

JOURNAL OF THE SENATE

Forty-eighth Legislative Assembly

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SEVENTY-FIRST DAY

Bismarck, April 15, 1983

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

The prayer was offered by Senator Tennesos.

Heavenly Father, we thank You for the night of rest and for the new day. As we begin our new day, once again let us tender our words with love, showing respect and patience for one another. Guide us in all of our deliberations and decisions, showing us a glimpse of the big picture that You have for us in our lives. Bless our president, our governor, lieutenant governor, and all other state officials. Give us wisdom and strength to see that Your will be done for the betterment of the people of North Dakota. This we ask in Jesus' name. Amen.

ROLL CALL

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

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 Seventieth day and recommends that the same be corrected as follows and when so corrected, recommends that the same be approved:

On page 2436, delete lines 2 through 6

On page 2457, delete lines 31 through 38

On page 2458, delete lines 2 through 32

SEN. TWETEN, Chairman

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

MESSAGE TO THE HOUSE
SENATE CHAMBER

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

HB 1004: Sens. Lips, Streibel, Tallackson

HB 1006: Sens. Naaden, Tweten, Walsh

Very respectfully,
LEO LEIDHOLM, Secretary

MOTION

SEN. NETHING MOVED that the Senate request the return of HB 1687 from the House, which motion prevailed.

MESSAGE TO THE HOUSE

SENATE CHAMBER

MADAM SPEAKER: I have the honor to inform you that the Senate requests the return of HB 1687.

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.

MESSAGE TO THE HOUSE

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:

HB 1001, HB 1010, HB 1011, HB 1014, HB 1020, HB 1021,
HB 1023, HB 1024, HB 1032, HB 1033, HB 1034, HB 1035,
HB 1037, HB 1038, HB 1539

Very respectfully,
LEO LEIDHOLM, Secretary

PRESENTATION OF PETITIONS AND COMMUNICATIONS

Allen I. Olson
Governor

April 14, 1983

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

FRIDAY, APRIL 15, 1983

2463

Dear Mr. President:

This is to inform you that on April 14, 1983, I signed SB 2249.

Sincerely,

ALLEN I. OLSON
Governor

MESSAGE FROM THE HOUSE
HOUSE CHAMBER

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

SB 2073, SB 2431

Very respectfully,
CHARLES FLEMING, Chief Clerk

MOTION

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

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

MESSAGE TO THE HOUSE
SENATE CHAMBER

MADAM SPEAKER: I have the honor to inform you that the Senate has reconsidered its action whereby it did not concur with the House amendments to SB 2068, and wishes to inform you that it does now concur in the House amendments to SB 2068, and subsequently passed the same. Also, the Senate has dissolved the Senate Conference Committee on SB 2068.

Very respectfully,
LEO LEIDHOLM, Secretary

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 2144, SB 2197

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 and subsequently passed the same:

HB 1031

Very respectfully,
CHARLES FLEMING, Chief Clerk

REPORT OF PROCEDURAL COMMITTEE

MR. PRESIDENT: Your Committee on Enrollment and Engrossment respectfully report that the following bills were delivered to the Governor for his approval at the hour of 9:55 a.m., April 15, 1983:

SB 2073, SB 2431

SEN. FRITZELL, Chairman

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

MESSAGES FROM THE HOUSE
HOUSE CHAMBER

MR. PRESIDENT: I have the honor to transmit HB 1687 which the Senate has requested.

Very respectfully,
CHARLES FLEMING, Chief Clerk

HOUSE CHAMBER

MR. PRESIDENT: I have the honor to return herewith the following which the House has failed to pass:

SB 2496

Very respectfully,
CHARLES FLEMING, Chief Clerk

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT: Your Conference Committee to which was referred HB 1031 has had the same under consideration and recommends that the SENATE RECEDE from its amendments as found on page 1781 of the Senate Journal and that HB 1031 be amended as follows:

On page 1 of the engrossed bill, line 13, delete the numerals "1,820,582" and insert in lieu thereof the numerals "1,821,358"

On page 1 of the engrossed bill, line 21, delete the words "appropriation from motor vehicle", and delete the numerals "4,658,244" and insert in lieu thereof the numerals "4,659,020"

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

"Less budget adjustment 84,042"

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

"Total appropriation from motor vehicle \$4,574,978
registration fund"

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Motor Vehicle Department

The salaries and wages line item has a net increase of \$776 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 \$21,448 over the executive budget for health insurance premiums.

The appropriation is reduced by a budget adjustment of \$84,042 (two percent) from other funds. The registrar 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 \$84,042 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
For the House: Reps. Opedahl, Sanstead, O. Hanson

HB 1031 was placed on the Seventh order of business on the calendar for the succeeding legislative day.

REPORTS OF STANDING COMMITTEES

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

SEN. GOODMAN, Chairman

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

MR. PRESIDENT: Your Committee on Finance and Taxation to which was referred HCR 3101 has had the same under consideration and recommends that the same DO PASS.

SEN. GOODMAN, Chairman

HCR 3101 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

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.

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 1500, HCR 3098

Very respectfully,
CHARLES FLEMING, Chief Clerk

SIGNING OF BILLS AND RESOLUTIONS

THE SECRETARY ANNOUNCED that the President signed the following:

HB 1500, HCR 3098

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 1500, HCR 3098

Very respectfully,
LEO LEIDHOLM, Secretary

MOTION

SEN. LIPS MOVED that the Senate reconsider the action whereby HB 1687 lost, which motion prevailed.

SEN. LIPS MOVED that HB 1687 be placed on the Fourteenth order of business, which motion prevailed.

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.

PRESENTATION OF PETITIONS AND COMMUNICATIONS

Allen I. Olson
Governor

April 15, 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 15, 1983, I signed SB 2431.

Sincerely,

ALLEN I. OLSON
Governor

MOTION

SEN. NETHING MOVED that the Senate be on the Seventh order of business, which motion prevailed.

REPORT OF CONFERENCE COMMITTEE

SEN. NAADEN MOVED that the conference committee report on SB 2027 as printed on pages 2443 and 2445 of the Senate Journal be adopted, which motion prevailed.

