

## JOURNAL OF THE SENATE

## Forty-eighth Legislative Assembly

\* \* \* \* \*

## SEVENTIETH DAY

Bismarck, April 14, 1983

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

The prayer was offered by Senator Jerry Meyer.

Our heavenly Father, we pause, ever mindful of the many blessings You have bestowed upon us. We ask that You be with us, and we pray that You will guide us in the arena of life. We don't ask for special favors. We don't ask to draw around a chute-fighting horse, or to never break a barrier; nor do we ask for all daylight runs to draw all the best stock. Just help us, O Lord, to live our lives in such a manner that when we make that last inevitable ride to that country up there, where the grass grows lush and green and stirrup high, and the water runs clear, cool, and deep, that You, as our last Judge, will tell us that our entry fees are paid. Amen.

## ROLL CALL

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

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-ninth day and finds the same to be correct.

SEN. TWETEN, Chairman

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

## MESSAGES TO THE HOUSE

## SENATE CHAMBER

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

HCR 3097, HCR 3098

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 1036: Sens. Tennefos, Wenstrom, Grotberg

Very respectfully,  
LEO LEIDHOLM, Secretary

#### SENATE CHAMBER

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

HB 1724: Sens. Peterson, Erickson, Waldera

Very respectfully,  
LEO LEIDHOLM, Secretary

#### CONSIDERATION OF AMENDMENTS

SEN. LIPS MOVED that the amendments to HB 1004 as recommended by the Committee on Appropriations as printed on pages 2379 and 2380 of the Senate Journal be adopted, which motion prevailed.

SEN. THANE MOVED that the rules be suspended, that HB 1004 be placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

#### SECOND READING OF A HOUSE BILL

HB 1004: A BILL for an Act to amend and reenact section 4 of chapter 208 of the 1979 Session Laws of North Dakota as amended by section 1 of chapter 175 of the 1981 Session Laws of North Dakota, authorizing the board of university and school lands to invest in property development related to the Dickinson experiment station land transfers; and making an appropriation for defraying the expenses of the board of higher education and various divisions thereof of the state of North Dakota.

Which has been read.

SEN. WALDERA MOVED that the question be divided on the passage of HB 1004, that on page 1, line 26 of the engrossed bill, "Tuition assistance - 400,000" be voted upon separately, which motion prevailed.

#### ROLL CALL

The question being on the passage of "Tuition assistance - 400,000" of HB 1004, the roll was called and there were 33 YEAS, 18 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Barth; Berube; Christensen; Dotzenrod; Dykshoorn; Erickson; Fritzell; Hilken; Holmberg; Krauter; Lashkowitz; Lee; Leibhan; Lips; Lodoen; Matchie; Naaden; Nelson; Nothing; Olson; Peterson; Reiten; Satrom; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Wenstrom; Wright

NAYS: Adams; Bakewell; David; Grotberg; Heigaard; Miller Heinrich; Kilander; Kusler; Maixner; Meyer, D.;

Meyer, J.; Moore; Parker; Redlin; Stenehjelm; Waldera;  
Walsh; Wogsland

ABSENT AND NOT VOTING: Goodman; Mutch

Line 26 of HB 1004 "Tuition assistance - 400,000" passed.

SEN. MAIXNER MOVED that HB 1004 be amended as follows:

On page 1 of the engrossed bill, line 26, delete the numerals "400,000" and insert in lieu thereof the numerals "200,000"

On page 1 of the engrossed bill, line 28, delete the numerals "2,639,982" and insert in lieu thereof the numerals "2,439,982"

On page 2 of the engrossed bill, line 6, delete the numerals "2,676,929" and insert in lieu thereof the numerals "2,476,929"

SEN. MAIXNER MOVED that the proposed amendments to HB 1004 be adopted.

SEN. MAIXNER REQUESTED a recorded roll call vote on the motion to adopt the proposed amendments to HB 1004, which request was granted.

