

JOURNAL OF THE HOUSE

Forty-eighth Legislative Assembly

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SEVENTY-SECOND DAY

Bismarck, April 16, 1983

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

The prayer was offered by Brian Palecek, Bismarck.

EVER AND ALWAYS
Clell G. Gannon

Ever and always I shall love the vast
And changeless reaches of my prairie sea,
Surging across the days that now are past,
Bringing their storied romance in to me.

Ever and always I shall thrill to see
The pristine colors of a morning sky,
And watch the sunsets vivid pageantry
While day's unceasing beauty marches by.

Ever and always I shall pause to hear
The morning chorus of the prairie birds,
Or turn a deft and understanding ear
To hear the singing winds--what need for words!

Ever and always I shall want to see
The million stars that inundate the night,
Bearing me upward in an argosy,
Sky-blown by breezes of symphonic light.

Ever and always I shall love the land,
As long as breath shall last and pulse shall beat;
And we will walk together, hand in hand,
To find life satisfying and complete.

MOTION

REP. STRINDEN MOVED that the poem by Clell G. Gannon, just read by Brian Palecek as invocation for the day, be printed in the House Journal, which motion prevailed.

ROLL CALL

The roll was called and all members were present, except Representatives DuBord, Eagles, Gerl, O. Hanson, Kloubec, Nicholas, E. Pomeroy, Shide, Shockman, Thompson, and Timm.

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 Seventy-first day and finds the same to be correct.

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

On page 2727, delete lines 1 through 7

On page 2744, after line 34, insert the following:

"MESSAGE TO THE SENATE
HOUSE CHAMBER

MR. PRESIDENT: I have the honor to transmit herewith the following which the Speaker has signed and your signature is respectfully requested:

HB 1420, HB 1643, HB 1693, HCR 3094, HCR 3095

Very respectfully,
CHARLES FLEMING, Chief Clerk"

On page 2745, delete lines 11 through 18

REP. LAUGHLIN, Chairman

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

MESSAGES FROM THE SENATE
SENATE CHAMBER

MADAM SPEAKER: I have the honor to return herewith HB 1009 and HB 1728 which the Senate has amended as follows:

SENATE AMENDMENTS TO HB 1009

On page 1 of the engrossed bill, delete line 4

On page 1 of the engrossed bill, line 5, delete the words "alcohol motor fuel tax fund" and insert in lieu thereof the words "an appropriation for defraying the expenses of the agricultural products utilization commission"

On page 1 of the engrossed bill, line 19, delete the numerals "15,394,714" and insert in lieu thereof the numerals "15,184,171"

On page 1 of the engrossed bill, line 20, delete the numerals "2,812,988" and insert in lieu thereof the numerals "2,923,988"

On page 1 of the engrossed bill, line 22, delete the numerals "18,516,213" and insert in lieu thereof the numerals "18,416,670"

On page 1 of the engrossed bill, after line 22, insert the following new line:

"Less budget adjustment 244,163"

On page 1 of the engrossed bill, line 23, delete the numerals "10,345,557" and insert in lieu thereof the numerals "10,277,916"

On page 1 of the engrossed bill, line 24, delete the numerals "8,170,656" and insert in lieu thereof the numerals "7,894,591"

On page 2 of the engrossed bill, line 13, delete the numerals "100,000" and insert in lieu thereof the numerals "160,711"

On page 2 of the engrossed bill, line 14, delete the numerals "881,492" and insert in lieu thereof the numerals "942,203"

On page 2 of the engrossed bill, after line 14, insert the following new line:

"Less budget adjustment 19,348"

On page 2 of the engrossed bill, line 16, delete the numerals "584,229" and insert in lieu thereof the numerals "625,592"

On page 2 of the engrossed bill, line 18, delete the numerals "23,060,919" and insert in lieu thereof the numerals "22,881,031"

On page 2 of the engrossed bill, line 21, delete the numerals "30,247,198" and insert in lieu thereof the numerals "30,067,310"

On page 2 of the engrossed bill, after line 21, insert the following new line:

"Less budget adjustment 589,055"

On page 2 of the engrossed bill, line 23, delete the numerals "18,790,052" and insert in lieu thereof the numerals "18,021,109"

On page 2 of the engrossed bill, line 25, delete the numerals "19,815,052" and insert in lieu thereof the numerals "19,046,109"

On page 2 of the engrossed bill, line 27, delete the numerals "581,796" and insert in lieu thereof the numerals "578,988"

On page 2 of the engrossed bill, line 30, delete the numerals "1,092,638" and insert in lieu thereof the numerals "1,089,830"

On page 2 of the engrossed bill, after line 30, insert the following new line:

"Less budget adjustment 30,632"

On page 2 of the engrossed bill, line 32, delete the numerals "897,636" and insert in lieu thereof the numerals "864,196"

On page 2 of the engrossed bill, line 34, delete the numerals "1,023,858" and insert in lieu thereof the numerals "990,418"

On page 3 of the engrossed bill, line 1, delete the numerals "280,204" and insert in lieu thereof the numerals "280,246"

On page 3 of the engrossed bill, line 4, delete the numerals "551,703" and insert in lieu thereof the numerals "551,745"

On page 3 of the engrossed bill, after line 4, insert the following new line:

"Less budget adjustment 14,224"

On page 3 of the engrossed bill, line 6, delete the numerals "439,704" and insert in lieu thereof the numerals "425,522"

On page 3 of the engrossed bill, line 8, delete the numerals "474,104" and insert in lieu thereof the numerals "459,922"

On page 3 of the engrossed bill, line 10, delete the numerals "300,496" and insert in lieu thereof the numerals "299,909"

On page 3 of the engrossed bill, line 13, delete the numerals "563,411" and insert in lieu thereof the numerals "562,824"

On page 3 of the engrossed bill, after line 13, insert the following new line:

"Less budget adjustment 16,801"

On page 3 of the engrossed bill, line 15, delete the numerals "518,411" and insert in lieu thereof the numerals "501,023"

- On page 3 of the engrossed bill, line 17, delete the numerals "560,611" and insert in lieu thereof the numerals "543,223"
- On page 3 of the engrossed bill, line 19, delete the numerals "310,329" and insert in lieu thereof the numerals "308,312"
- On page 3 of the engrossed bill, line 22, delete the numerals "706,119" and insert in lieu thereof the numerals "704,102"
- On page 3 of the engrossed bill, after line 22, insert the following new line:
- "Less budget adjustment 20,491"
- On page 3 of the engrossed bill, line 24, delete the numerals "401,057" and insert in lieu thereof the numerals "378,549"
- On page 3 of the engrossed bill, line 26, delete the numerals "685,057" and insert in lieu thereof the numerals "662,549"
- On page 3 of the engrossed bill, line 28, delete the numerals "343,446" and insert in lieu thereof the numerals "342,192"
- On page 3 of the engrossed bill, line 31, delete the numerals "531,428" and insert in lieu thereof the numerals "530,174"
- On page 3 of the engrossed bill, after line 31, insert the following new line:
- "Less budget adjustment 14,360"
- On page 3 of the engrossed bill, line 33, delete the numerals "468,929" and insert in lieu thereof the numerals "453,315"
- On page 3 of the engrossed bill, line 35, delete the numerals "479,929" and insert in lieu thereof the numerals "464,315"
- On page 4 of the engrossed bill, line 2, delete the numerals "559,590" and insert in lieu thereof the numerals "556,123"
- On page 4 of the engrossed bill, line 3, delete the numerals "585,636" and insert in lieu thereof the numerals "450,636"

On page 4 of the engrossed bill, line 5, delete the numerals "1,264,241" and insert in lieu thereof the numerals "1,125,774"

On page 4 of the engrossed bill, after line 5, insert the following new line:

"Less budget adjustment 20,585"

On page 4 of the engrossed bill, line 7, delete the numerals "794,640" and insert in lieu thereof the numerals "635,588"

On page 4 of the engrossed bill, line 9, delete the numerals "824,640" and insert in lieu thereof the numerals "665,588"

On page 4 of the engrossed bill, line 11, delete the numerals "185,621" and insert in lieu thereof the numerals "184,645"

On page 4 of the engrossed bill, line 14, delete the numerals "713,847" and insert in lieu thereof the numerals "712,871"

On page 4 of the engrossed bill, line 16, delete the numerals "248,108" and insert in lieu thereof the numerals "247,202"

On page 4 of the engrossed bill, line 17, delete the numerals "272,632" and insert in lieu thereof the numerals "352,700"

On page 4 of the engrossed bill, line 19, delete the numerals "758,408" and insert in lieu thereof the numerals "837,570"

On page 4 of the engrossed bill, after line 19, insert the following new line:

"Less budget adjustment 25,277"

On page 4 of the engrossed bill, line 21, delete the numerals "672,408" and insert in lieu thereof the numerals "726,293"

On page 4 of the engrossed bill, line 22, delete the numerals "11,000" and insert in lieu thereof the numerals "91,000"

On page 4 of the engrossed bill, line 23, delete the numerals "683,408" and insert in lieu thereof the numerals "817,293"

- On page 4 of the engrossed bill, delete lines 28 through 33
- On page 4 of the engrossed bill, line 34, delete the numerals "33,301,544" and insert in lieu thereof the numerals "32,169,600"
- On page 4 of the engrossed bill, line 35, delete the numerals "27,129,055" and insert in lieu thereof the numerals "27,461,038"
- On page 5 of the engrossed bill, line 1, delete the numerals "60,430,599" and insert in lieu thereof the numerals "59,630,638"
- On page 7 of the engrossed bill, after line 6, insert the following new sections:

"SECTION 8. LEGISLATIVE INTENT REGARDING SECTION 7. In approving section 7, it is the intent of the legislative assembly that the land reclamation research center file an annual report with the legislative council and the public service commission on August 1, 1983, August 1, 1984, and August 1, 1985. The annual report shall contain a description and analysis of the conclusions reached from each reclamation research project that has been conducted to date for the preceding fiscal year as well as a brief description and analysis of any tentative conclusions reached from all ongoing projects. The annual report of the land reclamation research center shall also include any recommendations it may have for reducing unnecessary and duplicative regulatory costs that are not required by federal or state reclamation law and which do not contribute to effective reclamation practices. For any new reclamation research project to be approved for funding, each proposed project must meet all of the following criteria:

1. Development of data and conclusions that will assist in returning the land to its original or better productivity.
2. Development of data and conclusions that will assist in returning the land to an approved postmining land use as soon as possible.
3. Development of data and conclusions that will reduce unnecessary regulatory costs and assist in effectively reclaiming the land to its original or better productivity.