SEN. NAADEN MOVED that the rules be suspended, that SB 2027 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 2027: A BILL for an Act making an appropriation for defraying the expenses of the state historical board and international peace garden of the state of North Dakota; and to declare an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended, the roll was called and there were 53 YEAS, 0 NAYS, 0 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; Wright

NAYS: None

ABSENT AND NOT VOTING: None

SB 2027 passed, the title was agreed to, and the emergency clause carried.

SEN. NOTHING MOVED that the vote by which SB 2027 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT: Your Conference Committee to which was referred SB 2029 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on page 1228 of the Senate Journal and that SB 2029 be amended as follows:

On page 1, line 14, delete the numerals "425,909" and insert in lieu thereof the numerals "412,528"

On page 1, line 19, delete the words "general fund appropriation", and delete the numerals "1,152,209" and insert in lieu thereof the numerals "1,138,828"

On page 1, after line 19, insert the following new lines:

"Less budget adjustment	14,177
Total general fund appropriation	\$1,124,651"

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Soil Conservation Committee

The salaries and wages line item has a net reduction of \$13,381 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 \$5,249 over the executive budget for health insurance premiums.

The appropriation is reduced by a budget adjustment of \$14,177 (two percent). The Soil Conservation Committee 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 \$14,177 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. Nething, Nelson, Redlin

For the House: Reps. Mertens, Mushik, Strinden

SEN. NOTHING MOVED that the report be adopted, which motion prevailed.

SEN. NAADEN MOVED that the rules be suspended, that SB 2029 be deemed properly engrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE BILL

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

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended, the roll was called and there were 53 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: None

SB 2029 passed and the title was agreed to.

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

REPORT OF CONFERENCE COMMITTEE

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

In lieu of all previous conference committee amendments to Senate Bill No. 2067, 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 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 25, after the word "pay" insert the word "quarterly"

On page 9 of the engrossed bill, line 29, after the word "amounts" insert the words "which are hereby appropriated"

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, Christensen, J. Meyer

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

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

SEN. STENEHJEM MOVED that the rules be suspended, that SB 2067 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 2067: A BILL for an Act to create and enact a new subsection to section 15-20.4-02, nine new sections to chapter 53-06.1, a new subsection to section 53-06.1-01, a new subsection to section 53-06.1-06, and a new section to chapter 54-12 of the North Dakota Century Code, relating to games of chance, regulatory power of the state board of vocational education, definitions, allocation of tax revenues, limitations on hours and participation in games of chance and regulation of the number of twenty-one tables per site and the number of sites per eligible organization, persons permitted to conduct games of chance, unlawful use of bogus chips, marked cards, cheating devices, and fraudulent schemes, powers and duties of the attorney general, license suspension or revocation, and work permits; to amend and reenact subsections 7 and 15 of section 53-06.1-01, subsection 3 of section 53-06.1-03, sections 53-06.1-04, 53-06.1-05, subsections 2 and 9 of section 53-06.1-06, sections 53-06.1-08, 53-06.1-10, subsection 3 of section 53-06.1-11, and sections 53-06.1-12 and 53-06.1-16 of the North Dakota Century Code, relating

to definitions, permit fees for games of chance site approval, licensure, bingo and raffles conducted by educational organizations and college fraternities and sororities, allowable wagers in the game twenty-one, persons permitted to conduct games of chance and distribute equipment, maximum price per jar ticket, sports pools, twenty-one, tax on adjusted gross proceeds received by eligible organizations conducting games of chance, expenses which may be deducted by eligible organizations, and payment of a portion of the tax collected to the city or county granting approval of the site; and to provide penalties.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended, the roll was called and there were 50 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; 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; Stenehjelm; Streibel; Stromme; Tallackson; Teneffos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: Barth; Berube; Christensen

ABSENT AND NOT VOTING: None

SB 2067 passed and the title was agreed to.

SEN. NOTHING MOVED that the vote by which SB 2067 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT: Your Conference Committee to which was referred SB 2244 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on page 1568 of the Senate Journal and that SB 2244 be amended as follows:

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

On page 1, line 5, delete the first word "and", and delete the semicolon and the second word "and" and insert in lieu thereof the words ", to the acquisition of farm

or ranch land by certain nonprofit organizations, the application of the corporate farming law to certain business or industrial uses, and reporting requirements of certain corporations;"

- On page 1, line 9, after the word "corporations" and before the period insert the words "; and to provide an expiration date"
- On page 5, line 12, delete the word "Such" and insert in lieu thereof the word "A"
- On page 5, line 13, delete the first word "shall" and insert in lieu thereof the word "must", and delete the word "such" and insert in lieu thereof the word "a"
- On page 5, line 18, delete the word "shall" and insert in lieu thereof the word "must", and delete the word "such" and insert in lieu thereof the word "the"
- On page 5, line 25, delete the word "their" and insert in lieu thereof the word "its", and delete the word "Such" and insert in lieu thereof the word "The"
- On page 5, line 26, delete the first word "shall" and insert in lieu thereof the word "must", and delete the second word "shall" and insert in lieu thereof the word "must"
- On page 5, line 31, delete the word "shall" and insert in lieu thereof the word "must"
- On page 6, line 6, delete the word "or"
- On page 6, line 7, delete the word "members"
- On page 6, line 8, delete the words "shall be" and insert in lieu thereof the word "is"
- On page 6, after line 25, insert the following four new sections:

"SECTION 6. A new section to chapter 10-06 of the North Dakota Century Code is hereby created and enacted to read as follows:

Certain nonprofit organizations or trusts may own or lease land - Certain nonprofit organizations may continue farming or ranching - Restriction on acquisition and ownership of land.

1. A nonprofit organization exempt from taxation under section 501(c)(3) of the

Internal Revenue Code [26 U.S.C. 501(c)(3)] or a trust for the benefit of an individual or a class of individuals related within the degrees of kinship specified in subsection 2 of section 10-06-07 may own or lease farm or ranch land if that land is leased to a person who farms or ranches the land as a sole proprietorship, partnership, or a corporation allowed to engage in farming or ranching under section 10-06-07.