#### ROLL CALL

The question being on the motion to adopt the proposed amendments to HB 1004, the roll was called and there were 19 YEAS, 32 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; David; Fritzell; Grotberg; Heigaard; Miller Heinrich; Kilander; Kusler; Maixner; Meyer, D.; Meyer, J.; Moore; Parker; Redlin; Vosper; Waldera; Walsh; Wogsland

NAYS: Barth; Berube; Christensen; Dotzenrod; Dykshoorn; Erickson; Hilken; Holmberg; Krauter; Lashkowitz; Lee; Leibhan; Lips; Lodoen; Matchie; Naaden; Nelson; Nething; Olson; Peterson; Reiten; Satrom; Stenehjelm; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Wenstrom; Wright

ABSENT AND NOT VOTING: Goodman; Mutch

The proposed amendments to HB 1004 lost.

#### ROLL CALL

The question being on the final passage of the bill as amended, the roll was called and there were 41 YEAS, 10 NAYS, 2 ABSENT AND NOT VOTING.

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

NAYS: Adams; Bakewell; David; Kilander; Maixner;  
 Meyer, D.; Moore; Parker; Waldera; Walsh

ABSENT AND NOT VOTING: Goodman; Mutch

HB 1004 passed and the title was agreed to.

SEN. NOTHING MOVED that the vote by which HB 1004 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

\*\*\*\*\*

#### CONSIDERATION OF AMENDMENTS

SEN. LIPS MOVED that the amendments to HB 1006 as recommended by the Committee on Appropriations as printed on pages 2380 and 2381 of the Senate Journal be adopted, which motion prevailed.

SEN. NOTHING MOVED that the rules be suspended, that HB 1006 be placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

#### SECOND READING OF A HOUSE BILL

HB 1006: A BILL for an Act making an appropriation for defraying the expenses of the state board of vocational education 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 47 YEAS, 4 NAYS, 2 ABSENT AND NOT VOTING.

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

NAYS: Adams; David; Kilander; Todd

ABSENT AND NOT VOTING: Goodman; Mutch

HB 1006 passed and the title was agreed to.

SEN. NETHING MOVED that the vote by which HB 1006 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

\*\*\*\*\*

MOTION

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

MESSAGE TO THE HOUSE  
SENATE CHAMBER

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

HB 1004, HB 1006

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.

MESSAGES 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:

HB 1022: Reps. Boyle, Erdman, O. Hanson  
SB 2018: Reps. Mertens, Solberg, Peterson

Very respectfully,  
CHARLES FLEMING, Chief Clerk

HOUSE CHAMBER

MR. PRESIDENT: I have the honor to inform you that the House has refused to concur in the Senate amendments to HB 1005, and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1005: Reps. G. Martin, Lardy, Hausauer

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:

HB 1737

Very respectfully,  
CHARLES FLEMING, Chief Clerk

## 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 Pro-tem Thane presiding.

## SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

HCR 3099: A concurrent resolution urging members of the United States Congress to actively support and vote favorably on H.R. 1646, the Railroad Retirement Solvency Act of 1983.

Which has been read.

The question being on the final adoption of the resolution.

HCR 3099 was declared adopted on a voice vote.

\*\*\*\*\*

HCR 3100: A concurrent resolution directing the Legislative Council to study the application of the corporate farming law to nonprofit corporations and trusts.

Which has been read.

The question being on the final adoption of the resolution.

HCR 3100 was declared adopted on a voice vote.

\*\*\*\*\*

## CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. MOORE MOVED that the Senate do concur in the House amendments to SB 2313 as printed on pages 2281 and 2282 of the Senate Journal, which motion prevailed.

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

Which has been read.

