

JOURNAL OF THE SENATE

Forty-eighth Legislative Assembly

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SIXTY-NINTH DAY

Bismarck, April 13, 1983
The Senate convened at 8:00 a.m., with President Sands presiding.

The prayer was offered by Senator Shirley Lee.

Dear Lord, thank You for this day. Help us to remember that You are with us; that You have promised never to leave us or forsake us; that You are as sure as the sunrise; that though we may stumble, You will never let us fall.

Help us to forget the failures and disappointments of yesterday. Let us not dwell on idle dreams of the future. Help us to put aside our personal ambitions, our vanities and pride and concerns about who gets credit for what.

Let us humbly take up the burdens of today, always keeping in mind what is best for the citizens and taxpayers of North Dakota. In Jesus' name. Amen.

ROLL CALL

The roll was called and all members were present, except Senators Goodman, Tallackson, and Wright.

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-eighth day and finds the same to be correct.

SEN. TWETEN, Chairman

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

REPORT OF CONFERENCE COMMITTEE

SEN. NAADEN MOVED that the conference committee report on SB 2003 as printed on pages 2326-2329 of the Senate Journal be adopted, which motion prevailed.

SEN. NAADEN MOVED that the rules be suspended, that SB 2003 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 2003: A BILL for an Act making an appropriation for defraying the expenses of the various divisions under the supervision of the director of the office of management and budget of the state of North Dakota; providing for an exemption; and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended, the roll was called and there were 49 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Adams; Barth; Goodman; Wright

SB 2003 passed, the title was agreed to, and the emergency clause carried.

SEN. NETHING MOVED that the vote by which SB 2003 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

REPORT OF CONFERENCE COMMITTEE

SEN. STREIBEL MOVED that the conference committee report on SB 2006 as printed on pages 2329-2331 of the Senate Journal be adopted, which motion prevailed.

SEN. STREIBEL MOVED that the rules be suspended, that SB 2006 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 2006: A BILL for an Act making an appropriation for defraying the expenses of various divisions under the supervision of the director of institutions of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended, the roll was called and there were 48 YEAS, 0 NAYS, 5 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Adams; Barth; Goodman; Maixner; Wright

SB 2006 passed and the title was agreed to.

SEN. NOTHING MOVED that the vote by which SB 2006 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

REPORT OF CONFERENCE COMMITTEE

SEN. LIPS MOVED that the conference committee report on SB 2013 as printed on pages 2331-2333 of the Senate Journal be adopted, which motion prevailed.

SEN. LIPS MOVED that the rules be suspended, that SB 2013 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 2013: A BILL for an Act making an appropriation for defraying the expenses of the state hospital 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 46 YEAS, 1 NAY, 6 ABSENT AND NOT VOTING.

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

Matchie; Meyer, D.; Meyer, J.; Moore; Mutch; Naaden;
 Nelson; Nething; Olson; Parker; Peterson; Redlin;
 Reiten; Satrom; Stenehjøm; Streibel; Stromme;
 Tallackson; Tennefos; Thane; Todd; Tweten; Vosper;
 Waldera; Walsh; Wogsland

NAYS: David

ABSENT AND NOT VOTING: Adams; Barth; Goodman; Maixner;
 Wenstrom; Wright

SB 2013 passed and the title was agreed to.

SEN. NOTHING MOVED that the vote by which SB 2013 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

REPORT OF CONFERENCE COMMITTEE

SEN. THANE MOVED that the conference committee report on SB 2025 as printed on pages 2333 and 2334 of the Senate Journal be adopted, which motion prevailed.

SEN. THANE MOVED that the rules be suspended, that SB 2025 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 2025: A BILL for an Act making an appropriation for defraying the expenses of the civil air patrol of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended, the roll was called and there were 49 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Barth; Goodman; Maixner; Wright

SB 2025 passed and the title was agreed to.

SEN. NOTHING MOVED that the vote by which SB 2025 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

REPORT OF CONFERENCE COMMITTEE

SEN. THANE MOVED that the conference committee report on SB 2036 as printed on page 2334 of the Senate Journal be adopted, which motion prevailed.

SEN. THANE MOVED that the rules be suspended, that SB 2036 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 2036: A BILL for an Act making an appropriation to the director of institutions to defray the expenses of the court-ordered monitor assigned to review the state's deinstitutionalization efforts.

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, 11 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Bakewell; Berube; Christensen; Dotzenrod; Erickson; Fritzell; Goodman; Grotberg; Heigaard; Miller Heinrich; Hilken; Holmberg; Kilander; Krauter; Kusler; Lashkowitz; Lee; Leibhan; Lips; Lodoen; Matchie; Meyer, D.; Meyer, J.; Mutch; Nething; Olson; Redlin; Reiten; Satrom; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Waldera; Walsh; Wenstrom; Wogsland

NAYS: Adams; David; Dykshoorn; Moore; Nelson; Parker; Peterson; Thane; Todd; Tweten; Vosper

ABSENT AND NOT VOTING: Barth; Maixner; Naaden; Wright

SB 2036 passed and the title was agreed to.

SEN. NOTHING MOVED that the vote by which SB 2036 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

REPORT OF CONFERENCE COMMITTEE

SEN. STENEHJEM MOVED that the conference committee report on SB 2067 as printed on pages 2335 and 2336 of the Senate Journal be adopted.

SEN. KUSLER REQUESTED a recorded roll call vote on the motion to adopt the conference committee report on SB 2067, which request was granted.

ROLL CALL

The question being on the motion to adopt the conference committee report on SB 2067, the roll was called and there were 10 YEAS, 41 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Barth; Christensen; Dotzenrod; Heigaard; Leibhan; Meyer, D.; Meyer, J.; Stenehjem; Waldera; Wogsland

NAYS: Adams; Bakewell; Berube; David; Dykshoorn; Erickson; Fritzell; Goodman; Grotberg; Miller Heinrich; Hilken; Holmberg; Kilander; Krauter; Kusler; Lashkowitz; Lee; Lips; Lodoen; Matchie; Moore; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Walsh; Wenstrom

ABSENT AND NOT VOTING: Maixner; Wright

The conference committee report on SB 2067 was not adopted.

APPOINTMENT OF A 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 SB 2067, which motion prevailed.

THE PRESIDENT APPOINTED as a new Conference Committee on SB 2067:

Sens. Stenehjem, Christensen, J. Meyer

REPORT OF CONFERENCE COMMITTEE

SEN. TENNEFOS MOVED that the conference committee report on HB 1008 as printed on page 2355 of the Senate Journal be adopted, which motion prevailed.

SEN. TENNEFOS MOVED that the rules be suspended, that HB 1008 be placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF A HOUSE BILL

HB 1008: A BILL for an Act making an appropriation for defraying the expenses of the division of independent study 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 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; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland

NAYS: None

ABSENT AND NOT VOTING: Wright

HB 1008 passed and the title was agreed to.

SEN. NOTHING MOVED that the vote by which HB 1008 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

REPORT OF CONFERENCE COMMITTEE

SEN. TENNEFOS MOVED that the conference committee report on HB 1013 as printed on pages 2356 and 2357 of the Senate Journal be adopted, which motion prevailed.

SEN. TENNEFOS MOVED that the rules be suspended, that HB 1013 be placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF A HOUSE BILL

HB 1013: A BILL for an Act creating a native American alcohol and drug abuse education program and making an appropriation for defraying the expenses of the Indian affairs commission 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 43 YEAS, 7 NAYS, 3 ABSENT AND NOT VOTING.

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

Lashkowitz; Lee; Leibhan; Lips; Lodoen; Maixner; Meyer, D.; Meyer, J.; Mutch; Naaden; Nething; Olson; Peterson; Redlin; Reiten; Satrom; Stenehjem; Streibel; Stromme; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland

NAYS: Adams; Bakewell; David; Dykshoorn; Moore; Nelson; Parker

ABSENT AND NOT VOTING: Matchie; Tallackson; Wright

HB 1013 passed and the title was agreed to.

SEN. NETHING MOVED that the vote by which HB 1013 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

REPORT OF CONFERENCE COMMITTEE

SEN. FRITZELL MOVED that the conference committee report on HB 1015 as printed on pages 2357 and 2358 of the Senate Journal be adopted, which motion prevailed.

SEN. FRITZELL MOVED that the rules be suspended, that HB 1015 be placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF A HOUSE BILL

HB 1015: A BILL for an Act making an appropriation for defraying the expenses of the state laboratories department of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended, the roll was called and there were 51 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Barth; Berube; Christensen; David; 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; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland

NAYS: None

ABSENT AND NOT VOTING: Dotzenrod; Wright

HB 1015 passed and the title was agreed to.

SEN. NETHING MOVED that the vote by which HB 1015 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

REPORT OF CONFERENCE COMMITTEE

SEN. FRITZELL MOVED that the conference committee report on HB 1016 as printed on pages 2358-2360 of the Senate Journal be adopted, which motion prevailed.

SEN. FRITZELL MOVED that the rules be suspended, that HB 1016 be placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF A HOUSE BILL

HB 1016: A BILL for an Act making an appropriation for defraying the expenses of the aeronautics commission 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 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; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland

NAYS: None

ABSENT AND NOT VOTING: Wright

HB 1016 passed and the title was agreed to.

SEN. NETHING MOVED that the vote by which HB 1016 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

REPORT OF CONFERENCE COMMITTEE

SEN. NAADEN MOVED that the conference committee report on HB 1018 as printed on pages 2360 and 2361 of the Senate Journal be adopted, which motion prevailed.

SEN. NAADEN MOVED that the rules be suspended, that HB 1018 be placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF A HOUSE BILL

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

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended, 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; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Stenehjerm; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland

NAYS: None

ABSENT AND NOT VOTING: Wright

HB 1018 passed and the title was agreed to.

SEN. NOTHING MOVED that the vote by which HB 1018 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

REPORT OF CONFERENCE COMMITTEE

SEN. FRITZELL MOVED that the conference committee report on HB 1019 as printed on pages 2361 and 2362 of the Senate Journal be adopted, which motion prevailed.

SEN. FRITZELL MOVED that the rules be suspended, that HB 1019 be placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF A HOUSE BILL

HB 1019: A BILL for an Act making an appropriation for defraying the expenses of the securities commissioner 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 51 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Goodman; Wright

HB 1019 passed and the title was agreed to.

SEN. NOTHING MOVED that the vote by which HB 1019 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

REPORT OF CONFERENCE COMMITTEE

SEN. STREIBEL MOVED that the Senate do not adopt the conference committee report on HB 1028 as printed on pages 2362 and 2363 of the Senate Journal and that a new 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 new Conference Committee on HB 1028;

Sens. Streibel, Tweten, Heigaard

REPORT OF CONFERENCE COMMITTEE

SEN. THANE MOVED that the conference committee report on HB 1429 as printed on pages 2299-2302 of the Senate Journal be adopted, which motion prevailed.

SEN. THANE MOVED that the rules be suspended, that HB 1429 be placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF A HOUSE BILL

HB 1429: A BILL for an Act to amend and reenact sections 15-10-25.1, 44-08-04, 44-08-04.3, 54-06-09, and 54-06-10 of the North Dakota Century Code, relating to state employee travel allowances and moving expenses and the requirement for the elected state officials and presidents of institutions of higher education to receive out-of-state travel authorization.