2. A nonprofit organization exempt from taxation under section 501(c)(3) of the Internal Revenue Code and actively engaged in the business of farming or ranching in this state on January 1, 1983, may continue to engage in the business of farming or ranching without interruption after January 1, 1983.
3. A nonprofit organization exempt from taxation under section 501(c)(3) of the Internal Revenue Code which owned farm or ranch land for the preservation of unique historical, archaeological, or environmental land prior to January 1, 1983, may continue ownership of such land without interruption after January 1, 1983.
4. A nonprofit organization exempt from taxation under section 501(c)(3) of the Internal Revenue Code [26 U.S.C. 501(c)(3)] may acquire farm or ranch land only by inter vivos or testamentary gift. A nonprofit organization exempt from taxation under section 501(c)(3) of the Internal Revenue Code must dispose of all farm or ranch land acquired in fee after January 1, 1983, not more than fifteen years after the date of acquiring ownership in fee.

SECTION 7. A new section to chapter 10-06 of the North Dakota Century Code is hereby created and enacted to read as follows:

Industrial and business purpose exception. A corporation which is not engaged in the business of farming or ranching may own or lease land used for farming or ranching, only when the land is necessary for residential or commercial development, the siting of buildings, plants, facilities, industrial parks, or similar business or industrial purposes of the corporation, or for uses supportive of or ancillary to adjacent nonagricultural land for the benefit of

both land parcels. The farm or ranch land while not being immediately used for any purpose of the corporation must be available to be leased by persons actually engaged in farming or ranching.

SECTION 8. A new section to chapter 10-06 of the North Dakota Century Code is hereby created and enacted to read as follows:

Reports of corporations not engaged in farming or ranching. Any business or nonprofit corporation not engaged in the business of farming or ranching which owns or leases a tract of land used for farming or ranching which is larger than twenty acres [8.09 hectares] in size shall file with the attorney general, prior to July 30, 1983, and within twelve months of any transaction involving the purchase, sale, or surface leasing of such farm or ranch land by that corporation, a report containing all of the following information:

1. The name of the corporation and its place of incorporation and, if a nonprofit corporation, a copy of its section 501(c)(3) exemption letter from the internal revenue service.
2. The address of the registered office of the corporation in this state and the name and address of its registered agent in this state.
3. The acreage [hectarage] and location listed by section, township, range, and county of all such land in the state owned or leased by the corporation and used for farming or ranching.
4. The date and method of acquisition or disposal of such farm or ranch land.

SECTION 9. EXPIRATION DATE. Subsection 4 of section 6 and section 7 of this Act are effective through June 30, 1985, and after that date are ineffective."

And renumber the lines and pages accordingly

For the Senate: Sens. Bakewell, Vosper, Barth (refused to sign)

For the House: Reps. W. Meyer (refused to sign), Nowatzki, Koehn

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

SEN. BAKEWELL MOVED that the rules be suspended, that SB 2244 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 2244: A BILL for an Act to create and enact six new sections to chapter 10-06 of the North Dakota Century Code, relating to applicability of the Business Corporation Act to the corporate farming law, to officers, directors, and shareholders of corporate farms or ranches, to an initial report, to the acquisition of farm or ranch land by certain nonprofit organizations, the application of the corporate farming law to certain business or industrial uses, and reporting requirements of certain corporations; to amend and reenact sections 10-06-07 and 10-06-08 of the North Dakota Century Code, relating to requirements to be met before a corporation will be allowed to engage in farming or ranching and reports that must be filed by farm or ranch corporations; and to provide an expiration 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 36 YEAS, 17 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Christensen; David; Dykshoorn; Erickson; Fritzell; Goodman; Grotberg; Heigaard; Holmberg; Kilander; Lashkowitz; Lee; Lips; Lodoen; Mutch; Naaden; Nelson; Nothing; Olson; Parker; Peterson; Redlin; Reiten; Stenehjelm; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Wenstrom; Wright

NAYS: Barth; Berube; Dotzenrod; Miller Heinrich; Hilken; Krauter; Kusler; Leibhan; Maixner; Matchie; Meyer, D.; Meyer, J.; Moore; Satrom; Waldera; Walsh; Wogsland

ABSENT AND NOT VOTING: None

SB 2244 passed and the title was agreed to.

SEN. NOTHING MOVED that the vote by which SB 2244 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

REPORTS OF CONFERENCE COMMITTEES

MR. PRESIDENT: Your Conference Committee to which was referred SB 2005 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on page 1800 of the Senate Journal.

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

SB 2005 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 2008 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on pages 1921 and 1922 of the Senate Journal and that SB 2008 be amended as follows:

- On page 1 of the engrossed bill, line 18, delete the numerals "2,671,886" and insert in lieu thereof the numerals "2,725,672"
- On page 1 of the engrossed bill, line 21, delete the numerals "36,730" and insert in lieu thereof the numerals "221,730"
- On page 1 of the engrossed bill, line 22, delete the words "all funds" and delete the numerals "3,252,264" and insert in lieu thereof the numerals "3,491,050"
- On page 1 of the engrossed bill, after line 22, insert the following new line:

"Less budget adjustment 65,386"
- On page 1 of the engrossed bill, line 23, delete the numerals "518,355" and insert in lieu thereof the numerals "507,988"
- On page 1 of the engrossed bill, line 24, delete the numerals "2,733,909" and insert in lieu thereof the numerals "2,917,676"
- On page 1 of the engrossed bill, line 27, delete the numerals "1,483,289" and insert in lieu thereof the numerals "1,512,548"
- On page 2 of the engrossed bill, line 4, delete the words "all funds", and delete the numerals "1,930,023" and insert in lieu thereof the numerals "1,959,282"
- On page 2 of the engrossed bill, after line 4, insert the following new line:

"Less budget adjustment 38,526"
- On page 2 of the engrossed bill, line 5, delete the numerals "388,850" and insert in lieu thereof the numerals "381,073"

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

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

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

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

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

School for the Deaf

The salaries and wages line item has a net increase of \$53,786 from the general fund. This will allow funds for the state to provide a two percent contribution to retirement on wages earned after July 1, 1983, and an additional two percent contribution amounting to a full four percent on wages earned after July 1, 1984. It also provides \$26,361 over the executive budget for health insurance premiums.