## ROLL CALL

The question being on the final passage of the bill as amended, the roll was called and there were 35 YEAS, 14 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Barth; Berube; Christensen; Dykshoorn; Erickson; Fritzell; Grotberg; Heigaard; Miller Heinrich; Holmberg; Krauter; Lashkowitz; Lee; Leibhan; Lips; Lodoen; Matchie; Meyer, J.; Moore; Naaden; Nething; Olson; Parker; Peterson; Reiten; Satrom; Stenehjelm; Streibel; Stromme; Tennefos; Thane; Todd; Vosper; Waldera; Wenstrom

NAYS: Adams; Bakewell; David; Dotzenrod; Hilken; Kilander; Kusler; Maixner; Meyer, D.; Nelson; Tallackson; Tweten; Walsh; Wogsland

ABSENT AND NOT VOTING: Goodman; Mutch; Redlin; Wright

SB 2313 passed and the title was agreed to.

SEN. NOTHING MOVED that the vote by which SB 2313 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

\*\*\*\*\*

## REPORT OF PROCEDURAL COMMITTEE

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

SB 2073, SB 2431

SEN. FRITZELL, Chairman

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

## SIGNING OF BILLS AND RESOLUTIONS

THE SECRETARY ANNOUNCED that the President signed the following:

SB 2073, SB 2431

LEO LEIDHOLM, Secretary

## REPORT OF CONFERENCE COMMITTEE

SEN. VOSPER MOVED that the conference committee report on SB 2095 as printed on pages 2396-2399 of the Senate Journal be adopted, which motion prevailed.

SEN. VOSPER MOVED that the rules be suspended, that SB 2095 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 2095: A BILL for an Act to amend and reenact sections 4-14.1-01, 4-14.1-02, and 4-14.1-03 of the North Dakota Century Code; 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.

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, 5 NAYS, 4 ABSENT AND NOT VOTING.

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

NAYS: Adams; David; Dykshoorn; Moore; Nelson

ABSENT AND NOT VOTING: Goodman; Mutch; Redlin; Wright

SB 2095 passed and the title was agreed to.

SEN. NOTHING MOVED that the vote by which SB 2095 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

\*\*\*\*\*



## REPORTS OF CONFERENCE COMMITTEES

SEN. ERICKSON MOVED that the conference committee report on SB 2144 as printed on page 2399 of the Senate Journal be adopted, which motion prevailed.

SEN. ERICKSON MOVED that the conference committee report on SB 2197 as printed on pages 2399-2407 of the Senate Journal be adopted, which motion prevailed.

SEN. ERICKSON MOVED that the rules be suspended, that SB 2197 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 2197: A BILL for an Act to amend and reenact section 39-04-14.1, subsections 2 and 5 of section 39-04-19, and section 39-04-24 of the North Dakota Century Code, relating to staggered registration of certain motor vehicles, motor vehicle registration fees, and the registrar determining the weight of a motor vehicle; 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 44 YEAS, 5 NAYS, 4 ABSENT AND NOT VOTING.

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

NAYS: Hilken; Kusler; Maixner; Meyer, D.; Meyer, J.

ABSENT AND NOT VOTING: Goodman; Mutch; Redlin; Wright

SB 2197 passed and the title was agreed to.

SEN. NETHING MOVED that the vote by which SB 2197 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 HB 1001 as printed on pages 2408-2410 of the Senate Journal be adopted, which motion prevailed.

SEN. STREIBEL MOVED that the rules be suspended, that HB 1001 be placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

## SECOND READING OF A HOUSE BILL

HB 1001: A BILL for an Act to appropriate money for the expenses of the legislative branch of government; 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: 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; Naaden; Nelson; Nething; Olson; Parker; Peterson; Reiten; Satrom; Stenehjerm; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland

NAYS: None

ABSENT AND NOT VOTING: Goodman; Mutch; Redlin; Wright

HB 1001 passed, the title was agreed to, and the emergency clause carried.

\*\*\*\*\*

## APPOINTMENT OF CONFERENCE COMMITTEE

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 1005, which motion prevailed.

