

JOURNAL OF THE SENATE

Forty-eighth Legislative Assembly

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SIXTY-FIFTH DAY

Bismarck, April 8, 1983

The Senate convened at 8:00 a.m., with President Sands presiding.

The prayer was offered by Rev. Ruger Winchester, Baptist Temple, Mandan.

Lord God, it is written, "The earth is the Lord's, and all it contains, the world and those who dwell in it." (Psalm 24:1) We humbly acknowledge Your sovereignty and Your right to be sovereign over all Your creation. You have given these men and women responsibility in government. Now, by Your grace, enable them to be faithful stewards of that responsibility. Bestow upon each the wisdom, perspective, courage, and, yes, even the self-control necessary for fulfilling that which You have ordained. God bless our state today, through these Your servants. In Christ's name. Amen.

ROLL CALL

The roll was called and all members were present, except Senators Mutch and Reiten.

A quorum was declared by the President.

REVISION AND CORRECTION OF THE JOURNAL

MR. PRESIDENT: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Sixty-fourth day and finds the same to be correct.

SEN. TWETEN, Chairman

SEN. DAVID MOVED that the report be adopted, which motion prevailed.

MOTION

SEN. NOTHING MOVED that the Senate stand in recess until 9:30 a.m., which motion prevailed.

THE SENATE RECONVENED pursuant to recess taken, with President Sands presiding.

MESSAGES FROM THE HOUSE
HOUSE CHAMBER

MR. PRESIDENT: I have the honor to return herewith SB 2001 which the House has amended as follows:

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HOUSE AMENDMENTS TO SB 2001

- 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	31,610	581,870
	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.

Very respectfully,
CHARLES FLEMING, Chief Clerk

HOUSE CHAMBER

MR. PRESIDENT: I have the honor to return herewith the following on which the House has adopted the conference committee report:

SB 2047, SB 2049, SB 2327, SB 2350, SB 2446, SB 2473

Very respectfully,
CHARLES FLEMING, Chief Clerk

HOUSE CHAMBER

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

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SB 2066, SB 2104, SB 2108, SB 2170, SB 2199, SB 2245,
SB 2358, SB 2408, SB 2491

Very respectfully,
CHARLES FLEMING, Chief Clerk

REPORTS OF PROCEDURAL COMMITTEE

MR. PRESIDENT: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills and find the same correctly enrolled:

SB 2032, SB 2150, SB 2187, SB 2205, SB 2206, SB 2394
SEN. FRITZELL, Chairman

SEN. KRAUTER MOVED that the report be adopted, which motion prevailed.

MR. PRESIDENT: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills and find the same correctly enrolled:

SB 2249, SB 2250, SB 2265, SB 2500, SCR 4058
SEN. FRITZELL, Chairman

SEN. MOORE MOVED that the report be adopted, which motion prevailed.

SIGNING OF BILLS AND RESOLUTIONS

THE SECRETARY ANNOUNCED that the President signed the following:

SB 2032, SB 2150, SB 2187, SB 2205, SB 2206, SB 2394
LEO LEIDHOLM, Secretary

MESSAGES TO THE HOUSE

SENATE CHAMBER

MADAM SPEAKER: I have the honor to inform you that the Senate has concurred in the House amendments to SB 2032, SB 2150, SB 2205, SB 2206, SB 2249, SB 2250, SB 2265, SB 2271, SB 2306, and SB 2394 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 2032, SB 2150, SB 2187, SB 2205, SB 2206, SB 2394
Very respectfully,
LEO LEIDHOLM, Secretary

MOTION

SEN. NETHING MOVED that the Senate stand in recess until 11:00 a.m., which motion prevailed.

THE SENATE RECONVENED pursuant to recess taken, with President Sands presiding.

MESSAGE FROM THE HOUSE
HOUSE CHAMBER

MR. PRESIDENT: I have the honor to inform you that the House has not adopted the conference committee reports on SB 2122 and SB 2322, and the Speaker has appointed as a new conference committee to act with a like committee from the Senate on:

SB 2122: Reps. Keller, Linderman, Murphy

SB 2322: Reps. Lautenschlager, Gullickson, Timm

Very respectfully,

CHARLES FLEMING, Chief Clerk

CONSIDERATION OF MESSAGES FROM THE HOUSE

SEN. VOSPER MOVED that the Senate do not concur in the House amendments to SB 2095 as printed on pages 2141-2147 of the Senate Journal and that a Conference Committee be appointed to meet with a like committee from the House, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEES

THE PRESIDENT APPOINTED as a Conference Committee on SB 2095:
Sens. Vosper, Bakewell, Wogsland

SEN. CHRISTENSEN MOVED that the President appoint a committee of three to act with a like committee from the House as a new Conference Committee on SB 2122, which motion prevailed.

THE PRESIDENT APPOINTED as a new Conference Committee on SB 2122:

Sens. Holmberg, Christensen, Maixner

SEN. MOORE MOVED that the President appoint a committee of three to act with a like committee from the House as a new Conference Committee on SB 2322, which motion prevailed.

THE PRESIDENT APPOINTED as a new Conference Committee on SB 2322:

Sens. Parker, Moore, Maixner

CONSIDERATION OF AMENDMENTS

SEN. LIPS MOVED that the amendments to HB 1733 as recommended by the Committee on Appropriations as printed on pages 2125-2129 of the Senate Journal be adopted, which motion prevailed.

MOTION

SEN. LIPS MOVED that the rules be suspended, that HB 1733 be placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF A HOUSE BILL

HB 1733: A BILL for an Act to provide an appropriation for medical insurance premiums for North Dakota state employees for the period beginning July 1, 1983, and ending June 30, 1985.

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 49 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Barth; Berube; Christensen; David; Dotzenrod; Dykshoorn; Erickson; Fritzell; Goodman; Grotberg; Heigaard; Miller Heinrich; Hilken; Holmberg; Kilander; Krauter; Kusler; Lashkowitz; Leibhan; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Moore; Mutch; Naaden; Nelson; Nothing; Olson; Parker; Peterson; Redlin; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Lee; Reiten; Satrom; Todd

HB 1733 passed and the title was agreed to.

SEN. NOTHING MOVED that the vote by which HB 1733 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. LIPS MOVED that the Senate do concur in the House amendments to SB 2026 as printed on pages 2179 and 2180 of the Senate Journal, which motion prevailed.

