

JOURNAL OF THE SENATE

Forty-eighth Legislative Assembly

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SIXTY-SIXTH DAY

Bismarck, April 9, 1983

The Senate convened at 9:30 a.m., with President Sands presiding.

The prayer was offered by Senator Maixner.

A WESTERNER'S PRAYER

By Clell Gannon

Dear Lord, I pray, make me as free as is the summer breeze,
That wanders through the prairie grass and hunts the
scattered trees.

Make me as common as the dirt that suns beneath my feet,
And democratic as the air, and banish all conceit
And vanity and snobbishness; yea, march them in retreat.

Make me as honest as the birds that sing the prairie lays,
As reverent unto my God, as quick to sing His praise.
As clean as are the wind-washed buttes, as happy as the sun.
As prompt to do my given task that He may say "Well done."

Make me as stubborn as a bronco for the thing that's right,
As fixed in truth as are the stars that stab the western
night.

Give me the cacti thorns to ward away the tempter's art,
And give some fellow-man my chance - I'll take the smaller
part.

Lord, teach me humble lessons from the magi of the plains,
And make my soul as beautiful as are the sunset stains.
Let all men know me as a friend and stop awhile to chat,
For all the kingly titles they are not as good as that.
Lord, let me know I'm just a part of this big world of
thine,

I'm not the entire story, I am just a little line.
But make me every inch a man along the trail, and when
The sun drops down behind the buttes that rims the world,
why then

I won't need to apologize to God or man! Amen.

ROLL CALL

The roll was called and all members were present, except Senators
Matchie, Moore, 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-fifth day and finds the same to be correct.

SEN. TWETEN, Chairman

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

MESSAGES TO THE HOUSE

SENATE CHAMBER

MADAM SPEAKER: I have the honor to inform you that the Senate has reconsidered its action whereby it did not concur with the House amendments to SCR 4025, and now wishes to inform you that it does now concur in the House amendments to SCR 4025, and subsequently failed to pass the same. Also, the Senate has dissolved the Senate Conference Committee on SCR 4025.

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 2001, and the President has appointed as a conference committee to act with a like committee from the House on:

SB 2001: Sens. Streibel, Tennefos, Heigaard

Very respectfully,

LEO LEIDHOLM, Secretary

SENATE CHAMBER

MADAM SPEAKER: I have the honor to return herewith the following on which the Senate has adopted the conference committee report on the same:

HB 1420

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

Very respectfully,

LEO LEIDHOLM, Secretary

SENATE CHAMBER

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

SATURDAY, APRIL 9, 1983

2281

HB 1644, HB 1724

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 1236, HB 1687, HB 1729

Very respectfully,
LEO LEIDHOLM, Secretary

SENATE CHAMBER

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

HCR 3094, HCR 3095

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 report and subsequently passed the same:

SB 2092, SB 2173, SB 2219, SB 2373, SB 2431

Very respectfully,
LEO LEIDHOLM, Secretary

MESSAGES FROM THE HOUSE

HOUSE CHAMBER

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

SB 2032, SB 2150, SB 2187, SB 2205, SB 2206, SB 2394

Very respectfully,
CHARLES FLEMING, Chief Clerk

HOUSE CHAMBER

MR. PRESIDENT: I have the honor to return herewith SB 2313 which the House has amended as follows:

HOUSE AMENDMENTS TO SB 2313

On page 3 of the engrossed bill, line 30, delete the word "ten" and insert in lieu thereof the word "twenty"

On page 3 of the engrossed bill, line 31, after the word "during" insert the words "each of", after the word "the" insert the word "three", and delete the word "year" and insert in lieu thereof the word "years"

And renumber the lines accordingly

HOUSE AMENDMENTS TO SB 2313

In addition to the amendments to engrossed Senate Bill No. 2313 adopted by the House of Representatives as found on page 1925 of the House Journal, engrossed Senate Bill No. 2313 is amended as follows:

On page 3 of the engrossed bill, line 24, delete the word "Nothwithstanding" and insert in lieu thereof the words "In addition to"

On page 3 of the engrossed bill, line 28, delete the words "or retired from"

On page 3 of the engrossed bill, line 29, delete the word "farming"

On page 3 of the engrossed bill, line 31, after the period insert the following new sentence: "The provisions of this paragraph do not apply to an individual who is retired because of illness or age and who at the time of retirement owned and occupied as a farmer the residence in which he lives and for which the exemption is claimed."

And renumber the lines accordingly

Very respectfully,
CHARLES FLEMING, Chief Clerk

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.