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

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

School for the Blind

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

provides \$12,808 over the executive budget for health insurance premiums.

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

For the Senate: Sens. Naaden, Tweten, Stromme

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

SB 2008 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 2015 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on pages 1927-1929 of the Senate Journal and that SB 2015 be amended as follows:

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

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

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

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

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

"Subdivision 10.

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

Subdivision 11.

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

JOURNAL OF THE SENATE

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

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

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

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

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

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

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

STATEMENT OF PURPOSE OF AMENDMENT:

Arrest and Return of Fugitives

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

Boys and Girls Clubwork

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

Commission on Uniform State Laws

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

Education Commission of the States

A general fund appropriation of \$35,000 is added to provide funds for continued membership in the commission and the related expenses for two state meetings per year, attendance at national meetings, and expenses to conduct one state education policy seminar during the 1983-85 biennium.

For the Senate: Sens. Tennesfos, Naaden, Tallackson
For the House: Reps. Opedahl, Boyle, Unhjem

SB 2015 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 2021 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on pages 1929 and 1930 of the Senate Journal and that SB 2021 be amended as follows:

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

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

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

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

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

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Parole and Probation Office

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

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

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

For the Senate: Sens. Naaden, Tweten, Grotberg

For the House: Reps. Opedahl, Eagles, Rayl

SB 2021 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 2033 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on page 1933 of the Senate Journal and that engrossed SB 2033 be amended as follows:

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

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

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

"Less budget adjustment 86,229"

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

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

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

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

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

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

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

For the Senate: Sens. Nelson, Thane, Heigaard

For the House: Reps. Horgan, Mertens, Gunsch

SB 2033 was placed on the Seventh order of business on the calendar for the succeeding legislative day.

MOTIONS

SEN. NOTHING MOVED that the Senate be on Fourteenth order of business, which motion prevailed.

SEN. NOTHING MOVED that the rules be suspended, that HB 1732 be placed on the Fourteenth order of business directly behind HB 1687, which motion prevailed.

SECOND READING OF HOUSE BILLS

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

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 46 YEAS, 4 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Barth; Berube; Christensen; Dotzenrod; Dykshoorn; Erickson; Fritzell; Goodman; Grotberg; Heigaard; Miller Heinrich; Hilken; Holmberg; Kilander; Krauter; Kusler; Lashkowitz; Lee; Leibhan; Lips; Lodoen; Matchie; Meyer, D.; Meyer, J.; Moore; Naaden; Nelson; Nething; Olson; Parker; Peterson;

Redlin; Reiten; Streibel; Stromme; Tallackson; Thane;
 Todd; Tweten; Waldera; Walsh; Wenstrom; Wogsland;
 Wright

NAYS: David; Mutch; Stenehjelm; Tennefos

ABSENT AND NOT VOTING: Maixner; Satrom; Vosper

HB 1687 passed and the title was agreed to.

HB 1732: A BILL for an Act to amend and reenact sections 57-35-04, 57-35.1-01, and 57-35.2-02 of the North Dakota Century Code, relating to tax on banks and trust companies, and building and loan associations; to provide an effective date; and to declare an emergency.

Which has been read.

SEN. BARTH MOVED that HB 1732 be amended as follows:

On page 2 of the engrossed bill, line 21, overstrike the numeral "1970" and insert immediately thereafter the numeral "1983"

On page 2 of the engrossed bill, line 27, overstrike the word "two" and insert immediately thereafter the word "three"

On page 2 of the engrossed bill, line 32, delete the words "This Act is" and insert in lieu thereof the words "The provisions of this Act relating to the exclusion of income received from bonds for a project as provided for in subsection 4 of section 40-57-03 are"

On page 2 of the engrossed bill, line 33, after the period insert the following sentence: "The provisions of this Act increasing tax rates are effective for taxable years beginning after December 31, 1982."

And renumber the lines and pages accordingly

SEN. BARTH MOVED that the proposed amendments be adopted.

SEN. BARTH requested a recorded roll call vote on the motion to adopt the proposed amendments to HB 1732, which request was granted.

ROLL CALL

The question being on the motion to adopt the proposed amendments to HB 1732, the roll was called and there were 19 YEAS, 34 NAYS, 0 ABSENT AND NOT VOTING.

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

NAYS: Adams; Bakewell; Christensen; David; Dykshoorn; Erickson; Fritzell; Goodman; Holmberg; Kilander; Lee; Leibhan; Lips; Lodoen; Meyer, D.; Moore; Mutch; Naaden; Nelson; Nothing; Olson; Parker; Peterson; Reiten; Stenehjem; Streibel; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Wenstrom; Wright

ABSENT AND NOT VOTING: None

The proposed amendments to HB 1732 lost.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 53 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: None

HB 1732 passed, the title was agreed to, and the emergency clause carried.

MESSAGE TO THE HOUSE SENATE CHAMBER

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

SB 2027, SB 2029, SB 2067, SB 2244

Very respectfully,
LEO LEIDHOLM, Secretary

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 1008, HB 1013, HB 1015, HB 1016, HB 1018, HB 1019,
HCR 3091, HCR 3100

Very respectfully,
CHARLES FLEMING, Chief Clerk

SIGNING OF BILLS AND RESOLUTIONS

THE SECRETARY ANNOUNCED that the President signed the following:

HB 1008, HB 1013, HB 1015, HB 1016, HB 1018, HB 1019,
HCR 3091, HCR 3100

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 1008, HB 1013, HB 1015, HB 1016, HB 1018, HB 1019,
HCR 3091, HCR 3100

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 1025, 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 on which the House has adopted the conference committee report and subsequently passed the same:

HB 1030

Very respectfully,
CHARLES FLEMING, Chief Clerk

HOUSE CHAMBER

MR. PRESIDENT: I have the honor to inform you that the House has reconsidered its action whereby it did not concur in the Senate amendments to HB 1006, and now wishes to inform you that it does now concur in the Senate amendments to HB 1006, and subsequently passed the same. Also, the House has dissolved the House Conference Committee on HB 1006.