SEN. LIPS MOVED that the rules be suspended, that SB 2026 be deemed properly reengrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE BILL

SB 2026: A BILL for an Act making an appropriation for the payment of insurance premium taxes to fire departments; and to amend and reenact section 18-04-05 of the North Dakota Century Code, relating to the distribution of such premium taxes.

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 49 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Barth; Berube; Christensen; David; Dotzenrod; Dykshoorn; Erickson; Fritzell; Goodman; Grothberg; Heigaard; Miller Heinrich; Hilken; Holmberg; Kilander; Krauter; Kusler; Lashkowitz; Leibhan; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Moore; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Lee; Reiten; Satrom; Todd

SB 2026 passed and the title was agreed to.

SEN. NETHING MOVED that the vote by which SB 2026 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MOTION

SEN NETHING MOVED that the Senate stand in recess until 1:00 p.m., which motion prevailed.

THE SENATE RECONVENED pursuant to recess taken, with President Sands presiding.

MESSAGES TO THE HOUSE
SENATE CHAMBER

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

HB 1733

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 2026 and subsequently passed the same.

Very respectfully,
LEO LEIDHOLM, Secretary

SENATE CHAMBER

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

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SB 2122: Sens. Holmberg, Christensen, Maixner
SB 2322: Sens. Parker, Moore, Maixner

Very respectfully,
LEO LEIDHOLM, Secretary

SENATE CHAMBER

MADAM SPEAKER: I have the honor to inform you that the Senate has refused to concur in the House amendments to SB 2095, and the President has appointed as a conference committee to act with a like committee from the House on:

SB 2095: Sens. Vosper, Bakewell, Wogsland

Very respectfully,
LEO LEIDHOLM, Secretary

PRESENTATION OF PETITIONS AND COMMUNICATIONS

STATE OF NORTH DAKOTA
EXECUTIVE OFFICE
BISMARCK

April 8, 1983

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

Dear Mr. President:

Senate Bill 2355 provides for an appropriation of \$250,000 from the general fund to the North Dakota State Board for Vocational Education for the purpose of making payments to school districts participating in a multidistrict vocational center.

The State Board for Vocational Education budget (House Bill 1006) provides for a general fund appropriation of \$14,101,726 to the Board for Vocational Education. In addition to this amount, House Bill 1006 acknowledges \$7,510,003 in federal funding for a total State Board for Vocational Education budget of \$21,611,729. In light of limited state revenues and what I consider to be adequate funding to the Board, through House Bill 1006, Senate Bill 2355 is an expenditure not supportable by the general fund at this time.

Therefore, I veto Senate Bill 2355.

Sincerely,

ALLEN I. OLSON
Governor

MOTION

SEN. NETHING MOVED that SB 2355 be moved to the head of the Eleventh order of business for second reading at this time, which motion prevailed.

RECONSIDERATION OF A VETOED MEASURE
SECOND READING OF A SENATE BILL

SB 2355: A BILL for an Act to provide an appropriation to the state board for vocational education for the purpose of making payments to school districts participating in a multidistrict vocational center.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 21 YEAS, 30 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Barth; Berube; Dotzenrod; Erickson; Grotberg; Heigaard; Miller Heinrich; Krauter; Kusler; Lashkowitz; Lips; Matchie; Meyer, D.; Meyer, J.; Redlin; Satrom; Stromme; Tallackson; Waldera; Walsh; Wogsland

NAYS: Adams; Bakewell; Christensen; David; Dykshoorn; Fritzell; Goodman; Hilken; Holmberg; Kilander; Lee; Leibhan; Lodoen; Maixner; Moore; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Stenehjem; Streibel; Tennesfos; Thane; Tweten; Vosper; Wenstrom; Wright

ABSENT AND NOT VOTING: Reiten; Todd

SB 2355 was declared lost and the veto of the Governor was sustained.

REPORTS OF STANDING COMMITTEES

MR. PRESIDENT: Your Committee on Appropriations to which was referred SB 2501 has had the same under consideration and recommends that the same DO PASS.

SEN. LIPS, Chairman

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

MR. PRESIDENT: Your Committee on Appropriations to which was referred HB 1005 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1 of the engrossed bill, line 3, after the word "Dakota" and before the period insert the words "; and declaring an emergency"

- On page 1 of the engrossed bill, line 16, delete the numerals "53,838,655" and insert in lieu thereof the numerals "54,606,817"
- On page 1 of the engrossed bill, line 19, delete the numerals "73,255,555" and insert in lieu thereof the numerals "74,023,717"
- On page 1 of the engrossed bill, after line 19, insert the following new line:
- "Less budget adjustment 869,842"
- On page 1 of the engrossed bill, line 20, delete the numerals "16,766,070" and insert in lieu thereof the numerals "18,900,472"
- On page 1 of the engrossed bill, line 21, delete the numerals "56,489,485" and insert in lieu thereof the numerals "54,253,403"
- On page 1 of the engrossed bill, line 23, delete the numerals "57,989,485" and insert in lieu thereof the numerals "55,753,403"
- On page 1 of the engrossed bill, line 26, delete the numerals "14,520,099" and insert in lieu thereof the numerals "14,220,099"
- On page 1 of the engrossed bill, line 28, delete the numerals "40,548,986" and insert in lieu thereof the numerals "40,248,986"
- On page 1 of the engrossed bill, after line 28, insert the following new line:
- "Less budget adjustment 377,102"
- On page 2 of the engrossed bill, line 2, delete the numerals "25,440,163" and insert in lieu thereof the numerals "24,763,061"
- On page 2 of the engrossed bill, line 5, delete the numerals "46,464,448" and insert in lieu thereof the numerals "47,232,610"
- On page 2 of the engrossed bill, line 6, delete the numerals "16,500,944" and insert in lieu thereof the numerals "16,222,248"
- On page 2 of the engrossed bill, line 7, delete the numerals "1,715,341" and insert in lieu thereof the numerals "1,361,295"

On page 2 of the engrossed bill, line 8, delete the numerals "64,680,733" and insert in lieu thereof the numerals "64,816,153"

On page 2 of the engrossed bill, after line 8, insert the following new line:

"Less budget adjustment 763,962"

On page 2 of the engrossed bill, line 9, delete the numerals "14,617,173" and insert in lieu thereof the numerals "16,752,535"

On page 2 of the engrossed bill, line 10, delete the numerals "50,063,560" and insert in lieu thereof the numerals "47,299,656"

On page 2 of the engrossed bill, line 12, delete the numerals "51,563,560" and insert in lieu thereof the numerals "48,799,656"

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

"Less budget adjustment 291,820"

