert in lieu thereof the numerals "862,086"
- On page 2 of the engrossed bill, line 9, delete the numerals "1,135,809" and insert in lieu thereof the numerals "1,152,055"
- On page 2 of the engrossed bill, line 24, delete the numerals "58,881" and insert in lieu thereof the numerals "59,519"
- On page 2 of the engrossed bill, line 27, delete the numerals "66,681" and insert in lieu thereof the numerals "67,319"
- On page 2 of the engrossed bill, line 30, delete the numerals "660,153" and insert in lieu thereof the numerals "697,718"
- On page 2 of the engrossed bill, line 31, delete the numerals "79,600" and insert in lieu thereof the numerals "97,500"
- On page 2 of the engrossed bill, line 35, delete the numerals "3,000" and insert in lieu thereof the numerals "5,000"
- On page 3 of the engrossed bill, line 1, delete the numerals "953,101" and insert in lieu thereof the numerals "1,010,566"
- On page 3 of the engrossed bill, delete lines 6 through 12
- On page 3 of the engrossed bill, line 15, delete the numerals "3,824,885" and insert in lieu thereof the numerals "3,905,311"
- On page 3 of the engrossed bill, line 22, delete the numerals "5,930,445" and insert in lieu thereof the numerals "6,010,871"
- On page 3 of the engrossed bill, line 24, delete the numerals "5,730,445" and insert in lieu thereof the numerals "5,810,871"
- On page 3 of the engrossed bill, line 27, delete the numerals "2,282,082" and insert in lieu thereof the numerals "2,332,793"
- On page 3 of the engrossed bill, line 28, delete the numerals "340,660" and insert in lieu thereof the numerals "388,960"

- On page 3 of the engrossed bill, line 29, delete the numerals "21,774" and insert in lieu thereof the numerals "31,550"
- On page 3 of the engrossed bill, line 31, delete the numerals "2,648,126" and insert in lieu thereof the numerals "2,756,913"
- On page 3 of the engrossed bill, line 34, delete the numerals "476,086" and insert in lieu thereof the numerals "484,692"
- On page 4 of the engrossed bill, line 3, delete the numerals "554,217" and insert in lieu thereof the numerals "562,823"
- On page 4 of the engrossed bill, line 6, delete the numerals "5,827,522" and insert in lieu thereof the numerals "6,683,486"
- On page 4 of the engrossed bill, line 7, delete the numerals "1,511,439" and insert in lieu thereof the numerals "1,889,629"
- On page 4 of the engrossed bill, line 9, delete the numerals "25,876" and insert in lieu thereof the numerals "45,531"
- On page 4 of the engrossed bill, line 10, delete the numerals "8,575,137" and insert in lieu thereof the numerals "9,828,946"
- On page 4 of the engrossed bill, line 13, delete the numerals "933,022" and insert in lieu thereof the numerals "949,953"
- On page 4 of the engrossed bill, line 17, delete the numerals "1,097,892" and insert in lieu thereof the numerals "1,114,823"
- On page 4 of the engrossed bill, line 20, delete the numerals "339,105" and insert in lieu thereof the numerals "344,900"
- On page 4 of the engrossed bill, line 21, delete the numerals "151,550" and insert in lieu thereof the numerals "165,775"
- On page 4 of the engrossed bill, line 22, delete the numerals "490,655" and insert in lieu thereof the numerals "510,675"

- On page 4 of the engrossed bill, line 24, delete the numerals "398,655" and insert in lieu thereof the numerals "418,675"
- On page 4 of the engrossed bill, line 27, delete the numerals "3,323,565" and insert in lieu thereof the numerals "3,393,002"
- On page 4 of the engrossed bill, line 28, delete the numerals "3,687,178" and insert in lieu thereof the numerals "3,724,590"
- On page 4 of the engrossed bill, line 29, delete the numerals "956,315" and insert in lieu thereof the numerals "969,833"
- On page 4 of the engrossed bill, line 31, delete the numerals "8,082,493" and insert in lieu thereof the numerals "8,202,860"
- On page 4 of the engrossed bill, line 32, delete the numerals "4,008,319" and insert in lieu thereof the numerals "4,043,249"
- On page 4 of the engrossed bill, line 33, delete the numerals "4,074,174" and insert in lieu thereof the numerals "4,159,611"
- On page 5 of the engrossed bill, line 2, delete the numerals "1,466,984" and insert in lieu thereof the numerals "1,497,667"
- On page 5 of the engrossed bill, line 3, delete the numerals "686,267" and insert in lieu thereof the numerals "702,556"
- On page 5 of the engrossed bill, delete line 4
- On page 5 of the engrossed bill, line 7, delete the numerals "2,572,597" and insert in lieu thereof the numerals "2,519,569"
- On page 5 of the engrossed bill, line 8, delete the numerals "193,896" and insert in lieu thereof the numerals "196,466"
- On page 5 of the engrossed bill, line 9, delete the numerals "2,378,701" and insert in lieu thereof the numerals "2,323,103"
- On page 5 of the engrossed bill, line 10, delete the numerals "27,000,635" and insert in lieu thereof the numerals "28,402,682"



- On page 5 of the engrossed bill, line 11, delete the numerals "6,092,107" and insert in lieu thereof the numerals "6,646,538"
- On page 5 of the engrossed bill, line 12, delete the numerals "33,092,742" and insert in lieu thereof the numerals "35,049,220"
- On page 5 of the engrossed bill, after line 26, insert the following new section:

"SECTION 4. APPROPRIATION. There is hereby appropriated out of any moneys, public or private, received by the commissioner of agriculture for the state waterbank program, not exceeding \$1,000,000 in aggregate total, and not otherwise appropriated, or so much thereof as may be necessary, to the commissioner of agriculture for the purpose of implementing and administering the provisions of the state waterbank program for the biennium beginning July 1, 1983, and ending June 30, 1985. No contract shall be entered into by the commissioner unless there are moneys on hand and appropriated to pay for all of the lease payments for the duration of the contract."

- On page 7 of the engrossed bill, line 24, delete the word "five-member" and insert in lieu thereof the word "three-member."
- On page 7 of the engrossed bill, line 26, delete the words "university of North" and insert in lieu thereof the words "coal-producing counties"
- On page 7 of the engrossed bill, line 27, delete the first word "Dakota", after the word "from" insert the word "the", delete the words "state university" and insert in lieu thereof the words "lignite council", and after the second comma insert the word "and"
- On page 7 of the engrossed bill, line 28, after the first word "the" insert the words "reclamation staff of the", and delete the words ", and two representatives from the"
- On page 7 of the engrossed bill, line 29, delete the words "lignite industry who are involved in the reclamation process"
- On page 7 of the engrossed bill, line 31, delete the words "and a technical four-year degree in the earth"
- On page 7 of the engrossed bill, line 32, delete the words "or natural sciences"