Very respectfully,
CHARLES FLEMING, Chief Clerk

HOUSE CHAMBER

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

SB 2095

Very respectfully,
CHARLES FLEMING, Chief Clerk

HOUSE CHAMBER

MR. PRESIDENT: I have the honor to return herewith SB 2493 which the House has amended as follows:

HOUSE AMENDMENTS TO SB 2493

- On page 1 of the engrossed bill, line 23, delete the word "insurance"
- On page 1 of the engrossed bill, line 27, overstrike the words "equal in amount to two", and overstrike the words "percent of" and insert immediately thereafter the word "on"
- On page 2 of the engrossed bill, line 2, overstrike the word "year"
- On page 2 of the engrossed bill, line 3, after the word "~~such~~" insert the words "calendar quarter, at the rate of two percent", after the word "insurance" insert the words ", one-half of one percent with respect to accident and sickness insurance,", and delete the words "a tax of"
- On page 2 of the engrossed bill, line 4, delete everything after the word "percent"
- On page 2 of the engrossed bill, delete line 5
- On page 2 of the engrossed bill, line 6, delete the words "and service charges"
- On page 2 of the engrossed bill, line 9, delete the words "March first of each" and insert in lieu thereof the words "the sixtieth day after the last day of the calendar quarter"
- On page 2 of the engrossed bill, line 10, delete the word "year"
- On page 2 of the engrossed bill, line 33, after the word "subsection" insert the words "shall be prorated on a quarterly basis and"
- On page 3 of the engrossed bill, line 22, overstrike the words "equal in"

- On page 3 of the engrossed bill, line 23, overstrike the words "amount to two", and overstrike the words "percent of" and insert immediately thereafter the word "on"
- On page 3. of the engrossed bill, line 26, overstrike the word "year", and after the word "~~each~~" insert the words "calendar quarter, at the rate of two percent"
- On page 3 of the engrossed bill, line 27, after the word "insurance" insert the words ", one-half of one percent with respect to accident and sickness insurance,", delete the words "a tax of", and delete the second word "of"
- On page 3 of the engrossed bill, delete lines 28 and 29
- On page 3 of the engrossed bill, line 30, delete the words "service charges"
- On page 3 of the engrossed bill, line 33, delete the words "March first of each" and insert in lieu thereof the words "the sixtieth day after the last day of the calendar quarter"
- On page 3 of the engrossed bill, line 34, delete the word "year"
- On page 4 of the engrossed bill, line 28, after the word "subsection" insert the words "shall be prorated on a quarterly basis and"
- On page 5 of the engrossed bill, line 9, overstrike the second word "of", and delete the word "one"
- On page 5 of the engrossed bill, line 10, overstrike the words "percent of" and insert immediately thereafter the words "as provided in section 26-01-11 on"
- On page 6 of the engrossed bill, line 18, overstrike the words "equal in amount to two"
- On page 6 of the engrossed bill, line 19, overstrike the words "percent of" and insert immediately thereafter the word "on"
- On page 6 of the engrossed bill, line 22, overstrike the word "year" and insert immediately thereafter the words "calendar quarter, at the rate of two percent"
- On page 6 of the engrossed bill, line 23, after the word "insurance" insert the words ", one-half of one percent with respect to accident and sickness"

insurance,", delete the words "a tax of", and delete the words "of the gross amount of"

On page 6 of the engrossed bill, delete line 24

On page 6 of the engrossed bill, line 25, delete the words "policy fees, and finance and service charges"

On page 6 of the engrossed bill, line 29, delete the words "March first of each year" and insert in lieu thereof the words "the sixtieth day after the last day of the calendar quarter"

On page 7 of the engrossed bill, line 17, after the word "subsection" insert the words "shall be prorated on a quarterly basis and"

On page 8 of the engrossed bill, line 4, overstrike the words "equal in amount to two"

On page 8 of the engrossed bill, line 5, overstrike the words "percent of" and insert immediately thereafter the word "on"

On page 8 of the engrossed bill, line 8, overstrike the word "year" and insert immediately thereafter the words "calendar quarter, at the rate of two percent"

On page 8 of the engrossed bill, line 9, after the word "insurance" insert the words ", one-half of one percent with respect to accident and sickness insurance,", delete the words "a tax of", and delete the words "of the gross amount of"

On page 8 of the engrossed bill, delete line 10

On page 8 of the engrossed bill, line 11, delete the words "policy fees, and finance and service charges"

On page 8 of the engrossed bill, line 15, delete the words "March first of each year" and insert in lieu thereof the words "the sixtieth day after the last day of the calendar quarter"

On page 9 of the engrossed bill, line 9, after the word "subsection" insert the words "shall be prorated on a quarterly basis and"

On page 9 of the engrossed bill, line 26, overstrike the second word "of", and delete the word "one"

On page 9 of the engrossed bill, line 27, overstrike the words "percent of" and insert immediately thereafter the words "as provided by section 26.1-03-17 on"

On page 10 of the engrossed bill, line 24, after the numeral "1981" and before the period insert the words ", except for nonprofit health service corporations and health maintenance organizations. With respect to nonprofit health service corporations and health maintenance organizations, this Act applies to taxable years beginning after December 31, 1982"

And renumber the lines and pages accordingly

Very respectfully,
CHARLES FLEMING, Chief Clerk

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT: Your Conference Committee to which was referred HB 1030 has had the same under consideration and recommends that the HOUSE ACCEDE to the Senate amendments as found on pages 1595 and 1596 of the Senate Journal and that HB 1030 be further amended as follows:

On page 1 of the engrossed bill, line 14, delete the numerals "384,948" and insert in lieu thereof the numerals "354,903"