On page 2 of the engrossed bill, line 18, delete the numerals "4,994,989" and insert in lieu thereof the numerals "5,490,989"

On page 2 of the engrossed bill, line 19, delete the numerals "19,038,197" and insert in lieu thereof the numerals "18,250,377"

On page 2 of the engrossed bill, line 21, delete the numerals "19,454,697" and insert in lieu thereof the numerals "18,666,877"

On page 2 of the engrossed bill, line 23, delete the numerals "7,362,477" and insert in lieu thereof the numerals "7,398,824"

On page 2 of the engrossed bill, line 26, delete the numerals "10,172,254" and insert in lieu thereof the numerals "10,208,601"

On page 2 of the engrossed bill, after line 26, insert the following new line:

"Less budget adjustment 135,281"

On page 2 of the engrossed bill, line 27, delete the numerals "1,331,323" and insert in lieu thereof the numerals "1,511,670"

- On page 2 of the engrossed bill, line 28, delete the numerals "8,840,931" and insert in lieu thereof the numerals "8,561,650"
- On page 2 of the engrossed bill, line 30, delete the numerals "9,018,713" and insert in lieu thereof the numerals "8,739,432"
- On page 2 of the engrossed bill, line 32, delete the numerals "5,060,516" and insert in lieu thereof the numerals "5,102,431"
- On page 2 of the engrossed bill, line 35, delete the numerals "7,173,891" and insert in lieu thereof the numerals "7,215,806"
- On page 2 of the engrossed bill, after line 35, insert the following new line:
- "Less budget adjustment 92,206"
- On page 3 of the engrossed bill, line 1, delete the numerals "1,109,609" and insert in lieu thereof the numerals "1,245,924"
- On page 3 of the engrossed bill, line 2, delete the numerals "6,064,282" and insert in lieu thereof the numerals "5,877,676"
- On page 3 of the engrossed bill, line 4, delete the numerals "6,147,082" and insert in lieu thereof the numerals "5,960,476"
- On page 3 of the engrossed bill, line 6, delete the numerals "13,658,833" and insert in lieu thereof the numerals "13,688,475"
- On page 3 of the engrossed bill, line 8, delete the numerals "361,124" and insert in lieu thereof the numerals "301,124"
- On page 3 of the engrossed bill, line 9, delete the numerals "17,065,425" and insert in lieu thereof the numerals "17,035,067"
- On page 3 of the engrossed bill, after line 9, insert the following new line:
- "Less budget adjustment 191,354"
- On page 3 of the engrossed bill, line 10, delete the numerals "4,626,295" and insert in lieu thereof the numerals "5,036,257"

- On page 3 of the engrossed bill, line 11, delete the numerals "12,439,130" and insert in lieu thereof the numerals "11,807,456"
- On page 3 of the engrossed bill, line 13, delete the numerals "12,816,930" and insert in lieu thereof the numerals "12,185,256"
- On page 3 of the engrossed bill, line 15, delete the numerals "6,594,135" and insert in lieu thereof the numerals "6,635,360"
- On page 3 of the engrossed bill, line 18, delete the numerals "8,769,832" and insert in lieu thereof the numerals "8,811,057"
- On page 3 of the engrossed bill, after line 18, insert the following new line:
- "Less budget adjustment 109,898"
- On page 3 of the engrossed bill, line 19, delete the numerals "1,647,316" and insert in lieu thereof the numerals "1,828,221"
- On page 3 of the engrossed bill, line 20, delete the numerals "7,122,516" and insert in lieu thereof the numerals "6,872,938"
- On page 3 of the engrossed bill, line 22, delete the numerals "7,326,516" and insert in lieu thereof the numerals "7,076,938"
- On page 3 of the engrossed bill, line 25, delete the numerals "2,700,231" and insert in lieu thereof the numerals "2,678,933"
- On page 3 of the engrossed bill, line 26, delete the numerals "825,455" and insert in lieu thereof the numerals "776,655"
- On page 3 of the engrossed bill, line 28, delete the numerals "3,581,655" and insert in lieu thereof the numerals "3,511,557"
- On page 3 of the engrossed bill, after line 28, insert the following new line:
- "Less budget adjustment 47,353"
- On page 3 of the engrossed bill, line 29, delete the numerals "491,218" and insert in lieu thereof the numerals "539,218"

- On page 3 of the engrossed bill, line 30, delete the numerals "3,090,437" and insert in lieu thereof the numerals "2,924,986"
- On page 3 of the engrossed bill, line 31, delete the numerals "128,995" and insert in lieu thereof the numerals "136,495"
- On page 3 of the engrossed bill, line 32, delete the numerals "3,219,432" and insert in lieu thereof the numerals "3,061,481"
- On page 3 of the engrossed bill, line 34, delete the numerals "1,159,018" and insert in lieu thereof the numerals "1,102,702"
- On page 4 of the engrossed bill, line 1, delete the numerals "355,986" and insert in lieu thereof the numerals "344,986"
- On page 4 of the engrossed bill, line 3, delete the numerals "1,580,312" and insert in lieu thereof the numerals "1,512,996"
- On page 4 of the engrossed bill, after line 3, insert the following new line:
- "Less budget adjustment 13,496"
- On page 4 of the engrossed bill, line 5, delete the numerals "936,053" and insert in lieu thereof the numerals "855,241"
- On page 4 of the engrossed bill, line 7, delete the numerals "967,074" and insert in lieu thereof the numerals "886,262"
- On page 4 of the engrossed bill, after line 12, insert the following new line:
- "Less budget adjustment 4,662"
- On page 4 of the engrossed bill, line 14, delete the numerals "310,811" and insert in lieu thereof the numerals "306,149"
- On page 4 of the engrossed bill, line 20, delete the numerals "194,296,063" and insert in lieu thereof the numerals "186,198,991"
- On page 4 of the engrossed bill, line 21, delete the numerals "79,712,561" and insert in lieu thereof the numerals "85,433,854"

On page 4 of the engrossed bill, line 22, delete the numerals "274,008,624" and insert in lieu thereof the numerals "271,632,845"

On page 4 of the engrossed bill, delete lines 27 through 34

On page 5 of the engrossed bill, after line 26, insert the following new sections:

"SECTION 7. EMERGENCY. Two hundred fifty thousand dollars of the line item entitled "Capital improvements" in section 1 of this Act for the university of North Dakota is hereby declared an emergency measure and shall be in full force and effect upon its passage and approval.