- On page 8 of the engrossed bill, line 13, after the word "all" insert the words "past and current", and delete the words "to prevent" and insert in lieu thereof the word "projects"
- On page 8 of the engrossed bill, line 14, delete the word "duplication,"
- On page 8 of the engrossed bill, line 15, after the comma insert the words "to prevent duplication,", and delete the words "prioritize all" and insert in lieu thereof the words "establish priorities for"
- On page 8 of the engrossed bill, line 16, delete the word "criteria" and insert in lieu thereof the word "objectives"
- On page 8 of the engrossed bill, line 17, delete the numeral "13" and insert in lieu thereof the numeral "14"
- On page 8 of the engrossed bill, line 18, delete the word "future" and insert in lieu thereof the word "proposed", and after the word "projects" insert the words "administered by the commission"
- On page 8 of the engrossed bill, line 22, after the word "budgets" insert the words "administered by the commission", and delete the word "for"
- On page 8 of the engrossed bill, line 23, delete the words "inclusion in the commission's budget"
- On page 8 of the engrossed bill, line 25, delete the word "any" and insert in lieu thereof the word "all"
- On page 8 of the engrossed bill, line 30, delete the words "Advisory committee reclamation" and insert in lieu thereof the word "Reclamation", and delete the word "criteria" and insert in lieu thereof the word "objectives"
- On page 8 of the engrossed bill, line 32, delete the words "and final decisions"
- On page 8 of the engrossed bill, line 33, delete the words "the coal development" and insert in lieu thereof the words "moneys administered by the commission"
- On page 8 of the engrossed bill, line 34, delete the words "impact fund"

- On page 8 of the engrossed bill, line 35, delete the word "and" and insert in lieu thereof the words "relating to the proposed reclamation research project"
- On page 9 of the engrossed bill, line 1, delete the words "abide by its decisions for funding reclamation research"
- On page 9 of the engrossed bill, line 3, delete the words "reclamation research advisory committee" and insert in lieu thereof the word "commission"
- On page 9 of the engrossed bill, line 4, delete the words "all of"
- On page 9 of the engrossed bill, line 9, delete the words "after mining"
- On page 9 of the engrossed bill, line 10, delete the word "or" and insert in lieu thereof the word "unnecessary"
- On page 9 of the engrossed bill, line 11, delete the word "eliminate", and delete the words "which are not necessary" and insert in lieu thereof the words "and assist"
- On page 9 of the engrossed bill, line 12, delete the words "order to", and delete the word "reclaim" and insert in lieu thereof the word "reclaiming"
- On page 11 of the engrossed bill, line 20, delete the numeral "6" and insert in lieu thereof the numeral "7", and delete the numeral "10" and insert in lieu thereof the numeral "11"
- On page 11 of the engrossed bill, line 21, delete the words "14 through 20, and sections 22 and 23" and insert in lieu thereof the words "15 through 21, and sections 23 and 24"
- On page 11 of the engrossed bill, delete lines 26 through 32 and insert in lieu thereof the following new section:

"SECTION 26. EXEMPTION. The appropriation in subdivision 7 of section 1 of chapter 1 of the 1981 Session Laws for records management and microfilming shall not be subject to the provisions of section 54-44.1-11 of the North Dakota Century Code and shall be available for transfer to the office of management and budget for defraying expenses of the records management and microfilming functions during the

biennium beginning July 1, 1983, and ending June 30, 1985."

On page 11 of the engrossed bill, line 35, delete the words "6 through 10, sections 14 through 20, and sections 22" and insert in lieu thereof the words "7 through 11, sections 15 through 21, and sections 23"

On page 12 of the engrossed bill, line 1, delete the words "and 23" and insert in lieu thereof the words "through 26"

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

#### STATEMENT OF PURPOSE OF AMENDMENT:

##### Governor's Office

The salaries and wages line item is increased by \$16,246 from the general fund. This increase 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 \$6,866 is to be provided in a separate appropriation bill.

##### Lieutenant Governor's Office

The salaries and wages line item is increased by \$638 from the general fund. This increase 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 \$269 is to be provided in a separate appropriation bill.

##### Secretary of State

The salaries and wages line item is increased by \$37,565 from the general fund. This increase 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 \$5,282 is to be provided in a separate appropriation bill. The increase to salaries and wages also includes a \$23,094 general fund increase to provide funds for one clerk-typist position approved by the Emergency Commission.

The operating expenses line item is increased by \$17,900 from the general fund to provide additional operating funds needed for the 1983-85 biennium.

The equipment line item is increased by \$2,000 from the general fund to provide funds for the purchase of equipment including the replacement of typewriters.

#### Records Management/Central Microfilm

The appropriation for the Records Management/Central Microfilm Division is deleted and a new section is added which allows the Office of Management and Budget to carryover to the 1983-85 biennium and transfer funds unspent from the 1981-83 appropriation for the records management and microfilming functions in the Secretary of State's office to OMB to defray expenses of these functions during the 1983-85 biennium. The amendment is consistent with section 22 of the bill which authorizes the transfer of the records management function to OMB.

#### Attorney General

The salaries and wages line item is increased by \$80,426. This increase 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 \$37,034 is to be provided in a separate appropriation bill.

#### State Auditor

The salaries and wages line item is increased by \$50,711 from the general fund. This increase 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 \$21,334 is to be provided in a separate appropriation bill.

The operating expenses line item is increased by \$48,300 to provide additional travel funds for the joint mineral lease audit program.

The data processing line item is increased by \$9,776 to restore data processing to requested level.

#### State Treasurer

The salaries and wages line item is increased by \$8,606 from the general fund. This increase 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 \$3,615 is to be provided in a separate appropriation bill.

#### State Tax Commissioner

The salaries and wages line item is increased by \$855,964 from the general fund. Of the total, \$124,505 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 \$52,398 is to be provided in a separate appropriation bill. An increase of \$563,159 relates to 16 new positions for the "Catch the Tax Cheaters" program. The new positions are expected to bring in \$10,106,870 of additional revenue during the 1983-85 biennium. An increase of \$168,300 relates to reclassifications of Tax Department audit positions.

The operating expenses line item is increased by \$378,190 and equipment is increased by \$19,655 for expenses related to the "Catch the Tax Cheaters" program.

The new positions and their related costs and projected revenue are as follows:

<u>Priority</u>	<u>Positions</u>	<u>Total Position Cost</u>	<u>Position Projected Revenue</u>
Level One			
1	Corporate Income Tax Auditor III	\$ 92,590	\$ 1,900,000
2	Attorney I	48,380	0
3	Oil and Gas Tax Auditor I	34,991	400,000
4	Sales Tax Auditor II	85,850	880,000
5	Sales Tax Auditor II	85,850	880,000
6	Individual Income Tax Auditor II	44,995	290,000
7	Sales Tax Field Inspector	60,067	325,000
8	Tax Collections Officer I	<u>31,610</u>	<u>581,870</u>
	Total - Level One	<u>\$484,333</u>	<u>\$ 5,256,870</u>
Level Two			
9	Corporate Income Tax Auditor II	87,595	1,700,000
10	Corporate Income Tax Clerk III	25,109	0
11	Sales Tax Auditor II	85,850	880,000
12	Sales Tax Auditor II	85,850	880,000
13	Individual Income Tax Auditor II	44,085	290,000
14	Individual Income Tax (Withholding) Clerk III	26,014	0
15	Sales Tax Clerk II	22,787	0
16	Oil & Gas Tax Auditor IV	<u>99,381</u>	<u>1,100,000</u>

Total - Level Two	<u>\$476,671</u>	<u>\$ 4,850,000</u>
Total Program	<u>\$961,004</u>	<u>\$10,106,870</u>

Insurance Commissioner

The salaries and wages line item is increased by \$16,931 from other funds. This increase 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 \$7,112 is to be provided in a separate appropriation bill.