On page 1 of the engrossed bill, line 15, delete the numerals "119,960" and insert in lieu thereof the numerals "108,107"

On page 1 of the engrossed bill, line 16, delete the numerals "4,255" and insert in lieu thereof the numerals "1,400"

On page 1 of the engrossed bill, line 17, delete the words "all funds" and delete the numerals "509,163" and insert in lieu thereof the numerals "464,410"

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

"Less budget adjustment 9,288"

On page 1 of the engrossed bill, line 18, delete the numerals "205,845" and insert in lieu thereof the numerals "207,702"

On page 1 of the engrossed bill, line 19, delete the numerals "303,318" and insert in lieu thereof the numerals "247,420"

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Upper Great Plains Transportation Institute

The salaries and wages line item is reduced by \$30,045. Of the total, a reduction of \$3,000 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. Also, the salaries and wages line item is reduced by \$27,045 from the general fund to delete funds provided by the House for a half-time clerk-typist and other temporary salaries.

The operating expenses line item is reduced by \$11,853 from the general fund to delete funds provided by the House for additional travel.

The equipment line item is reduced by \$2,855 from the general fund to delete additional funds provided by the House.

In addition to these changes, the general fund appropriation is reduced by \$9,096 to delete funds provided by the House and the estimated income line item is increased by \$9,096.

After the above adjustments, the appropriation is reduced by a budget adjustment of \$9,288 (two percent) of which \$5,049 is from the general fund and \$4,239 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 \$9,288 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. Tennesfos, Fritzell, Walsh

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

HB 1030 was placed on the Seventh order of business on the calendar for the succeeding legislative day.

MOTION

SEN. LIPS MOVED that the Conference Committee on HB 1006 be dissolved, which motion prevailed.

REPORT OF STANDING COMMITTEE

MR. PRESIDENT: Your Committee on Appropriations to which was referred HB 1009 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, delete line 4

- On page 1 of the engrossed bill, line 5, delete the words "alcohol motor fuel tax fund" and insert in lieu thereof the words "an appropriation for defraying the expenses of the agricultural products utilization commission"
- On page 1 of the engrossed bill, line 19, delete the numerals "15,394,714" and insert in lieu thereof the numerals "15,184,171"
- On page 1 of the engrossed bill, line 20, delete the numerals "2,812,988" and insert in lieu thereof the numerals "2,923,988"
- On page 1 of the engrossed bill, line 22, delete the numerals "18,516,213" and insert in lieu thereof the numerals "18,416,670"
- On page 1 of the engrossed bill, after line 22, insert the following new line:
- "Less budget adjustment 244,163"
- On page 1 of the engrossed bill, line 23, delete the numerals "10,345,557" and insert in lieu thereof the numerals "10,277,916"
- On page 1 of the engrossed bill, line 24, delete the numerals "8,170,656" and insert in lieu thereof the numerals "7,894,591"
- On page 2 of the engrossed bill, line 13, delete the numerals "100,000" and insert in lieu thereof the numerals "160,711"
- On page 2 of the engrossed bill, line 14, delete the numerals "881,492" and insert in lieu thereof the numerals "942,203"
- On page 2 of the engrossed bill, after line 14, insert the following new line:
- "Less budget adjustment 19,348"
- On page 2 of the engrossed bill, line 16, delete the numerals "584,229" and insert in lieu thereof the numerals "625,592"
- On page 2 of the engrossed bill, line 18, delete the numerals "23,060,919" and insert in lieu thereof the numerals "22,881,031"

- On page 2 of the engrossed bill, line 21, delete the numerals "30,247,198" and insert in lieu thereof the numerals "30,067,310"
- On page 2 of the engrossed bill, after line 21, insert the following new line:
- "Less budget adjustment 589,055"
- On page 2 of the engrossed bill, line 23, delete the numerals "18,790,052" and insert in lieu thereof the numerals "18,021,109"
- On page 2 of the engrossed bill, line 25, delete the numerals "19,815,052" and insert in lieu thereof the numerals "19,046,109"
- On page 2 of the engrossed bill, line 27, delete the numerals "581,796" and insert in lieu thereof the numerals "578,988"
- On page 2 of the engrossed bill, line 30, delete the numerals "1,092,638" and insert in lieu thereof the numerals "1,089,830"
- On page 2 of the engrossed bill, after line 30, insert the following new line:
- "Less budget adjustment 30,632"
- On page 2 of the engrossed bill, line 32, delete the numerals "897,636" and insert in lieu thereof the numerals "864,196"
- On page 2 of the engrossed bill, line 34, delete the numerals "1,023,858" and insert in lieu thereof the numerals "990,418"
- On page 3 of the engrossed bill, line 1, delete the numerals "280,204" and insert in lieu thereof the numerals "280,246"
- On page 3 of the engrossed bill, line 4, delete the numerals "551,703" and insert in lieu thereof the numerals "551,745"
- On page 3 of the engrossed bill, after line 4, insert the following new line:
- "Less budget adjustment 14,224"
- On page 3 of the engrossed bill, line 6, delete the numerals "439,704" and insert in lieu thereof the numerals "425,522"

- On page 3 of the engrossed bill, line 8, delete the numerals "474,104" and insert in lieu thereof the numerals "459,922"
- On page 3 of the engrossed bill, line 10, delete the numerals "300,496" and insert in lieu thereof the numerals "299,909"
- On page 3 of the engrossed bill, line 13, delete the numerals "563,411" and insert in lieu thereof the numerals "562,824"
- On page 3 of the engrossed bill, after line 13, insert the following new line:
- "Less budget adjustment 16,801"
- On page 3 of the engrossed bill, line 15, delete the numerals "518,411" and insert in lieu thereof the numerals "501,023"
- On page 3 of the engrossed bill, line 17, delete the numerals "560,611" and insert in lieu thereof the numerals "543,223"
- On page 3 of the engrossed bill, line 19, delete the numerals "310,329" and insert in lieu thereof the numerals "308,312"
- On page 3 of the engrossed bill, line 22, delete the numerals "706,119" and insert in lieu thereof the numerals "704,102"
- On page 3 of the engrossed bill, after line 22, insert the following new line:
- "Less budget adjustment 20,491"
- On page 3 of the engrossed bill, line 24, delete the numerals "401,057" and insert in lieu thereof the numerals "378,549"
- On page 3 of the engrossed bill, line 26, delete the numerals "685,057" and insert in lieu thereof the numerals "662,549"
- On page 3 of the engrossed bill, line 28, delete the numerals "343,446" and insert in lieu thereof the numerals "342,192"
- On page 3 of the engrossed bill, line 31, delete the numerals "531,428" and insert in lieu thereof the numerals "530,174"