SECTION 8. TRANSFERS. Each institution upon approval from the board of higher education may make such transfers between line items in its appropriation as may be necessary. Upon approval of the board of higher education, transfers may be made to the salaries and wages line items for the institutions to employ necessary additional faculty."

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

University of North Dakota

The salaries and wages line item is increased by \$768,162 from estimated income to provide funds for 11.3 FTE positions which were approved by the Emergency Commission. These funds may be provided through tuition increases in addition to those included in the executive budget and the \$80 referred to below.

The general fund appropriation is also decreased by \$869,842 (1.5 percent), which is to be allocated to individual line items by the institution with the approval of the Board of Higher Education.

The general fund appropriation is decreased by \$1,366,240, with a corresponding increase in estimated income, which is equivalent to an \$80 tuition increase per FTE student in addition to the tuition increases included in the executive budget.

A new section is also added declaring \$250,000 of the capital improvements line item to be an emergency measure.

UND-Medical Center

The operating expenses line item is reduced by \$300,000 from the general fund to delete funds provided by the House for lease costs of additional space at the north unit of the medical school.

The general fund appropriation is also decreased by \$377,102 (1.5 percent after the above adjustment), which is to be allocated to individual line items by the institution with the approval of the Board of Higher Education.

North Dakota State University

The salaries and wages line item is increased by \$768,162 from estimated income to provide funds for 11.3 FTE positions which were approved by the Emergency Commission. These funds may be provided through tuition increases in addition to those included in the executive budget and the \$80 referred to below.

The operating expenses line item is reduced by \$278,696 from the general fund to delete funds provided by the House to provide increases for such items as library books and periodicals, classroom and office supplies, travel, repairs, and maintenance contracts.

The equipment line item is reduced by \$354,046 from the general fund to delete funds provided by the House to restore the equipment budget to the 1983-1985 requested level.

The general fund appropriation is also decreased by \$763,962 (1.5 percent after the above adjustments), which is to be allocated to individual line items by the institution with the approval of the Board of Higher Education.

The general fund appropriation is also decreased by \$1,367,200, with a corresponding increase in estimated income, which is equivalent to an \$80 tuition increase per FTE student in addition to the tuition increases included in the executive budget.

State School of Science

The general fund appropriation is decreased by \$291,820 (1.5 percent), which is to be allocated to individual line items by the institution with the approval of the Board of Higher Education.

The general fund appropriation is also decreased by \$496,000, with a corresponding increase in estimated income, which is equivalent to an \$80 tuition increase per FTE student in addition to the tuition increases included in the executive budget.

Dickinson State College

The salaries and wages line item is increased by \$36,347 from income for one FTE existing student services position which was deleted in the executive budget. This position is to be filled only when the additional income becomes available.

The general fund appropriation is decreased by \$135,281 (1.5 percent), which is to be allocated to individual line items by the institution with the approval of the Board of Higher Education.

The general fund appropriation is also decreased by \$144,000, with a corresponding increase in estimated income, which is equivalent to an \$80 tuition increase per FTE student in addition to the tuition increases included in the executive budget.

Mayville State College

The salaries and wages line item is increased by \$41,915 from income for one FTE existing student services position which was deleted in the executive budget. This position is to be filled only when the additional income becomes available.

The general fund appropriation is decreased by \$92,206 (1.5 percent), which is to be allocated to individual line items by the institution with the approval of the Board of Higher Education.

The general fund appropriation is also decreased by \$94,400, with a corresponding increase in estimated income, which is equivalent to an \$80 tuition increase per FTE student in addition to tuition increases included in the executive budget.

Minot State College

The salaries and wages line item is increased by \$29,642 from income for a .5 FTE existing position at the campus school which was deleted in the executive budget. This position is to be filled only when the additional income becomes available.

The equipment line item is reduced by \$60,000 from the general fund to delete funds provided by the House for a reconditioned high lift to be used campuswide.

The general fund appropriation is also decreased by \$191,354 (1.5 percent after the above adjustment), which is to be allocated to individual line items by the institution with the approval of the Board of Higher Education.

The general fund appropriation is also decreased by \$380,320, with a corresponding increase in estimated income, which is equivalent to an \$80 tuition increase per FTE student in addition to the tuition increases included in the executive budget.

Valley City State College

The salaries and wages line item is increased by \$41,225 from income for a .87 FTE existing student services position which was deleted in the executive budget. This position is to be filled only when the additional income becomes available.

The general fund appropriation is decreased by \$109,898 (1.5 percent), which is to be allocated to individual line items by the institution with the approval of the Board of Higher Education.

The general fund appropriation is also decreased by \$139,680, with a corresponding increase in estimated income, which is equivalent to an \$80 tuition increase per FTE student in addition to the tuition increases included in the executive budget.

NDSU-Bottineau Branch

The salaries and wages line item is reduced by \$21,298 from the general fund to delete funds provided by the House for one custodian for operations of the U.S. Shelterbelt Research Station.

The operating expenses line item is reduced by \$48,800 from the general fund to delete funds provided by the House for operations of the U.S. Shelterbelt Research Station.

The capital improvements line item is increased by \$7,500 from the general fund to restore funds deleted by the House for greenhouse roof repair and headhouse cooling.

The general fund appropriation is also decreased by \$47,353 (1.5 percent after the above adjustments), which is to be allocated to individual line items by the institution with the approval of the Board of Higher Education.

The general fund appropriation is also decreased by the \$48,000, with a corresponding increase in estimated income, which is equivalent to an \$80 tuition increase per FTE student in addition to the tuition increases included in the executive budget.

North Dakota Forest Service

The salaries and wages line item is reduced by \$56,316 from the general fund to delete funds provided by the House for 1.25 FTE tree improvement specialist positions.

The operating expenses line item is reduced by \$11,000 from the general fund to delete funds provided by the House as operating funds for the 1.25 FTE tree improvement specialist positions.

Section 3 of the bill is deleted which provided \$41,600 from the general fund to replace an estimated reduction in federal fund receipts.

The general fund appropriation is also decreased by \$13,496 (1.5 percent after the above adjustments), which is to be allocated to individual line items by the institution with the approval of the Board of Higher Education.

NDSU State Toxicologist

The general fund appropriation is decreased by \$4,662 (1.5 percent), which is to be allocated to individual line items by the State Toxicologist.

This amendment also includes a new section authorizing the institutions to make necessary transfers between line items in their appropriation upon approval of the Board of Higher Education.

Other

Other than the above increase the salaries and wages line item is not changed by this amendment, although the salaries and wages in this bill 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.