SECTION 9. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the agriculturally derived alcohol motor fuel tax fund in the state treasury, not otherwise appropriated, to the agricultural products utilization commission of the state of North Dakota, for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1983, and ending June 30, 1985, as follows:

Salaries and wages	\$ 96,513
Operating expenses	51,752
Equipment	1,835
Grants, benefits, and claims	<u>400,600</u>
Total appropriation from agriculturally derived alcohol motor fuel tax fund"	\$550,700

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Extension Division

The salaries and wages line item has a net reduction of \$210,543, of which \$142,902 is from the general fund and \$67,641 is from other funds. This will allow funds for the state to provide a two percent contribution to retirement on wages earned after July 1, 1983, and an additional two percent contribution amounting to a full four percent on wages earned after July 1, 1984. It also provides \$25,194 over the executive budget for health insurance premiums.

The operating expenses line item is increased by \$111,000 from the general fund to provide for partial restoration of the current service level.

The general fund appropriation is reduced by a budget adjustment of \$244,163 (three percent after the above adjustments). The reduction is to be allocated to individual line items by the Extension Division with the approval of the Board of Higher Education.

Northern Crops Institute

The Northern Crops Institute supplement line item is increased by \$60,711 from the general fund to be used at the discretion of the institute for salaries, operating expenses, and equipment.

The general fund appropriation is reduced by a budget adjustment of \$19,348 (three percent after the above adjustments). The reduction is to be allocated to individual line items by the Northern Crops Institute with the approval of the Board of Higher Education.

Main Experiment Station

The salaries and wages line item has a net reduction of \$179,888 from the general fund. This will allow funds for the state to provide a two percent contribution to retirement on wages earned after July 1, 1983, and an additional two percent contribution amounting to a full four percent on wages earned after July 1, 1984. It also provides \$228,365 over the executive budget for health insurance premiums.

The general fund appropriation is reduced by a budget adjustment of \$589,055 (three percent after the above adjustment). The reduction is to be allocated to individual line items by the Main Experiment Station with the approval of the Board of Higher Education.

Dickinson Experiment Station

The salaries and wages line item has a net reduction of \$2,808 from the general fund. This will allow funds for the state to provide a two percent contribution to retirement on wages earned after July 1, 1983, and an additional two percent contribution amounting to a full four percent on wages earned after July 1, 1984. It also provides \$7,174 over the executive budget for health insurance premiums.

The general fund appropriation is reduced by a budget adjustment of \$30,632 (three percent after the above adjustment). The reduction is to be allocated to individual line items by the Dickinson Experiment Station with the approval of the Board of Higher Education.

Hettinger Experiment Station

The salaries and wages line item has a net increase of \$42 from the general fund. This will allow funds for the state to provide a two percent contribution to retirement on wages earned after July 1, 1983, and an additional two percent contribution amounting to a full four percent on wages earned after July 1, 1984. It also provides \$3,549 over the executive budget for health insurance premiums.

The general fund appropriation is reduced by a budget adjustment of \$14,224 (three percent after the above adjustment). The reduction is to be allocated to

individual line items by the Hettinger Experiment Station with the approval of the Board of Higher Education.

Langdon Experiment Station

The salaries and wages line item has a net reduction of \$587 from the general fund. This will allow funds for the state to provide a two percent contribution to retirement on wages earned after July 1, 1983, and an additional two percent contribution amounting to a full four percent on wages earned after July 1, 1984. It also provides \$3,862 over the executive budget for health insurance premiums.

The general fund appropriation is reduced by a budget adjustment of \$16,801 (three percent after the above adjustment). The reduction is to be allocated to individual line items by the Langdon Experiment Station with the approval of the Board of Higher Education.

North Central Experiment Station

The salaries and wages line item has a net reduction of \$2,017 from the general fund. This will allow funds for the state to provide a two percent contribution to retirement on wages earned after July 1, 1983, and an additional two percent contribution amounting to a full four percent on wages earned after July 1, 1984. It also provides \$3,962 over the executive budget for health insurance premiums.

The general fund appropriation is reduced by a budget adjustment of \$20,491 (three percent after the above adjustment). The reduction is to be allocated to individual line items by the North Central Experiment Station with the approval of the Board of Higher Education.

Williston Experiment Station

The salaries and wages line item has a net reduction of \$1,254 from the general fund. This will allow funds for the state to provide a two percent contribution to retirement on wages earned after July 1, 1983, and an additional two percent contribution amounting to a full four percent on wages earned after July 1, 1984. It also provides \$4,360 over the executive budget for health insurance premiums.

The general fund appropriation is reduced by a budget adjustment of \$14,360 (three percent after the above adjustment). The reduction is to be allocated to individual line items by the Williston Experiment Station with the approval of the Board of Higher Education.

Carrington Experiment Station

The salaries and wages line item has a net reduction of \$3,467 from the general fund. This will allow funds for the state to provide a two percent contribution to retirement on wages earned after July 1, 1983, and an additional two percent contribution amounting to a full four percent on wages earned after July 1, 1984. It also provides \$7,302 over the executive budget for health insurance premiums.

The operating expenses line item is reduced by \$135,000 from the general fund to correct an error in the calculation of utility expenditures.

The general fund appropriation is reduced by a budget adjustment of \$20,585 (three percent after the above adjustments). The reduction is to be allocated to individual line items by the Carrington Experiment Station with the approval of the Board of Higher Education.

Agronomy Seed Farm

The salaries and wages line item has a net reduction of \$976 from other funds. This will allow funds for the state to provide a two percent contribution to retirement on wages earned after July 1, 1983, and an additional two percent contribution amounting to a full four percent on wages earned after July 1, 1984. It also provides \$2,420 over the executive budget for health insurance premiums.

Central Grassland Experiment Station

The salaries and wages line item has a net reduction of \$906 from the general fund. This will allow funds for the state to provide a two percent contribution to retirement on wages earned after July 1, 1983, and an additional two percent contribution amounting to a full four percent on wages earned after July 1, 1984. It also provides \$3,184 over the executive budget for health insurance premiums.

The operating expenses line item is increased by \$80,068 from the general fund to restore the funding to the current service level.

The capital improvements line item is increased by \$80,000 from the general fund for structure remodeling and the relocation of grain bins and other buildings.

The general fund appropriation is reduced by a budget adjustment of \$25,277 (three percent after the above adjustments). The reduction is to be allocated to individual line items by the Central Grassland Experiment Station with the approval of the Board of Higher Education.

Agricultural Products Utilization Commission

This amendment provides for a separate appropriation for the Agricultural Products Utilization Commission and adds \$400,600 for grants, benefits, and claims.

Other

A section of legislative intent is added to the bill requiring the Land Reclamation Research Center to file an annual report containing a description and analysis of the conclusions reached from each reclamation research project.

SENATE AMENDMENTS TO HB 1728

On page 1 of the engrossed bill, line 1, delete the words
"to create and enact a new section to chapter 57-60"

On page 1 of the engrossed bill, delete line 2

On page 1 of the engrossed bill, line 3, delete the words
"electrical generating plants; and"

On page 2 of the engrossed bill, delete lines 34 and 35

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

And renumber the lines, sections, and pages accordingly
Very respectfully,
LEO LEIDHOLM, Secretary

SENATE CHAMBER

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

HB 1687, HB 1732

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:

HB 1737

Very respectfully,
LEO LEIDHOLM, Secretary

REQUEST

REP. STRINDEN REQUESTED that the House be on a special order of business, which request was granted.

MOTION

REP. STRINDEN MOVED, pursuant to the slackening of the dress code for today, that an escort committee of two be appointed to escort Representative Conmy to the rostrum, which motion prevailed.

SPEAKER KELLY APPOINTED Representatives Martinson and Goetz to such escort committee, and Representative Conmy was escorted to the rostrum, where he stated: "I am just dressed in basic lederhosen, absolutely suitable for a Saturday morning in Spring and I hope you don't ever see them again--next Saturday."