THE PRESIDENT APPOINTED as a Conference Committee on HB 1005:

Sens. Thane, Lips, Grotberg

## MOTION

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

THURSDAY, APRIL 14, 1983

2441

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 2095, SB 2144, SB 2197

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 3099, HCR 3100

Very respectfully,  
LEO LEIDHOLM, Secretary

SENATE CHAMBER

MADAM SPEAKER: I have the honor to transmit herewith the following which the President has signed and your signature is respectfully requested:

SB 2073, SB 2431

Very respectfully,  
LEO LEIDHOLM, Secretary

SENATE CHAMBER

MADAM SPEAKER: I have the honor to inform you that the Senate has concurred in the House amendments to SB 2313, and subsequently passed the same.

Very respectfully,  
LEO LEIDHOLM, Secretary

SENATE CHAMBER

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

HB 1005: Sens. Thane, Lips, Grotberg

Very respectfully,  
LEO LEIDHOLM, Secretary

MOTION

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

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

MESSAGE FROM THE HOUSE  
HOUSE CHAMBER

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

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

Very respectfully,  
CHARLES FLEMING, Chief Clerk

## SIGNING OF BILLS AND RESOLUTIONS

THE SECRETARY ANNOUNCED that the President signed the following:

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

LEO LEIDHOLM, Secretary

MESSAGE TO THE HOUSE  
SENATE CHAMBER

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

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

Very respectfully,  
LEO LEIDHOLM, Secretary

## MOTION

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

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

MESSAGE TO THE SECRETARY OF STATE  
SENATE CHAMBER

SECRETARY OF STATE: I have the honor to transmit herewith SB 2178, SB 2339, SB 2355, SB 2436, and SB 2476 which the Senate has failed to pass over the Governor's veto.

Very respectfully,  
LEO LEIDHOLM, Secretary

## FIRST READING OF A HOUSE BILL

HB 1737: A BILL for an Act relating to state employee compensation for the biennium ending June 30, 1985.

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

THURSDAY, APRIL 14, 1983

2443

PRESENTATION OF PETITIONS AND COMMUNICATIONS

STATE OF NORTH DAKOTA  
EXECUTIVE OFFICE  
BISMARCK

April 14, 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 14, 1983, I signed the following:

SB 2047, SB 2049, SB 2066, SB 2092, SB 2104, SB 2170,  
SB 2173, SB 2199, SB 2219, SB 2245, SB 2327, SB 2373,  
SB 2402, SB 2413, SB 2421, SB 2473, SB 2499.

Sincerely,

ALLEN I. OLSON  
Governor

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT: Your Conference Committee to which was referred SB 2027 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on pages 2036 and 2037 of the Senate Journal and that SB 2027 be amended as follows:

That the House recede from its amendments as printed on pages 2322 through 2324 of the House Journal and that engrossed Senate Bill No. 2027 be amended as follows:

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

On page 1 of the engrossed bill, line 17, delete the numerals "2,068,155" and insert in lieu thereof the numerals "2,103,375"

On page 1 of the engrossed bill, line 23, delete the words "all funds", and delete the numerals "3,578,467" and insert in lieu thereof the numerals "3,613,687"

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

"Less budget adjustment 61,268"

On page 1 of the engrossed bill, line 25, delete the numerals "3,178,467" and insert in lieu thereof the numerals "3,152,419"

On page 1 of the engrossed bill, after line 27, insert the following new line:

"Capital improvements \$157,000"

On page 1 of the engrossed bill, line 28, delete the dollar sign

On page 2 of the engrossed bill, line 1, delete the numerals "342,000" and insert in lieu thereof the numerals "499,000"

On page 2 of the engrossed bill, line 2, delete the numerals "3,520,467" and insert in lieu thereof the numerals "3,651,419"

On page 2 of the engrossed bill, line 4, delete the numerals "3,920,467" and insert in lieu thereof the numerals "4,051,419"

On page 2 of the engrossed bill, after line 13, insert the following new section:

"SECTION 3. APPROPRIATION. The superintendent of the North Dakota state historical board shall be authorized to offer up to \$50,000 of the operating expenses line item appropriated in subdivision 1 of section 1 of this Act to the North Dakota humanities council, inc., in expectation of return of the appropriation and match from the national endowment for the humanities. Any such funds that may be received by the superintendent are hereby appropriated to the state historical board for the development of the exhibits at the heritage center."