SEN. LIPS, Chairman

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

MR. PRESIDENT: Your Committee on Finance and Taxation to which was referred HB 1732 has had the same under consideration and recommends that the same DO PASS.

SEN. GOODMAN, Chairman

HB 1732 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Natural Resources to which was referred HCR 3091 has had the same under consideration and recommends that the same DO PASS.

SEN. LEE, Chairman

HCR 3091 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MOTION

SEN. NETHING MOVED that the Senate stand in recess until 2:30 p.m., which motion prevailed.

THE SENATE RECONVENED pursuant to recess taken, with President Sands presiding.

MESSAGE FROM THE HOUSE
HOUSE CHAMBER

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

SB 2271, SB 2306, SB 2354, SCR 4060

Very respectfully,
CHARLES FLEMING, Chief Clerk

REPORT OF PROCEDURAL COMMITTEE

MR. PRESIDENT: Your Committee on Enrollment and Engrossment respectfully report that the following bills were delivered to the Governor for his approval at the hour of 1:27 p.m., April 8, 1983:

SB 2271, SB 2306, SB 2354

SEN. FRITZELL, Chairman

SEN. DYKSHOORN MOVED that the report be adopted, which motion prevailed.

MESSAGE FROM THE HOUSE
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 1130, HB 1151, HB 1731, HCR 3028, HCR 3090

Very respectfully,
CHARLES FLEMING, Chief Clerk

SIGNING OF BILLS AND RESOLUTIONS

THE SECRETARY ANNOUNCED that the President signed the following:

HB 1130, HB 1151, HB 1731, HCR 3028, HCR 3090

LEO LEIDHOLM, Secretary

MESSAGE TO THE HOUSE
SENATE CHAMBER

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

HB 1130, HB 1151, HB 1731, HCR 3028, HCR 3090

Very respectfully,
LEO LEIDHOLM, Secretary

REPORT OF PROCEDURAL COMMITTEE

MR. PRESIDENT: Your Committee on Enrollment and Engrossment respectfully report that the following bill was delivered to the Secretary of State for his filing at the hour of 1:20 p.m., April 8, 1983:

SCR 4060

SEN. FRITZELL, Chairman

SEN. DYKSHOORN MOVED that the report be adopted, which motion prevailed.

REPORT OF PROCEDURAL COMMITTEE

MR. PRESIDENT: Your procedural Committee on Delayed Bills has examined a memorial resolution extending sympathy and condolence to Senator Joe Leibhan, and has approved its introduction by a unanimous vote.

SEN. NELSON, Chairman

SEN. NELSON MOVED that the report be adopted, which motion prevailed.

FIRST READING OF A SENATE MEMORIAL RESOLUTION

Sen. Peterson introduced:

(Approved by the Committee on Delayed Bills)

SMR 3: A memorial resolution extending sympathy and condolence to Senator Joe Leibhan upon the death of his mother.

MOTION

SEN. PETERSON MOVED that the rules be suspended, that SMR 3 not be printed, not be referred to committee, but be read in its entirety, printed in the Journal, and placed on the calendar for second reading and final passage, which motion prevailed.

Sen. Peterson introduced:

SENATE MEMORIAL RESOLUTION NO. 3

A memorial resolution extending sympathy and condolence to Senator Joe Leibhan upon the death of his mother.

WHEREAS, God in His infinite wisdom has seen fit to summon from our midst Mrs. Lucy Leibhan, the mother of our colleague, Senator Joe Leibhan; and

WHEREAS, Senator Joe Leibhan is held in the highest esteem by all members of the Legislative Assembly, who share with him and his family in their sorrow;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF NORTH DAKOTA:

That we express our deepest sorrow and extend to Senator Joe Leibhan and all members of his family our sincere sympathy and condolence in this their time of sorrow; and

BE IT FURTHER RESOLVED, that the Secretary of State present an enrolled copy of this resolution to Senator Joe Leibhan and members of his family.

SECOND READING OF A SENATE MEMORIAL RESOLUTION

SMR 3: A memorial resolution extending sympathy and condolence to Senator Joe Leibhan upon the death of his mother.

Which has been read.

The question being on the final adoption of the resolution.

SMR 3 was declared adopted on a voice vote.

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

HCR 3094: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of establishing a fund for loans to farmers funded privately by earnings from mineral royalties.

Which has been read.

The question being on the final adoption of the resolution.

HCR 3094 was declared adopted on a division vote.

SEN. NOTHING MOVED that the vote by which HCR 3094 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

HCR 3095: A concurrent resolution directing the Legislative Council to study secured transaction laws as they relate to the sales and purchases by merchants and buyers of secured farm products in an effort to establish a legal relationship between merchants and buyers of farm products and lending institutions with security interests in those farm products which is equitable to all parties.

Which has been read.

The question being on the final adoption of the resolution.

HCR 3095 was declared adopted on a voice vote.

SEN. NOTHING MOVED that the vote by which HCR 3095 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MOTION

SEN. NOTHING MOVED that HB 1570 be placed directly behind HB 1249 on the calendar, which motion prevailed.

SECOND READING OF HOUSE BILLS

HB 1644: A BILL for an Act to amend and reenact section 50-01-09.2 of the North Dakota Century Code, relating to reimbursement by the state to the counties for costs of general assistance.

Which has been read and is placed on the calendar without recommendation.

SEN. LIPS MOVED that HB 1644 be amended as follows:

On page 1 of the engrossed bill, line 3, after the word "assistance" and before the period insert the words "; and to provide an effective date"

On page 1 of the engrossed bill, after line 28, insert the following new section:

"SECTION 2. EFFECTIVE DATE. This Act becomes effective on July 1, 1985."

And renumber the lines and pages accordingly

SEN. LIPS MOVED that the proposed amendments be adopted, which motion prevailed.

SEN. LIPS MOVED that the rules be suspended, that HB 1644 be placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

HB 1644: A BILL for an Act to amend and reenact section 50-01-09.2 of the North Dakota Century Code, relating to reimbursement by the state to the counties for costs of general assistance; and to provide an effective date.