On page 3 of the engrossed bill, after line 31, insert the following new line:

"Less budget adjustment 14,360"

On page 3 of the engrossed bill, line 33, delete the numerals "468,929" and insert in lieu thereof the numerals "453,315"

On page 3 of the engrossed bill, line 35, delete the numerals "479,929" and insert in lieu thereof the numerals "464,315"

On page 4 of the engrossed bill, line 2, delete the numerals "559,590" and insert in lieu thereof the numerals "556,123"

On page 4 of the engrossed bill, line 3, delete the numerals "585,636" and insert in lieu thereof the numerals "450,636"

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

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

"Less budget adjustment 20,585"

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

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

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

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

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

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

- On page 4 of the engrossed bill, line 19, delete the numerals "758,408" and insert in lieu thereof the numerals "837,570"
- On page 4 of the engrossed bill, after line 19, insert the following new line:
- "Less budget adjustment 25,277"
- On page 4 of the engrossed bill, line 21, delete the numerals "672,408" and insert in lieu thereof the numerals "726,293"
- On page 4 of the engrossed bill, line 22, delete the numerals "11,000" and insert in lieu thereof the numerals "91,000"
- On page 4 of the engrossed bill, line 23, delete the numerals "683,408" and insert in lieu thereof the numerals "817,293"
- On page 4 of the engrossed bill, delete lines 28 through 33
- On page 4 of the engrossed bill, line 34, delete the numerals "33,301,544" and insert in lieu thereof the numerals "32,169,600"
- On page 4 of the engrossed bill, line 35, delete the numerals "27,129,055" and insert in lieu thereof the numerals "27,461,038"
- On page 5 of the engrossed bill, line 1, delete the numerals "60,430,599" and insert in lieu thereof the numerals "59,630,638"
- On page 7 of the engrossed bill, after line 6, insert the following new sections:

"SECTION 8. LEGISLATIVE INTENT REGARDING

SECTION 7. In approving section 7, it is the intent of the legislative assembly that the land reclamation research center file an annual report with the legislative council and the public service commission on August 1, 1983, August 1, 1984, and August 1, 1985. The annual report shall contain a description and analysis of the conclusions reached from each reclamation research project that has been conducted to date for the preceding fiscal year as well as a brief description and analysis of any tentative conclusions reached from all ongoing projects. The annual report of the land reclamation research center shall also include any recommendations it may have for reducing unnecessary and duplicative regulatory costs that are not

required by federal or state reclamation law and which do not contribute to effective reclamation practices. For any new reclamation research project to be approved for funding, each proposed project must meet all of the following criteria:

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

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

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

derived alcohol motor fuel tax fund"

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Extension Division

The salaries and wages line item has a net reduction of \$210,543, of which \$142,902 is from the general fund and \$67,641 is from other funds. This will allow funds for the state to provide a two percent contribution to retirement

on wages earned after July 1, 1983, and an additional two percent contribution amounting to a full four percent on wages earned after July 1, 1984. It also provides \$25,194 over the executive budget for health insurance premiums.

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

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

Northern Crops Institute

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

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

Main Experiment Station

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

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

Dickinson Experiment Station

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

provides \$7,174 over the executive budget for health insurance premiums.

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

Hettinger Experiment Station

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

The general fund appropriation is reduced by a budget adjustment of \$14,224 (three percent after the above adjustment). The reduction is to be allocated to individual line items by the Hettinger Experiment Station with the approval of the Board of Higher Education.

Langdon Experiment Station

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

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

North Central Experiment Station

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

The general fund appropriation is reduced by a budget adjustment of \$20,491 (three percent after the above

adjustment). The reduction is to be allocated to individual line items by the North Central Experiment Station with the approval of the Board of Higher Education.

Williston Experiment Station

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

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

Carrington Experiment Station

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

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

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

Agronomy Seed Farm

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

Central Grassland Experiment Station

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

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

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

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

Agricultural Products Utilization Commission

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

Other

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

SEN. LIPS, Chairman

HB 1009 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MOTION

SEN. NAADEN MOVED that the rules be suspended, that HB 1009 be placed on the Sixth order of business for consideration of amendments at this time, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SEN. NAADEN MOVED that the amendments to HB 1009 as recommended by the Committee on Appropriations be adopted, which motion prevailed.

MOTION

SEN. NAADEN MOVED that the rules be suspended, that HB 1009 be placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF A HOUSE BILL

HB 1009: A BILL for an Act making an appropriation for defraying the expenses of the extension division and the experiment stations of North Dakota state university of agriculture and applied science; an appropriation for defraying the expenses of the agricultural products utilization commission; and providing for a transfer of funds from the coal development impact fund.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended, the roll was called and there were 53 YEAS, 0 NAYS, 0 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; Maikner; 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: None

HB 1009 passed and the title was agreed to.

SEN. NOTHING MOVED that the vote by which HB 1009 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

REPORT OF STANDING COMMITTEE

MR. PRESIDENT: Your Committee on Finance and Taxation to which was referred HB 1728 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION:

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

On page 1 of the engrossed bill, delete line 2

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

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

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

And renumber the lines, sections, and pages accordingly
SEN. GOODMAN, Chairman

HB 1728 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MOTION

SEN. MOORE MOVED that the rules be suspended, that HB 1728 be placed on the Sixth order of business for consideration of amendments at this time, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SEN. MOORE MOVED that the amendments to HB 1728 as recommended by the Committee on Finance and Taxation be adopted, which motion prevailed.