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 44 YEAS, 6 NAYS, 3 ABSENT AND NOT VOTING.

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

NAYS: David; Dykshoorn; Hilken; Krauter; Leibhan;
Meyer, D.

ABSENT AND NOT VOTING: Adams; Goodman; Wright

HB 1429 passed and the title was agreed to.

SEN. NOTHING MOVED that the vote by which HB 1429 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

REPORT OF CONFERENCE COMMITTEE

SEN. STENEHJEM MOVED that the conference committee report on HB 1528 as printed on pages 2302 and 2303 of the Senate Journal be adopted, which motion prevailed.

SEN. STENEHJEM MOVED that the rules be suspended, that HB 1528 be placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF A HOUSE BILL

HB 1528: A BILL for an Act to provide for the licensing and regulation of persons engaged in the practice of social work and the creation of a state board of social work examiners; to provide a penalty; 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 47 YEAS, 2 NAYS, 4 ABSENT AND NOT VOTING.

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

NAYS: David; Moore

ABSENT AND NOT VOTING: Adams; Barth; Goodman; Wright

HB 1528 passed and the title was agreed to.

SEN. NETHING MOVED that the vote by which HB 1528 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 1029, which motion prevailed.

THE PRESIDENT APPOINTED as a Conference Committee on HB 1029:

Sens. Streibel, Tennefos, Heigaard

MOTIONS

SEN. NETHING MOVED that the Senate reconsider the action by which HB 1022 passed, which motion prevailed.

SEN. NETHING MOVED that the Senate reconsider the action whereby the conference committee report was adopted on HB 1022, which motion prevailed.

SEN. NOTHING MOVED that the Senate do not adopt the conference committee report on HB 1022, which motion prevailed.

SEN. NOTHING MOVED that the President appoint a new conference committee of three to act with a like committee from the House on HB 1022, which motion prevailed.

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

Sens. Naaden, Tweten, Walsh

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. LIPS MOVED that the Senate do not concur in the House amendments to SB 2018 as printed on page 1974 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 2018:

Sens. Lips, Nelson, Tallackson

MESSAGES TO THE HOUSE

SENATE CHAMBER

MADAM SPEAKER: I have the honor to inform you that the Senate has not adopted the conference committee reports on SB 2067 and HB 1028, and the President has appointed as a new conference committee to act with a like committee from the House on:

SB 2067: Sens. Stenehjem, Christensen, J. Meyer

HB 1028: Sens. Streibel, Tweten, Heigaard

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:

HB 1029: Sens. Streibel, Tennefos, Heigaard

Very respectfully,
LEO LEIDHOLM, Secretary

SENATE CHAMBER

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

HB 1005

Very respectfully,
LEO LEIDHOLM, Secretary

SENATE CHAMBER

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

SB 2007, SB 2010, SB 2011, SB 2014, SB 2023, SB 2024,
SB 2030, SB 2034, SB 2035, SB 2040, SB 2122, SB 2322

Very respectfully,
LEO LEIDHOLM, Secretary

MOTION

SEN. NETHING 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.

REPORTS OF STANDING COMMITTEES

MR. PRESIDENT: Your Committee on Appropriations to which was referred HB 1004 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 21, delete the numerals "866,702" and insert in lieu thereof the numerals "861,906"

On page 1 of the engrossed bill, line 28, delete the numerals "2,639,982" and insert in lieu thereof the numerals "2,635,186"

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

"Less budget adjustment 22,004"

On page 2 of the engrossed bill, line 2, delete the numerals "2,239,982" and insert in lieu thereof the numerals "2,213,182"

On page 2 of the engrossed bill, line 5, delete the numerals "2,676,929" and insert in lieu thereof the numerals "2,588,289"

On page 2 of the engrossed bill, line 6, delete the numerals "2,676,929" and insert in lieu thereof the numerals "2,588,289"

On page 3 of the engrossed bill, line 6, delete the numerals "4,916,911" and insert in lieu thereof the numerals "4,801,471"

On page 3 of the engrossed bill, line 8, delete the numerals "6,316,911" and insert in lieu thereof the numerals "6,201,471"

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Board of Higher Education

The salaries and wages line item has a net reduction of \$4,796 from the general fund. This will allow funds for the state to provide a two percent contribution to retirement on wages earned after July 1, 1983, and an additional two percent contribution amounting to a full four percent on wages earned after July 1, 1984. It also provides \$6,489 over the executive budget for health insurance premiums.

The appropriation is reduced by a budget adjustment of \$22,004 (two percent) from the general fund. The commissioner shall take such administrative action as may be necessary to spend less than the total of the line items in the appropriation to achieve the \$22,004 budget reduction. Line items other than salaries and wages, operating expenses, data processing, and equipment are not to be affected by the budget reduction.

Reciprocal Agreements

The general fund appropriation is reduced by \$88,640 to delete funds provided by the House for five veterinary medicine positions (\$76,540) and two optometry positions (\$12,100) in the second year of the biennium.

SEN. LIPS, Chairman

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

MR. PRESIDENT: Your Committee on Appropriations to which was referred HB 1006 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 15, delete the numerals "1,936,827" and insert in lieu thereof the numerals "1,928,421"

On page 1 of the engrossed bill, line 21, delete the numerals "21,509,310" and insert in lieu thereof the numerals "21,500,904"

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

"Less budget adjustment 49,406"

On page 1 of the engrossed bill, line 22, delete the numerals "7,454,697" and insert in lieu thereof the numerals "7,422,742"

On page 1 of the engrossed bill, line 23, delete the numerals "14,054,613" and insert in lieu thereof the numerals "14,028,756"

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

The salaries and wages line item of Vocational Education has a net reduction of \$8,406, of which \$3,867 is from the general fund and \$4,539 is from other funds. This will allow funds for the state to provide a two percent contribution to retirement on wages earned after July 1, 1983, and an additional two percent contribution amounting to a full four percent on wages earned after July 1, 1984. It also provides \$15,623 over the executive budget for health insurance premiums.

The appropriation is reduced by a budget adjustment of \$49,406 (two percent), of which \$21,990 is from the general fund and \$27,416 is from other funds. The director shall take such administrative action as may be necessary to spend less than the total of the line items in the appropriation to achieve the \$49,406 budget reduction. Line items other than salaries and wages, operating expenses, data processing, and equipment are not to be affected by the budget reduction.

SEN. LIPS, Chairman

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

MR. PRESIDENT: Your Committee on Transportation to which was referred HCR 3099 has had the same under consideration and recommends that the same DO PASS.

SEN. MUTCH, Chairman

HCR 3099 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Agriculture to which was referred HCR 3100 has had the same under consideration and recommends that the same DO PASS.

SEN. VOSPER, Chairman

HCR 3100 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MESSAGES TO THE HOUSE
SENATE CHAMBER

MADAM SPEAKER: I have the honor to inform you that the Senate has refused to concur in the House amendments to SB 2018, and the President has appointed as a conference committee to act with a like committee from the House on:

SB 2018: Sens. Lips, Nelson, Tallackson

Very respectfully,
LEO LEIDHOLM, Secretary

SENATE CHAMBER

MADAM SPEAKER: I have the honor to inform you that the Senate has not adopted the conference committee report on HB 1022, and the President has appointed as a new conference committee to act with a like committee from the House on:

HB 1022: Sens. Naaden, Tweten, Walsh

Very respectfully,
LEO LEIDHOLM, Secretary

MOTION

SEN. NOTHING 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.

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 reports and subsequently passed the same:

SB 2003, SB 2006, SB 2013, SB 2025, SB 2036

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 3091

Very respectfully,
LEO LEIDHOLM, Secretary

SENATE CHAMBER

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

WEDNESDAY, APRIL 13, 1983

2383

HB 1008, HB 1013, HB 1015, HB 1016, HB 1018, HB 1019,
HB 1429, HB 1528

Very respectfully,
LEO LEIDHOLM, Secretary

MESSAGES FROM THE HOUSE
HOUSE CHAMBER

MR. PRESIDENT: I have the honor to inform you that the House has adopted the conference committee report on HB 1733, and subsequently failed to pass the same.

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 3101

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:

SB 2106, SB 2227, SB 2277

Very respectfully,
CHARLES FLEMING, Chief Clerk

HOUSE CHAMBER

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

SB 2502

Very respectfully,
CHARLES FLEMING, Chief Clerk

HOUSE CHAMBER

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

SB 2219, SB 2373

Very respectfully,
CHARLES FLEMING, Chief Clerk

HOUSE CHAMBER

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

HB 1024

Very respectfully,
CHARLES FLEMING, Chief Clerk

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT: Your Conference Committee to which was referred HB 1024 has had the same under consideration and recommends that the SENATE RECEDE from its amendments as found on pages 1548 and 1549 of the Senate Journal.

For the Senate: Sens. Thane, Wenstrom, Walsh
For the House: Reps. Opedahl, Sanstead, Peterson

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

REPORTS 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 11:11 a.m., April 13, 1983:

SB 2219, SB 2373

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 the following bills were delivered to the Governor for his approval at the hour of 11:11 a.m., April 13, 1983:

SB 2092, SB 2173

SEN. FRITZELL, Chairman

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

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 new conference committee to act with a like committee from the Senate on:

WEDNESDAY, APRIL 13, 1983

2385

SB 2067: Reps. Nowatzki, E. Pomeroy, Kretschmar
Very respectfully,
CHARLES FLEMING, Chief Clerk

MOTION

SEN. NOTHING 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.

PRESENTATION OF PETITIONS AND COMMUNICATIONS

Allen I. Olson
Governor

April 13, 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 13, 1983, I signed the following:

SB 2026, SB 2032, SB 2108, SB 2150, SB 2172, SB 2187,
SB 2205, SB 2206, SB 2250, SB 2265, SB 2342, SB 2350,
SB 2358, SB 2394, SB 2408, SB 2446, SB 2491, SB 2500.

Sincerely,

ALLEN I. OLSON
Governor

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.

MESSAGES FROM THE HOUSE
HOUSE CHAMBER

MR. PRESIDENT: I have the honor to inform you that the House has reconsidered its action whereby it did concur in the Senate amendments to HB 1724, and consequently did not concur in the Senate amendments to HB 1724, and the Speaker has appointed the following as a conference committee to meet with a like committee from the Senate:

HB 1724: Reps. Jacobson, Hill, Swiontek

Very respectfully,
CHARLES FLEMING, Chief Clerk

HOUSE CHAMBER

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

HB 1028: Reps. Mushik, Solberg, Hausauer

Very respectfully,
CHARLES FLEMING, Chief Clerk

MOTION

SEN. NETHING MOVED that HB 1500 be moved to the head of the Fourteenth order of business, which motion prevailed.

SECOND READING OF A HOUSE BILL

HB 1500: A BILL for an Act to amend and reenact sections 15-10-01, 15-13-01, and 15-47-02 of the North Dakota Century Code to provide a change in the name of "Minot state college" to the Dakota northwestern university.

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

SEN. WALDERA MOVED that HB 1500 be amended as follows:

On page 1 of the engrossed bill, line 1, after the words "A BILL" delete the remainder of the bill and insert in lieu thereof the following: "for an Act to amend and reenact section 15-10-11 of the North Dakota Century Code, relating to the authority of the state board of higher education to rename educational institutions under its governance and control.