Labor Commissioner

The salaries and wages line item is increased by \$5,795 from the general fund. This increase 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 \$2,434 is to be provided in a separate appropriation bill.

The operating expenses line item is increased by \$14,225 from the general fund to provide additional in-state travel funds for the department.

Public Service Commission

The salaries and wages line item is increased by \$69,437 of which \$53,645 is from the general fund and \$15,792 is from other funds. This increase 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 \$29,243 is to be provided in a separate appropriation bill.

The operating expenses line item is increased by \$37,412, of which \$31,792 is from the general fund and \$5,620 is from other funds. This increase is to provide additional funding for travel and vehicle maintenance and operations for several divisions of the commission.

The data processing line item is increased by \$13,518 from other funds for the Abandoned Mine Lands Division of the commission.

The amendments also revise the composition of the Reclamation Research Advisory Committee which was established in the Senate. The objectives and responsibilities of the committee are also revised.

The amendments also remove a \$500,000 appropriation for coal reclamation research grants from the coal development impact fund which was added by the Senate.

Agriculture Commissioner

The salaries and wages line item is increased by \$30,683, of which \$28,113 is from the general fund and \$2,570 is from other funds. This increase 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 \$12,886 is to be provided in a separate appropriation bill.

The operating expenses line item is increased by \$16,289 from the general fund for additional funding for laboratory costs for the dairy division.

The amendments also remove the additional \$100,000 from the general fund for marketing activities which was added by the Senate.

The amendments also provide for a new section which appropriates \$1 million from public or private sources for the state waterbank program if funds become available during the biennium.

REP. MERTENS, Chairman

Engrossed SB 2001 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MOTION

REP. BACKES MOVED that the House stand in recess until 2:30 p.m., which motion prevailed.

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

ANNOUNCEMENT

SPEAKER KELLY ANNOUNCED that Representative E. Pomeroy will replace Representative Keller on the Conference Committee to SB 2067.

FIRST READING OF SENATE CONCURRENT RESOLUTION

SCR 4061: A concurrent resolution urging Congress to amend federal laws to limit federal court jurisdiction on cases involving state prison systems.

Was read the first time and referred to the Committee on Judiciary.

MOTION

REP. BACKES MOVED, pursuant to Section 79 of the Constitution of the State of North Dakota, that HB 1439, HB 1575, and HB 1725 on



today's calendar, be considered at this time, which motion prevailed.

RECONSIDERATION OF VETOED MEASURES  
SECOND READING OF HOUSE BILL

HB 1439: A BILL for an Act to defray the expenses of purchasing the new "History of North Dakota" textbook for eighth-grade students in the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as enrolled, over the Governor's veto, the roll was called and there were 56 YEAS, 48 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Aubol; Backes; Black; Boyle; Brokaw; DeMers; DuBord; Erdman; Gerl; Gullickson; Halmrast; Hanson, L.; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Jacobson; Keller; Koski; Lardy; Larson, B.; Laughlin; Lautenschlager; Linderman; Lloyd; Martin, G.; Meier, A.; Meiers, R.; Mertens; Meyer, R.; Meyer, W.; Mushik; Nowatzki; O'Connell; Opedahl; O'Shea; Pomeroy, E.; Pomeroy, G.; Rayl; Richard; Riehl; Rued; Sanstead; Schneider; Schoenwald; Shockman; Sinner; Solberg; Stofferahn; Vig; Watne; Williams, A.; Williams, C.; Williams, W.; Speaker Kelly

NAYS: Anderson, C.; Anderson, R.; Conmy; Dotzenrod; Eagles; Gates; Goetz; Gorder; Gunsch; Hamerlik; Hanson, O.; Haugland; Hausauer; Hughes; Kent; Kingsbury; Kloubec; Knudson; Koehn; Kuchera; Lang; Larson, R.; Lipsiea; Martin, C.; Martinson; Melby; Moore; Murphy; Nalewaja; Nicholas; Olafson; Olsen, D.; Peltier; Peterson; Retzer; Rice; Riley; Schindler; Shide; Strinden; Swiontek; Thompson; Timm; Unhjem; Vander Vorst; Wentz; Whalen; Wold

ABSENT AND NOT VOTING: Kretschmar; Olson, A

So the bill was declared lost for lack of a Constitutional majority and the Governor's veto was sustained.

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SECOND READING OF HOUSE BILL

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 enrolled, over the Governor's veto, the roll was called and there were 56 YEAS, 48 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Aubol; Boyle; Brokaw; DeMers; Dotzenrod; DuBord; Erdman; Gerl; Gullickson; Halmrast; Hanson, L.; Haugland; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Jacobson; Keller; Knudson; Koski; Lardy; Larson, B.; Laughlin; Lautenschlager; Linderman; Lipsiea; Martin, C.; Martin, G.; Meier, A.; Meiers, R.; Mertens; Meyer, R.; Mushik; Nowatzki; O'Connell; Opedahl; O'Shea; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Richard; Riehl; Sanstead; Schneider; Schoenwald; Shockman; Sinner; Solberg; Vig; Watne; Williams, A.; Williams, C.; Williams, W.; Speaker Kelly

NAYS: Anderson, C.; Anderson, R.; Backes; Black; Conmy; Eagles; Gates; Goetz; Gorder; Gunsch; Hamerlik; Hanson, O.; Hausauer; Hughes; Kent; Kingsbury; Kloubec; Koehn; Kuchera; Lang; Larson, R.; Lloyd; Martinson; Melby; Meyer, W.; Moore; Murphy; Nalewaja; Nicholas; Olafson; Olsen, D.; Peltier; Retzer; Rice; Riley; Rued; Schindler; Shide; Stofferahn; Strinden; Swiontek; Thompson; Timm; Unhjem; Vander Vorst; Wentz; Whalen; Wold

ABSENT AND NOT VOTING: Kretschmar; Olson, A.

So the bill was declared lost for lack of a Constitutional majority and the Governor's veto was sustained.

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## SECOND READING OF HOUSE BILL

HB 1725: A BILL for an Act to provide for administration by the superintendent of public instruction of grants for the operation of teacher centers designed to develop curricula used in public schools in this state and to assist teachers from public and nonpublic schools; and to provide an appropriation.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, as enrolled, over the Governor's veto, the roll was called and there were 56 YEAS, 48 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Aubol; Black; Boyle; Brokaw; DeMers; DuBord; Erdman; Gerl; Gullickson; Halmrast; Hamerlik; Hanson, L.; Haugland; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Jacobson; Keller; Koski; Lardy; Larson, B.; Laughlin; Lautenschlager; Linderman;

Lipsiea; Lloyd; Martin, G.; Meier, A.; Meiers, R.;  
 Mertens; Meyer, R.; Meyer, W.; Mushik; O'Connell;  
 Opedahl; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl;  
 Richard; Riehl; Rued; Sanstead; Schneider; Schoenwald;  
 Shockman; Stofferahn; Vig; Watne; Wentz; Williams, A.;  
 Williams, C.; Williams, W.; Speaker Kelly

NAYS: Anderson, C.; Anderson, R.; Backes; Conmy;  
 Dotzenrod; Eagles; Gates; Goetz; Gorder; Gunsch;  
 Hanson, O.; Hausauer; Hughes; Kent; Kingsbury; Kloubec;  
 Knudson; Koehn; Kuchera; Lang; Larson, R.; Martin, C.;  
 Martinson; Melby; Moore; Murphy; Nalewaja; Nicholas;  
 Nowatzki; Olafson; Olsen, D.; O'Shea; Peltier; Retzer;  
 Rice; Riley; Schindler; Shide; Sinner; Solberg;  
 Strinden; Swiontek; Thompson; Timm; Unhjem;  
 Vander Vorst; Whalen; Wold

ABSENT AND NOT VOTING: Kretschmar; Olson, A.