REPORT 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 2172, SB 2342, SB 2358, SB 2446, SCR 4059

SEN. FRITZELL, Chairman

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

REPORT OF CONFERENCE COMMITTEES

MR. PRESIDENT: Your Conference Committee to which was referred SB 2029 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments and that SB 2029 be amended as follows:

On page 1, line 14, delete the numerals "425,909" and insert in lieu thereof the numerals "401,373"

On page 1, line 19, delete the numerals "1,152,209" and insert in lieu thereof the numerals "1,127,673"

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Soil Conservation Committee

The salaries and wages line item is reduced by \$24,536 from the general fund to allow funds for the state to pay one-half (two percent) of the employees' share of retirement effective with wages earned beginning July 1, 1983.

For the Senate: Sens. Nething, Nelson, Redlin

For the House: Reps. Mertens, Mushik, Strinden

SB 2029 was placed on the Seventh order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Conference Committee to which was referred SB 2227 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on page 1916 of the Senate Journal and that SB 2227 be amended as follows:

On page 1 of the engrossed bill, line 19, after the word "the" insert the words "director of the office of management and budget and"

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment provides that the State Tax Commissioner and the Director of Office of Management and Budget must certify a amount of anticipated general fund revenues.

For the Senate: Sens. Lips, Thane, Walsh

For the House: Reps. G. Martin, Horgan, Peterson

SB 2227 was placed on the Seventh order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Conference Committee to which was referred SB 2277 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on pages 1981 and 1982 of the Senate Journal and that SB 2277 be amended as follows:

On page 1 of the engrossed bill, line 1, after the word "to" insert the words "create and enact subsection 23 to section 15-29-08 of the North Dakota Century Code, relating to the general powers and duties of school

boards; and to", delete the word "section" and insert in lieu thereof the word "sections", and after the numerals "15-40.1-07" insert the words "and 15-41-06"

On page 1 of the engrossed bill, line 3, after the word "payments" and before the period insert the words "and coursework requirements for high school students"

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

"SECTION 1. Subsection 23 of section 15-29-08 of the North Dakota Century Code is hereby created and enacted to read as follows:

23. To adopt alternative high school senior curriculum plans in accordance with section 15-41-06 under which high school students in their fourth year of standard high school coursework may be enrolled in fewer than four academic units."

On page 2 of the engrossed bill, line 34, delete the words "of their fourth year", and after the word "work" and before the comma insert the words "who are in their fourth year of high school coursework and who are enrolled in approved alternative high school curriculum programs"

On page 3 of the engrossed bill, after line 18, insert the following new section:

"SECTION 3. AMENDMENT. Section 15-41-06 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

15-41-06. High school courses - Requirements - Credits - Alternative curriculum plans. Four units of high school work shall be considered the minimum number of any year from the ninth grade ~~to~~ through the twelfth grade. However, students in their fourth year of standard high school coursework may be enrolled in fewer than four units if the students require fewer than four units for graduation and if the school board of their school district of attendance has adopted an alternative high school senior curriculum plan. An alternative high school senior curriculum plan may be adopted by board action, and must contain specifically described criteria under which high school seniors may be enrolled in fewer than four units. An alternative high school curriculum plan of coursework shall become effective only following formal approval by the superintendent of public

instruction, and no student shall be eligible to be enrolled in fewer than four units of coursework in his or her twelfth-grade year unless that student can graduate during that same school year while carrying fewer than four units. A school board is not obligated to adopt an alternative high school senior curriculum plan, but once having adopted such a plan, a district must permit high school seniors satisfying criteria set forth in the plan to be enrolled in fewer than four units in accordance with this section. All unit courses shall be taught a minimum of forty minutes a day for at least one hundred eighty days, subject to the provisions of section 15-47-33, except that all natural science courses shall exceed forty minutes to such an extent as may be determined by the superintendent of public instruction. In all high schools and in all schools maintaining any of the grades from the ninth to the twelfth and doing high school work, it shall be made possible for each grade to complete four units of work each year. The work which is done by pupils in any school which does not conform to the requirements contained in this section shall not be accredited by the superintendent of public instruction through state high school examinations or otherwise."

And renumber the lines, sections, and pages accordingly

For the Senate: Sens. Erickson, Waldera, Bakewell

For the House: Reps. Halmrast, Hill, Swiontek

SB 2277 was placed on the Seventh order of business on the calendar for the succeeding legislative day.

MOTION

SEN. NOTHING 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.

MESSAGE FROM THE HOUSE

HOUSE CHAMBER

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

SB 2095: Reps. Riehl, Laughlin, Timm

Very respectfully,
CHARLES FLEMING, Chief Clerk

SIGNING OF BILLS AND RESOLUTIONS

THE SECRETARY ANNOUNCED that the President signed the following:

SB 2172, SB 2342, SB 2358, SB 2446, SCR 4059

LEO LEIDHOLM, Secretary

REPORT 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 2047, SB 2049, SB 2066, SB 2104, SB 2170, SB 2199,
SB 2245, SB 2327, SB 2350, SB 2413, SB 2421, SB 2473

SEN. FRITZELL, Chairman

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

MESSAGE FROM THE HOUSE HOUSE CHAMBER

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

SB 2001: Reps. Boyle, Sanstead, Unhjem

Very respectfully,
CHARLES FLEMING, Chief Clerk

MOTIONS

SEN. STENEHJEM MOVED that SB 2067 be returned to the conference committee which was previously appointed, which motion prevailed.