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

SECTION 1. AMENDMENT. Section 15-10-11 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

15-10-11. Authority and general powers of board. The state board of higher education shall have full authority over the institutions under its control with the right to prescribe, limit, or modify the courses offered at the several institutions. In furtherance of its powers, the board shall have the power to delegate to its employees details of the administration of the institutions under its control. The board shall have authority to organize or reorganize, within constitutional and statutory limitations, the work of each institution under its

control, and to do everything necessary and proper for the efficient and economical administration thereof. The board shall establish by rule criteria for the renaming of institutions under its governance and control, including the redesignation of colleges as universities. However, no institution may be renamed without approval by the legislative assembly."

And renumber the lines and pages accordingly

SEN. WALDERA MOVED that the proposed amendments be adopted.

SEN. WALDERA REQUESTED a recorded roll call vote on the motion to adopt the proposed amendments to HB 1500, which request was granted.

ROLL CALL

The question being on the motion to adopt the proposed amendments to HB 1500, the roll was called and there were 24 YEAS, 29 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Bakewell; Barth; David; Dotzenrod; Fritzell; Grotberg; Heigaard; Hilken; Kilander; Krauter; Kusler; Lashkowitz; Lee; Maixner; Matchie; Mutch; Nelson; Peterson; Stenehjem; Streibel; Tennefos; Thane; Waldera; Wogsland

NAYS: Adams; Berube; Christensen; Dykshoorn; Erickson; Goodman; Miller Heinrich; Holmberg; Leibhan; Lips; Lodoen; Meyer, D.; Meyer, J.; Moore; Naaden; Nething; Olson; Parker; Redlin; Reiten; Satrom; Stromme; Tallackson; Todd; Tweten; Vosper; Walsh; Wenstrom; Wright

ABSENT AND NOT VOTING: None

The proposed amendments to HB 1500 lost.

SEN. WALDERA MOVED that HB 1500 be amended as follows:

On page 1 of the engrossed bill, line 1, after the words "A BILL" delete the remainder of the bill and insert in lieu thereof the following: "for an Act to amend and reenact sections 15-10-01 and 15-47-02 of the North Dakota Century Code to change the names of "Dickinson state college", "Mayville state college", "Minot state college" and "Valley City state college"; and to repeal section 15-13-01 of the North Dakota Century Code, relating to the location of normal schools in the state.

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

SECTION 1. AMENDMENT. Section 15-10-01 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

15-10-01. State board of higher education - Institutions administered by board. The state board of higher education shall have the control and administration of the following state educational institutions:

1. The state university and the school of mines, at Grand Forks, with their substations.
2. The North Dakota state university of agriculture and applied science and the experiment station, at Fargo, with their substations.
3. The state university of North Dakota at Dickinson, the state university of North Dakota at Mayville, the state university of North Dakota at Minot, and the state university of North Dakota at Valley City.
4. The school of science at Wahpeton.
4. ~~The state normal schools and teachers colleges at Valley City, Mayville, Minot, and Dickinson.~~
5. The school of forestry at Bottineau.
6. And such other state institutions of higher education as may be established.

SECTION 2. AMENDMENT. Section 15-47-02 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

15-47-02. State institutions of higher education are part of free public school system. The university and the school of mines at Grand Forks, the North Dakota state university of agriculture and applied science, the state normal schools at Valley City, Mayville, Minot, and Dickinson the state university of North Dakota at Dickinson, the state university of North Dakota at Mayville, the state university of North Dakota at Minot, the state university of North Dakota at Valley City, the school for the deaf at Devils Lake, the school of forestry at Bottineau, the school of science at Wahpeton, and all other schools established by law and maintained by taxation

constitute the system of free public schools of the state.

SECTION 3. REPEAL. Section 15-13-01 of the North Dakota Century Code is hereby repealed."

And renumber the lines and pages accordingly

SEN. WALDERA MOVED that the amendments be adopted.

SEN. DAVID REQUESTED a recorded roll call vote on the motion to adopt the proposed amendments to HB 1500, which request was granted.

ROLL CALL

The question being on the motion to adopt the proposed amendments to HB 1500, the roll was called and there were 20 YEAS, 33 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Bakewell; Barth; David; Dotzenrod; Grotberg; Heigaard; Hilken; Krauter; Kusler; Lashkowitz; Maixner; Meyer, D.; Mutch; Peterson; Satrom; Tennefos; Thane; Tweten; Vosper; Waldera

NAYS: Adams; Berube; Christensen; Dykshoorn; Erickson; Fritzell; Goodman; Miller Heinrich; Holmberg; Kilander; Lee; Leibhan; Lips; Lodoen; Matchie; Meyer, J.; Moore; Naaden; Nelson; Nething; Olson; Parker; Redlin; Reiten; Stenehjerm; Streibel; Stromme; Tallackson; Todd; Walsh; Wenstrom; Wogsland; Wright

ABSENT AND NOT VOTING: None

The proposed amendments to HB 1500 lost.

SEN. WALDERA MOVED that HB 1500 be amended as follows:

On page 1 of the engrossed bill, line 4, immediately after the word "university" and before the period insert the words "and a change in the name of "Dickinson state college" to the Dakota southwestern university"

On page 1 of the engrossed bill, line 18, immediately after the numeral "4." insert the following new subsection:

"Dakota southwestern university - Dickinson."

On page 1 of the engrossed bill, line 20, overstrike the first comma and insert immediately thereafter the word "and", overstrike the second comma, and overstrike the words "and Dickinson"

On page 1 of the engrossed bill, line 27, after the hyphen insert the words "Dakota southwestern university -"

On page 1 of the engrossed bill, line 28, overstrike the word "at" and insert immediately thereafter the word "and"

On page 2 of the engrossed bill, line 1, overstrike the first comma and overstrike the words "and at Dickinson in the"

On page 2 of the engrossed bill, line 2, overstrike the words "county of Stark,"

On page 2 of the engrossed bill, line 9, after the word "university" and before the period insert the words "and the state normal school established at Dickinson in the county of Stark, referred to as 'Dickinson state college', may be known as Dakota southwestern university"

On page 2 of the engrossed bill, line 15, after the underscored comma insert the words "Dakota southwestern university - Dickinson,"

On page 2 of the engrossed bill, line 16, overstrike the first comma and insert immediately thereafter the word "and", and overstrike the words "and Dickinson,"

And renumber the lines, subsections, and pages accordingly

SEN. WALDERA MOVED that the amendments be adopted.

SEN. WALDERA REQUESTED a recorded roll call vote on the motion to adopt the proposed amendments to HB 1500, which request was granted.

ROLL CALL

The question being on the motion to adopt the proposed amendments to HB 1500, the roll was called and there were 23 YEAS, 30 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Bakewell; Barth; David; Dotzenrod; Erickson; Heigaard; Hilken; Holmberg; Kilander; Krauter; Kusler; Lashkowitz; Maixner; Matchie; Meyer, D.; Meyer, J.; Nothing; Peterson; Satrom; Stenehjem; Tennefos; Waldera; Wogsland

NAYS: Adams; Berube; Christensen; Dykshoorn; Fritzell; Goodman; Grotberg; Miller Heinrich; Lee; Leibhan; Lips; Lodoen; Moore; Mutch; Naaden; Nelson; Olson; Parker; Redlin; Reiten; Streibel; Stromme; Tallackson; Thane; Todd; Tweten; Vosper; Walsh; Wenstrom; Wright

ABSENT AND NOT VOTING: None

The proposed amendments to HB 1500 lost.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 30 YEAS, 23 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Adams; Barth; Berube; Christensen; Dotzenrod; Heigaard; Miller Heinrich; Hilken; Krauter; Kusler; Lashkowitz; Leibhan; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Nething; Olson; Redlin; Reiten; Satrom; Stromme; Tallackson; Todd; Walsh; Wenstrom; Wogsland; Wright

NAYS: Bakewell; David; Dykshoorn; Erickson; Fritzell; Goodman; Grotberg; Holmberg; Kilander; Lee; Moore; Mutch; Naaden; Nelson; Parker; Peterson; Stenehjelm; Streibel; Tennefos; Thane; Tweten; Vosper; Waldera

ABSENT AND NOT VOTING: None

HB 1500 passed and the title was agreed to.

SEN. NOTHING MOVED that the vote by which HB 1500 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGE TO THE HOUSE
SENATE CHAMBER

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

HE 1500

Very respectfully,
LEO LEIDHOLM, Secretary

FIRST READING OF A HOUSE CONCURRENT RESOLUTION

HCR 3097: A concurrent resolution authorizing the retention of certain employees of the House and Senate and providing supervisory authority, to allow for the completion of legislative work after the close of the Session.

Was read the first time.

MOTION

SEN. THANE MOVED that the rules be suspended, that HCR 3097 as printed on pages 2448-2450 of the House Journal not be printed, not be referred to committee, but be read in its entirety, and placed on the calendar for second reading and final passage, which motion prevailed.

SECOND READING OF A HOUSE CONCURRENT RESOLUTION

HCR 3097: A concurrent resolution authorizing the retention of certain employees of the House and Senate and providing supervisory authority, to allow for the completion of legislative work after the close of the Session.

Which has been read.

ROLL CALL

The question being on the final adoption of the resolution, the roll was called and there were 50 YEAS, 0 NAYS, 3 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; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Moore; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Satrom; Stenehjelm; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Leibhan; Redlin; Reiten

HCR 3097 was declared adopted.

FIRST READING OF A HOUSE CONCURRENT RESOLUTION

HCR 3098: A concurrent resolution congratulating the UND-Williston Girls Basketball coach, Penny Slagle, on being named the 1983 National Junior College Women's Basketball Coach of the Year.
Was read the first time.

MOTION

SEN. WENSTROM MOVED that the rules be suspended, that HCR 3098 as printed on pages 2515 and 2516 of the House Journal not be printed, not be referred to committee, but be read in its entirety, and placed on the calendar for second reading and final passage, which motion prevailed.

SECOND READING OF A HOUSE CONCURRENT RESOLUTION

HCR 3098: A concurrent resolution congratulating the UND-Williston Girls Basketball coach, Penny Slagle, on being named the 1983 National Junior College Women's Basketball Coach of the Year.

Which has been read.

The question being on the final adoption of the resolution.

HCR 3098 was declared adopted on a voice vote.

FIRST READING OF A HOUSE CONCURRENT RESOLUTION

HCR 3101: A concurrent resolution directing the Legislative Council to study funding to offset coal development impact.

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

MOTION

SEN. NETHING MOVED that HB 1732 be rereferred to the Committee on Finance and Taxation, which motion prevailed.

CONSIDERATION OF MESSAGES FROM THE HOUSE

SEN. STENEHJEM MOVED that the Senate reconsider the action whereby a conference committee was appointed on HB 1440 and that the conference committee be dissolved, which motion prevailed.