So the bill was declared lost for lack of a Constitutional majority and the Governor's veto was sustained.

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#### RECOGNITION

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

#### MESSAGE TO THE SENATE HOUSE CHAMBER

MR. PRESIDENT: The Speaker has appointed Representative E. Pomeroy to replace Representative Keller on the Conference Committee on SB 2067.

Very respectfully,  
 CHARLES FLEMING, Chief Clerk

#### MOTION

REP. BACKES MOVED that the rules be suspended, that SB 2001 be placed on the Sixth order today, and subsequently on the Fourteenth order of business, which motion prevailed.

#### SIXTH ORDER OF BUSINESS

REP. MERTENS MOVED that the amendments to SB 2001 as recommended by the Committee on Appropriations be adopted, which motion prevailed.

#### SECOND READING OF SENATE BILL

SB 2001: A BILL for an Act making an appropriation for defraying the expenses of various elected and appointed officials of the state of North Dakota and for the state waterbank program; to create and enact three new sections to chapter 38-14.1 and one new section to chapter 54-46 of the

North Dakota Century Code, relating to a reclamation research advisory committee and a transfer of records management functions; to amend and reenact sections 4-01-21, 15-21-02, 26-01-03, 34-05-01.2, 49-01-05, 54-07-04, 54-08-03, 54-09-05, 54-10-10, 54-11-13, 54-12-11, and 57-01-04 of the North Dakota Century Code as amended by chapter 480 of the 1977 Session Laws of North Dakota, and section 26.1-01-09 of the North Dakota Century Code as created by House Bill No. 1054, as approved by the forty-eighth legislative assembly, relating to salaries of elected state officials; to repeal chapter 481 of the 1977 Session Laws of North Dakota and chapter 521 of the 1981 Session Laws of North Dakota, relating to salaries of elected state officials; providing an effective date; and declaring an emergency.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill as amended, the roll was called and there were 73 YEAS, 29 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Aubol; Backes; Black; Boyle; Brokaw; Conmy; DeMers; DuBord; Eagles; Erdman; Gullickson; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer; Hill; Hjelle; Hoffner, Serenus; Horgan; Jacobson; Keller; Knudson; Koski; Kuchera; Lardy; Larson, B.; Laughlin; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, C.; Martin, G.; Martinson; Meier, A.; Meiers, R.; Mertens; Meyer, R.; Meyer, W.; Mushik; Nalewaja; Nowatzki; O'Connell; Opedahl; O'Shea; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Richard; Riehl; Sanstead; Schindler; Schneider; Schoenwald; Shockman; Sinner; Solberg; Stofferahn; Swiontek; Thompson; Unhjem; Vig; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Wold; Speaker Kelly

NAYS: Anderson, C.; Anderson, R.; Dotzenrod; Gates; Gerl; Gorder; Gunsch; Hoffner, S. F.; Hughes; Kent; Kingsbury; Kloubec; Koehn; Lang; Larson, R.; Melby; Moore; Murphy; Nicholas; Olafson; Olsen, D.; Peltier; Retzer; Rice; Riley; Rued; Shide; Timm; Vander Vorst

ABSENT AND NOT VOTING: Goetz; Kretschmar; Olson, A.; Strinden

SB 2001 passed, the title was agreed to, and the emergency clause carried.

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## MOTION

REP. HORGAN MOVED that the House reconsider its action whereby SB 2313 failed to pass for want of a Constitutional majority, which motion prevailed on a verification vote.

## SECOND READING OF SENATE BILL

SB 2313: A BILL for an Act to amend and reenact subsection 15 of section 57-02-08 of the North Dakota Century Code, relating to the definition of a farmer and the exemption of a farm residence from taxation.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill as amended, the roll was called and there were 57 YEAS, 44 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Aubol; Backes; Boyle; Brokaw; DeMers; Dotzenrod; DuBord; Erdman; Gerl; Gullickson; Halmrast; Haugland; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Jacobson; Keller; Knudson; Koski; Lang; Lardy; Larson, B.; Laughlin; Linderman; Lloyd; Martin, C.; Martin, G.; Meier, A.; Meiers, R.; Mertens; Meyer, R.; Meyer, W.; Mushik; Nowatzki; O'Connell; Opedahl; O'Shea; Pomeroy, E.; Richard; Riehl; Sanstead; Schindler; Schoenwald; Shide; Shockman; Sinner; Solberg; Stofferahn; Vig; Watne; Williams, A.; Williams, C.; Williams, W.

NAYS: Black; Conmy; Eagles; Gates; Gorder; Gunsch; Hamerlik; Hanson, L.; Hanson, O.; Hausauer; Hughes; Kent; Kingsbury; Kloubec; Koehn; Kuchera; Larson, R.; Lautenschlager; Lipsiea; Martinson; Melby; Moore; Murphy; Nalewaja; Olafson; Olsen, D.; Peltier; Peterson; Pomeroy, G.; Rayl; Retzer; Rice; Riley; Rued; Schneider; Swiontek; Thompson; Timm; Unhjem; Vander Vorst; Wentz; Whalen; Wold; Speaker Kelly

ABSENT AND NOT VOTING: Goetz; Kretschmar; Nicholas; Olson, A.; Strinden

SB 2313 passed and the title was agreed to.

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## MOTION

REP. BACKES MOVED that, immediately following consideration of the Conference Committee reports that, where appropriate, the bills be deemed properly engrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

## REPORT OF CONFERENCE COMMITTEE

MADAM SPEAKER: Your Conference Committee to which was referred SB 2047 has had the same under consideration and recommends that the SENATE ACCEDE to the House amendments as found on pages 1946-1962 of the House Journal.

For the Senate: Sens. Leibhan, Waldera, Erickson  
For the House: Reps. Swiontek, Stofferahn, C. Williams

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

MADAM SPEAKER: Your Conference Committee to which was referred SB 2049 has had the same under consideration and recommends that the SENATE ACCEDE to the House amendments as found on page 1962 of the House Journal.

For the Senate: Sens. Moore, Wright (refused to sign), Barth  
For the House: Reps. Riehl, Laughlin, A. Olson

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

MADAM SPEAKER: Your Conference Committee to which was referred SB 2066 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on page 1726 of the House Journal.