On page 2 of the engrossed bill, after line 20, insert the following new section:

"SECTION 5. EMERGENCY. The capital improvement funds in the amount of \$157,000 as appropriated in subdivision 2 of section 1 of this Act is hereby declared to be an emergency measure and is in effect from and after its passage and approval."

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

State Historical Board

The salaries and wages line item has a net increase of \$35,220 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 \$18,001 over the executive budget for health insurance premiums.

The appropriation is reduced by a budget adjustment of \$61,268 (two percent) from the general fund. The superintendent shall take such administrative action as may be necessary to spend less than the total of the line items in the appropriation to achieve the \$61,268 budget reduction. Line items other than salaries and wages, operating expenses, data processing, and equipment are not to be affected by the budget reduction.

The amendment also authorizes the superintendent to offer \$50,000 to the North Dakota Humanities Council, Inc., in anticipation of receiving matching moneys from the National Endowment for the Humanities to be used for the development of exhibits at the Heritage Center.

International Peace Garden

To add \$157,000 from the general fund for a new sewage line at the International Peace Garden. An emergency clause is also added.

For the Senate: Sens. Naaden, Tennefos, Stromme

For the House: Reps. Sanstead, Peterson, Solberg

SB 2027 was placed on the Seventh order of business on the calendar for the succeeding legislative day.

REPORT OF CONFERENCE COMMITTEE

SEN. NAADEN MOVED that the conference committee report on HB 1010 as printed on pages 2410 and 2411 of the Senate Journal be adopted, which motion prevailed.

SEN. NAADEN MOVED that the rules be suspended, that HB 1010 be placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF A HOUSE BILL

HB 1010: A BILL for an Act making an appropriation for defraying the expenses of the department of health 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, 3 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Barth; 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; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: David; Moore; Vosper

ABSENT AND NOT VOTING: Goodman; Stenehjem

HB 1010 passed and the title was agreed to.

\*\*\*\*\*

## REPORT OF CONFERENCE COMMITTEE

SEN. FRITZELL MOVED that the conference committee report on HB 1011 as printed on pages 2411 and 2412 of the Senate Journal be adopted, which motion prevailed.

SEN. FRITZELL MOVED that the rules be suspended, that HB 1011 be placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

## SECOND READING OF A HOUSE BILL

HB 1011: A BILL for an Act making an appropriation for defraying the expenses of the council on the arts 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, 6 NAYS, 1 ABSENT AND NOT VOTING.

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



NAYS: Adams; David; Dykshoorn; Meyer, D.; Moore; Mutch

ABSENT AND NOT VOTING: Goodman

HB 1011 passed and the title was agreed to.

\*\*\*\*\*

#### REPORT OF CONFERENCE COMMITTEE

SEN. NAADEN MOVED that the conference committee report on HB 1014 as printed on pages 2412 and 2413 of the Senate Journal be adopted, which motion prevailed.

SEN. NAADEN MOVED that the rules be suspended, that HB 1014 be placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

#### SECOND READING OF A HOUSE BILL

HB 1014: A BILL for an Act making an appropriation for defraying the expenses of the department of veterans' affairs 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, 1 NAY, 1 ABSENT AND NOT VOTING.

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

NAYS: Meyer, J.

ABSENT AND NOT VOTING: Goodman

HB 1014 passed and the title was agreed to.

\*\*\*\*\*

#### REPORT OF CONFERENCE COMMITTEE

SEN. NAADEN MOVED that the conference committee report on HB 1020 as printed on pages 2413 and 2414 of the Senate Journal be adopted, which motion prevailed.