SEN. MOORE MOVED that SB 2106 which is on the Seventh order of business be laid over one legislative day, which motion prevailed.

SEN. NOTHING MOVED that SB 2029 which is on the Seventh order of business be placed at the head of the calendar, which motion prevailed.

REPORT OF CONFERENCE COMMITTEE

SEN. NOTHING MOVED that the conference committee report on SB 2029 be adopted.

REQUEST

SEN. REDLIN REQUESTED a recorded roll call vote on the motion to adopt the conference committee report on SB 2029, which request was granted.

ROLL CALL

The question being on the motion to adopt the conference committee report on SB 2029, the roll was called and there were 28 YEAS, 24 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Christensen; David; Dykshoorn;
Erickson; Fritzell; Goodman; Kilander; Lee; Leibhan;
Lips; Lodoen; Moore; Mutch; Naaden; Nelson; Nothing;

Olson; Parker; Peterson; Streibel; Tennefos; Thane;
Tweten; Vosper; Wenstrom; Wright

NAYS: Barth; Berube; Dotzenrod; Grotberg; Heigaard;
Miller Heinrich; Hilken; Holmberg; Krauter; Kusler;
Lashkowitz; Maixner; Matchie; Meyer, D.; Meyer, J.;
Redlin; Satrom; Stenehjelm; Stromme; Tallackson; Todd;
Waldera; Walsh; Wogsland

ABSENT AND NOT VOTING: Reiten

The conference committee report on SB 2029 was adopted.

SEN. NOTHING MOVED that the rules be suspended, that SB 2029 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 BILL

SB 2029: A BILL for an Act making an appropriation for defraying the expenses of the soil conservation committee and soil conservation districts of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, 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; Stenehjelm; Streibel; Stromme;
Tallackson; Tennefos; Thane; Todd; Tweten; Vosper;
Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Reiten

SB 2029 passed and the title was agreed to.

SEN. NOTHING MOVED that the vote by which SB 2029 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEES

SEN. LIPS MOVED that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on HB 1007, which motion prevailed.

THE PRESIDENT APPOINTED as a Conference Committee on HB 1007:

Sens. Lips, Wenstrom, Stromme

SEN. LIPS MOVED that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on HB 1733, which motion prevailed.

THE PRESIDENT APPOINTED as a Conference Committee on HB 1733:

Sens. Thane, Tennesfos, Heigaard

MOTION

SEN. NETHING MOVED that the Senate stand in recess until 2:15 p.m., which motion prevailed.

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

CONSIDERATION OF MESSAGE FROM HOUSE

SEN. LIPS MOVED that the Senate do not concur in the House amendments to SB 2033 as printed on page 1933 of the Senate Journal and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed.

APPOINTMENT OF A CONFERENCE COMMITTEE

THE PRESIDENT APPOINTED as a Conference Committee on SB 2033:

Sens. Nelson, Thane, Heigaard

MESSAGES TO THE HOUSE
SENATE CHAMBER

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

SB 2029

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 2033 and the President has appointed as a conference committee to act with a like committee from the House on:

SB 2033: Sens. Nelson, Thane, Heigaard

Very respectfully,
LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE
HOUSE CHAMBER

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

HB 1022

Very respectfully,
CHARLES FLEMING, Chief Clerk

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT: Your Conference Committee to which was referred HB 1022 has had the same under consideration and recommends that the SENATE RECEDE from its amendments as found on pages 1778 and 1779 of the Senate Journal and that HB 1022 be further amended as follows:

On page 1 of the engrossed bill, line 12, delete the numerals "305,939" and insert in lieu thereof the numerals "302,447"

On page 1 of the engrossed bill, line 15, delete the numerals "472,924" and insert in lieu thereof the numerals "469,432"

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

The salaries and wages line item is reduced by \$3,492 from the general fund to reflect no salary increases for the biennium, and 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.

For the Senate: Sens. Naaden, Tweten, Walsh

For the House: Reps. Boyle, Erdman, O. Hanson (refused to sign)

HB 1022 was placed on the Seventh order of business on the calendar for the succeeding legislative day.

MOTIONS

SEN. NOTHING MOVED that HB 1022 be placed at the head of the Seventh order of business, which motion prevailed.

SEN. NAADEN MOVED that the conference committee report on HB 1022 be adopted.

REQUESTS

SEN. REDLIN REQUESTED a recorded roll call vote on the motion to adopt the conference committee report on HB 1022, which request was granted.