For the Senate: Sens. Holmberg, Olson, Waldera  
For the House: Reps. Koski, Gerl, Black

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

## SECOND READING OF SENATE BILL

SB 2066: A BILL for an Act to create and enact a new section to chapter 12-44.1 of the North Dakota Century Code, relating to jail standards; and to amend and reenact section 12-44.1-06 of the North Dakota Century Code to allow inmates to be confined for not more than ninety days in a grade two jail and for not more than ninety-six hours in a grade three jail.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill as amended, the roll was called and there were 89 YEAS, 7 NAYS, 10 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Aubol; Backes; Black; Boyle; Brokaw; Conmy; DeMers; Dotzenrod; DuBord; Eagles; Erdman; Gates; Gerl; Gullickson; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland;

Hausauer; Hill; Hjelle; Hoffner, S. E.; Horgan; Hughes;  
 Jacobson; Keller; Kent; Kloubec; Knudson; Koehn;  
 Kuchera; Lang; Lardy; Larson, B.; Larson, R.; Laughlin;  
 Lautenschlager; Linderman; Lloyd; Martin, C.;  
 Martin, G.; Martinson; Meier, A.; Meiers, R.; Melby;  
 Meyer, R.; Meyer, W.; Moore; Murphy; Nalewaja;  
 Nowatzki; O'Connell; Olafson; Olsen, D.; Opedahl;  
 O'Shea; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl;  
 Retzer; Rice; Richard; Riley; Schindler; Schneider;  
 Schoenwald; Shide; Shockman; Sinner; Solberg;  
 Stofferahn; Swiontek; Thompson; Timm; Vander Vorst;  
 Vig; Watne; Wentz; Whalen; Williams, A.; Williams, C.;  
 Williams, W.; Wold; Speaker Kelly

NAYS: Gorder; Hoffner, Serenus; Koski; Mushik; Peltier;  
 Rued; Sanstead

ABSENT AND NOT VOTING: Goetz; Kingsbury; Kretschmar;  
 Lipsiea; Mertens; Nicholas; Olson, A.; Riehl; Strinden;  
 Unhjem

SB 2066 passed and the title was agreed to.

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#### REPORT OF CONFERENCE COMMITTEE

MADAM SPEAKER: Your Conference Committee to which was referred SB 2104 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments and that Engrossed SB 2104 be amended as follows:

On page 1 of the engrossed bill, line 14, delete the words "immediately transport the animal to" and insert in lieu thereof "notify as soon as possible"

On page 1 of the engrossed bill, line 15, delete the words "for inspection and validation"

And renumber the lines and pages accordingly

For the Senate: Sens. Moore, Maixner, D. Meyer

For the House: Reps. Gullickson, W. Williams, Kloubec

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

#### SECOND READING OF SENATE BILL

SB 2104: A BILL for an Act to amend and reenact section 20.1-01-27 of the North Dakota Century Code, relating to the disposition of animals injured or killed by motor vehicles.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill as amended, the roll was called and there were 97 YEAS, 2 NAYS, 7 ABSENT AND NOT VOTING.

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

NAYS: Hanson, O.; Kingsbury

ABSENT AND NOT VOTING: Kretschmar; Larson, R.; Olson, A.; Strinden; Thompson; Timm; Wentz

SB 2104 passed and the title was agreed to.

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## MOTION

REP. GULLICKSON MOVED that SB 2108 be moved to the foot of the calendar, which motion prevailed.

## REPORTS OF CONFERENCE COMMITTEES

MADAM SPEAKER: Your Conference Committee to which was referred SB 2122 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on page 1757 of the House Journal and that SB 2122 be amended as follows:

On page 2, line 24, overstrike the word "and", delete the word "unless" and insert in lieu thereof the word "Unless"

On page 2, line 26, overstrike the word "at"

On page 2, line 27, overstrike the words "least fourteen days prior to the hearing"

On page 2, line 29, after the period, insert the sentence "All rules must provide for at least fourteen days"



notice before the hearing except in cases of emergency."

And renumber the lines accordingly

For the Senate: Sens. Holmberg, Christensen, Maixner

For the House: Reps. Vig, Kent, Keller

REP. E. POMEROY REQUESTED a division on the question of the adoption of the Conference Committee report on SB 2122, which request was granted.

So the motion to adopt the Conference Committee report failed on a division vote.

REP. E. POMEROY MOVED that a new Conference Committee be appointed to act on SB 2122, which motion prevailed.

MADAM SPEAKER: Your Conference Committee to which was referred SB 2170 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments and that SB 2170 be amended as follows:

On page 4, line 12, delete the words "one hundred" and insert in lieu thereof the word "fifty"

And renumber the lines accordingly

For the Senate: Sens. Erickson, Kilander, Dotzenrod

For the House: Reps. Goetz, Riehl, C. Williams

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

#### SECOND READING OF SENATE BILL

SB 2170: A BILL for an Act to amend and reenact subsection 2 of section 39-04-18 of the North Dakota Century Code, relating to motor vehicles exempt from registration.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill as amended, the roll was called and there were 91 YEAS, 9 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Aubol; Black; Boyle; Brokaw; Conmy; DeMers; Dotzenrod; DuBord; Eagles; Erdman; Gates; Gerl; Goetz; Gullickson; Gunsch; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Hughes; Jacobson; Keller; Kent; Kloubec; Knudson; Koehn; Koski; Kuchera; Lang; Lardy; Larson, B.; Larson, R.; Laughlin; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, C.; Martin, G.;

Martinson; Meier, A.; Meiers, R.; Melby; Mertens; Meyer, R.; Meyer, W.; Moore; Mushik; Nalewaja; Nicholas; Nowatzki; O'Connell; Olafson; Olsen, D.; Opedahl; Peltier; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Rice; Richard; Riehl; Riley; Rued; Sanstead; Schindler; Schneider; Schoenwald; Shide; Shockman; Sinner; Solberg; Stofferahn; Swiontek; Timm; Vander Vorst; Vig; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Wold; Speaker Kelly

NAYS: Anderson, R.; Backes; Gorder; Hanson, O.; Hill; Kingsbury; Murphy; O'Shea; Whalen

ABSENT AND NOT VOTING: Anderson, C.; Kretschmar; Olson, A.; Strinden; Thompson; Unhjem

SB 2170 passed and the title was agreed to.

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#### MESSAGES FROM THE SENATE SENATE CHAMBER

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

HB 1001: Sens. Streibel, Tweten, Stromme

HB 1539: Sens. Erickson, Kilander, Dotzenrod

Very respectfully,  
LEO LEIDHOLM, Secretary

#### SENATE CHAMBER

MADAM SPEAKER: I have the honor to inform you that the Senate has concurred in the House amendments to SB 2172, SB 2342, SB 2402, SB 2413, SB 2421, and SB 2499, and subsequently passed the same.

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:

SB 2271, SB 2306, SB 2354, SCR 4060

Very respectfully,  
LEO LEIDHOLM, Secretary

#### SENATE CHAMBER

MADAM SPEAKER: I have the honor to inform you that the Senate has concurred in the House amendments to SB 2121 and SCR 4040, and subsequently failed to pass the same.

Very respectfully,  
LEO LEIDHOLM, Secretary

REPORT OF CONFERENCE COMMITTEE

MADAM SPEAKER: Your Conference Committee to which was referred SB 2199 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on pages 1557 and 1558 of the House Journal and that SB 2199 be amended as follows:

On page 1, line 3, after the word "schoolbus" insert the words "and school vehicle"

On page 1, line 9, after the word "schoolbus" insert the words "and school vehicle"

On page 1, line 10, after the word "schoolbus" insert the words "or a school vehicle"

On page 1, line 23, overstrike the words "All drivers over the age of sixty-five must"

On page 1, overstrike lines 24 through 27

On page 1, line 28, overstrike the words "capacity of seventeen or more passengers." and insert immediately thereafter the following sentence: "This section does not prohibit regular members of the faculty of an elementary or high school from operating vehicles for the purpose of transporting students to regular or special events related to the educational programs in which the students are enrolled."