SEN. NAADEN MOVED that the rules be suspended, that HB 1020 be placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

#### SECOND READING OF A HOUSE BILL

HB 1020: A BILL for an Act making appropriation for defraying the expenses of the predatory animal control 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; 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; Wright

NAYS: None

ABSENT AND NOT VOTING: Goodman

HB 1020 passed and the title was agreed to.

\*\*\*\*\*

#### REPORT OF CONFERENCE COMMITTEE

SEN. NAADEN MOVED that the conference committee report on HB 1021 as printed on page 2414 of the Senate Journal be adopted, which motion prevailed.

SEN. NAADEN MOVED that the rules be suspended, that HB 1021 be placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

#### SECOND READING OF A HOUSE BILL

HB 1021: A BILL for an Act making an appropriation for defraying the expenses of the milk stabilization board of the state of North Dakota.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill as amended, the roll was called and there were 47 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING.

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

NAYS: David; Lee; Moore; Mutch; Nelson

ABSENT AND NOT VOTING: Goodman

HB 1021 passed and the title was agreed to.

\*\*\*\*\*

## REPORT OF CONFERENCE COMMITTEE

SEN. TWETEN MOVED that the conference committee report on HB 1023 as printed on pages 2415 and 2416 of the Senate Journal be adopted, which motion prevailed.

SEN. TWETEN MOVED that the rules be suspended, that HB 1023 be placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

## SECOND READING OF A HOUSE BILL

HB 1023: A BILL for an Act making an appropriation for defraying the expenses of various agricultural councils and commissions 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 50 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Adams; Goodman; Naaden

HB 1023 passed and the title was agreed to.

\*\*\*\*\*

#### REPORT OF CONFERENCE COMMITTEE

SEN. THANE MOVED that the conference committee report on HB 1024 as printed on page 2384 of the Senate Journal be adopted, which motion prevailed.

SEN. THANE MOVED that the rules be suspended, that HB 1024 be placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

#### SECOND READING OF A HOUSE BILL

HB 1024: A BILL for an Act making an appropriation for defraying the expenses of the state fair association 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 37 YEAS, 12 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Bakewell; Barth; Berube; Christensen; Dotzenrod; Fritzell; Grotberg; Heigaard; Miller Heinrich; Hilken; Holmberg; Krauter; Kusler; Lashkowitz; Lee; Leibhan; Lips; Maixner; Matchie; Meyer, J.; Nething; Olson; Redlin; Reiten; Satrom; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Tweten; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: David; Dykshoorn; Erickson; Kilander; Lodoen; Meyer, D.; Moore; Mutch; Nelson; Parker; Peterson; Todd

ABSENT AND NOT VOTING: Adams; Goodman; Naaden; Vosper

HB 1024 passed and the title was agreed to.

\*\*\*\*\*

#### REPORT OF CONFERENCE COMMITTEE

SEN. NELSON MOVED that the conference committee report on HB 1032 as printed on pages 2416 and 2417 of the Senate Journal be adopted, which motion prevailed.

SEN. NELSON MOVED that the rules be suspended, that HB 1032 be placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

## SECOND READING OF A HOUSE BILL

HB 1032: A BILL for an Act making an appropriation for defraying the expenses of the commissioner of university and school lands 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; 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; Wright

NAYS: None

ABSENT AND NOT VOTING: Goodman

HB 1032 passed and the title was agreed to.

\*\*\*\*\*

## REPORT OF CONFERENCE COMMITTEE

SEN. FRITZELL MOVED that the conference committee report on HB 1033 as printed on pages 2417-2421 of the Senate Journal be adopted, which motion prevailed.

SEN. FRITZELL MOVED that the rules be suspended, that HB 1033 be placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

## SECOND READING OF A HOUSE BILL

HB 1033: A BILL for an Act making an appropriation for defraying the expenses of the state industrial commission and the agencies under the management of the industrial commission of the state of North Dakota; 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.