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 inform you that the Senate has not adopted the conference committee report on HB 1386, and the President has appointed as a new conference committee to act with a like committee from the House on:

HB 1386: Sens. Stenehjem, J. Meyer, Holmberg

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 2005, SB 2008, SB 2015, SB 2021, SB 2033

Very respectfully,
LEO LEIDHOLM, Secretary

APPOINTMENT OF CONFERENCE COMMITTEES

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on HB 1386:

Reps. Nowatzki, Linderman, Knudson

ANNOUNCEMENT

SPEAKER KELLY ANNOUNCED that Representative Unhjem will replace Representative Eagles on the Conference Committee on SB 2009.

MOTIONS

REP. BACKES MOVED that the House reconsider its action whereby HB 1025 failed to pass, which motion prevailed.

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

REP. BACKES MOVED that the House reconsider its action whereby the conference committee report on HB 1025 was adopted, which motion prevailed.

So the House had before it the adoption of the conference committee report on HB 1025.

REQUEST

REP. KINGSBURY REQUESTED a recorded roll call vote on the motion to adopt the conference committee report on HB 1025, which request was granted.

ROLL CALL

The question being on the motion to adopt the conference committee report on HB 1025, the roll was called and there were 44 YEAS, 52 NAYS, 10 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Conmy; Dotzenrod; Gates; Goetz; Gullickson; Gunsch; Hamerlik; Hausauer; Hjelle; Hughes; Keller; Kent; Kingsbury; Koehn; Kretschmar; Kuchera; Larson, R.; Laughlin; Lipsiea; Martinson; Meyer, R.; Meyer, W.; Moore; Nalewaja; Nicholas; Nowatzki; Olson, A.; Peltier; Retzer; Rice; Richard; Riley; Rued; Schindler; Sinner; Stofferahn; Strinden; Swiontek; Timm; Unhjem; Vander Vorst; Williams, W.

NAYS: Aubol; Backes; Black; Boyle; Brokaw; DeMers; DuBord; Erdman; Gerl; Gorder; Halmrast; Hanson, L.; Haugland; Hill; Hoffner, Serenus; Hoffner, S. F.; Horgan; Jacobson; Knudson; Koski; Lardy; Larson, B.; Lautenschlager; Linderman; Lloyd; Martin, C.; Martin, G.; Meier, A.; Meiers, R.; Melby; Mertens; Mushik; O'Connell; Olafson; Olsen, D.; Opedahl; O'Shea; Peterson; Pomeroy, G.; Rayl; Riehl; Sanstead; Schneider; Schoenwald; Shockman; Solberg; Vig; Watne; Wentz; Williams, A.; Williams, C.; Speaker Kelly

ABSENT AND NOT VOTING: Eagles; Hanson, O.; Kloubec; Lang; Murphy; Pomeroy, E.; Shide; Thompson; Whalen; Wold

The motion to adopt the conference committee report on HB 1025 failed to pass.

MOTION

REP. BACKES MOVED that a new conference committee be appointed to HB 1025, which motion prevailed.

SPEAKER KELLY APPOINTED Representatives Erdman, Sanstead, and Hausauer to the new Conference Committee on HB 1025.

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.

MESSAGES TO THE SENATE
HOUSE CHAMBER

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

HB 1386: Reps. Nowatzki, Linderman, Kretschmar
Very respectfully,
CHARLES FLEMING, Chief Clerk

HOUSE CHAMBER

MR. PRESIDENT: I have the honor to inform you that the House has reconsidered its action whereby it failed to pass HB 1025, and consequently did not adopt the conference committee report to HB 1025, and the Speaker has appointed as a new conference committee to meet with a like committee from the Senate, the following Representatives:

HB 1025: Reps. Erdman, Sanstead, Hausauer
Very respectfully,
CHARLES FLEMING, Chief Clerk

HOUSE CHAMBER

MR. PRESIDENT: I have the honor to inform you that the Speaker has appointed Representative Unhjem to replace Representative Eagles on the conference committee on SB 2009.

Very respectfully,
CHARLES FLEMING, Chief Clerk

SIGNING OF BILLS AND RESOLUTIONS

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following:

HB 1034, HB 1035, HB 1037, HB 1429, HB 1528, HCR 3097,
HCR 3099

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.

REPORTS OF PROCEDURAL COMMITTEES

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

HB 1034, HB 1035, HB 1037, HB 1429, HB 1528, HCR 3097,
HCR 3099

REP. G. MARTIN, Chairman

REP. RAYL 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 enrolled:

HB 1001, HB 1010, HB 1020, HB 1021, HB 1023, HB 1024,
HB 1032, HB 1033, HB 1038, HB 1539

REP. G. MARTIN, Chairman

REP. R. LARSON 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 Speaker has signed and your signature is respectfully requested:

HB 1034, HB 1035, HB 1037, HB 1429, HB 1528, HCR 3097,
HCR 3099

Very respectfully,
CHARLES FLEMING, Chief Clerk

REVISION AND CORRECTION OF THE JOURNAL

MADAM SPEAKER: Your Committee on Revision and Correction of the Journal has carefully reexamined the Journal of the Seventy-first day and recommends that the same be corrected as follows and when so corrected, recommends that the same be approved:

On page 2771, after line 20, insert the following:

"SIGNING OF BILLS AND RESOLUTIONS

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following:

SB 2073, SB 2431

CHARLES FLEMING, Chief Clerk"
REP. LAUGHLIN, Chairman

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

MESSAGES FROM THE SENATE
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 2011, SB 2013, SB 2502

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 2003, SB 2006, SB 2014, SB 2023, SB 2024, SB 2030,
SB 2040, SB 2106, SB 2227, SB 2313, SB 2322

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 2007, SB 2010, SB 2025, SB 2034, SB 2035, SB 2036,
SB 2122, SB 2277

Very respectfully,
LEO LEIDHOLM, Secretary

SENATE CHAMBER

MADAM SPEAKER: I have the honor to inform you that the Senate has adopted the conference committee report on SB 2012, and the President has appointed as a new conference committee to act with a like committee from the House on:

SB 2012: Sens. Tennefos, Tweten, Walsh

Very respectfully,
LEO LEIDHOLM, Secretary

MOTION

REP. MUSHIK 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.

MESSAGES FROM THE SENATE
SENATE CHAMBER

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

HB 1034, HB 1035, HB 1037, HB 1429, HB 1528, HCR 3097,
HCR 3099

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 2068, SB 2144

Very respectfully,
LEO LEIDHOLM, Secretary

MOTION

REP. MUSHIK MOVED that immediately following consideration of the conference committee reports, 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 SELECT COMMITTEE

REP. JACOBSON MOVED that the conference committee report on HB 1724 as printed on pages 2803 and 2804 of the House Journal be adopted, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1724: A BILL for an Act to provide for distribution of certain education aid funds; to amend and reenact sections 57-51.1-07 and 57-51.1-08 of the North Dakota Century Code, relating to allocation of moneys in the oil extraction tax development fund and to legislative intent; to provide an effective date; and to declare an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended, the roll was called and there were 77 YEAS, 0 NAYS, 29 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Aubol; Black; Boyle; Brokaw; Conmy; DeMers; DuBord; Erdman; Gerl; Gorder; Gullickson; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer; Hill; Hjelle; Hoffner, S. F.; Horgan; Hughes; Jacobson; Keller; Kent; Kingsbury; Kloubec; Knudson; Koski; Kuchera; Lang; Lardy; Larson, R.; Laughlin; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, G.; Martinson; Meier, A.; Meiers, R.; Melby; Mertens; Meyer, R.; Moore; Mushik; Nicholas; Nowatzki; O'Connell; Olafson; Olson, A.; Opedahl; O'Shea; Peltier; Pomeroy, G.; Rayl; Richard; Riehl; Riley; Rued; Sanstead; Schindler; Schneider; Schoenwald; Solberg; Stofferahn; Strinden; Timm; Vig; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Speaker Kelly

NAYS: None

ABSENT AND NOT VOTING: Backes; Dotzenrod; Eagles; Gates; Goetz; Gunsch; Hanson, O.; Hoffner, Serenus; Koehn; Kretschmar; Larson, B.; Martin, C.; Meyer, W.; Murphy; Nalewaja; Olsen, D.; Peterson; Pomeroy, E.; Retzer; Rice; Shide; Shockman; Sinner; Swiontek; Thompson; Unhjem; Vander Vorst; Whalen; Wold

HB 1724 passed, the title was agreed to, and the emergency clause carried.

REPORT OF SELECT COMMITTEE

REP. NOWATZKI MOVED that the conference committee report on SB 2067 as printed on pages 2795-2797 of the House Journal be adopted, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2067: A BILL for an Act to create and enact a new subsection to section 15-20.4-02, nine new sections to chapter 53-06.1, a new subsection to section 53-06.1-01, a new subsection to section 53-06.1-06, and a new section to chapter 54-12 of the North Dakota Century Code, relating to games of chance, regulatory power of the state board of vocational education, definitions, allocation of tax revenues, limitations on hours and participation in games of chance and regulation of the number of twenty-one tables per site and the number of sites per eligible organization, persons permitted to conduct games of chance, unlawful use of bogus chips, marked cards, cheating devices, and fraudulent schemes, powers and duties of the attorney general, license suspension or revocation, and work permits; to amend and reenact subsections 7 and 15 of section 53-06.1-01, subsection 3 of section 53-06.1-03, sections 53-06.1-04, 53-06.1-05, subsections 2 and 9 of section 53-06.1-06, sections 53-06.1-08, 53-06.1-10, subsection 3 of section 53-06.1-11, and sections 53-06.1-12 and 53-06.1-16 of the North Dakota Century Code, relating to definitions, permit fees for games of chance site approval, licensure, bingo and raffles conducted by educational organizations and college fraternities and sororities, allowable wagers in the game twenty-one, persons permitted to conduct games of chance and distribute equipment, maximum price per jar ticket, sports pools, twenty-one, tax on adjusted gross proceeds received by eligible organizations conducting games of chance, expenses which may be deducted by eligible organizations, and payment of a portion of the tax collected to the city or county granting approval of the site; and to provide penalties.