And renumber the lines and pages accordingly

For the Senate: Sens. Bakewell, Erickson, Berube

For the House: Reps. Halmrast, O'Connell, Black

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

SECOND READING OF SENATE BILL

SB 2199: A BILL for an Act to amend and reenact section 15-34.2-14 of the North Dakota Century Code, relating to qualifications, character, and age of schoolbus and school vehicle drivers.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended, the roll was called and there were 84 YEAS, 13 NAYS, 9 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Aubol; Backes; Black; Boyle; Brokaw; DeMers; Dotzenrod; DuBord; Eagles; Erdman; Gates; Gerl; Goetz; Gullickson; Halmrast; Hanson, L.; Haugland; Hausauer; Hill; Hjelle;

Hoffner, Serenus; Hoffner, S. F.; Horgan; Hughes; Jacobson; Keller; Kloubec; Knudson; Koehn; Koski; Larson, B.; Larson, R.; Laughlin; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, C.; Martin, G.; Martinson; Meier, A.; Meiers, R.; Mertens; Meyer, R.; Meyer, W.; Moore; Murphy; Mushik; Nalewaja; Nicholas; Nowatzki; O'Connell; Olsen, D.; Opedahl; Peltier; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Rice; Riehl; Sanstead; Schindler; Schneider; Schoenwald; Shide; Shockman; Sinner; Solberg; Stofferahn; Strinden; Swiontek; Timm; Vander Vorst; Vig; Watne; Wentz; Williams, A.; Williams, W.; Wold; Speaker Kelly

NAYS: Conmy; Gunsch; Hamerlik; Hanson, O.; Kingsbury; Kuchera; Lardy; Melby; Olafson; O'Shea; Rued; Whalen; Williams, C.

ABSENT AND NOT VOTING: Gorder; Kent; Kretschmar; Lang; Olson, A.; Richard; Riley; Thompson; Unhjem

SB 2199 passed and the title was agreed to.

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#### REPORT OF CONFERENCE COMMITTEE

MADAM SPEAKER: Your Conference Committee to which was referred SB 2245 has had the same under consideration and recommends that the SENATE ACCEDE to the House amendments as found on pages 1983 and 2093 of the House Journal and that Engrossed SB 2245 be amended as follows:

On page 1 of the engrossed bill, line 2, delete the word "three" and insert in lieu thereof the word "one"

On page 1 of the engrossed bill, line 2, delete the word "sections" and insert in lieu thereof the word "section"

On page 1 of the engrossed bill, line 6, delete the word ", and"

On page 1 of the engrossed bill, delete line 7

On page 1 of the engrossed bill, line 8, delete the words "gas stations, and grocery stores"

And renumber the lines, sections, and pages accordingly

For the Senate: Sens. Todd, Stenehjem, J. Meyer  
For the House: Reps. Hill, Stofferahn, A. Olson

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

## SECOND READING OF SENATE BILL

SB 2245: A BILL for an Act to create and enact a new subsection to section 5-01-01, section 5-02-09.1, and one new section to chapter 5-02 of the North Dakota Century Code, relating to the definition of licensed premises, the attorney general adopting rules for retail alcoholic beverage licensing pursuant to the Administrative Agencies Practices Act, the registration of the sale of beer in kegs; and to amend and reenact sections 5-02-04 and 5-02-06 of the North Dakota Century Code, relating to the licensure of alcoholic beverage retailers and prohibitions as to persons under twenty-one years of age; and to provide a penalty.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill as amended, the roll was called and there were 86 YEAS, 15 NAYS, 5 ABSENT AND NOT VOTING.

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

NAYS: Black; Gerl; Halmrast; Hanson, O.; Hoffner, Serenus; Larson, B.; Lipsiea; Meier, A.; Mertens; Murphy; Rued; Sanstead; Sinner; Wentz; Whalen

ABSENT AND NOT VOTING: Kent; Kretschmar; Olson, A.; Riley; Unhjem

SB 2245 passed and the title was agreed to.

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MESSAGES FROM THE SENATE  
SENATE CHAMBER

MADAM SPEAKER: I have the honor to return herewith the following which the Senate has passed unchanged:

HCR 3093

Very respectfully,  
LEO LEIDHOLM, Secretary

## SENATE CHAMBER

MADAM SPEAKER: I have the honor to return herewith the following which the Senate has failed to pass:

HCR 3092

Very respectfully,  
LEO LEIDHOLM, Secretary

## SENATE CHAMBER

MADAM SPEAKER: I have the honor to return herewith HB 1007 which the Senate has amended as follows:

## SENATE AMENDMENTS TO HB 1007

On page 2 of the engrossed bill, after line 17, insert the following new section:

"SECTION 3. SALARIES AND WAGES. The salaries and wages line item is not changed by this amendment, the salaries and wages in this bill are effected by the provisions of House Bill No. 1010 which limit salary increases to a contingent salary increase of three percent on July 1, 1984."

## SENATE AMENDMENTS TO HB 1007

In lieu of the amendments to engrossed House Bill No. 1007 adopted by the Senate as found on page 1756 of the Senate Journal, engrossed House Bill No. 1007 is amended as follows:

On page 1 of the engrossed bill, line 14, delete the numerals "8,844,286" and insert in lieu thereof the numerals "8,401,376"

On page 1 of the engrossed bill, line 18, delete the numerals "11,819,128" and insert in lieu thereof the numerals "11,376,218"

On page 1 of the engrossed bill, line 19, delete the numerals "7,650,776" and insert in lieu thereof the numerals "7,787,737"

On page 1 of the engrossed bill, line 20, delete the numerals "4,168,352" and insert in lieu thereof the numerals "3,588,481"

On page 1 of the engrossed bill, line 22, delete the numerals "2,942,844" and insert in lieu thereof the numerals "2,842,321"

- On page 1 of the engrossed bill, line 25, delete the numerals "4,200,176" and insert in lieu thereof the numerals "4,099,653"
- On page 1 of the engrossed bill, line 26, delete the numerals "2,504,050" and insert in lieu thereof the numerals "2,537,319"
- On page 1 of the engrossed bill, line 27, delete the numerals "1,696,126" and insert in lieu thereof the numerals "1,562,334"
- On page 2 of the engrossed bill, line 2, delete the numerals "2,549,188" and insert in lieu thereof the numerals "2,404,283"
- On page 2 of the engrossed bill, line 7, delete the numerals "3,650,977" and insert in lieu thereof the numerals "3,506,072"
- On page 2 of the engrossed bill, line 8, delete the numerals "2,363,433" and insert in lieu thereof the numerals "2,338,297"
- On page 2 of the engrossed bill, line 9, delete the numerals "1,287,544" and insert in lieu thereof the numerals "1,167,775"
- On page 2 of the engrossed bill, line 10, delete the numerals "7,152,022" and insert in lieu thereof the numerals "6,318,590"
- On page 2 of the engrossed bill, line 11, delete the numerals "12,518,259" and insert in lieu thereof the numerals "12,663,353"
- On page 2 of the engrossed bill, line 12, delete the numerals "19,670,281" and insert in lieu thereof the numerals "18,981,943"
- On page 2 of the engrossed bill, after line 17, insert the following new section:

"SECTION 3. SALARIES AND WAGES. The salaries and wages line items are affected by the provisions of House Bill No. 1010 which limit salary increases to a contingent salary increase of three percent on July 1, 1984. Any amounts in the salaries and wages line items in excess of the provisions of HB 1010 may not be spent."