MOTION

SEN. MOORE MOVED that the rules be suspended, that HB 1728 be placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF A HOUSE BILL

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

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

ROLL CALL

The question being on the final passage of the bill as amended, the roll was called and there were 34 YEAS, 19 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Bakewell; Berube; Christensen; Dykshoorn; Fritzell; Goodman; Grotberg; Heigaard; Miller Heinrich; Hilken; Holmberg; Kilander; Krauter; Lashkowitz; Maixner; Matchie; Meyer, D.; Meyer, J.; Naaden; Nelson; Nothing; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Stenehjem; Todd; Vosper; Waldera; Walsh; Wenstrom; Wogsland

NAYS: Adams; Barth; David; Dotzenrod; Erickson; Kusler; Lee; Leibhan; Lips; Lodoen; Moore; Mutch; Streibel; Stromme; Tallackson; Tennefos; Thane; Tweten; Wright

ABSENT AND NOT VOTING: None

HB 1728 passed and the title was agreed to.

SEN. NOTHING MOVED that the vote by which HB 1728 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

REPORT OF STANDING COMMITTEE

MR. PRESIDENT: Your Committee on Appropriations to which was referred HB 1737 has had the same under consideration and recommends that the same DO NOT PASS.

SEN. LIPS, Chairman

HB 1737 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MOTION

SEN. NOTHING MOVED that the rules be suspended, that HB 1737 be placed on the Fourteenth order of business at this time, which motion prevailed.

SECOND READING OF A HOUSE BILL

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

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

ROLL CALL

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

YEAS: Barth; Grotberg; Lashkowitz; Stromme

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

ABSENT AND NOT VOTING: None

HB 1737 was declared lost.

POINT OF PERSONAL PRIVILEGE

SEN. WRIGHT: Mr. President: I rise on a point of personal privilege and request that my remarks be printed in the Journal.

Mr. President: I have a message from the Governor's Task Force on Drinking and Driving. Mr. President, members of the Senate, the Governor's Task Force on Drinking and Driving highly appreciates the overwhelming support shown for Senate Bill No. 2373--the bill which will substantially enhance North Dakota's efforts to curtail the tragedies resulting from drinking and driving. The Task Force would especially like to thank the sponsors of the bill and the committee members whose time, diligence, and advocacy have helped to make the enactment of this legislation possible. With the demonstrated support of this Legislature, and with the continued support of North Dakota's citizens, we are confident that impaired driving will come to be seen for what it is--a crime against life and a behavior which is directly contradictory to North Dakota's tradition of respect and concern for all citizens and neighbors. Thank you, again.

MOTION

SEN. CHRISTENSEN MOVED that the Senate reconsider the action whereby SB 2121 lost.

POINT OF PERSONAL PRIVILEGE

SEN. MAIXNER: Mr. President: I rise on a point of personal privilege and request that my remarks be printed in the Journal.

When this bill was considered on final passage April 7, I did not speak to the bill. I did not do so because the issues involved are so close to me that I find it difficult to address them objectively and without emotion. Frequently those emotional appeals are rejected in this body as shallow and partisan.

It is difficult for me, because even though it has been ten years since those of us who fought in Vietnam returned to this country, the divisiveness and the lack of acceptance that made that war unique in American history are still with us.

It is also difficult for those of us who served in Vietnam to understand why some organizations which are recognized by the Veterans Administration as veterans' service organizations should be a part of the administrative committee on veterans' affairs, while others, similarly recognized, should not. This is actually the point being addressed in this bill: That each organization should be represented--not each conflict. The fact that Vietnam veterans believed that their problems were unique enough and serious enough to form their own organization, the Vietnam Veterans of America, is the very reason why that organization should receive the support of this body in their efforts to attain membership on the committee.

A second organization which would be included under this bill is the Amvets. Any individual who served in the military between World War II and the end of Vietnam, including those who served during peacetime and are not eligible for membership in any of the other veterans' organizations, are eligible for membership in Amvets.

The North Dakota Veterans Coordinating Council, composed of the commander, adjutant, and one other member from the American Legion, the Veterans of Foreign Wars, and the Disabled American Veterans, voted unanimously to support this legislation on March 2, and they confirmed that position on March 28, 1983. These organizations represent fifty-two thousand veterans in this state.

I would plead with this body not to add an additional straw of rejection to the camel's back of ingratitude that has greeted the Vietnam veteran since his return. I would urge the Senate to reconsider our action and then pass Senate Bill No. 2121.

REQUEST

SEN. CHRISTENSEN REQUESTED a recorded roll call vote on the motion to reconsider SB 2121, which request was granted.

ROLL CALL

The question being on the motion to reconsider SB 2121, the roll was called and there were 30 YEAS, 21 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Berube; Christensen; David; Dotzenrod; Dykshoorn; Fritzell; Grotberg; Heigaard; Miller Heinrich; Hilken; Krauter; Kusler; Lashkowitz; Leibhan; Maixner; Meyer, D.; Meyer, J.; Mutch; Olson; Redlin; Reiten; Satrom; Stenehjelm; Stromme; Thane; Vosper; Waldera; Walsh; Wenstrom; Wogsland

NAYS: Adams; Bakewell; Erickson; Goodman; Holmberg; Kilander; Lee; Lips; Lodoen; Moore; Naaden; Nelson; Nething; Parker; Peterson; Streibel; Tallackson; Tennefos; Todd; Tweten; Wright

ABSENT AND NOT VOTING: Barth; Matchie

The motion to reconsider SB 2121 lost for lack of a two-thirds majority.

MESSAGE 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:

FRIDAY, APRIL 15, 1983

2507

SB 2027, SB 2029, SB 2244

Very respectfully,
CHARLES FLEMING, Chief Clerk

MOTION

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

SEN. NETHING MOVED that after the reading of HCR 3101, the Senate adjourn and convene at 8:00 a.m., Saturday, April 16, 1983, which motion prevailed.

LEO LEIDHOLM, Secretary