MESSAGES FROM THE HOUSE
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:

SB 2003, SB 2006, SB 2007, SB 2010, SB 2011, SB 2013,
SB 2014, SB 2023, SB 2024, SB 2025, SB 2030, SB 2034,
SB 2035, SB 2036, SB 2040, SB 2122, SB 2322

Very respectfully,
CHARLES FLEMING, Chief Clerk

HOUSE CHAMBER

MR. PRESIDENT: I have the honor to inform you that the House has not adopted the conference committee report on HB 1036, and the Speaker has appointed as a new conference committee to act with a like committee from the Senate on:

HB 1036: Reps. Horgan, Mushik, Thompson

Very respectfully,
CHARLES FLEMING, Chief Clerk

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 1036, which motion prevailed.

THE PRESIDENT APPOINTED as a Conference Committee on HB 1036:

Sens. Tennefos, Wenstrom, Grotberg

SEN. PETERSON MOVED that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on HB 1724, which motion prevailed.

THE PRESIDENT APPOINTED as a Conference Committee on HB 1724:

Sens. Peterson, Erickson, Waldera

REPORTS OF CONFERENCE COMMITTEES

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 through 1884 of the Senate Journal and that SB 2067 be amended as follows:

In lieu of the conference committee amendments to Senate Bill No. 2067 as found on pages 2274 through 2276 of the Senate Journal; and in lieu of the conference committee amendments to Senate Bill No. 2067 as found on pages 2291 through 2294 of the Senate Journal; and also in lieu of the conference committee amendments to Senate Bill No. 2067 as found on pages 2334 through 2336 of the Senate Journal; Senate Bill No. 2067 is amended as follows:

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 one a.m. on Sunday, except for premises authorized to dispense alcoholic beverages pursuant to section 5-02-05.1. Pull tabs, punchboards, and jars may be conducted on Sunday only by an organization which has not conducted those games on more than five days, other

than Sundays, during the calendar year. 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 words "six hundred"
- On page 8 of the engrossed bill, line 23, delete the word "twenty-five" and insert in lieu thereof the words "six hundred"
- On page 8 of the engrossed bill, line 24, delete the words "and not in excess of one hundred fifty"
- On page 8 of the engrossed bill, line 25, delete the words "thousand dollars" and delete the word "seven" and insert in lieu thereof the word "twenty"
- On page 8 of the engrossed bill, delete lines 26 through 34
- On page 9 of the engrossed bill, delete lines 1 and 2
- On page 9 of the engrossed bill, line 20, overstrike the words "two years thereafter" and insert immediately thereafter the words "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 32, delete the word "Two-sevenths" and insert in lieu thereof the word "One-tenth"

On page 9 of the engrossed bill, delete lines 34 and 35

On page 10 of the engrossed bill, delete lines 1 through 6

And renumber the lines and pages accordingly

For the Senate: Sens. Stenehjem, J. Meyer, Christensen (refused to sign)

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

SB 2067 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 2095 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on pages 2141-2147 of the Senate Journal and that SB 2095 be amended as follows:

On page 1 of the engrossed bill, line 2, after the first comma insert the word "and", and delete the numerals ", 57-50-01, 57-50-03.1, 57-50-05, and 57-54-08"

On page 1 of the engrossed bill, line 3, delete the words "relating to the agriculturally"

On page 1 of the engrossed bill, line 4, delete the words "derived alcohol motor vehicle fuel tax fund" and insert in lieu thereof the following: ", and to amend and reenact sections 57-43.1-02, 57-43.1-03, 57-43.1-06, and 57-43.1-08 of the North Dakota Century Code as created by House Bill No. 1073, as approved by the forty-eighth legislative assembly, relating to agriculturally derived motor fuel and motor fuel taxes"

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

"5. Employment of needed personnel, hiring of consultants, and contracting with public entities or private parties for services as may be necessary to implement the policy and purposes of this chapter."

On page 3 of the engrossed bill, delete lines 7 through 35 and insert in lieu thereof the following new sections:

"SECTION 4. AMENDMENT. Section 57-43.1-03 of the North Dakota Century Code as created by House Bill No. 1073, as approved by the forty-eighth legislative assembly, is hereby amended and reenacted to read as follows:

57-43.1-03. Refund of tax provided for - Reduction for agriculturally derived ~~aleehel meter vehiele~~ fuel tax fund. Any person who buys or uses any motor vehicle fuel as defined in subsection 4 of section 57-43.1-01 for agricultural or industrial purposes, except motor vehicle fuel used in motor vehicles operated or intended to be operated in whole or in part upon any of the public highways of this state on which the motor vehicle fuel tax has been paid, shall be reimbursed or repaid within the time provided in this section, the amount of the tax paid by him upon the presentation to and the approval of the commissioner of a claim for refund. The amount of the tax refund provided for in this section shall be reduced by ~~one-eighth~~ one-half cent per gallon [3.79 liters] retroactive to January 1, 1983, except those fuels used in aircraft or with respect to refunds claimed by aircraft fuel users, and the one-eighth one-half cent per gallon [3.79 liters] withheld from the refund shall be deposited in the agriculturally derived ~~aleehel meter vehiele~~ fuel tax fund. Those persons who have a valid tax assignment permit issued by the commissioner under the ~~provisions~~ of section 57-43.1-11 shall be charged ~~one-eighth~~ one-half cent per gallon [3.79 liters] by the dealer and the ~~one-eighth one-half cent charge shall be remitted to the commissioner by the dealer when the dealer submits the tax assigned invoices for credit.~~

The refunds provided under this section from July 1, 1981, through June 30, 1983, for all fuels taxed under this chapter and chapter 57-43-2 except those fuels used in aircraft or with respect to refunds claimed under section 57-43.1-08, shall be reduced by one cent per gallon [3.79 liters]. This one cent per gallon [3.79 liters] not refunded during the period July 1, 1981, through June 30, 1983, shall be transferred to township road and bridge funds or to the appropriate county fund in the case of unorganized townships. Each township, or county in the case of unorganized townships, shall receive a sum based upon the proportionate number of miles [kilometers] of township roads within the organized or unorganized township as compared with the total number of miles [kilometers] of township roads in the state. These funds are to be used for the construction or maintenance of township roads and may not be used to purchase roadbuilding or road maintenance equipment. The state treasurer may adopt rules, pursuant to chapter 28-32, necessary to the administration of this allocation to townships during the 1981-1983 biennium.

SECTION 5. AMENDMENT. Section 57-43.1-06 of the North Dakota Century Code as created by House Bill No. 1073, as approved by the forty-eighth legislative assembly, is hereby amended and reenacted to read as follows:

57-43.1-06. Refund to prevent double taxation - Reduction for agriculturally derived ~~aleehei motor vehicle~~ fuel tax fund. Any person to whom special fuel or motor vehicle fuel is sold on which the tax imposed by this chapter or chapter 57-43.2 has been paid who thereafter removes the fuel from this state to a state which requires payment of a tax upon the use of the fuel in that state shall be granted a refund of the tax that was paid pursuant to this chapter or chapter 57-43.2. The refund of tax paid pursuant to this chapter shall be reduced by the amount provided in section 57-43.1-03, and the reduction shall be deposited in the agriculturally derived ~~aleehei motor vehicle~~ fuel tax fund. The refund shall be granted only upon application to the commissioner on forms prescribed by the commissioner, including proof of payment of the tax imposed by the other state, and is subject to the limitations provided in section 57-43.1-05. The tax provided for in section 57-43.2-03 shall not be levied on sales of any such fuel for which a refund of tax is made pursuant to this section.

SECTION 6. AMENDMENT. Section 57-43.1-08 of the North Dakota Century Code as created by House Bill No. 1073, as approved by the forty-eighth legislative assembly, is hereby amended and reenacted to read as follows:

57-43.1-08. Refund to state or political subdivision. When any construction, reconstruction, or maintenance of a public road, highway, street, or airport is undertaken by the state or any political subdivision in the state and where public funds of the United States, state, or any political subdivision are directly used for the purchasing of motor vehicle fuel to be used in publicly owned vehicles for such construction, reconstruction, or maintenance, such motor vehicle fuel is subject to a refund of the tax paid on the fuel as provided for in this chapter and under the same terms and conditions. The refund provided for in this section shall not be reduced for deposit to the agriculturally derived ~~aleehei motor vehicle~~ fuel tax fund."

On page 4, delete lines 1 through 35

On page 5, delete lines 1 through 35

On page 6, delete lines 1 through 9

And renumber the lines and pages accordingly

For the Senate: Sens. Vosper, Bakewell, Wogsland

For the House: Reps. Riehl, Laughlin, Timm (refused to sign)

SB 2095 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 2144 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on pages 1801 and 1802 of the Senate Journal.

For the Senate: Sens. Erickson, Mutch, Dotzenrod

For the House: Reps. Aubol, Schneider, Olafson

SB 2144 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 2197 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on pages 1802 through 1808 of the Senate Journal and that SB 2197 be amended as follows:

That the House recede from its amendments as printed on pages 1976 through 1982 of the House Journal and that engrossed Senate Bill No. 2197 be amended as follows:

On page 1 of the engrossed bill, line 1, after the word "reenact" insert the words "section 39-04-14.1,"

On page 1 of the engrossed bill, line 2, after the numerals "39-04-19" insert a comma

On page 1 of the engrossed bill, line 3, after the word "to" insert the words "staggered registration of certain motor vehicles,"

On page 1 of the engrossed bill, line 4, after the word "vehicle" and before the period insert the words "; and to provide an effective date"

On page 1 of the engrossed bill, after line 6, insert the following new section:

"SECTION 1. AMENDMENT. Section 39-04-14.1 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

39-04-14.1. Renewal of passenger motor vehicle registration of motor vehicles under certain weight. Every passenger motor vehicle registration under this chapter shall expire March thirty-first each year and shall be renewed annually upon application by the owner and by payment of the fees required by law, such renewal to take effect on the first day of April each year. An owner who has made proper application for renewal of registration of a passenger motor vehicle previous to April first but who has not received the number plates, plate, or registration card for the ensuing year shall be entitled to operate or permit the operation of such vehicle upon the highways upon displaying thereon the number plates or plate issued for the preceding year for such time, to be prescribed by the department, as may be required for the issuance of such new plates. Except as otherwise provided in this section, the registration of a motor vehicle whose gross weight does not exceed ten thousand pounds [4535.92 kilograms] expires on the last day of the month which is the anniversary of the month it was originally registered. The registration may be renewed annually on application by the owner and payment of fees required by law. The renewal takes effect on the first day of the first month of the registration period. An owner of more than one vehicle qualifying for staggered registration under this section may renew all of the owner's vehicles in the same month. The registrar shall prorate the registration fees accordingly."