Which has been read.

MOTION

REP. MUSHIK MOVED that the House waive the reading of the title to SB 2067, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill as amended, the roll was called and there were 58 YEAS, 24 NAYS, 24 ABSENT AND NOT VOTING.

YEAS: Anderson, R.; Black; Boyle; Conmy; DeMers; DuBord; Geri; Gullickson; Hamerlik; Hanson, L.; Haugland; Hausauer; Hjelle; Hoffner, S. F.; Horgan; Hughes; Jacobson; Keller; Kent; Kloubec; Knudson; Koski; Larson, R.; Laughlin; Linderman; Lipslea; Lloyd; Martin, G.; Martinson; Mertens; Meyer, R.; Meyer, W.; Moore; Mushik; Nicholas; Nowatzki; O'Connell; Olafson; Olson, A.; Opedahl; O'Shea; Peltier; Pomeroy, G.; Rayl; Riehl; Riley; Schneider; Schoenwald; Shockman; Sinner; Stofferahn; Strinden; Timm; Vig; Williams, A.; Williams, C.; Williams, W.; Speaker Kelly

NAYS: Anderson, C.; Aubol; Brokaw; Erdman; Gorder; Halmrast; Hill; Kingsbury; Kuchera; Lang; Lardy; Lautenschlager; Meier, A.; Meiers, R.; Melby; Murphy; Retzer; Richard; Rued; Sanstead; Schindler; Solberg; Watne; Wentz

ABSENT AND NOT VOTING: Backes; Dotzenrod; Eagles; Gates; Goetz; Gunsch; Hanson, O.; Hoffner, Serenus; Koehn; Kretschmar; Larson, B.; Martin, C.; Nalewaja; Olsen, D.; Peterson; Pomeroy, E.; Rice; Shide; Swiontek; Thompson; Unhjem; Vander Vorst; Whalen; Wold

SB 2067 passed and the title was agreed to.

REPORT OF CONFERENCE COMMITTEE

MADAM SPEAKER: Your Conference Committee to which was referred Engrossed HB 1022 has had the same under consideration and recommends that the SENATE RECEDE from its amendments as found on page 2209 of the House Journal and that Engrossed HB 1022 be amended as follows:

On page 1 of the engrossed bill, line 12, delete the numerals "305,939" and insert in lieu thereof the numerals "305,136"

On page 1 of the engrossed bill, line 15, delete the words "general fund appropriation", and delete the numerals "472,924" and insert in lieu thereof the numerals "472,121"

On page 1 of the engrossed bill, after line 15, insert the following new lines:

"Less budget adjustment

_____ 9,442

Total general fund appropriation

\$462,679"

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Livestock Sanitary Board

The salaries and wages line item has a net reduction of \$803 from the general fund. This will allow funds for the state to provide a two percent contribution to retirement on wages earned after July 1, 1983, and an additional two percent contribution amounting to a full four percent on wages earned after July 1, 1984. It also provides \$2,689 over the executive budget for health insurance premiums.

The appropriation is reduced by a budget adjustment of \$9,442 (two percent) from the general fund. The executive officer shall take such administrative action as may be necessary to spend less than the total of the line items in the appropriation to achieve the \$9,442 budget reduction. Line items other than salaries and wages, operating expenses, data processing, and equipment are not to be affected by the budget reduction.

For the Senate: Sens. Naaden, Tweten, Walsh

For the House: Reps. Boyle, Erdman, O. Hanson

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

SECOND READING OF HOUSE BILL

HB 1022: A BILL for an Act making an appropriation for defraying the expenses of the livestock sanitary board of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended, the roll was called and there were 80 YEAS, 2 NAYS, 24 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Aubol; Boyle; Brokaw; Conmy; DeMers; DuBord; Erdman; Gerl; Gorder; Gullickson; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer; Hill; Hjelle; Hoffner, S. F.; Horgan; Hughes; Jacobson; Keller; Kent; Kingsbury; Kloubec; Knudson; Koski; Kuchera; Lang; Lardy; Larson, R.; Laughlin; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, C.; Martin, G.; Martinson; Meier, A.; Meiers, R.; Mertens; Meyer, R.; Meyer, W.; Moore; Mushik; Nicholas; Nowatzki; O'Connell; Olafson; Olson, A.; Opedahl; O'Shea; Peltier; Pomeroy, G.; Rayl; Retzer; Richard;

Riehl; Riley; Rued; Sanstead; Schindler; Schneider;
Schoenwald; Shockman; Sinner; Solberg; Stofferahn;
Strinden; Timm; Vig; Watne; Wentz; Williams, A.;
Williams, C.; Williams, W.; Speaker Kelly

NAYS: Melby; Murphy

ABSENT AND NOT VOTING: Backes; Black; Dotzenrod; Eagles;
Gates; Goetz; Gunsch; Hanson, O.; Hoffner; Serenus;
Koehn; Kretschmar; Larson, B.; Nalewaja; Olsen, D.;
Peterson; Pomeroy, E.; Rice; Shide; Swiontek; Thompson;
Unhjem; Vander Vorst; Whalen; Wold

HB 1022 passed and the title was agreed to.

REPORT OF CONFERENCE COMMITTEE

MADAM SPEAKER: Your Conference Committee to which was referred HB 1027 has had the same under consideration and recommends that the SENATE RECEDE from its amendments as found on page 2173 of the House Journal and that HB 1027 be amended as follows:

On page 1, line 13, delete the numerals "1,628,620" and insert in lieu thereof the numerals "1,573,732"

On page 1, line 18, delete the numerals "2,335,010" and insert in lieu thereof the numerals "2,280,122"

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

State Seed Department

The salaries and wages line item has a net reduction of \$54,888 from the seed department fund. This will allow funds for the state to provide a two percent contribution to retirement on wages earned after July 1, 1983, and an additional two percent contribution amounting to a full four percent on wages earned after July 1, 1984. It also provides \$13,333 over the executive budget for health insurance premiums.

For the Senate: Sens. Naaden, Nelson, Stromme

For the House: Reps. Erdman, Lardy, Kingsbury

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

SECOND READING OF HOUSE BILL

HB 1027: A BILL for an Act making an appropriation for defraying the expenses of the state seed department and various divisions thereof of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended, the roll was called and there were 91 YEAS, 3 NAYS, 12 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Aubol; Black; Boyle; Brokaw; Conmy; DeMers; DuBord; 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; Kingsbury; Kloubec; Knudson; Koehn; Koski; Kuchera; Lang; Lardy; 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; Olafson; Olsen, D.; Olson, A.; Opedahl; O'Shea; Peltier; Pomeroy, G.; Rayl; Retzer; Rice; Richard; Riley; Rued; Sanstead; Schindler; Schneider; Schoenwald; Shide; Sinner; Solberg; Stofferahn; Strinden; Swiontek; Timm; Unhjem; Vander Vorst; Vig; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Speaker Kelly

NAYS: Melby; Murphy; Shockman

ABSENT AND NOT VOTING: Backes; Dotzenrod; Eagles; Hanson, O.; Kretschmar; Larson, B.; Peterson; Pomeroy, E.; Riehl; Thompson; Whalen; Wold

HB 1027 passed and the title was agreed to.

REPORT OF CONFERENCE COMMITTEE

MADAM SPEAKER: Your Conference Committee to which was referred Engrossed HB 1029 has had the same under consideration and recommends that the SENATE RECEDE from its amendments as found on pages 2141 and 2142 of the House Journal and that Engrossed HB 1029 be amended as follows:

- On page 1 of the engrossed bill, line 13, delete the numerals "52,093,661" and insert in lieu thereof the numerals "52,669,152"
- On page 1 of the engrossed bill, line 14, delete the numerals "41,591,389" and insert in lieu thereof the numerals "50,792,089"
- On page 1 of the engrossed bill, line 15, delete the numerals "1,251,966" and insert in lieu thereof the numerals "1,547,266"

On page 1 of the engrossed bill, line 16, delete the numerals "6,299,567" and insert in lieu thereof the numerals "6,439,217"

On page 1 of the engrossed bill, line 17, delete the numerals "2,855,150" and insert in lieu thereof the numerals "3,589,150"

On page 1 of the engrossed bill, line 20, delete the numerals "348,958,793" and insert in lieu thereof the numerals "359,903,934"

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

"Less budget adjustment 2,228,954"

On page 1 of the engrossed bill, line 21, delete the numerals "348,840,345" and insert in lieu thereof the numerals "357,558,901"

On page 1 of the engrossed bill, line 22, delete the numerals "118,448" and insert in lieu thereof the numerals "116,079"

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

State Highway Department

The salaries and wages line item is increased by \$575,491 from other funds. Of the total, \$231,803 will allow funds for the state to provide a two percent contribution to retirement on wages earned after July 1, 1983, and an additional two percent contribution amounting to a full four percent on wages earned after July 1, 1984. It also provides \$383,139 over the executive budget for health insurance premiums. Salaries and wages are further increased by \$344,408 from other funds to provide \$24,536 for one existing secretary position deleted in the executive budget and \$319,872 for four hearing officers, two clerical positions, and one program director necessary to carry out the provisions of Senate Bill No. 2373 relating to violations of operating motor vehicles including driving while intoxicated.