SEN. NETHING REQUESTED a call of the Senate, which request was granted.

SEN. NETHING MOVED that the call of the Senate be dissolved, which motion prevailed.

ROLL CALL

The question being on the motion to adopt the conference committee report on HB 1022, the roll was called and there were 24 YEAS, 28 NAYS, 1 ABSENT AND NOT VOTING.

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

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

ABSENT AND NOT VOTING: Reiten

The conference committee report on HB 1022 was not adopted.

APPOINTMENT OF CONFERENCE COMMITTEE

SEN. NETHING MOVED that the President appoint a committee of three to act with a like committee from the House as a new Conference Committee on HB 1022, which motion prevailed.

THE PRESIDENT APPOINTED as a new Conference Committee on HB 1022:

Sens. Naaden, Tweten, Walsh

REPORT 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 2026, SB 2108, SB 2408, SB 2491, SMR 3

SEN. FRITZELL, Chairman

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

SIGNING OF BILLS AND RESOLUTIONS

THE SECRETARY ANNOUNCED that the President signed the following:

SB 2026, SB 2108, SB 2408, SB 2491, SMR 3

LEO LEIDHOLM, Secretary

MESSAGE TO THE HOUSE
SENATE CHAMBER

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

HB 1007: Sens. Lips, Wenstrom, Stromme

HB 1733: Sens. Thane, Tennefos, Heigaard

Very respectfully,
LEO LEIDHOLM, Secretary

MOTION

SEN. NOTHING MOVED that the Senate stand in recess until 4:00 p.m., which motion prevailed.

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

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 further amended as follows:

In lieu of the conference committee amendments to Senate Bill No. 2067 as found on pages 2274-2276 of the Senate Journal, Senate Bill No. 2067 is 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, delete line 2

On page 4 of the engrossed bill, line 3, delete the word "pools" and insert in lieu thereof the words "Games of chance" and after the word "conducted" insert the words "on premises licensed to sell alcoholic beverages"

On page 4 of the engrossed bill, line 5, after the period insert the following: "Games of chance may not be conducted between the hours of one a.m. and eight a.m. The game of twenty-one may not be conducted after the one a.m. on Sunday, except for premises authorized to dispense alcoholic beverages pursuant to section 5-02-05.1. A local governing body may, when issuing a class B permit, place additional restrictions on the hours and days 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 (refused to sign),
E. Pomeroy

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

MOTIONS

SEN. NOTHING MOVED that the Senate reconsider the action whereby
a new conference committee was appointed on HB 1022, which motion
prevailed.

SEN. NOTHING MOVED that the Senate do adopt the conference
committee report on HB 1022.

REQUEST

SEN. LIPS REQUESTED a recorded roll call vote on the motion to
adopt the conference committee report, which request was granted.

ROLL CALL

The question being on the motion to adopt the conference
committee report on HB 1022, the roll was called and there were
40 YEAS, 7 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Bakewell; Barth; Berube; Christensen; Dykshoorn;
Erickson; Fritzell; Grotberg; Heigaard;
Miller Heinrich; Hilken; Holmberg; Kilander; Krauter;
Kusler; Lashkowitz; Lips; Lodoen; Maixner; Matchie;
Meyer, D.; Meyer, J.; Mutch; Naaden; Nelson; Nothing;
Olson; Parker; Redlin; Satrom; Stenehjem; Streibel;
Stromme; Thane; Todd; Tweten; Waldera; Walsh; Wenstrom;
Wright

NAYS: Adams; David; Lee; Moore; Peterson; Tennefos;
Vosper

ABSENT AND NOT VOTING: Dotzenrod; Goodman; Leibhan;
Reiten; Tallackson; Wogsland

The conference committee report on HB 1022 was adopted.

SEN. NOTHING MOVED that the rules be suspended, that HB 1022 be placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF A 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 42 YEAS, 5 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Bakewell; Barth; Berube; Christensen; Dykshoorn; Erickson; Fritzell; Grotberg; Heigaard; Miller Heinrich; Hilken; Holmberg; Kilander; Krauter; Kusler; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Moore; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Satrom; Stenehjeme; Streibel; Stromme; Thane; Todd; Tweten; Waldera; Walsh; Wenstrom; Wright

NAYS: Adams; David; Lee; Tennefos; Vosper

ABSENT AND NOT VOTING: Dotzenrod; Goodman; Leibhan; Reiten; Tallackson; Wogsland

HB 1022 passed and the title was agreed to.

MOTIONS

SEN. NOTHING that the absent Senators be excused, which motion prevailed.

SEN. NOTHING MOVED that the Senate adjourn and convene at 8:00 a.m., Monday, April 11, 1983, which motion prevailed.

LEO LEIDHOLM, Secretary