On page 1 of the engrossed bill, delete lines 17 through 28

Delete pages 2 through 6 of the engrossed bill

On page 7 of the engrossed bill, delete lines 1 through 14 and insert in lieu thereof the following:

"a. Passenger motor vehicles including buses for hire, hearses, and ambulances:

YEARS REGISTERED

Gross Weights	1st, 2nd, and 3rd Years	4th, 5th, and 6th Years	7th, 8th, and 9th Years	10th and Subsequent Years
Gross Weights	1st, 2nd, 3rd, and 4th Years	5th, 6th, and 7th Years	8th, 9th, and 10th Years	11th and Subsequent Years
17999 or less	\$ 37.00	\$ 30.00	\$ 24.00	\$ 20.00

2,000-2,399	39.00	32.00	25.00	20.00
2,400-2,799	41.00	34.00	27.00	20.00
2,800-3,199	43.00	35.00	28.00	21.00
<u>Less than 3,200</u>	<u>44.00</u>	<u>36.00</u>	<u>28.00</u>	<u>20.00</u>
3,200-3,599	47.00	38.00	30.00	22.00
3,600-3,999	51.00	42.00	33.00	24.00
4,000-4,499	61.00	50.00	39.00	28.00
	<u>64.00</u>	<u>52.00</u>	<u>40.00</u>	<u>28.00</u>
4,500-4,999	77.00	62.00	48.00	34.00
	<u>82.00</u>	<u>65.00</u>	<u>50.00</u>	<u>34.00</u>
5,000-5,999	105.00	85.00	65.00	45.00
	<u>113.00</u>	<u>91.00</u>	<u>69.00</u>	<u>47.00</u>
6,000-6,999	135.00	109.00	83.00	57.00
	<u>146.00</u>	<u>117.00</u>	<u>88.00</u>	<u>60.00</u>
7,000-7,999	165.00	133.00	101.00	69.00
	<u>179.00</u>	<u>143.00</u>	<u>108.00</u>	<u>73.00</u>
8,000-8,999	195.00	157.00	119.00	81.00
	<u>212.00</u>	<u>170.00</u>	<u>128.00</u>	<u>86.00</u>
9,000 and over	225.00	181.00	137.00	93.00
	<u>245.00</u>	<u>196.00</u>	<u>148.00</u>	<u>99.00</u>

in addition to the fees required in this subsection and section 49-18-32, all motorbuses used for the transportation of persons for hire over the highways of this state which have a seating capacity of more than seven passengers shall pay an annual additional license fee of twelve dollars for each passenger capacity in excess of seven. Motor passenger buses operating exclusively within the corporate limits of any city shall not be required to pay this fee.

A house car is subject to registration at the rates prescribed for other vehicles under this subdivision modified by using the weight applicable to a vehicle whose weight is forty percent of that of the house car, but

not using a weight of less than four thousand pounds [1814.35 kilograms].

- b. Schoolbuses, buses owned and operated by religious, charitable, or nonprofit organizations and used exclusively for religious, charitable, or other public nonprofit purposes, and trucks or combination trucks and trailers, including commercial and noncommercial trucks, except those trucks or combinations of trucks and trailers which qualify for registration under subsection 5:

YEARS REGISTERED

Gross Weights	1st, 2nd, and 3rd Years	4th and 5th Years	6th and 7th Years	8th and Subsequent Years
Gross Weights	1st, 2nd, 3rd, and 4th Years	5th and 6th Years	7th and 8th Years	9th and Subsequent Years
0- Not over 4,000	\$31.00 42.00	\$26.00 29.00	\$21.00 24.00	\$20.00 21.00
4,001- 6,000	36.00 47.00	30.00 34.00	25.00 28.00	20.00 22.00
6,001- 8,000	41.00 52.00	34.00 39.00	28.00 32.00	20.00 23.00
8,001-10,000	46.00 57.00	39.00 44.00	31.00 36.00	21.00 25.00
10,001-12,000	52.00 62.00	43.00 49.00	34.00 40.00	23.00 27.00
12,001-14,000	57.00 67.00	47.00 54.00	37.00 44.00	25.00 30.00
14,001-16,000	67.00 72.00	56.00 59.00	45.00 48.00	32.00 33.00
16,001-18,000	72.00 77.00	60.00 64.00	48.00 52.00	34.00 35.00
18,001-20,000	78.00 80.00	65.00 67.00	52.00 54.00	36.00 36.00
20,001-22,000	83.00	69.00	55.00	37.00

WEDNESDAY, APRIL 13, 1983

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22,001-24,000 88-00 73-00 58-00 39-00

YEARS REGISTERED

Gross Weights	1st, 2nd, 3rd and 4th Years	5th, 6th, 7th, 8th and 9th Years	10th and Subsequent Years
24,001- 26,000	\$ 186-00	\$ 151-00	\$ 133-00
26,001- 28,000	221-00	179-00	158-00
28,001- 30,000	256-00	207-00	182-00
30,001- 32,000	296-00	240-00	212-00
32,001- 34,000	331-00	268-00	236-00
34,001- 36,000	366-00	296-00	261-00
36,001- 38,000	401-00	324-00	285-00
38,001- 40,000	436-00	352-00	310-00
40,001- 42,000	471-00	380-00	334-00
42,001- 44,000	506-00	408-00	359-00
44,001- 46,000	541-00	436-00	383-00
46,001- 48,000	576-00	464-00	408-00
48,001- 50,000	611-00	492-00	432-00
50,001- 52,000	656-00	530-00	467-00
52,001- 54,000	691-00	558-00	491-00
54,001- 56,000	726-00	586-00	516-00
56,001- 58,000	761-00	614-00	540-00
58,001- 60,000	796-00	642-00	565-00
60,001- 62,000	831-00	670-00	589-00
62,001- 64,000	866-00	698-00	614-00
64,001- 66,000	901-00	726-00	638-00
66,001- 68,000	936-00	754-00	663-00

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68,001- 70,000	971-00	782-00	687-00
70,001- 72,000	1,006-00	810-00	712-00
72,001- 74,000	1,041-00	838-00	736-00
74,001- 76,000	1,076-00	866-00	761-00
76,001- 78,000	1,111-00	894-00	785-00
78,001- 80,000	1,146-00	922-00	810-00
80,001- 82,000	1,181-00	950-00	834-00
82,001- 84,000	1,215-00	1,010-00	884-00
84,001- 86,000	1,321-00	1,070-00	934-00
86,001- 88,000	1,391-00	1,130-00	984-00
88,001- 90,000	1,461-00	1,190-00	1,034-00
90,001- 92,000	1,531-00	1,250-00	1,084-00
92,001- 94,000	1,601-00	1,310-00	1,134-00
94,001- 96,000	1,671-00	1,370-00	1,184-00
96,001- 98,000	1,741-00	1,430-00	1,234-00
98,001-100,000	1,811-00	1,490-00	1,284-00
100,001-102,000	1,881-00	1,550-00	1,334-00
102,001-104,000	1,951-00	1,610-00	1,384-00
104,001-105,500	2,021-00	1,670-00	1,434-00

<u>Gross</u> <u>Weights</u>	<u>1st, 2nd, 3rd</u> <u>4th and 5th</u> <u>Years</u>	<u>6th, 7th, 8th</u> <u>9th and 10th</u> <u>Years</u>	<u>11th and</u> <u>Subsequent</u> <u>Years</u>
20,001- 22,000	\$ 110.00	\$ 84.00	\$ 71.00
22,001- 26,000	162.00	132.00	116.00
26,001- 30,000	223.00	181.00	159.00
30,001- 34,000	289.00	234.00	206.00
34,001- 38,000	350.00	283.00	249.00
38,001- 42,000	411.00	332.00	291.00

<u>42,001- 46,000</u>	<u>472.00</u>	<u>380.00</u>	<u>334.00</u>
<u>46,001- 50,000</u>	<u>533.00</u>	<u>429.00</u>	<u>377.00</u>
<u>50,001- 54,000</u>	<u>603.00</u>	<u>487.00</u>	<u>428.00</u>
<u>54,001- 58,000</u>	<u>664.00</u>	<u>536.00</u>	<u>471.00</u>
<u>58,001- 62,000</u>	<u>725.00</u>	<u>585.00</u>	<u>514.00</u>
<u>62,001- 66,000</u>	<u>786.00</u>	<u>633.00</u>	<u>557.00</u>
<u>66,001- 70,000</u>	<u>847.00</u>	<u>682.00</u>	<u>599.00</u>
<u>70,001- 74,000</u>	<u>908.00</u>	<u>731.00</u>	<u>642.00</u>
<u>74,001- 78,000</u>	<u>969.00</u>	<u>780.00</u>	<u>685.00</u>
<u>78,001- 82,000</u>	<u>1,030.00</u>	<u>829.00</u>	<u>728.00</u>
<u>82,001- 86,000</u>	<u>1,153.00</u>	<u>934.00</u>	<u>815.00</u>
<u>86,001- 90,000</u>	<u>1,275.00</u>	<u>1,038.00</u>	<u>902.00</u>
<u>90,001- 94,000</u>	<u>1,397.00</u>	<u>1,143.00</u>	<u>989.00</u>
<u>94,001- 98,000</u>	<u>1,519.00</u>	<u>1,248.00</u>	<u>1,077.00</u>
<u>98,001-102,000</u>	<u>1,641.00</u>	<u>1,352.00</u>	<u>1,164.00</u>
<u>102,001-105,500</u>	<u>1,763.00</u>	<u>1,457.00</u>	<u>1,251.00</u>

c. Motorcycles-

(1) Without sidecar, six dollars per motorcycle-

(2) With sidecar, ten dollars per unit.

d. A house car shall be subject to registration at the corresponding rate prescribed for trucks under subdivision b, and the registrar shall issue distinctive plates for each house car registered.

5. Trucks or combinations of trucks and trailers weighing ~~from 24,001 to more than 20,000~~ but not more than 82,000 pounds [~~10886.66 to more than 9071.84~~ but not more than 37194.57 kilograms] which are used as farm vehicles only, shall be are entitled to registration ~~pursuant to~~ under the

following fee schedule and the provisions of this subsection. Farm vehicles shall be considered, for the purpose of this subsection, as trucks or combinations of trucks and trailers weighing ~~from 21,001 to more than 20,000 but not more than 82,000 pounds [10886.66 to more than 9071.84 but not more than 37194.57 kilograms]~~ owned, or leased for a minimum period of at least one year by a bona fide resident farmer who uses ~~such~~ the vehicles exclusively for transporting ~~his~~ the farmer's own property or other property on a farm work exchange basis with other farmers between farms and the usual local trading places but not in connection with any commercial retail or wholesale business being conducted from ~~such~~ those farms, nor otherwise for hire.

YEARS REGISTERED

Gross Weights	1st, 2nd, and 3rd Years	4th and 5th Years	6th and 7th Years	8th and Subsequent Years
Gross Weights	1st, 2nd, 3rd, and 4th Years	5th and 6th Years	7th and 8th Years	9th and Subsequent Years
20,001-22,000	\$ 83.00	\$ 69.00	\$ 55.00	\$ 37.00
22,001-24,000	88.00	73.00	58.00	39.00
24,001-26,000	\$ 96.00	\$ 79.00	\$ 62.00	\$ 41.00
26,001-28,000	106.00	87.00	68.00	45.00
28,001-30,000	116.00	95.00	74.00	49.00
30,001-32,000	131.00	108.00	85.00	58.00
32,001-34,000	141.00	116.00	91.00	62.00
34,001-36,000	151.00	124.00	97.00	66.00
36,001-38,000	161.00	132.00	103.00	70.00
38,001-40,000	171.00	140.00	109.00	74.00
40,001-42,000	181.00	148.00	115.00	78.00
42,001-44,000	191.00	156.00	121.00	82.00
44,001-46,000	201.00	164.00	127.00	86.00

46,001-48,000	211.00	172.00	133.00	90.00
48,001-50,000	221.00	180.00	139.00	94.00
50,001-52,000	241.00	198.00	155.00	108.00
52,001-54,000	251.00	206.00	161.00	112.00
54,001-56,000	261.00	214.00	167.00	116.00
56,001-58,000	271.00	222.00	173.00	120.00
58,001-60,000	281.00	230.00	179.00	124.00
60,001-62,000	291.00	238.00	185.00	128.00
62,001-64,000	301.00	246.00	191.00	132.00
64,001-66,000	311.00	254.00	197.00	136.00
66,001-68,000	321.00	262.00	203.00	140.00
68,001-70,000	331.00	270.00	209.00	144.00
70,001-72,000	341.00	278.00	215.00	148.00
72,001-74,000	351.00	286.00	221.00	152.00
74,001-76,000	361.00	294.00	227.00	156.00
76,001-78,000	371.00	302.00	233.00	160.00
78,001-80,000	381.00	310.00	239.00	164.00
80,001-82,000	391.00	318.00	245.00	168.00"

On page 7 of the engrossed bill, after line 25, insert the following new section:

"SECTION 4. EFFECTIVE DATE. Section 1 of this Act is effective January 1, 1984."