The operating expenses are increased by \$9,200,700 from other funds to provide \$200,700 to carry out the provisions of Senate Bill No. 2373 and \$9,000,000 to carry out the provisions of Senate Bill No. 2062, relating to the creation of a central management system for state motor vehicles.

Data processing is increased by \$295,300 from other funds, equipment is increased by \$139,650 from other funds, and grants are increased by \$734,000 from other funds to provide funds to carry out the provisions of Senate Bill No. 2373.

The cost of implementing the provisions of Senate Bill No. 2373 is expected to be funded as follows: \$714,058 from federal funds (subject to eligibility), and \$1 million from funds estimated to be collected due to a \$25 fee for reinstatement of driver's licenses.

The total appropriation, after the above adjustments, is reduced by a budget adjustment of \$2,228,954 (two percent). Of this reduction, \$2,226,585 is from other funds and \$2,369 is from the general fund. The Highway Commissioner shall take such administrative action as may be necessary to spend less than the total of the line items in the appropriation to achieve the \$2,228,954 budget reduction. Line items other than salaries and wages, operating expenses, data processing, and equipment are not to be affected by the budget reduction.

For the Senate: Sens. Streibel, Tennefos, Heigaard

For the House: Reps. Mushik, Solberg, Hausauer

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

SECOND READING OF HOUSE BILL

HB 1029: A BILL for an Act making an appropriation for defraying the expenses of the highway department of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended, the roll was called and there were 93 YEAS, 4 NAYS, 9 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Aubol; Black; Boyle; Brokaw; Conmy; DeMers; DuBord; Erdman; Gates; Gerl; Goetz; Gorder; Gullickson; Gunsch; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer; Hill; Hjelle; 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; Olafson; Olsen, D.; Olson, A.; Opedahl; O'Shea; Peltier; Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Rice; Richard; Riehl; Riley;

Rued; Sanstead; Schindler; Schneider; Schoenwald;
Shide; Sinner; Solberg; Stofferahn; Strinden; Swiontek;
Timm; Unhjem; Vander Vorst; Vig; Watne; Wentz;
Williams, A.; Williams, C.; Williams, W.; Speaker Kelly

NAYS: Kingsbury; Melby; Murphy; Shockman

ABSENT AND NOT VOTING: Backes; Dotzenrod; Eagles;
Hanson, O.; Kretschmar; Peterson; Thompson; Whalen;
Wold

HB 1029 passed and the title was agreed to.

REPORT OF CONFERENCE COMMITTEE

MADAM SPEAKER: Your Conference Committee to which was referred Engrossed HB 1052 has had the same under consideration and recommends that your conference committee, having been unable to agree, recommends that the conference committee be discharged and a new conference committee be appointed.

For the Senate: Sens. Goodman, Moore, Matchie

For the House: Reps. Richard, Aubol, Hughes

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

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on HB 1052:

Reps. Sinner, R. Anderson, Koski

REPORT OF CONFERENCE COMMITTEE

MADAM SPEAKER: Your Conference Committee to which was referred Engrossed SB 2008 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on pages 2059 and 2060 of the House Journal and that Engrossed SB 2008 be amended as follows:

On page 1 of the engrossed bill, line 18, delete the numerals "2,671,886" and insert in lieu thereof the numerals "2,725,672"

On page 1 of the engrossed bill, line 21, delete the numerals "36,730" and insert in lieu thereof the numerals "221,730"

On page 1 of the engrossed bill, line 22, delete the words "all funds" and delete the numerals "3,252,264" and insert in lieu thereof the numerals "3,491,050"

On page 1 of the engrossed bill, after line 22, insert the following new line:

"Less budget adjustment 65,386"

On page 1 of the engrossed bill, line 23, delete the numerals "518,355" and insert in lieu thereof the numerals "507,988"

On page 1 of the engrossed bill, line 24, delete the numerals "2,733,909" and insert in lieu thereof the numerals "2,917,676"

On page 1 of the engrossed bill, line 27, delete the numerals "1,483,289" and insert in lieu thereof the numerals "1,512,548"

On page 2 of the engrossed bill, line 4, delete the words "all funds", and delete the numerals "1,930,023" and insert in lieu thereof the numerals "1,959,282"

On page 2 of the engrossed bill, after line 4, insert the following new line:

"Less budget adjustment 38,526"

On page 2 of the engrossed bill, line 5, delete the numerals "388,850" and insert in lieu thereof the numerals "381,073"

On page 2 of the engrossed bill, line 6, delete the numerals "1,541,173" and insert in lieu thereof the numerals "1,539,683"

On page 2 of the engrossed bill, line 7, delete the numerals "4,275,082" and insert in lieu thereof the numerals "4,457,359"

On page 2 of the engrossed bill, line 8, delete the numerals "907,205" and insert in lieu thereof the numerals "889,061"

On page 2 of the engrossed bill, line 9, delete the numerals "5,182,287" and insert in lieu thereof the numerals "5,346,420"

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

School for the Deaf

The salaries and wages line item has a net increase of \$53,786 from the general fund. This will allow funds for

the state to provide a two percent contribution to retirement on wages earned after July 1, 1983, and an additional two percent contribution amounting to a full four percent on wages earned after July 1, 1984. It also provides \$26,361 over the executive budget for health insurance premiums.

The capital improvements line item is increased by \$185,000 from the general fund to provide for the rebuilding of a section of an access tunnel at the School for the Deaf.

The appropriation is reduced by a budget adjustment of \$65,386 (two percent after the above adjustments), of which \$55,019 is from the general fund and \$10,367 is from other funds. The superintendent shall take such administrative action as may be necessary to spend less than the total of the line items in the appropriation to achieve the \$65,386 budget reduction. Line items other than salaries and wages, operating expenses, data processing, and equipment are not to be affected by the budget reduction.

School for the Blind

The salaries and wages line item has a net increase of \$29,259 from the general fund. This will allow funds for the state to provide a two percent contribution to retirement on wages earned after July 1, 1983, and an additional two percent contribution amounting to a full four percent on wages earned after July 1, 1984. It also provides \$12,808 over the executive budget for health insurance premiums.

The appropriation is reduced by a budget adjustment of \$38,526 (two percent after the above adjustments), of which \$30,749 is from the general fund and \$7,777 is from other funds. The superintendent shall take such administrative action as may be necessary to spend less than the total of the line items in the appropriation to achieve the \$38,526 budget reduction. Line items other than salaries and wages, operating expenses, data processing, and equipment are not to be affected by the budget reduction.

For the Senate: Sens. Naaden, Tweten, Stromme

For the House: Reps. Sanstead, G. Martin, Kuchera

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

SECOND READING OF SENATE BILL

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.

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, 0 NAYS, 11 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Aubol; Black; Boyle; Brokaw; Conmy; DeMers; DuBord; Erdman; Gates; Gerl; Goetz; Gorder; Gullickson; Gunsch; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Hughes; Jacobson; Keller; Kent; Kingsbury; 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; Murphy; Mushik; Nalewaja; Nicholas; Nowatzki; O'Connell; Olafson; Olsen, D.; Olson, A.; Opedahl; O'Shea; Peltier; Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Rice; Richard; Riehl; Riley; Rued; Sanstead; Schindler; Schneider; Schoenwald; Shide; Shockman; Sinner; Solberg; Stofferahn; Swiontek; Timm; Unhjem; Vander Vorst; Vig; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Speaker Kelly

NAYS: None

ABSENT AND NOT VOTING: Backes; Dotzenrod; Eagles; Hanson, O.; Horgan; Kretschmar; Peterson; Strinden; Thompson; Whalen; Wold

SB 2008 passed and the title was agreed to.

REPORT OF CONFERENCE COMMITTEE

MADAM SPEAKER: Your Conference Committee to which was referred SB 2005 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on page 2057 of the House Journal.

For the Senate: Sens. Lips, Thane, Tallackson
For the House: Reps. G. Martin, Erdman, O. Hanson

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

MOTION

REP. MERTENS MOVED that SB 2005 be laid over one legislative day, which motion prevailed.

REPORT OF CONFERENCE COMMITTEE

MADAM SPEAKER: Your Conference Committee to which was referred SB 2012 has had the same under consideration and recommends that your conference committee, having been unable to agree,

recommends that the conference committee be discharged and a new conference committee be appointed.

For the Senate: Sens. Tennefos, Tweten, Walsh

For the House: Reps. G. Martin, Boyle, Unhjem

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

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2012:

Reps. G. Martin, Horgan, Unhjem

REPORT OF CONFERENCE COMMITTEE

MADAM SPEAKER: Your Conference Committee to which was referred SB 2015 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on pages 2063-2065 of the House Journal and that SB 2015 be amended as follows:

On page 1, line 1, after the word "Act" insert the words "to create and enact a new section to chapter 11-15 of the North Dakota Century Code, relating to expenses incurred to return escapees from a state facility; and"

On page 1, line 15, after the word "FUGITIVES" insert the words "-TRANSPORT OF ESCAPEES AND PROBATION VIOLATORS"

On page 1, line 20, delete the numerals "31,800" and insert in lieu thereof the numerals "53,000"

On page 1, line 21, delete the numerals "31,800" and insert in lieu thereof the numerals "53,000"

On page 2, after line 27, insert the following new subdivisions:

"Subdivision 10.