ROLL CALL

The question being on the final passage of the bill as amended, the roll was called and there were 41 YEAS, 11 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Barth; Berube; Christensen; Dotzenrod; Erickson; Fritzell; Goodman; Grotberg; Heigaard; Miller Heinrich; Hilken; Holmberg; Krauter; Kusler; Lashkowitz; Lee; Leibhan; Lips; Lodoen;

Maixner; Matchie; Meyer, D.; Meyer, J.; Olson;
 Peterson; Redlin; Satrom; Stenehjelm; Streibel; Stromme;
 Tallackson; Todd; Tweten; Vosper; Waldera; Walsh;
 Wenstrom; Wogsland; Wright

NAYS: David; Dykshoorn; Kilander; Moore; Mutch; Naaden;
 Nelson; Nething; Parker; Tennefos; Thane

ABSENT AND NOT VOTING: Reiten

HB 1644 passed and the title was agreed to.

SEN. NOTHING MOVED that the vote by which HB 1644 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

HB 1687: A BILL for an Act making an appropriation for the distribution of funds for the replacement of personal property taxes.

Which has been read and is placed on the calendar without recommendation.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 20 YEAS, 31 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Barth; Dotzenrod; Grotberg; Heigaard;
 Miller Heinrich; Hilken; Krauter; Kusler; Lashkowitz;
 Maixner; Matchie; Meyer, J.; Redlin; Satrom; Stromme;
 Tallackson; Waldera; Walsh; Wogsland; Wright

NAYS: Adams; Bakewell; Berube; Christensen; David;
 Dykshoorn; Erickson; Fritzell; Holmberg; Kilander; Lee;
 Leibhan; Lips; Lodoen; Meyer, D.; Moore; Mutch; Naaden;
 Nelson; Nething; Olson; Parker; Peterson; Stenehjelm;
 Streibel; Tennefos; Thane; Todd; Tweten; Vosper;
 Wenstrom

ABSENT AND NOT VOTING: Goodman; Reiten

HB 1687 was declared lost.

SEN. NOTHING MOVED that the vote by which HB 1687 lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

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 52 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Barth; Berube; Christensen; David; Dotzenrod; Dykshoorn; Erickson; Fritzell; Goodman; Grotberg; Heigaard; Miller Heinrich; Hilken; Holmberg; Kilander; Krauter; Kusler; Lashkowitz; Lee; Leibhan; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Moore; Mutch; Naaden; Nelson; Nothing; Olson; Parker; Peterson; Redlin; Satrom; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Reiten

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

SEN. NOTHING MOVED that the vote by which HB 1724 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

HB 1729: A BILL for an Act to provide an appropriation for additional compensation to North Dakota state employees, subject to maintaining an adequate general fund balance, for the period beginning July 1, 1984, and ending June 30, 1985.

Which has been read and has committee recommendation of DO NOT PASS.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 2 YEAS, 49 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Miller Heinrich; Matchie

NAYS: Adams; Bakewell; Barth; Berube; Christensen; David; Dotzenrod; Dykshoorn; Erickson; Fritzell; Goodman; Grotberg; Heigaard; Hilken; Holmberg; Kilander; Krauter; Lashkowitz; Lee; Leibhan; Lips; Lodoen; Maixner; Meyer, D.; Meyer, J.; Moore; Mutch; Naaden;

Nelson; Nething; Olson; Parker; Peterson; Redlin;
Satrom; Stenehjem; Streibel; Stromme; Tallackson;
Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh;
Wenstrom; Wogsland; Wright

ABSENT AND NOT VOTING: Kusler; Reiten

HB 1729 was declared lost.

SEN. NOTHING MOVED that the vote by which HB 1729 lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

HB 1236: A BILL for an Act to amend and reenact sections 50-01-09.2 and 50-24.1-03 of the North Dakota Century Code, relating to state financial responsibility for boarding home care costs and costs related to the care of developmentally disabled persons.

Which has been read and is placed on the calendar without recommendation.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 22 YEAS, 29 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Barth; Berube; Grotberg; Heigaard; Miller Heinrich;
Hilken; Krauter; Kusler; Lashkowitz; Maixner; Matchie;
Meyer, D.; Meyer, J.; Redlin; Satrom; Stromme;
Tallackson; Tweten; Waldera; Walsh; Wogsland; Wright

NAYS: Adams; Bakewell; Christensen; David; Dykshoorn;
Erickson; Fritzell; Goodman; Holmberg; Kilander; Lee;
Leibhan; Lips; Lodoen; Moore; Mutch; Naaden; Nelson;
Nething; Olson; Parker; Peterson; Stenehjem; Streibel;
Tennefos; Thane; Todd; Vosper; Wenstrom

ABSENT AND NOT VOTING: Dotzenrod; Reiten

HB 1236 was declared lost.

SEN. NOTHING MOVED that the vote by which HB 1236 lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MOTION

SEN NOTHING MOVED that SB 2106, which is on the Seventh order of business today be laid over one legislative day, which motion prevailed.

REPORT OF CONFERENCE COMMITTEE

SEN. THANE MOVED that the conference committee report on SB 2092 as printed on pages 2180 and 2181 of the Senate Journal be adopted, which motion prevailed.

SEN. THANE MOVED that the rules be suspended, that SB 2092 be deemed properly reengrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE BILL

SB 2092: A BILL for an Act to create and enact a new section to chapter 54-21 of the North Dakota Century Code, relating to authorizing the director of institutions with the governor's approval to sell or exchange penitentiary land, permitting the mining or extraction of gravel or other mineral or oil resources, and establishing an interest bearing fund in the state treasury to be used for the acquisition of additional farmland and ranchland for the state penitentiary; and providing an appropriation.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended, the roll was called and there were 48 YEAS, 3 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Barth; Berube; Christensen; David; Dotzenrod; Dykshoorn; Erickson; Fritzell; Groberg; Miller Heinrich; Holmberg; Kilander; Krauter; Kusler; Lashkowitz; Lee; Leibhan; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Moore; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Satrom; Stenehjerm; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wright

NAYS: Heigaard; Hilken; Wogsland

ABSENT AND NOT VOTING: Goodman; Reiten

SB 2092 passed and the title was agreed to.

SEN. NOTHING MOVED that the vote by which SB 2092 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

REPORTS OF CONFERENCE COMMITTEES

SEN. PARKER MOVED that the conference committee report on SB 2173 as printed on page 2181 of the Senate Journal be adopted, which motion prevailed.

SEN. LODOEN MOVED that the conference committee report on SB 2219 as printed on page 2131 of the Senate Journal be adopted, which motion prevailed.

SEN. OLSON MOVED that the conference committee report on SB 2373 as printed on pages 2182-2217 of the Senate Journal be adopted, which motion prevailed.