And renumber the lines and sections accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Bismarck Junior College

The salaries and wages line item is reduced by \$442,910, of which \$325,224 is from the general fund and \$117,686 is from other funds.

The general fund appropriation is reduced by \$200,000, with a corresponding increase in estimated income, to delete general fund moneys provided by the House for a power plant technology program.

In addition, the general fund appropriation is reduced by \$54,647 (1.5 percent after the above adjustments) with a corresponding increase in estimated income.

Lake Region Community College

The salaries and wages line item is reduced by \$100,523, which includes a \$110,000 general fund decrease and a \$9,477 increase from other funds.

In addition, the general fund appropriation is reduced by \$23,792 (1.5 percent after the above adjustments) with a corresponding increase in estimated income.

UND - Williston

The salaries and wages line item is reduced by \$144,905, of which \$101,986 is from the general fund and \$42,919 is from other funds.

In addition, the general fund appropriation is reduced by \$17,783 (1.5 percent after the above adjustments) with a corresponding increase in estimated income.

Very respectfully,  
LEO LEIDHOLM, Secretary

**REPORT OF CONFERENCE COMMITTEE**

MADAM SPEAKER: Your Conference Committee to which was referred Engrossed SB 2322 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on page 1997 of the House Journal and that Engrossed SB 2322 be amended as follows:

On page 2 of the engrossed bill, line 10, after the word "area" insert the following new language "unless said hunters have received permission to carry their weapon while recovering their wounded game"

And renumber the lines accordingly

For the Senate: Sens. Parker, Moore, Maixner

For the House: Reps. Cullickson, W. Williams, Schindler



REP. GULLICKSON MOVED that the report be adopted, which motion failed.

#### MOTIONS

REP. BROKAW MOVED that a new conference committee be appointed to act on SB 2322, which motion prevailed.

REP. RIEHL MOVED that SB 2327 be moved to the foot of the calendar, which motion prevailed.

#### REPORTS OF CONFERENCE COMMITTEES

MADAM SPEAKER: Your Conference Committee to which was referred SB 2350 has had the same under consideration and recommends that the SENATE ACCEDE to the House amendments as found on page 1689 of the House Journal.

For the Senate: Sens. Kilander, Todd, Wogsland

For the House: Reps. Gerl, Lloyd, Retzer

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

MADAM SPEAKER: Your Conference Committee to which was referred SB 2358 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on page 1827 of the House Journal and that SB 2358 as engrossed by the Senate be further amended as follows:

On page 1 of the engrossed bill, line 2, delete the numerals "39-12-05.1" and insert in lieu thereof the numerals "39-12-05", and after the comma insert the words "as amended by House Bill No. 1521, as approved by the forty-eighth legislative assembly,"

On page 1 of the engrossed bill, line 6, delete the numerals "39-12-05.1" and insert in lieu thereof the numerals "39-12-05"

On page 1 of the engrossed bill, line 7, after the word "Code" insert the words "as amended by House Bill No. 1521, as approved by the forty-eighth legislative assembly,"

On page 1 of the engrossed bill, delete lines 9 through 27

On page 2 of the engrossed bill, delete lines 1 and 2 and insert in lieu thereof the following:

- "1. With a single axle that carries a gross weight in excess of twenty thousand pounds [9071.85 kilograms] or a wheel load over ten thousand pounds [4535.92 kilograms]. A wheel may not carry a gross weight over five hundred fifty pounds [249.48

kilograms] for each inch [2.54 centimeters] of tire width. Axles spaced forty inches [~~101.6~~ 101.60 centimeters] apart or less are considered as one axle and, on axles spaced over forty inches [~~101.6~~ 101.60 centimeters] and under eight feet [2.44 meters] apart, the axle load may not exceed seventeen thousand pounds [7711.07 kilograms] per axle. On state highways and subject to the approval of the highway commissioner, from December first to March seventh, the limitations on gross weight provided in this subsection may be exceeded by ten percent. On county highways and subject to the approval of the board of county commissioners, from December first to March seventh, the limitations on gross weights provided in this subsection may be exceeded by ten percent. The wheel load, in any instance, may not exceed one-half the allowable axle load. Spacing between axles is measured from axle center axle center."

And renumber the lines accordingly

For the Senate: Sens. Erickson, Mutch, Dotzenrod

For the House: Reps. Aubol, C. Williams, R. Anderson

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

#### SECOND READING OF SENATE BILL

SB 2358: A BILL for an Act to amend and reenact subsection 1 of section 39-12-05.1 of the North Dakota Century Code, relating to motor vehicle weight limitations.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill as amended, the roll was called and there were 90 YEAS, 10 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Backes; Black; Boyle; Brokaw; Conmy; Dotzenrod; DuBord; Eagles; Erdman; Gates; Gerl; Goetz; Gullickson; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Jacobson; Keller; Kent; Kingsbury; Kloubec; Knudson; Koehn; Koski; Kuchera; Lang; Larson, R.; Laughlin; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, C.; Martin, G.; Martinson; Meiers, R.; Mertens; Meyer, R.; Meyer, W.; Moore; Murphy; Mushik; Nalewaja; Nicholas;

Nowatzki; O'Connell; Olafson; Olsen, D.; Opedahl;  
 O'Shea; Peltier; Peterson; Pomeroy, E.; Pomeroy, G.;  
 Rayl; Retzer; Rice; Richard; Riehl; Riley; Rued;  
 Schindler; Schneider; Shide; Shockman; Sinner; Solberg;  
 Stofferahn; Swiontek; Timm; Unhjem; Vander Vorst; Vig;  
 Watne; Wentz; Whalen; Williams, A.; Williams, C.;  
 Williams, W.; Wold; Speaker Kelly

NAYS: Aubol; DeMers; Gorder; Gunsch; Horgan; Lardy;  
 Meier, A.; Melby; Schoenwald; Thompson

ABSENT AND NOT VOTING: Hughes; Kretschmar; Larson, B.;  
 Olson, A.; Sanstead; Strinden

SB 2358 passed and the title was agreed to.

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#### REPORT OF CONFERENCE COMMITTEE

MADAM SPEAKER: Your Conference Committee to which was referred SB 2408 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on pages 1898 and 1899 of the House Journal and that SB 2408 be amended as follows:

On page 7, line 23, remove the overstrike over the words  
~~"This code shall be implemented by"~~

On page 7, line 24, remove the overstrike over the words  
~~"and may be amended by rules"~~ and after the word  
~~"promulgated"~~ insert the word "adopted" and remove  
 the overstrike over the words ~~"by the"~~

On page 7, line 25, after the word ~~"superintendent"~~ insert  
 the words "director of the office of management and  
 budget" and remove the overstrike over the words  
~~"pursuant to chapter 38-32."~~

On page 7, line 26, after the numeral "2." insert the  
 following new language:

"For the purposes of manufactured homes,  
 the state building code shall consist of  
 the manufactured homes construction and  
 safety standards under 24 CFR 3280 adopted  
 pursuant to the Manufactured Housing  
 Construction and Safety Standards Act [42  
 U.S.C. 5401 et seq.]."

3."