COMMISSION ON UNIFORM STATE LAWS	
Operating expenses	\$ 25,000
Total general fund appropriation	\$ 25,000

Subdivision 11.

EDUCATION COMMISSION OF THE STATES	
Operating expenses	\$ 35,000
Total general fund appropriation	\$ 35,000"

On page 2, line 28, delete the numerals "374,200" and insert in lieu thereof the numerals "455,400"

On page 2, line 30, delete the numerals "424,200" and insert in lieu thereof the numerals "505,400"

On page 2, after line 30, insert the following new section:

"SECTION 2. A new section to chapter 11-15 of the North Dakota Century Code is hereby created and enacted to read as follows:

Fees for transporting persons who have escaped or violated probation. A sheriff or a sheriff's deputy shall receive the expenses incurred in the return of any person who has escaped from a state facility. Those expenses must be paid in amounts as provided by law for state officials, except that the mileage paid must be that regularly paid to the sheriff and the sheriff's deputies. If the person to be returned is a prisoner of a state facility or is ordered returned by a district court judge, the mileage and expenses must be paid by the state."

On page 2, line 32, delete the word and numeral "and 9" and insert in lieu thereof the numerals "9, 10, and 11"

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

STATEMENT OF PURPOSE OF AMENDMENT:

Arrest and Return of Fugitives

A new section is added to this bill which will permit reimbursement to local law enforcement units for expenses incurred in the return of escapees from state facilities or the return of probation violators.

Boys and Girls Clubwork

The appropriation is increased by \$21,200 from the general fund to provide funding at an annual level of \$500 per county, as authorized in House Bill No. 1672. The current annual funding level is \$300 per county.

Commission on Uniform State Laws

A general fund appropriation of \$25,000 is added to provide funds for expenses related to the commission's continued membership in the national conference.

Education Commission of the States

A general fund appropriation of \$35,000 is added to provide funds for continued membership in the commission and the related expenses for two state meetings per year,

attendance at national meetings, and expenses to conduct one state education policy seminar during the 1983-85 biennium.

For the Senate: Sens. Tennefos, Naaden, Tallackson

For the House: Reps. Opedahl, Boyle, Unhjem

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

SECOND READING OF SENATE BILL

SB 2015: A BILL for an Act to create and enact a new section to chapter 11-15 of the North Dakota Century Code, relating to expenses incurred to return escapees from a state facility; and making an appropriation for defraying expenses of various commissions, departments, and divisions thereof of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended, the roll was called and there were 83 YEAS, 10 NAYS, 13 ABSENT AND NOT VOTING.

YEAS: Aubol; Boyle; Brokaw; Conmy; DeMers; DuBord; Erdman; Gates; Gerl; Goetz; Gullickson; Halmrast; Hamerlik; Hanson, L.; Haugland; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Jacobson; Keller; Kent; Kingsbury; Kloubec; Knudson; Koehn; Koski; Kuchera; Lang; Lardy; Larson, B.; 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; Olafson; Olsen, D.; Olson, A.; Opedahl; O'Shea; Peltier; Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Rice; Richard; Riehl; Riley; Rued; Sanstead; Schindler; Schneider; Schoenwald; Shide; Solberg; Stofferahn; Swiontek; Timm; Unhjem; Vig; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Speaker Kelly

NAYS: Anderson, C.; Anderson, R.; Gorder; Gunsch; Hughes; Larson, R.; Melby; Murphy; Shockman; Vander Vorst

ABSENT AND NOT VOTING: Backes; Black; Dotzenrod; Eagles; Hanson, O.; Hausauer; Kretschmar; Peterson; Sinner; Strinden; Thompson; Whalen; Wold

SB 2015 passed and the title was agreed to.

REPORT OF CONFERENCE COMMITTEE

MADAM SPEAKER: Your Conference Committee to which was referred Engrossed SB 2021 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on pages 2066 and 2067 of the House Journal and that Engrossed SB 2021 be amended as follows:

On page 1 of the engrossed bill, line 19, delete the numerals "1,229,610" and insert in lieu thereof the numerals "1,283,614"

On page 1 of the engrossed bill, line 23, delete the words "general fund appropriation", and delete the numerals "1,449,017" and insert in lieu thereof the numerals "1,503,021"

On page 1 of the engrossed bill, after line 23, insert the following new lines:

"Less budget adjustment	30,060
Total general fund appropriation	\$1,472,961"

On page 1 of the engrossed bill, line 24, delete the numerals "1,450,097" and insert in lieu thereof the numerals "1,474,041"

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Parole and Probation Office

The salaries and wages line item has an increase of \$54,004 from the general fund. Of this amount, \$25,904 will allow funds for the state to provide a two percent contribution to retirement on wages earned after July 1, 1983, and an additional two percent contribution amounting to a full four percent on wages earned after July 1, 1984. It also provides \$13,779 over the executive budget for health insurance premiums.

In addition, this amendment provides \$28,100 for 1.5 FTE clerk-typist I, 1 FTE at the Bismarck office and .5 FTE in the Grand Forks office.

The appropriation is reduced by a budget adjustment of \$30,060 (two percent). The chief parole officer shall take such administrative action as may be necessary to spend less than the total of the line items in the appropriation to achieve the \$30,060 budget reduction. Line items other than salaries and wages, operating expenses, data processing, and equipment are not to be affected by the budget reduction.

For the Senate: Sens. Naaden, Tweten, Grotberg

For the House: Reps. Opedahl, Eagles, Rayl

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

SECOND READING OF SENATE BILL

SB 2021: A BILL for an Act making an appropriation for defraying the expenses of the pardon board and the parole and probation office of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended, the roll was called and there were 83 YEAS, 10 NAYS, 13 ABSENT AND NOT VOTING.

YEAS: Aubol; Boyle; Brokaw; Conmy; DeMers; DuBord; Erdman; Gates; Gerl; Goetz; Gorder; Gullickson; Halmrast; Hamerlik; Hanson, L.; Haugland; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Jacobson; Keller; Kent; Kingsbury; Kloubec; Knudson; Koehn; Koski; Kuchera; 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; Olafson; Olsen, D.; Olson, A.; Opedahl; O'Shea; Peltier; Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Rice; Richard; Riehl; Riley; Rued; Sanstead; Schneider; Schoenwald; Shide; Shockman; Solberg; Stofferahn; Swiontek; Unhjem; Vig; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Speaker Kelly

NAYS: Anderson, C.; Anderson, R.; Gunsch; Hughes; Lang; Melby; Murphy; Schindler; Timm; Vander Vorst

ABSENT AND NOT VOTING: Backes; Black; Dotzenrod; Eagles; Hanson, O.; Hausauer; Kretschmar; Peterson; Sinner; Strinden; Thompson; Whalen; Wold

SB 2021 passed and the title was agreed to.

REPORT OF CONFERENCE COMMITTEE

MADAM SPEAKER: Your Conference Committee to which was referred Engrossed SB 2033 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on page 2100 of the House Journal and that Engrossed SB 2033 be amended as follows:

On page 1 of the engrossed bill, line 14, delete the numerals "2,358,893" and insert in lieu thereof the numerals "2,386,543"

On page 1 of the engrossed bill, line 20, delete the numerals "7,475,632" and insert in lieu thereof the numerals "7,503,282"

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

"Less budget adjustment 86,229"

On page 1 of the engrossed bill, line 21, delete the numerals "2,621,000" and insert in lieu thereof the numerals "2,608,780"

On page 1 of the engrossed bill, line 22, delete the numerals "4,854,632" and insert in lieu thereof the numerals "4,808,273"

On page 2 of the engrossed bill, line 6, after the word "department" insert the words ", except that the purchase of land may be only for land adjoining existing land holdings of the department as of June 30, 1983,"

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

The salaries and wages line item of the Parks and Recreation Department has a net increase of \$27,650 from the general fund. This will allow funds for the state to provide a two percent contribution to retirement on wages earned after July 1, 1983, and an additional two percent contribution amounting to a full four percent on wages earned after July 1, 1984. It also provides \$13,500 over the executive budget for health insurance premiums.

The appropriation is reduced by a budget adjustment of \$86,229 (two percent), of which \$74,009 is from the general fund and \$12,220 is from other funds. The director shall take such administrative action as may be necessary to spend less than the total of the line items in the appropriation to achieve the \$86,229 budget reduction. Line items other than salaries and wages, operating expenses, data processing, and equipment are not to be affected by the budget reduction.

The amendment also restricts the purchase of land by the Parks and Recreation Department to lands adjoining land currently held by the department.

For the Senate: Sens. Nelson, Thane, Heigaard

For the House: Reps. Horgan, Mertens, Gunsch

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

SECOND READING OF SENATE BILL

SB 2033: A BILL for an Act making an appropriation for defraying the expenses of the parks and recreation department of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended, the roll was called and there were 85 YEAS, 7 NAYS, 14 ABSENT AND NOT VOTING.