MOTION

SEN. OLSON MOVED that the rules be suspended, that SB 2373 be deemed properly reengrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE BILL

SB 2373: A BILL for an Act to create and enact two new subsections to section 39-01-01, a new subsection to section 39-06-31, a new subsection to section 39-06.1-10, two new sections to chapter 39-08, and three new sections to chapter 39-20 of the North Dakota Century Code, relating to penalty and punishment for operating a motor vehicle while under the influence of intoxicating liquor or controlled substances and to law enforcement procedures; to amend and reenact section 27-20-51, subsection 5 of section 27-20-54, subsection 1 of section 39-06-01, subsection 5 of section 39-06-17, subsection 2 of section 39-06-23, section 39-06-33.1, subsections 1 and 2 of section 39-06-35, sections 39-06-36, 39-06-42, 39-06-43, subsection 1 of section 39-06.1-05, section 39-06.1-07, subdivision b of subsection 3 and subsection 4 of section 39-06.1-10, sections 39-06.1-11, 39-07-07, 39-07-10, 39-07-11, 39-08-01, 39-20-01, 39-20-02, 39-20-04, 39-20-05, 39-20-06, 39-20-07, 39-20-08, 39-20-09, 39-20-14, 40-18-01, 40-18-12, and 40-18-13 of the North Dakota Century Code, relating to reporting juvenile offenses, penalty and punishment for operating a motor vehicle while under the influence or for driving in violation of license suspension, revocation, or restriction, testing for blood alcohol concentration, interpretation of tests, issuing of notification forms to arrested drivers, and law enforcement, judicial, and administrative procedures; and to repeal section 39-06-29.1 of the North Dakota Century Code, relating to the authority to suspend operator's licenses of juveniles.

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 45 YEAS, 7 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Adams; Barth; Berube; Christensen; Dotzenrod; Dykshoorn; Erickson; Fritzell; Goodman; Grotberg; Heigaard; Miller Heinrich; Holmberg; Kilander; Krauter;

Lashkowitz; Lee; Leibhan; Lips; Lodoen; Maixner; Matchie; Meyer, J.; Moore; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Satrom; Stenehjem; Streibel; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: Bakewell; David; Hilken; Kusler; Meyer, D.; Mutch; Stromme

ABSENT AND NOT VOTING: Reiten

SB 2373 passed and the title was agreed to.

SEN. NOTHING MOVED that the vote by which SB 2373 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

REPORT OF CONFERENCE COMMITTEE

SEN. GOODMAN MOVED that the conference committee report on SB 2431 as printed on pages 2217-2219 of the Senate Journal be adopted, which motion prevailed.

SEN. GOODMAN MOVED that the rules be suspended, that SB 2431 be deemed properly reengrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE BILL

SB 2431: A BILL for an Act to create and enact a new section to chapter 39-04, and a new subsection to section 40-05.1-06 of the North Dakota Century Code permitting home rule cities to levy certain taxes and fees and authorizing collection agreements; and to amend and reenact section 57-01-02.1 of the North Dakota Century Code, relating to tax collection agreements with home rule cities; and to provide an effective date.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended, the roll was called and there were 38 YEAS, 14 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Barth; Berube; Christensen; Dotzenrod; Dykshoorn; Fritzell; Goodman; Grotberg; Heigaard; Miller Heinrich; Holmberg; Kilander; Krauter; Kusler; Lashkowitz; Lee; Leibhan; Lips; Lodoen; Maixner; Matchie; Meyer, J.; Mutch; Nething; Olson; Parker; Peterson; Redlin; Satrom; Stenehjem; Stromme; Tallackson; Thane; Todd; Waldera; Walsh; Wenstrom; Wogsland

NAYS: Adams; Bakewell; David; Erickson; Hilken;
Meyer, D.; Moore; Naaden; Nelson; Streibel; Tennefos;
Tweten; Vosper; Wright

ABSENT AND NOT VOTING: Reiten

SB 2431 passed and the title was agreed to.

SEN. NOTHING MOVED that the vote by which SB 2431 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

REPORT OF CONFERENCE COMMITTEE

SEN. OLSON MOVED that the conference committee report on HB 1420 as printed on page 2219 of the Senate Journal be adopted, which motion prevailed.

CONSIDERATION OF MESSAGES FROM THE HOUSE

SEN. WRIGHT MOVED that the Senate reconsider the action whereby a conference committee was appointed on SCR 4025 and that the conference committee be dissolved, which motion prevailed.

SEN. WRIGHT MOVED that the Senate do concur in the House amendments to SCR 4025 as printed on page 1358 of the Senate Journal, which motion prevailed.

MOTION

SEN. WRIGHT MOVED that the rules be suspended, that SCR 4025 be deemed properly engrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE CONCURRENT RESOLUTION

SCR 4025: A concurrent resolution requesting the Congress of the United States to propose an amendment to the Constitution of the United States providing protection for all human life, and expressing support for other legislation to protect life.

Which has been read.

The question being on the final adoption of the resolution as amended.

SCR 4025 was declared lost on a voice vote.

MESSAGES FROM THE HOUSE HOUSE CHAMBER

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

SCR 4059

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 3098

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 did not concur in the Senate amendments to HB 1440, and now wishes to inform you that it does now concur in the Senate amendments to HB 1440, and subsequently passed the same. Also, the House has dissolved the House Conference Committee on HB 1440.

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 1643 and HB 1693 and subsequently passed the same, but does not concur in the Senate amendments to HB 1007 and HB 1733, and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1007: Reps. G. Martin, Boyle, O. Hanson

HB 1733: Reps. Mertens, Lardy, Eagles

Very respectfully,
CHARLES FLEMING, Chief Clerk

MOTION

SEN. LIPS MOVED that the rules be suspended, that HB 1005 be placed on the Sixth order of business, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SEN. LIPS MOVED that the amendments to HB 1005 as recommended by the Committee on Appropriations be adopted, which motion prevailed.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. LIPS MOVED that the Senate do not concur in the House amendments to SB 2001 and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed.

APPOINTMENT OF A CONFERENCE COMMITTEE

THE PRESIDENT APPOINTED as a Conference Committee on SB 2001:

Sens. Streibel, Tennefos, Heigaard

FRIDAY, APRIL 8, 1983

2273

REPORT OF PROCEDURAL COMMITTEE

MR. PRESIDENT: Your procedural Committee on Delayed Bills has examined a bill relating to exemption from property taxes for certain new single family residential property and has approved its introduction by a unanimous vote.

SEN. NELSON, Chairman

SEN. NELSON MOVED that the report be adopted, which motion prevailed.