And renumber the lines, section, and pages accordingly

For the Senate: Sens. David, Vosper, Hilken

For the House: Reps. DeMers, W. Williams, Wold

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

#### SECOND READING OF SENATE BILL

SB 2408: A BILL for an Act to amend and reenact sections 48-02-02, 48-02-03, 48-02-19, 54-21-27, 54-21.2-03, 54-21.3-02, and 54-21.3-03 of the North Dakota Century Code, relating to elimination of the office and duties of the state construction superintendent; and to repeal sections 54-21-17 and 54-21.3-06 of the North Dakota Century Code, relating to the office and duties of the state construction superintendent.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill as amended, the roll was called and there were 71 YEAS, 24 NAYS, 11 ABSENT AND NOT VOTING.

**YEAS:** Anderson, C.; Anderson, R.; Boyle; Brokaw; Conmy; Dotzenrod; Eagles; Erdman; Gates; Gerl; Goetz; Gordner; Gullickson; Gunsch; Hamerlik; Hanson, O.; Hausauer; Hjelle; Hoffner, S. F.; Hughes; Jacobson; Keller; Kent; Kingsbury; Kloube; Knudson; Koehn; Lang; Larson, R.; Laughlin; Lautenschlager; Lipsiea; Lloyd; Martin, C.; Martin, G.; Meiers, R.; Mertens; Meyer, R.; Meyer, W.; Moore; Murphy; Mushik; Nalewaja; Nicholas; Nowatzki; Olafson; Olsen, D.; Opedahl; Rayl; Retzer; Rice; Richard; Riehl; Riley; Rued; Schneider; Schoenwald; Shide; Shockman; Sinner; Stofferahn; Swiontek; Thompson; Unhjem; Vander Vorst; Vig; Wentz; Whalen; Williams, W.; Wold; Speaker Kelly

**NAYS:** Aubol; Black; DeMers; DuBord; Halmrast; Hanson, L.; Hill; Hoffner, Serenus; Horgan; Koski; Linderman; Martinson; Meier, A.; Melby; O'Connell; O'Shea; Peltier; Pomeroy, E.; Pomeroy, G.; Schindler; Solberg; Watne; Williams, A.; Williams, C.

**ABSENT AND NOT VOTING:** Backes; Haugland; Kretschmar; Kuchera; Lardy; Larson, B.; Olson, A.; Peterson; Sanstead; Strinden; Timm

SB 2408 passed and the title was agreed to.

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#### REPORTS OF CONFERENCE COMMITTEES

**MADAM SPEAKER:** Your Conference Committee to which was referred SB 2446 has had the same under consideration and recommends that the SENATE ACCEDE to the House amendments as found on page 1645 of the House Journal.

For the Senate: Sens. Christensen, Olson, Lashkowitz

For the House: Reps. Linderman, Vig, Gates

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

MADAM SPEAKER: Your Conference Committee to which was referred SB 2473 has had the same under consideration and recommends that the SENATE ACCEDE to the House amendments as found on pages 2008 and 2009 of the House Journal.

For the Senate: Sens. David, Dykshoorn, Satrom

For the House: Reps. E. Pomeroy, R. Meiers, Kretschmar

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

MADAM SPEAKER: Your Conference Committee to which was referred SB 2491 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on page 1645 of the House Journal.

For the Senate: Sens. Olson, Lodoen, Matchie

For the House: Reps. Laughlin, Sinner, Moore

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

#### SECOND READING OF SENATE BILL

SB 2491: A BILL for an Act to amend and reenact section 2-06-10 of the North Dakota Century Code, relating to issuance of general obligation bonds for airport authorities; and providing that this Act does not affect transactions occurring before the effective date of this Act; and to declare an emergency.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill as amended, the roll was called and there were 91 YEAS, 9 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Aubol; Black; Brokaw; Conmy; DeMers; Dotzenrod; DuBord; Eagles; Erdman; Gates; Gerl; Goetz; Gorder; Gullickson; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Hughes; Jacobson; Keller; Kent; Kloubec; Knudson; Koehn; Koski; Kuchera; Lang; Lardy; Larson, B.; Larson, R.; Laughlin; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, C.; Martin, G.; Martinson; Meier, A.; Meiers, R.; Mertens; Meyer, R.; Meyer, W.; Moore; Mushik; Nalewaja; Nicholas; Nowatzki; O'Connell;

Opedahl; Peltier; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Rice; Richard; Riehl; Riley; Rued; Schindler; Schneider; Schoenwald; Shockman; Sinner; Solberg; Stofferahn; Strinden; Swiontek; Thompson; Timm; Vander Vorst; Vig; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Wold; Speaker Kelly

NAYS: Gunsch; Kingsbury; Melby; Murphy; Olafson; Olsen, D.; O'Shea; Shide; Williams, W.

ABSENT AND NOT VOTING: Backes; Boyle; Kretschmar; Olson, A.; Sanstead; Unhjem

SB 2491 passed, the title was agreed to, and the emergency clause carried.

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#### REPORT OF CONFERENCE COMMITTEE

MADAM SPEAKER: Your Conference Committee to which was referred SB 2108 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on page 1726 of the House Journal and that Engrossed SB 2108 be amended as follows:

On page 1 of the engrossed bill, line 10, after the word "Damages" insert the words "- Schedule of monetary values"

On page 1 of the engrossed bill, line 10, overstrike the word "resident"

On page 1 of the engrossed bill, line 24, delete the word "resident"

On page 1 of the engrossed bill, line 26, after the word "wildlife" insert the following new language: "by willful or grossly negligent act or omission. The commissioner shall promulgate by rule a schedule of monetary values of various species of fish and wildlife, said values to represent the replacement costs of said fish and wildlife and the value lost to the state due to the destruction or injury of said species, together with other material elements of value. In any action brought under this section, the schedule shall constitute the measure of recovery for the fish and wildlife killed or destroyed. The funds so recovered shall be deposited in the general fund, and devoted to the propagation and protection of desirable species of fish and wildlife"

And renumber the lines accordingly

For the Senate: Sens. Parker, David, Krauter

For the House: Reps. Gullickson, A. Meier, Kretschmar

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

## SECOND READING OF SENATE BILL

SB 2108: A BILL for an Act to amend and reenact section 20.1-01-03 of the North Dakota Century Code, relating to ownership in the state over game and fish.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill as amended, the roll was called and there were 95 YEAS, 6 NAYS, 5 ABSENT AND NOT VOTING.

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

NAYS: Gorder; Hanson, O.; Kingsbury; Meyer, R.; Olafson; Peltier

ABSENT AND NOT VOTING: Kretschmar; Olson, A.; O'Shea; Sanstead; Unhjem

SB 2108 passed and the title was agreed to.

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## REPORT OF CONFERENCE COMMITTEE

MADAM SPEAKER: Your Conference Committee to which was referred SB 2327 has had the same under consideration and recommends that the SENATE ACCEDE to the House amendments.

For the Senate: Sens. Adams, Moore, Matchie  
For the House: Reps. Riehl, Koski, Goetz

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

## APPOINTMENT OF CONFERENCE COMMITTEES

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2322:

Reps. Lautenschlager, Gullickson, Timm

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2122:

Reps. Keller, Linderman, Murphy

## MOTIONS

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

REP. BACKES MOVED that the House stand adjourned until 8:00 a.m., Friday, April 8, 1983, which motion prevailed.

The House stood adjourned pursuant to Representative Backes' motion.

CHARLES FLEMING, Chief Clerk