YEAS: Anderson, R.; Aubol; Brokaw; Conmy; DeMers; DuBord; Erdman; Gates; Gerl; Goetz; Gorder; Gullickson; Gunsch; Halmrast; Hamerlik; Hanson, L.; Haugland; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Hughes; Jacobson; Keller; Kent; Kingsbury; 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; Olafson; Olsen, D.; Olson, A.; Opedahl; O'Shea; Peltier; Pomeroy, E.; Pomeroy, G.; Rayl; Rice; Richard; Riehl; Riley; Rued; Sanstead; Schneider; Schoenwald; Shide; Solberg; Stofferahn; Swiontek; Timm; Unhjem; Vig; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Speaker Kelly

NAYS: Anderson, C.; Melby; Murphy; Retzer; Schindler; Shockman; Vander Vorst

ABSENT AND NOT VOTING: Backes; Black; Boyle; Dotzenrod; Eagles; Hanson, O.; Hausauer; Kretschmar; Peterson; Sinner; Strinden; Thompson; Whalen; Wold

SB 2033 passed and the title was agreed to.

REPORT OF CONFERENCE COMMITTEE

MADAM SPEAKER: Your Conference Committee to which was referred Engrossed HB 1028 has had the same under consideration and recommends that the SENATE RECEDE from its amendments as found on page 2141 of the House Journal and that Engrossed HB 1028 be amended as follows:

On page 1 of the engrossed bill, line 14, delete the numerals "10,364,880" and insert in lieu thereof the numerals "10,426,727"

On page 1 of the engrossed bill, line 15, delete the numerals "2,374,113" and insert in lieu thereof the numerals "2,447,751"

On page 1 of the engrossed bill, line 19, delete the numerals "13,767,511" and insert in lieu thereof the numerals "13,902,996"

On page 1 of the engrossed bill, after line 19, insert the following new line:

"Less budget adjustment 277,260"

On page 1 of the engrossed bill, line 20, delete the numerals "4,367,674" and insert in lieu thereof the numerals "6,540,609"

On page 1 of the engrossed bill, line 21, delete the numerals "9,399,837" and insert in lieu thereof the numerals "7,085,127"

On page 2 of the engrossed bill, line 18, delete the numerals "4,045,212" and insert in lieu thereof the numerals "6,224,596"

On page 2 of the engrossed bill, line 20, delete the words "truck regulatory function within the"

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Highway Patrol

The salaries and wages line item has a net increase of \$61,847, of which \$7,530 is a reduction from the general fund and \$14,177 is an increase from other funds to allow funds equivalent to the state's provision of a two percent contribution to retirement on wages earned after July 1, 1983, and an additional two percent contribution amounting to a full four percent on wages earned after July 1, 1984. In addition, salaries and wages are increased by \$55,200 from the highway fund for the hazardous waste management program. It also provides \$66,055 over the executive budget for health insurance premiums.

The operating expenses line item of the Highway Patrol is increased by \$73,638 from the State Highway Fund; \$64,838 is for Truck Regulatory positions which were transferred from the Highway Department. This amount was inadvertently

omitted from both the Highway Patrol and Highway Department budgets. The total also includes an \$8,800 increase for the hazardous waste management program.

The appropriation is reduced by a budget adjustment of \$277,260 (two percent), of which \$144,595 is from the general fund and \$132,665 is from other funds. The superintendent shall take such administrative action as may be necessary to spend less than the total of the line items in the appropriation to achieve the \$277,260 budget reduction. Line items other than salaries and wages, operating expenses, data processing, and equipment are not to be affected by the budget reduction.

The amendments also include an increase in funding from the state highway fund and a corresponding decrease in the general fund appropriation in the amount of \$2,162,585.

For the Senate: Sens. Streibel, Tweten, Heigaard

For the House: Reps. Hausauer, Solberg, Mushik

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

SECOND READING OF HOUSE BILL

HB 1028: A BILL for an Act making an appropriation for defraying the expenses of the highway patrol of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended, the roll was called and there were 87 YEAS, 6 NAYS, 13 ABSENT AND NOT VOTING.

YEAS: Anderson, R.; Aubol; Backes; Boyle; Brokaw; Conmy; DeMers; DuBord; Erdman; Gates; Gerl; Gorder; Gullickson; Gunsch; Halmrast; Hamerlik; Hanson, L.; Haugland; Hill; Hjelle; Hoffner; Serenus; Horgan; Hughes; Jacobson; Keller; Kent; Kingsbury; Knudson; Koehn; Koski; Kuchera; Lang; Lardy; Larson, B.; Larson, R.; Laughlin; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, C.; Martin, G.; Martinson; 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; Rice; Richard; Riehl; Rued; Sanstead; Schindler; Schneider; Schoenwald; Shide; Shockman; Sinner; Solberg; Stofferahn; Swiontek; Timm; Unhjem; Vig; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Speaker Kelly

NAYS: Anderson, C.; Hoffner, S. F.; Meier, A.; Melby;
Murphy; Vander Vorst

ABSENT AND NOT VOTING: Black; Dotzenrod; Eagles; Goetz;
Hanson, O.; Hausauer; Kloubec; Kretschmar; Riley;
Strinden; Thompson; Whalen; Wold

HB 1028 passed and the title was agreed to.

REPORT OF CONFERENCE COMMITTEE

MADAM SPEAKER: Your Conference Committee to which was referred Engrossed HB 1036 has had the same under consideration and recommends that the SENATE RECEDE from its amendments as found on page 2232 of the House Journal and that Engrossed HB 1036 be amended as follows:

- On page 1 of the engrossed bill, line 16, delete the numerals "18,686,148" and insert in lieu thereof the numerals "18,629,623"
- On page 1 of the engrossed bill, line 20, delete the numerals "24,238,752" and insert in lieu thereof the numerals "24,182,227"
- On page 1 of the engrossed bill, line 23, delete the numerals "218,596" and insert in lieu thereof the numerals "217,764"
- On page 1 of the engrossed bill, line 26, delete the numerals "362,900" and insert in lieu thereof the numerals "362,068"
- On page 1 of the engrossed bill, line 28, delete the numerals "24,601,652" and insert in lieu thereof the numerals "24,544,295"

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Job Service

The salaries and wages line item is reduced by \$56,525 from other funds. This will allow funds equivalent to the state's provision of a two percent contribution to retirement on wages earned after July 1, 1983, and an additional two percent contribution amounting to a full four percent on wages earned after July 1, 1984. It also provides \$115,078 over the executive budget for health insurance premiums.

OASIS and Social Security

The salaries and wages line item is reduced by \$832 from other funds. This will allow funds equivalent to the state's provision of a two percent contribution to retirement on wages earned after July 1, 1983, and an additional two percent contribution amounting to a full four percent on wages earned after July 1, 1984. It also provides \$1,179 over the executive budget for health insurance premiums.

For the Senate: Sens. Tennefos, Wenstrom, Grotberg

For the House: Reps. Horgan, Mushik, Thompson (absent)

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

SECOND READING OF HOUSE BILL

HB 1036: A BILL for an Act making an appropriation for defraying the expenses of the job service North Dakota and divisions thereof of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended, the roll was called and there were 79 YEAS, 15 NAYS, 12 ABSENT AND NOT VOTING.

YEAS: Anderson, R.; Backes; Boyle; Brokaw; Conmy; DeMers; DuBord; Erdman; Gates; Gerl; Goetz; Gullickson; Halmrast; Hamerlik; Hanson, L.; Haugland; Hill; Hjelle; Hoffner, Serenus; Horgan; Hughes; Jacobson; Keller; 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; Olsen, D.; Opedahl; O'Shea; Peltier; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Richard; Riehl; Riley; Sanstead; Schneider; Schoenwald; Shide; Shockman; Sinner; Solberg; Stofferahn; Swiontek; Timm; Unhjem; Vig; Watne; Wentz; Williams, A.; Williams, W.; Speaker Kelly

NAYS: Anderson, C.; Aubol; Gorder; Gunsch; Hoffner, S. F.; Kent; Kingsbury; Melby; Murphy; Olafson; Olson, A.; Rice; Rued; Schindler; Vander Vorst

ABSENT AND NOT VOTING: Black; Dotzenrod; Eagles; Hanson, O.; Hausauer; Kloubec; Kretschmar; Strinden; Thompson; Whalen; Williams, C.; Wold

HB 1036 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM SENATE

REP. SINNER MOVED that the House do concur in the Senate amendments to HB 1728, which motion prevailed.

MOTION

REP. BACKES MOVED that the rules be suspended, that HB 1728 be deemed properly engrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1728: A BILL for an Act to amend and reenact subsection 2 of section 57-33.1-02 and sections 57-60-02, 57-60-04, 57-60-05, and 57-60-14 of the North Dakota Century Code, imposing an additional tax on electrical generating plants and providing for deposit of funds from the additional tax in the state general fund.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended, the roll was called and there were 79 YEAS, 16 NAYS, 11 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Aubol; Backes; Boyle; Brokaw; Conmy; DeMers; DuBord; Erdman; Gates; Gerl; Goetz; Gorder; Halmrast; Hamerlik; Hanson, L.; Haugland; Hill; Hoffner, Serenus; Hoffner, S. F.; Horgan; Hughes; Jacobson; Kent; Knudson; Koski; Kuchera; Lang; Lardy; Larson, B.; Larson, R.; Laughlin; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, C.; Martin, G.; Meiers, R.; Mertens; Meyer, R.; Moore; Murphy; Mushik; Nalewaja; O'Connell; Olafson; Opedahl; Peltier; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Rice; Richard; Riehl; Riley; Rued; Sanstead; Schindler; Schneider; Schoenwald; Shockman; Sinner; Solberg; Stofferahn; Strinden; Swiontek; Timm; Unhjem; Vander Vorst; Vig; Watne; Wentz; Williams, A.; Williams, W.; Speaker Kelly

NAYS: Gullickson; Gunsch; Hjelle; Keller; Kingsbury; Koehn; Martinson; Meier, A.; Melby; Meyer, W.; Nicholas; Nowatzki; Olsen, D.; Olson, A.; O'Shea; Shide

ABSENT AND NOT VOTING: Black; Dotzenrod; Eagles; Hanson, O.; Hausauer; Kloubec; Kretschmar; Thompson; Whalen; Williams, C.; Wold

HB 1728 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 Seventh order of business, and at the conclusion of the Seventh order, the House stand adjourned until 8:00 a.m., Monday, April 18, 1983, which motion prevailed.