FIRST READING OF A SENATE BILL

Sens. Kilander, Goodman introduced:

(Approved by the Committee on Delayed Bills)

SB 2502: A BILL for an Act to amend and reenact sections 1 and 2 of Senate Bill No. 2295, as approved by the forty-eighth legislative assembly, relating to exemption from property taxes for certain new single family residential property; and to provide an effective date and expiration date.

Was read the first time and referred to the Committee on Finance and Taxation.

PRESENTATION OF PETITIONS AND COMMUNICATIONS

STATE OF NORTH DAKOTA
EXECUTIVE OFFICE
BISMARCK

April 8, 1983

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

Dear Mr. President:

This is to inform you that on April 8, 1983, I signed the following Senate Bills:

SB 2062,	SB 2084,	SB 2093,	SB 2112,	SB 2125,	SB 2128,
SB 2142,	SB 2145,	SB 2156,	SB 2184,	SB 2189,	SB 2196,
SB 2220,	SB 2224,	SB 2251,	SB 2255,	SB 2267,	SB 2268,
SB 2288,	SB 2291,	SB 2294,	SB 2319,	SB 2321,	SB 2344,
SB 2345,	SB 2362,	SB 2367,	SB 2382,	SB 2386,	SB 2404,
SB 2414,	SB 2422,	SB 2447,	SB 2448,	SB 2453,	SB 2456,
SB 2465,	SB 2474,				

Sincerely,

ALLEN I. OLSON
Governor

SIGNING OF BILLS AND RESOLUTIONS

THE SECRETARY ANNOUNCED that the President signed the following:

SB 2249, SB 2250, SB 2265, SB 2500, SCR 4058

LEO LEIDHOLM, Secretary

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT: Your Conference Committee to which was referred SB 2067 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on pages 1882-1884 of the Senate Journal and that SB 2067 be amended as follows:

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

On page 1 of the engrossed bill, line 27, delete the word "and" and after the word "penalties" insert the words "; and to provide an expiration date"

On page 2 of the engrossed bill, line 31, after the word "occasion" insert the words "per licensing year"

On page 3 of the engrossed bill, line 7, delete the word "fifty"

On page 3 of the engrossed bill, line 12, delete the words "No eligible organization may"

On page 3 of the engrossed bill, delete lines 13 through 15 and insert in lieu thereof the following:

"At sites where the game of twenty-one is conducted, the maximum monthly rent shall not exceed one hundred fifty dollars multiplied by the number of tables on which the game of twenty-one is played for any purposes associated with the right to conduct all games of chance at that site."

On page 4 of the engrossed bill, line 5, after the period insert the following: "The game of twenty-one shall not be conducted on Sunday. A local governing body may, when issuing a class B permit, place additional restrictions on the hours and dates when games of chance may be conducted."

On page 5 of the engrossed bill, line 21, overstrike the words "or a class A misdemeanor"

On page 7 of the engrossed bill, line 17, after the word "may" insert the words "include any property which may be legally owned and possessed, but may"

- On page 7 of the engrossed bill, line 18, after the period insert the following: "Cash prizes may be awarded in raffles conducted under this chapter provided the value of no single cash prize exceeds five hundred dollars, and provided further that no eligible organization may award cash prizes totaling more than five hundred dollars in the aggregate during any day."
- On page 8 of the engrossed bill, line 21, delete the word "twenty-five" and insert in lieu thereof the word "five"
- On page 8 of the engrossed bill, line 22, delete the word "five" and insert in lieu thereof the word "three"
- On page 8 of the engrossed bill, line 23, delete the word "twenty-five" and insert in lieu thereof the word "five"
- On page 8 of the engrossed bill, line 24, delete the words "one hundred"
- On page 8 of the engrossed bill, line 25, delete the word "seven" and insert in lieu thereof the word "five"
- On page 8 of the engrossed bill, line 26, delete the words "one hundred"
- On page 8 of the engrossed bill, line 27, delete the words "and not in excess of three hundred"
- On page 8 of the engrossed bill, line 28, delete the words "thousand dollars" and delete the word "nine" and insert in lieu thereof the word "seven"
- On page 8 of the engrossed bill, delete lines 29 through 34
- On page 9 of the engrossed bill, delete lines 1 and 2
- On page 9 of the engrossed bill, after line 2, insert the following new section:

"SECTION 15. A new section to chapter 53-06.1 of the North Dakota Century Code is hereby created and enacted to read as follows:

Gaming enforcement fund - Allocation. There is created as a special fund in the state treasury a gaming enforcement fund. All tax proceeds received by the licensing authority shall be deposited with the state treasurer and shall be credited to the gaming enforcement fund. Except for those tax proceeds allocated by the state treasurer pursuant to

section 17 of this Act, any or all moneys remaining in the gaming enforcement fund may be transferred by the state emergency commission for gaming enforcement pursuant to chapter 54-16."

- On page 9 of the engrossed bill, line 20, overstrike the words "two years thereafter" and insert immediately thereafter the words "for a period of time to be determined by the attorney general"
- On page 9 of the engrossed bill, line 24, after the word "The" insert the words "state treasurer, at the direction of the" and after the word "authority" insert an underscored comma
- On page 9 of the engrossed bill, line 30, delete the word "Two-fifths" and insert in lieu thereof the word "Two-thirds"
- On page 9 of the engrossed bill, line 32, delete the word "Two-sevenths" and insert in lieu thereof the word "Two-fifths"
- On page 9 of the engrossed bill, line 34, delete the word "Two-ninths" and insert in lieu thereof the word "Two-sevenths"
- On page 10 of the engrossed bill, delete lines 1 through 8
- On page 10 of the engrossed bill, line 9, delete the words "state general fund."
- On page 13 of the engrossed bill, after line 6, insert the following new section:

"SECTION 25. EXPIRATION DATE. Section 15 of this Act is effective through June 30, 1985, and after that date is ineffective."

And renumber the lines, sections, and pages accordingly

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

For the House: Reps. Nowatzki, Kretschmar, E. Pomeroy

SB 2067 was placed on the Seventh order of business on the calendar for the succeeding legislative day.

MOTIONS

SEN. NELSON MOVED that the absent Senators be excused, which motion prevailed.

FRIDAY, APRIL 8, 1983

2277

SEN. NETHING MOVED that after the reading of SB 2501, HB 1005, HB 1732, and HCR 3091, the Senate adjourn and convene at 9:30 a.m., Saturday, April 9, 1983, which motion prevailed.

LEO LEIDHOLM, Secretary