And renumber the lines, sections, and pages accordingly

For the Senate: Sens. Erickson, Mutch, Dotzenrod
For the House: Reps. Aubol, Schneider, Olafson

SB 2197 was placed on the Seventh order of business on the calendar for the succeeding legislative day.

MESSAGES 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 reports and subsequently passed the same:

HB 1001, HB 1010, HB 1011, HB 1020, HB 1032, HB 1038,
HB 1539

Very respectfully,
CHARLES FLEMING, Chief Clerk

HOUSE CHAMBER

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

HB 1014, HB 1021, HB 1023, HB 1033, HB 1034, HB 1035,
HB 1037

Very respectfully,
CHARLES FLEMING, Chief Clerk

REPORTS OF CONFERENCE COMMITTEES

MR. PRESIDENT: Your Conference Committee to which was referred HB 1001 has had the same under consideration and recommends that the SENATE RECEDE from its amendments as found on pages 1901 and 1902 of the Senate Journal and that HB 1001 be amended as follows:

On page 1 of the engrossed bill, line 15, delete the numerals "1,724,645" and insert in lieu thereof the numerals "1,672,940"

On page 1 of the engrossed bill, line 16, delete the numerals "2,643,642" and insert in lieu thereof the numerals "2,572,944"

On page 1 of the engrossed bill, line 20, delete the numerals "4,449,433" and insert in lieu thereof the numerals "4,327,030"

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

"Less budget adjustment	85,434
Total general fund appropriation	\$4,241,596"

On page 1 of the engrossed bill, line 23, delete the numerals "1,938,972" and insert in lieu thereof the numerals "1,918,126"

On page 1 of the engrossed bill, line 24, delete the numerals "1,465,964" and insert in lieu thereof the numerals "1,343,964"

On page 1 of the engrossed bill, line 26, delete the numerals "3,415,236" and insert in lieu thereof the numerals "3,272,390"

On page 1 of the engrossed bill, after line 26, insert the following new lines:

"Less budget adjustment	65,447
Total general fund appropriation	\$3,206,943"

On page 1 of the engrossed bill, line 27, delete the words "Total general fund" and insert in lieu thereof the words "Grand total general fund appropriation", and delete the numerals "7,864,669" and insert in lieu thereof the numerals "7,448,539"

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Legislative Assembly

The salaries and wages line item is reduced by \$51,705 to adjust salaries for legislators and legislative employees. The adjustment provides funds for a Forty-ninth Legislative Assembly session of 90 calendar days and provides \$27,597 in additional health insurance premiums.

The operating expenses line item is reduced by \$70,698. The reduction provides expense reimbursement for legislators for a session of 90 calendar days and reduces mileage reimbursement from 25¢/mile to 20¢/mile.

Legislative Council

The salaries and wages line item has a net reduction of \$20,846 from the general fund. This will allow funds for the state to provide a two percent contribution to retirement on wages earned after July 1, 1983, and an additional two percent contribution amounting to a full four percent on wages earned after July 1, 1984. It also provides \$11,287 over the executive budget for health insurance premiums.

The operating expenses line item is adjusted by a net reduction of \$122,000. This adjustment consists of a reduction of \$150,000; \$45,400 to maintain meals and lodging reimbursement at the current rates, \$46,000 to reduce mileage reimbursement for 25¢/mile to 20¢/mile and \$58,600 to reflect adjustments to the interim committee structure, and an increase of \$28,000 to reflect an increase in lodging reimbursements from \$25/day to \$30/day as provided in House Bill No. 1429.

The appropriation for the legislative branch is reduced by a budget adjustment of \$150,881 (two percent); \$85,434 for the Legislative Assembly and \$65,447 for the Legislative Council. The chairman of the Legislative Council shall take such administrative action as may be necessary to spend less than the total of the line items in the Legislative Council appropriation to achieve the \$65,447 budget reduction. Line items other than salaries and wages, operating expenses, data processing, and equipment are not to be affected by the budget reduction.

For the Senate: Sens. Streibel, Tweten, Stromme

For the House: Reps. Mertens, Boyle, Hausauer

HB 1001 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 HB 1010 has had the same under consideration and recommends that the SENATE RECEDE from its amendments as found on pages 1587 and 1588 of the Senate Journal and that HB 1010 be amended as follows:

On page 1 of the engrossed bill, line 14, delete the numerals "12,026,413" and insert in lieu thereof the numerals "11,964,323"

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

On page 1 of the engrossed bill, line 19, delete the numerals "29,999,600" and insert in lieu thereof the numerals "29,912,510"

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

"Less budget adjustment 480,308"

On page 1 of the engrossed bill, line 20, delete the numerals "21,051,894" and insert in lieu thereof the numerals "20,696,130"

On page 1 of the engrossed bill, line 21, delete the numerals "8,947,706" and insert in lieu thereof the numerals "8,736,072"

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Health Department

The salaries and wages line item has a net reduction of \$62,090; \$30,877 from the general fund and \$31,213 from other funds. This will allow funds for the state to provide a two percent contribution to retirement on wages earned after July 1, 1983, and an additional two percent contribution amounting to a full four percent on wages earned after July 1, 1984. It also provides \$65,950 over the executive budget for health insurance premiums.

The operating expenses line item is reduced by \$25,000 from the general fund to delete the additional travel funds provided by the House for the Environmental Health Division.

The appropriation is reduced by a budget adjustment of \$480,308 (two percent); \$155,757 from the general fund and \$324,551 from other funds. The State Health Officer shall take such administrative action as may be necessary to spend less than the total of the line items in the appropriation to achieve the \$480,308 budget reduction. Line items other than salaries and wages, operating expenses, data processing, and equipment are not to be affected by the budget reduction.

For the Senate: Sens. Naaden, Wenstrom, Grotberg

For the House: Reps. Mushik, Sanstead, Unhjem

HB 1010 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 HB 1011 has had the same under consideration and recommends that the SENATE RECEDE from its amendments as found on pages 1757 and 1758 of the Senate Journal and that HB 1011 be amended as follows:

On page 1 of the engrossed bill, line 13, delete the numerals "157,712" and insert in lieu thereof the numerals "156,976"

On page 1 of the engrossed bill, line 17, delete the numerals "1,024,454" and insert in lieu thereof the numerals "1,023,718"

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

"Less budget adjustment 5,407"

On page 1 of the engrossed bill, line 19, delete the numerals "356,086" and insert in lieu thereof the numerals "349,943"

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Council on the Arts

The salaries and wages line item has a net reduction of \$736 from the general fund. This will allow funds for the state to provide a two percent contribution to retirement on wages earned after July 1, 1983, and an additional two percent contribution amounting to a full four percent on wages earned after July 1, 1984. It also provides \$1,050 over the executive budget for health insurance premiums.

The general fund appropriation is reduced by a budget adjustment of \$5,407 (two percent). The chairman of the council shall take such administrative action as may be necessary to spend less than the total of the line items in the appropriation to achieve the \$5,407 budget reduction. Line items other than salaries and wages, operating expenses, data processing, and equipment are not to be affected by the budget reduction.

For the Senate: Sens. Fritzell, Tweten, Heigaard
For the House: Reps. Mushik, Rayl, Unhjem

HB 1011 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 HB 1014 has had the same under consideration and recommends that the SENATE RECEDE from its amendments as found on pages 1774 and 1775 of the Senate Journal and that HB 1014 be amended as follows:

On page 1 of the engrossed bill, line 12, delete the numerals "272,066" and insert in lieu thereof the numerals "271,061"

On page 1 of the engrossed bill, line 15, delete the words "appropriation from postwar trust fund", and delete the numerals "326,561" and insert in lieu thereof the numerals "325,556"

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

"Less budget adjustment	_____ 6,511
Total appropriation from postwar	\$319,045"
trust fund	

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Department of Veterans' Affairs

The salaries and wages line item has a net reduction of \$1,005 from the postwar trust fund. This will allow funds for the state to provide a two percent contribution to retirement on wages earned after July 1, 1983, and an additional two percent contribution amounting to a full four percent on wages earned after July 1, 1984. It also provides \$2,229 over the executive budget for health insurance premiums.

The appropriation is reduced by a budget adjustment of \$6,511 (two percent) from the postwar trust fund. The administrator shall take such administrative action as may be necessary to spend less than the total of the line items in the appropriation to achieve the \$6,511 budget reduction. Line items other than salaries and wages, operating expenses, data processing, and equipment are not to be affected by the budget reduction.

For the Senate: Sens. Naaden, Tennefos, Grotberg

For the House: Reps. Opedahl, Solberg, O. Hanson

HB 1014 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 HB 1020 has had the same under consideration and recommends that the SENATE RECEDE from its amendments as found on pages 1777 and 1778 of the Senate Journal and that HB 1020 be amended as follows:

On page 1 of the engrossed bill, line 12, delete the numerals "389,127" and insert in lieu thereof the numerals "385,385"

On page 1 of the engrossed bill, line 14, delete the words "general fund appropriation", and delete the numerals "691,067" and insert in lieu thereof the numerals "687,325"

On page 1 of the engrossed bill, after line 14, insert the following new lines:

"Less budget adjustment	<u>13,747</u>
Total general fund appropriation	\$673,578"

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Predatory Animal Control

The salaries and wages line item has a net reduction of \$3,742 from the general fund. This will allow funds equivalent to the state's provision of a two percent contribution to retirement on wages earned after July 1, 1983, and an additional two percent contribution amounting to a full four percent on wages earned after July 1, 1984.

The appropriation is reduced by a budget adjustment of \$13,747 (two percent) from the general fund. The administrator shall take such administrative action as may be necessary to spend less than the total of the line items in the appropriation to achieve the \$13,747 budget reduction. Line items other than salaries and wages, operating expenses, data processing, and equipment are not to be affected by the budget reduction.