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 50 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Barth; 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.; Moore; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Stenehjøm; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: David; Mutch

ABSENT AND NOT VOTING: Goodman

HB 1033 passed and the title was agreed to.

\*\*\*\*\*

## REPORT OF CONFERENCE COMMITTEE

SEN. LIPS MOVED that the conference committee report on HB 1034 as printed on pages 2421 and 2422 of the Senate Journal be adopted, which motion prevailed.

SEN. LIPS MOVED that the rules be suspended, that HB 1034 be placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

## SECOND READING OF A HOUSE BILL

HB 1034: A BILL for an Act making an appropriation for defraying the administrative costs of the public employees retirement system and the group insurance program 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 45 YEAS, 7 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Bakewell; Barth; 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.; Naaden; Nething; Olson; Peterson; Redlin; Reiten; Satrom; Stenehjøm; Streibel; Stromme; Tallackson; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: Adams; David; Moore; Mutch; Nelson; Parker;  
Tennefos

ABSENT AND NOT VOTING: Goodman

HB 1034 passed and the title was agreed to.

\*\*\*\*\*

REPORT OF CONFERENCE COMMITTEE

SEN. THANE MOVED that the conference committee report on HB 1035 as printed on pages 2422 and 2423 of the Senate Journal be adopted, which motion prevailed.

SEN. THANE MOVED that the rules be suspended, that HB 1035 be placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF A HOUSE BILL

HB 1035: A BILL for an Act making an appropriation for defraying the administrative costs of the teachers' fund for retirement 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, 3 NAYS, 2 ABSENT AND NOT VOTING.

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

NAYS: David; Mutch; Wright

ABSENT AND NOT VOTING: Goodman; Heigaard

HB 1035 passed and the title was agreed to.

\*\*\*\*\*

REPORT OF CONFERENCE COMMITTEE

SEN. FRITZELL MOVED that the conference committee report on HB 1037 as printed on pages 2423 and 2424 of the Senate Journal be adopted, which motion prevailed.

SEN. FRITZELL MOVED that the rules be suspended, that HB 1037 be placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

#### SECOND READING OF A HOUSE BILL

HB 1037: A BILL for an Act making an appropriation for defraying the expenses of the workmen's compensation bureau 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; Miller Heinrich; Hilken; Holmberg; Kilander; Krauter; Kusler; Lashkowitz; Lee; Leibhan; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Moore; Mutch; Naaden; Nelson; Nothing; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Goodman; Heigaard

HB 1037 passed and the title was agreed to.

\*\*\*\*\*

#### REPORT OF CONFERENCE COMMITTEE

SEN. WENSTROM MOVED that the conference committee report on HB 1038 as printed on pages 2424 and 2425 of the Senate Journal be adopted, which motion prevailed.

SEN. WENSTROM MOVED that the rules be suspended, that HB 1038 be placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

#### SECOND READING OF A HOUSE BILL

HB 1038: A BILL for an Act making an appropriation for defraying the expenses of the Crime Victims Reparations Act under the supervision of the workmen's compensation bureau 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; 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; Wright

NAYS: None

ABSENT AND NOT VOTING: Goodman

HB 1038 passed and the title was agreed to.

\*\*\*\*\*

## REPORT OF CONFERENCE COMMITTEE

SEN. ERICKSON MOVED that the conference committee report on HB 1539 as printed on pages 2425-2429 of the Senate Journal be adopted, which motion prevailed.