REPORT OF STANDING COMMITTEE

MADAM SPEAKER: Your Committee on Appropriations to which was referred SB 2501 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 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; to provide an appropriation for construction, remodeling, and equipping of, or for additions to, buildings and other projects of state agencies, departments, and institutions; and to provide for interim financing of authorized construction projects by loans from the Bank of North Dakota."

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

SECTION 1. LEGISLATIVE INTENT. It is the intent of the legislative assembly to provide for construction of facilities for the use of state agencies and institutions to improve the quality of educational opportunities in this state, to improve the quality of life, and to encourage economical development. It is also the intent of the legislative assembly that the construction of the facilities during North Dakota's worst economic recession since the 1930's will help North Dakota in its economic recovery through increased job opportunities.

SECTION 2. 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 \$10,478,963, 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 3. APPROPRIATION. There is hereby appropriated out of any moneys in the state capital construction fund, the sum of \$10,478,963, 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	\$ 2,593,800
State school of science	Agriculture mechanics and welding building	2,500,960
State fair association	Exhibition building	1,534,203
Minot state college	Classroom building	550,000
University of North Dakota	Abbott hall addition	3,300,000
Total		\$10,478,963

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. If on June 30, 1984, there are not sufficient funds in the capital construction fund for payment of the full amount appropriated for each authorized project, the available funds shall be prorated among the state agencies, departments, and institutions which have received loans from the Bank of North Dakota under section 3 of this Act in proportion to the amount borrowed. Any remaining funds shall be distributed for other projects in priority of their listing in this section.

SECTION 4. INTERIM LOANS FROM THE BANK OF NORTH DAKOTA. A state agency, department, or institution which has been conditionally appropriated funds for capital construction under section 2 of this Act may apply for a loan or loans from the Bank of North Dakota for the purpose of engaging in the particular capital construction project authorized under section 2 of this Act. The total amount of the loan or loans may not exceed the amount appropriated for the project under this Act. The money borrowed must only be used for the payment of construction costs for the project and interest payments on the loan. The principal and interest of these loans may be repaid from any available source.

The state agency, department, or institution must request and receive approval of the application for the loan from the emergency commission prior to submitting the application for a loan to the state industrial commission. The emergency commission shall approve or disapprove the application after investigating the sufficiency of future estimated general fund revenues to pay for the authorized capital construction projects. The emergency commission shall make its investigation in consultation with the state tax commissioner, the director of the office of management and budget, and the chairman of the legislative council.

The state agency, department, or institution shall submit the application for the loan, if approved by the emergency commission, to the state industrial commission which shall approve or disapprove the loan application. The state industrial commission may approve the loan upon terms

and conditions it deems necessary. Upon approval of the loan application, the state industrial commission shall direct the Bank of North Dakota to issue the loan."

And renumber the lines and pages accordingly

REP. MERTENS, Chairman

SB 2501 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

REPORT OF CONFERENCE COMMITTEE

MADAM SPEAKER: Your Conference Committee to which was referred Engrossed HB 1025 has had the same under consideration and recommends that the SENATE RECEDE from its amendments as found on page 2140 of the House Journal and that Engrossed HB 1025 be amended as follows:

On page 1 of the engrossed, bill, line 14, delete the numerals "1,024,822" and insert in lieu thereof the numerals "1,018,153"

On page 1 of the engrossed bill, line 15, delete the numerals "1,297,676" and insert in lieu thereof the numerals "1,300,676"

On page 1 of the engrossed bill, after line 15, insert the following new line:

"Equipment 15,000"

On page 1 of the engrossed bill, line 17, delete the words "all funds", and delete the numerals "2,330,224" and insert in lieu thereof the numerals "2,341,555"

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

"Less budget adjustment 46,831"

On page 1 of the engrossed bill, line 18, delete the numerals "1,334,577" and insert in lieu thereof the numerals "1,311,020"

On page 1 of the engrossed bill, line 19, delete the numerals "995,647" and insert in lieu thereof the numerals "983,704"

On page 1 of the engrossed bill, line 27, delete the numerals "1,334,577" and insert in lieu thereof the numerals "1,311,020"

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Economic Development Commission

The salaries and wages line item has a net reduction of \$6,669; \$4,868 from the general fund and \$1,801 from estimated income. This will allow funds for the state to provide a two percent contribution to retirement on wages earned after July 1, 1983, and an additional two percent contribution amounting to a full four percent on wages earned after July 1, 1984. It also provides \$2,270 over the executive budget for health insurance premiums.

The operating expenses line item is adjusted by a net increase of \$3,000. The net increase consists of an increase of \$5,000 from other funds for additional moneys for tourism packet preparation, an increase of \$20,000 from the general fund for additional travel moneys, a decrease of \$7,000 from the general fund for reduced rent as the commission will be moving to the Capitol grounds, and a decrease of \$15,000 from the general fund to be transferred to an equipment line to provide partitions and dividers in the new office space.

The appropriation is reduced by a budget adjustment of \$46,831 (two percent); \$20,075 from the general fund and \$26,756 from other funds. The director shall take such administrative action as may be necessary to spend less than the total of the line items in the appropriation to achieve the \$46,831 budget reduction. Line items other than salaries and wages, operating expenses, data processing, and equipment are not to be affected by the budget reduction.

For the Senate: Sens. Lips, Fritzell, Tallackson
For the House: Reps. Erdman, Hausauer, Sanstead

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

REPORT OF CONFERENCE COMMITTEE

MADAM SPEAKER: Your Conference Committee to which was referred HB 1386 has had the same under consideration and recommends that the SENATE RECEDE from its amendments as found on page 1874 of the House Journal and that HB 1386 be amended as follows:

On page 1, line 1, after the words "A BILL" delete the remainder of the bill and insert in lieu thereof the following: "for an Act to create and enact a new subdivision to subsection 6 of section 53-06.1-01 of the North Dakota Century Code, relating to eligibility of chambers of commerce to receive proceeds from games of chance; to amend and reenact subsection 1 of section 53-06.1-03 of the North

Dakota Century Code, relating to licensing requirements for conducting sports pools; and to amend and reenact the new section to chapter 53-06.1 of the North Dakota Century Code as created and enacted by section 5 of Senate Bill No. 2067, as approved by the forty-eighth legislative assembly, relating to times when games of chance may be conducted.

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

SECTION 1. A new subdivision to subsection 6 of section 53-06.1-01 of the North Dakota Century Code is hereby created and enacted to read as follows:

Public-spirited uses by chambers of commerce which are exempt from federal taxation under section 501(c)(6) of the Internal Revenue Code.

SECTION 2. AMENDMENT. Subsection 1 of section 53-06.1-03 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

1. Eligible organizations desiring to conduct games of chance shall annually apply for a license from the attorney general before July first on forms provided by the attorney general and shall include with the application a fifty dollar license fee. However, an eligible organization desiring to conduct raffles, sports pools, or bingo in which the primary prize does not exceed one thousand dollars, and the aggregate does not exceed two thousand dollars, shall apply directly to the governing body of the city in which it conducts its principal activities or, if its principal activities are conducted within a county but outside the limits of a city, it shall apply to the board of county commissioners for a license. Applications for the conduct of raffles, sports pools, and bingo subject to authorization by a city or county shall be made on forms provided by the attorney general and shall be accompanied by a ten dollar permit fee payable to the city or county governing body.

SECTION 3. The new section to chapter 53-06.1 of the North Dakota Century Code as created by section 5 of Senate Bill No. 2067, as approved by the

forty-eighth legislative assembly, is hereby amended and reenacted to read as follows:

Limitations on hours and participation in games of chance. A person under twenty-one years of age may not participate in the games of pull tabs, jars, punchboards, twenty-one, or sports pools. The games of pull tabs, jars, punchboards, twenty-one, or sports pools may be conducted only during the hours when alcoholic beverages may be dispensed in accordance with applicable regulations of the state or the political subdivision and may be conducted after 1:00 a.m. on Sunday only by an organization which has obtained a permit pursuant to section 5-02-05.1."

And renumber the lines and pages accordingly

For the Senate: Sens. Stenehjem, Holmberg, J. Meyer

For the House: Reps. Nowatzki, Linderman, Kretschmar

HB 1386 was placed on the Seventh order of business on the calendar for the succeeding legislative day.

The House stood adjourned pursuant to Representative Backes' motion.

CHARLES FLEMING, Chief Clerk