For the Senate: Sens. Naaden, Tweten, Tallackson

For the House: Reps. Erdman, Opedahl, Gunsch

HB 1020 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 HB 1021 has had the same under consideration and recommends that the SENATE RECEDE from its amendments as found on pages 1547 and 1548 of the Senate Journal and that HB 1021 be amended as follows:

On page 1, line 12, delete the numerals "252,838" and insert in lieu thereof the numerals "242,720"

On page 1, line 16, delete the numerals "418,428" and insert in lieu thereof the numerals "408,310"

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

The salaries and wages line item of the Milk Stabilization Board has a net reduction of \$10,118 from other funds. This will allow funds for the state to provide a two percent contribution to retirement on wages earned after July 1, 1983, and an additional two percent contribution amounting to a full four percent on wages earned after July 1, 1984. It also provides \$1,264 over the executive budget for health insurance premiums.

For the Senate: Sens. Naaden, Wenstrom, Stromme

For the House: Reps. Horgan, Rayl, Hausauer

HB 1021 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 HB 1023 has had the same under consideration and recommends that the SENATE RECEDE from its amendments as found on page 1780 of the Senate and that HB 1023 be amended as follows:

On page 1 of the engrossed bill, line 19, delete the numerals "33,887" and insert in lieu thereof the numerals "33,539"

On page 1 of the engrossed bill, line 22, delete the numerals "1,479,166" and insert in lieu thereof the numerals "1,478,818"

On page 2 of the engrossed bill, line 11, delete the numerals "436,882" and insert in lieu thereof the numerals "433,957"

On page 2 of the engrossed bill, line 17, delete the numerals "2,184,456" and insert in lieu thereof the numerals "2,181,531"

On page 2 of the engrossed bill, line 18, delete the numerals "4,905,022" and insert in lieu thereof the numerals "4,901,749"

On page 2 of the engrossed bill, line 19, delete the numerals "4,905,022" and insert in lieu thereof the numerals "4,901,749"

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Sunflower Council

The salaries and wages line item of the Sunflower Council has a net reduction of \$348 from the sunflower fund. This will allow funds for the state to provide a two percent contribution to retirement on wages earned after July 1, 1983, and an additional two percent contribution amounting to a full four percent on wages earned after July 1, 1984. It also provides \$1,635 under the executive budget for health insurance premiums.

Wheat Commission

The salaries and wages line item of the Wheat Commission has a net reduction of \$2,925 from the wheat promotion fund. This will allow funds for the state to provide a two percent contribution to retirement on wages earned after July 1, 1983, and an additional two percent contribution amounting to a full four percent on wages earned after July 1, 1984. It also provides \$3,034 over the executive budget for health insurance premiums.

For the Senate: Sens. Tweten, Nelson, Tallackson (absent)
 For the House: Reps. Horgan, G. Martin, Lipsiea

HB 1023 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 HB 1032 has had the same under consideration and recommends that the SENATE RECEDE from its amendments as found on page 1782 of the Senate Journal and that HB 1032 be amended as follows:

On page 1 of the engrossed bill, line 14, delete the numerals "762,616" and insert in lieu thereof the numerals "757,085"

On page 1 of the engrossed bill, line 20, delete the words "appropriation from state lands maintenance", and delete the numerals "1,182,944" and insert in lieu thereof the numerals "1,177,413"

On page 1 of the engrossed bill, line 21, delete the word "fund" and insert in lieu thereof the following lines:

"Less budget adjustment	<u>19,222</u>
Total appropriation from state lands	\$1,158,191
maintenance fund"	

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Land Department

The salaries and wages line item has a net reduction of \$5,531 from the state lands maintenance fund. This will allow funds for the state to provide a two percent contribution to retirement on wages earned after July 1, 1983, and an additional two percent contribution amounting to a full four percent on wages earned after July 1, 1984. It also provides \$1,922 over the executive budget for health insurance premiums.

The appropriation is reduced by a budget adjustment of \$19,222 (two percent). The Commissioner of the Land Department shall take such administrative action as may be necessary to spend less than the total of the line items in the appropriation to achieve the \$19,222 budget reduction. Line items other than salaries and wages, operating expenses, data processing, and equipment are not to be affected by the budget reduction.

For the Senate: Sens. Nelson, Tennefos, Heigaard (absent)
 For the House: Reps. Erdman, Boyle, Thompson (refused to sign)

HB 1032 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 HB 1033 has had the same under consideration and recommends that the SENATE RECEDE from its amendments as found on pages 1596-1598 of the Senate Journal and that HB 1033 be amended as follows:

On page 1 of the engrossed bill, line 4, after the word "Dakota" and before the period insert the following words: "; and to amend and reenact section 54-44.3-20 of the North Dakota Century Code, relating to exemptions of the North Dakota mill and elevator association employees from the classified service of state government"

On page 1 of the engrossed bill, line 16, delete the numerals "1,752,107" and insert in lieu thereof the numerals "1,750,242"

On page 1 of the engrossed bill, line 21, delete the words "appropriation from lands and mineral", and delete the numerals "2,443,657" and insert in lieu thereof the numerals "2,441,792"

On page 1 of the engrossed bill, delete line 22 and insert in lieu thereof the following new lines:

"Less budget adjustment	<u>48,636</u>
Total appropriation from lands and mineral trust fund"	\$2,393,156

On page 1 of the engrossed bill, line 25, delete the numerals "5,132,453" and insert in lieu thereof the numerals "5,148,055"

On page 2 of the engrossed bill, line 2, delete the words "appropriation from Bank of North Dakota", and delete the numerals "10,271,230" and insert in lieu thereof the numerals "10,286,832"

On page 2 of the engrossed bill, delete line 3 and insert in lieu thereof the following new lines:

"Less budget adjustment	<u>204,237</u>
Total appropriation from Bank of North Dakota fund"	\$10,082,595

On page 2 of the engrossed bill, line 6, delete the numerals "7,859,742" and insert in lieu thereof the numerals "7,905,775"

On page 2 of the engrossed bill, line 10, delete the words "appropriation from mill and elevator fund", and delete the numerals "13,593,231" and insert in lieu thereof the numerals "13,639,264"

On page 2 of the engrossed bill, after line 10, insert the following new lines:

"Less budget adjustment 259,785
Total appropriation from mill and	\$13,379,479
elevator fund"	

On page 2 of the engrossed bill, line 13, delete the numerals "762,636" and insert in lieu thereof the numerals "760,060"

On page 2 of the engrossed bill, line 21, delete the words "special fund appropriation", and delete the numerals "9,390,450" and insert in lieu thereof the numerals "9,387,874"

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

"Less budget adjustment	... 23,526
Total special fund appropriation	\$9,364,348"

On page 2 of the engrossed bill, line 22, delete the numerals "35,698,568" and insert in lieu thereof the numerals "35,219,578"

On page 2 of the engrossed bill, line 23, delete the numerals "35,698,568" and insert in lieu thereof the numerals "35,219,578"

On page 2 of the engrossed bill, after line 33, insert the following new section:

"SECTION 4. AMENDMENT. Section 54-44.3-20 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

54-44.3-20. Categories of positions in the state service. All positions in the state service are included in the classified service except:

1. Each official elected by popular vote and each person appointed to fill vacancies in an elective office, one principal assistant, and one private secretary.
2. Members of boards and commissions required by law.
3. Administrative heads of departments required by law.
4. Officers and employees of the legislative branch of government.
5. Members of the judicial branch of government of the state of North Dakota and their employees and jurors.
6. Persons temporarily employed in a professional or scientific capacity as consultants or to conduct a temporary and special inquiry, investigation, or examination for the legislative branch of government or a department of the state government.
7. Officers and members of the teaching staff of universities and other institutions of higher education.
8. Positions deemed to be inappropriate to the classified service due to the special nature of the position as determined by the division and approved by the board.
9. The classified employees at the institutions of higher education under the control of the state board of higher education, until July 1, 1976.
10. Members and employees of occupational and professional boards.
11. Officers and employees of the North Dakota mill and elevator association."

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Industrial Commission

The salaries and wages line item has a net reduction of \$1,865 from other funds. This will allow funds for the

state to provide a two percent contribution to retirement on wages earned after July 1, 1983, and an additional two percent contribution amounting to a full four percent on wages earned after July 1, 1984. It also provides \$5,521 over the executive budget for health insurance premiums.

The appropriation is reduced by a budget adjustment of \$48,636 (two percent) from other funds. The administrator shall take such administrative action as may be necessary to spend less than the total of the line items in the appropriation to achieve the \$48,636 budget reduction. Line items other than salaries and wages, operating expenses, data processing, and equipment are not to be affected by the budget reduction.

Bank of North Dakota

The salaries and wages line item has a net increase of \$15,602 from other funds. This will allow funds for the state to provide a two percent contribution to retirement on wages earned after July 1, 1983, and an additional two percent contribution amounting to a full four percent on wages earned after July 1, 1984. It also provides \$72,433 over the executive budget for health insurance premiums.

The appropriation is reduced by a budget adjustment of \$204,237 (two percent) from other funds. The president shall take such administrative action as may be necessary to spend less than the total of the line items in the appropriation to achieve the \$204,237 budget reduction. Line items other than salaries and wages, operating expenses, data processing, and equipment are not to be affected by the budget reduction.

Mill and Elevator

The salaries and wages line item has a net increase of \$46,033 from other funds. This will allow funds for the state to provide a two percent contribution to retirement on wages earned after July 1, 1983, and an additional two percent contribution amounting to a full four percent on wages earned after July 1, 1984. It also provides \$84,636 over the executive budget for health insurance premiums. The increase to salaries and wages also includes \$12,400 for additional workmen's compensation costs.

The appropriation is reduced by a budget adjustment of \$259,785 (two percent) from other funds. The manager shall take such administrative action as may be necessary to spend less than the total of the line items in the appropriation to achieve the \$259,785 budget reduction. Line items other than salaries and wages, operating expenses, data processing, and equipment are not to be affected by the budget reduction.

The new section to engrossed House Bill No. 1033 exempts the employees of the North Dakota Mill and Elevator Association from the classified service of state government.

Housing Finance Agency

The salaries and wages line item has a net reduction of \$2,576 from other funds. This will allow funds for the state to provide a two percent contribution to retirement on wages earned after July 1, 1983, and an additional two percent contribution amounting to a full four percent on wages earned after July 1, 1984. It also provides \$6,558 over the executive budget for health insurance premiums.

The appropriation is reduced by a budget adjustment of \$23,526 (two percent) from other funds. The director shall take such administrative action as may be necessary to spend less than the total of the line items in the appropriation to achieve the \$23,526 budget reduction. Line items other than salaries and wages, operating expenses, data processing, and equipment are not to be affected by the budget reduction.

For the Senate: Sens. Fritzell, Tennefos, Heigaard

For the House: Reps. Lardy, Boyle, Hausauer

HB 1033 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 HB 1034 has had the same under consideration and recommends that the SENATE RECEDE from its amendments as found on page 1783 of the Senate Journal and that HB 1034 be amended as follows:

On page 1 of the engrossed bill, line 15, delete the numerals "454,866" and insert in lieu thereof the numerals "452,657"

On page 1 of the engrossed bill, line 16, delete the numerals "1,487,949" and insert in lieu thereof the numerals "1,287,352"

On page 1 of the engrossed bill, line 20, delete the words "appropriation from public employees", and delete the numerals "2,322,423" and insert in lieu thereof the numerals "2,119,617"

On page 1 of the engrossed bill, delete line 21 and insert in lieu thereof the following new lines:

"Less budget adjustment 40,392

Total appropriation from public employees \$2,079,225

retirement fund"

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

The salaries and wages line item of the Public Employees Retirement System has a net reduction of \$2,209 from other funds. This will allow funds for the state to provide a two percent contribution to retirement on wages earned after July 1, 1983, and an additional two percent contribution amounting to a full four percent on wages earned after July 1, 1984. It also provides \$2,948 over the executive budget for health insurance premiums.