SEN. ERICKSON MOVED that the rules be suspended, that HB 1539 be placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

## SECOND READING OF A HOUSE BILL

HB 1539: A BILL for an Act to amend and reenact section 57-52-04 of the North Dakota Century Code, or in the alternative to amend and reenact section 57-43.2-02 of the North Dakota Century Code as created by House Bill No. 1072, as approved by the forty-eighth legislative assembly; and to amend and reenact section 57-54-08 of the North Dakota Century Code, or in the alternative to amend and reenact section 57-43.1-02 of the North Dakota Century Code as created by House Bill No. 1073, as approved by the forty-eighth legislative assembly, relating to motor fuel taxes; and to provide for distribution of the increased revenue.

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, 3 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Barth; Berube; Christensen; David; Dotzenrod; Erickson; Fritzell; Grotberg; Heigaard;

Miller Heinrich; Hilken; Holmberg; Kilander; Krauter;  
 Kusler; Lee; Leibhan; Lips; Lodoen; Maixner; 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; Wright

NAYS: Dykshoorn; Lashkowitz; Matchie

ABSENT AND NOT VOTING: Goodman

HB 1539 passed and the title was agreed to.

\*\*\*\*\*

#### CONSIDERATION OF MESSAGES FROM THE HOUSE

SEN. STENEHJEM MOVED that the Senate reconsider the action whereby it did not concur in the House amendments to SB 2068, which motion prevailed.

SEN. STENEHJEM MOVED that the Senate do concur in the House amendments to SB 2068 as printed on pages 1763 and 1764 of the Senate Journal, and that the Conference Committee on SB 2068 be dissolved, which motion prevailed.

#### MOTION

SEN. STENEHJEM MOVED that the rules be suspended, that SB 2068 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 2068: A BILL for an Act to amend and reenact sections 27-05-03.1, 54-52-06.1, and subsections 1 and 4 of section 54-52-17 of the North Dakota Century Code, relating to the maximum number of years of service credit and to retirement benefits for supreme and district court judges and other public employees; to repeal section 27-17-01.1 of the North Dakota Century Code, relating to supplemental retirement benefits for judges under the public employees retirement system.

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, 1 NAY, 1 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Barth; Berube; Christensen; David;  
 Dotzenrod; Dykshoorn; Erickson; Fritzell; Grotberg;  
 Heigaard; 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; Wright

NAYS: Miller Heinrich

ABSENT AND NOT VOTING: Goodman

SB 2068 passed and the title was agreed to.

\*\*\*\*\*

MESSAGE FROM THE HOUSE  
HOUSE CHAMBER

MR. PRESIDENT: I have the honor to inform you that the House has refused to concur in the Senate amendments to HB 1004 and HB 1006, and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1004: Reps. Mertens, G. Martin, Peterson

HB 1006: Reps. Horgan, Sanstead, Hausauer

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 1004, which motion prevailed.

THE PRESIDENT APPOINTED as a Conference Committee on HB 1004:

Sens. Lips, Streibel, Tallackson

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 1006, which motion prevailed.

THE PRESIDENT APPOINTED as a Conference Committee on HB 1006:

Sens. Naaden, Tweten, Walsh

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 report and subsequently passed the same:

HB 1386

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:

HB 1728

Very respectfully,  
CHARLES FLEMING, Chief Clerk

## REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT: Your Conference Committee to which was referred HB 1386 has had the same under consideration and recommends that the SENATE RECEDE from its amendments as found on page 1364 of the Senate Journal and that HB 1386 be amended as follows:

On page 1, line 3, delete the word "three" and insert in lieu thereof the word "five"

On page 1, delete lines 9 through 11 and insert in lieu thereof the following:

"Raffles - Limitations - Prizes. Prizes for raffles may include any property which may be legally owned and possessed, but may not include real estate. 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."

And renumber the lines accordingly

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

For the House: Reps. Nowatzki, Linderman, Kretschmar

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

## FIRST READING OF A HOUSE BILL

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

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

## MOTIONS

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

THURSDAY, APRIL 14, 1983

2459

SEN. NETHING MOVED that the Senate adjourn and convene at 8:00 a.m., Friday, April 15, 1983, which motion prevailed.

LEO LEIDHOLM, Secretary