The operating expenses line item of the Public Employees Retirement System is reduced by \$200,597 from other funds to delete funds provided by the House for additional investment counselor fees.

The appropriation is reduced by a budget adjustment of \$40,392 (two percent) from other funds. The executive director shall take such administrative action as may be necessary to spend less than the total of the line items in the appropriation to achieve the \$40,392 budget reduction. Line items other than salaries and wages, operating expenses, data processing, and equipment are not to be affected by the budget reduction.

For the Senate: Sens. Lips, Thane, Grotberg

For the House: Reps. Opedahl, Lardy, Eagles

HB 1034 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 HB 1035 has had the same under consideration and recommends that the SENATE RECEDE from its amendments as found on page 1692 of the Senate Journal and that HB 1035 be amended as follows:

On page 1 of the engrossed bill, line 13, delete the numerals "302,042" and insert in lieu thereof the numerals "299,741"

On page 1 of the engrossed bill, line 17, delete the numerals "75,000" and insert in lieu thereof the numerals "275,000"

On page 1 of the engrossed bill, line 18, delete the words "appropriation from teachers' fund", and delete the numerals "1,126,861" and insert in lieu thereof the numerals "1,324,560"

On page 1 of the engrossed bill, delete line 19 and insert in lieu thereof the following new lines:

"Less budget adjustment	<u>20,991</u>
Total appropriation from teachers' fund	\$1,303,569
for retirement"	

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

The salaries and wages line item of the Teachers' Fund for Retirement has a net reduction of \$2,301 from other funds. This will allow funds for the state to provide a two percent contribution to retirement on wages earned after July 1, 1983, and an additional two percent contribution amounting to a full four percent on wages earned after July 1, 1984. It also provides \$1,374 over the executive budget for health insurance premiums.

The contingency line item of the Teachers' Fund for Retirement is increased by \$200,000 to provide additional funds for investment money manager fees upon approval of the Emergency Commission.

The appropriation is reduced by a budget adjustment of \$20,991 (two percent) from other funds. The executive secretary shall take such administrative action as may be necessary to spend less than the total of the line items in the appropriation to achieve the \$20,991 budget reduction. Line items other than salaries and wages, operating expenses, data processing, and equipment are not to be affected by the budget reduction.

For the Senate: Sens. Thane, Tweten, Helgaard

For the House: Reps. Horgan, Boyle, Lipsiea

HB 1035 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 HB 1037 has had the same under consideration and recommends that the SENATE RECEDE from its amendments as found on page 1599 of the Senate Journal and that HB 1037 be amended as follows:

On page 1 of the engrossed bill, line 14, delete the numerals "2,721,254" and insert in lieu thereof the numerals "2,728,881"

On page 1 of the engrossed bill, line 19, delete the words "appropriation from workmen's", and delete the

numerals "4,083,247" and insert in lieu thereof the numerals "4,090,874"

On page 1 of the engrossed bill, line 20, delete the words "compensation fund" and insert in lieu thereof the following new line:

"Less budget adjustment 81,217"

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

"Total appropriation from workmen's \$4,009,657
compensation fund"

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Workmen's Compensation Bureau

The salaries and wages line item has a net increase of \$7,627 from the Workmen's Compensation fund. This will allow funds for the state to provide a two percent contribution to retirement on wages earned after July 1, 1983, and an additional two percent contribution amounting to a full four percent on wages earned after July 1, 1984. It also provides \$26,242 over the executive budget for health insurance premiums. It also provides a \$16,000 increase to provide funds which would be sufficient for a lower level accountant V position.

The appropriation is reduced by a budget adjustment of \$81,217 (two percent). The chairman shall take such administrative action as may be necessary to spend less than the total of the line items in the appropriation to achieve the \$81,217 budget reduction. Line items other than salaries and wages, operating expenses, data processing, and equipment are not to be affected by the budget reduction.

For the Senate: Sens. Fritzell, Tennefos, Heigaard

For the House: Reps. Sanstead, Boyle, Kuchera

HB 1037 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 HB 1038 has had the same under consideration and recommends that the SENATE RECEDE from its amendments as found on pages 1785 and 1786 of the Senate Journal and that HB 1038 be amended as follows:

On page 1 of the engrossed bill, line 13, delete the numerals "48,812" and insert in lieu thereof the numerals "48,273"

On page 1 of the engrossed bill, line 17, delete the words "general fund appropriation", and delete the numerals "277,672" and insert in lieu thereof the numerals "277,133"

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

"Less budget adjustment	1,243
Total general fund appropriation	\$275,890"

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Crime Victims Reparations Act

The salaries and wages line item has a net reduction of \$539 from the general fund. This will allow funds for the state to provide a two percent contribution to retirement on wages earned after July 1, 1983, and an additional two percent contribution amounting to a full four percent on wages earned after July 1, 1984. It also provides \$65 over the executive budget for health insurance premiums.

The appropriation is reduced by a budget adjustment of \$1,243 (two percent) from the general fund. The administrator shall take such administrative action as may be necessary to spend less than the total of the line items in the appropriation to achieve the \$1,243 budget reduction. Line items other than salaries and wages, operating expenses, data processing, and equipment are not to be affected by the budget reduction.

For the Senate: Sens. Wenstrom, Fritzell, Walsh
For the House: Reps. Sanstead, Boyle, Kuchera

HB 1038 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 HB 1539 has had the same under consideration and recommends that the SENATE RECEDE from its amendments as found on pages 2040-2042 of the Senate Journal and that HB 1539 be amended as follows:

On page 1 of the engrossed bill, line 26, overstrike the words "four cents per gallon [3.79 liters]" and insert immediately thereafter an underscored colon, and delete the words "less than"

On page 1 of the engrossed bill, delete line 27 and insert in lieu thereof the following:

- "a. Through December 31, 1983, four cents per gallon [3.79 liters] less than the tax imposed under subsection 1.
- b. From January 1, 1984, through December 31, 1984, five cents per gallon [3.79 liters] less than the tax imposed under subsection 1.
- c. From January 1, 1985, through December 31, 1985, six cents per gallon [3.79 liters] less than the tax imposed under subsection 1.
- d. From January 1, 1986, through June 30, 1992, four cents per gallon [3.79 liters] less than the tax imposed under subsection 1.
- e. After June 30, 1992, at the same rate as the tax imposed under subsection 1."

On page 2 of the engrossed bill, line 24, overstrike the words "four cents per gallon"

On page 2 of the engrossed bill, line 25, overstrike the following: "[3.79 liters]" and insert immediately thereafter an underscored colon, and delete the words "less than the tax imposed under"

On page 2 of the engrossed bill, delete line 26 and insert in lieu thereof the following:

- "a. Through December 31, 1983, four cents per gallon [3.79 liters] less than the tax imposed under subsection 1.
- b. From January 1, 1984, through December 31, 1984, five cents per gallon [3.79 liters] less than the tax imposed under subsection 1.
- c. From January 1, 1985, through December 31, 1985, six cents per gallon [3.79 liters] less than the tax imposed under subsection 1.

d. From January 1, 1986, through June 30, 1992, four cents per gallon [3.79 liters] less than the tax imposed under subsection 1.

e. After June 30, 1992, at the same rate as the tax imposed under subsection 1."

On page 3 of the engrossed bill, line 22, overstrike the words "four cents per"

On page 3 of the engrossed bill, line 23, overstrike the words "gallon [3.79 liters]" and insert immediately thereafter an underscored colon, and delete the words "less than the tax imposed under"

On page 3 of the engrossed bill, delete line 24 and insert in lieu thereof the following:

"a. Through December 31, 1983, four cents per gallon [3.79 liters] less than the tax imposed under subsection 1.

b. From January 1, 1984, through December 31, 1984, five cents per gallon [3.79 liters] less than the tax imposed under subsection 1.

c. From January 1, 1985, through December 31, 1985, six cents per gallon [3.79 liters] less than the tax imposed under subsection 1.

d. From December 31, 1985, through June 30, 1992, four cents per gallon [3.79 liters] less than the tax imposed under subsection 1.

e. After June 30, 1992, at the same rate as the tax imposed under subsection 1."

On page 4 of the engrossed bill, line 17, overstrike the words "four cents per gallon"

On page 4 of the engrossed bill, line 18, overstrike the following: "[3.79 liters]" and insert immediately thereafter an underscored colon, and delete the words "less than the tax imposed under"

On page 4 of the engrossed bill, delete line 19 and insert in lieu thereof the following:

- "a. Through December 31, 1983, four cents per gallon [3.79 liters] less than the tax imposed under subsection 1.
- b. From January 1, 1984, through December 31, 1984, five cents per gallon [3.79 liters] less than the tax imposed under subsection 1.
- c. From January 1, 1985, through December 31, 1985, six cents per gallon [3.79 liters] less than the tax imposed under subsection 1.
- d. From December 31, 1985, through June 30, 1992, four cents per gallon [3.79 liters] less than the tax imposed under subsection 1.
- e. After June 30, 1992, at the same rate as the tax imposed under subsection 1."

On page 4 of the engrossed bill, delete lines 28 through 35

On page 5 of the engrossed bill, delete lines 1 through 10 and insert in lieu thereof the following:

"SECTION 5. Partial distribution to townships. Notwithstanding any other provision of law, one cent per gallon [3.79 liters] of the tax imposed by this Act shall not be refunded and the proceeds shall be distributed as provided in this section. The tax commissioner shall transfer the proceeds of one cent per gallon [3.79 liters] of the tax imposed by this Act to the state treasurer who shall deposit the proceeds in a township highway aid fund in the state treasury. The state treasurer shall quarterly allocate and distribute all moneys in the township highway aid fund to the counties of the state based on the length of township roads in each county compared to the length of all township roads in the state. To receive any funds under this section, organized townships must provide fifty percent matching funds. The county treasurer shall allocate the funds received to the organized townships in the county which provide fifty percent matching funds based on the length of township roads in each such organized township compared to the length of all

township roads in the county. The funds received must be deposited in the township road and bridge fund and used for highway and bridge purposes. If a county has no organized townships, or has some organized and some unorganized townships, the county shall retain a pro rata portion of the funds received based on the length of roads in unorganized townships compared to the length of township roads in organized townships in the county. Moneys retained by a county for the benefit of unorganized townships under this section must be deposited in the county road and bridge fund. Moneys retained by the county treasurer due to the failure of organized townships to provide required matching funds must be returned to the state treasurer who shall deposit the funds in the highway tax distribution fund."

And renumber the lines and pages accordingly

For the Senate: Sens. Erickson, Dotzenrod, Kilander (refused to sign)

For the House: Reps. Hjelle, Richard, R. Anderson

HB 1539 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.

SEN. NETHING MOVED that after the reading of HCR 3099 and HCR 3100, the Senate adjourn and convene at 8:00 a.m., Thursday, April 14, 1983, which motion prevailed.

LEO LEIDHOLM, Secretary