

JOURNAL OF THE SENATE

Forty-eighth Legislative Assembly

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SEVENTY-FOURTH DAY

Bismarck, April 19, 1983

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

The prayer was offered by Rev. Don Andrews, McCabe United Methodist Church, Bismarck.

Gracious God, as we quiet our hearts and minds we reflect upon Your goodness in our midst. We give thanks for this day and the gifts You give. We thank You for the gifts which make life possible: for food and shelter. We thank You for the gifts which give life meaning and purpose: for caring friends and family. We pray for direction as we begin the new day. Each day brings decisions that are difficult and the consequences of which are far-reaching. It is not easy to keep from simply giving into that which is expedient or to that which generates the greatest pressure. Guide us to those decisions which truly honor the needs of people. Give us grace through the day so that we might respond with grace when tempers are short, when disagreement is strong, and when decisions are difficult. Enable us to be constantly open to Your guiding spirit. We pray that we may honor You with our lips, our acts, our lives, our all. Eternal God, hear our prayer. Amen.

ROLL CALL

The roll was called and all Senators were present.

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 Seventy-third day and finds the same to be correct.

SEN. TWETEN, Chairman

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

MESSAGES TO THE HOUSE
SENATE CHAMBER

MADAM SPEAKER: I have the honor to inform you that the Senate has refused to concur in the House amendments to SB 2501, and the President has appointed as a conference committee to act with a like committee from the House on:

SB 2501: Sens. Tennefos, Thane, Tallackson

Very respectfully,
LEO LEIDHOLM, Secretary

SENATE CHAMBER

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

HB 1022, HB 1027, HB 1028, HB 1029, HB 1036

Very respectfully,
LEO LEIDHOLM, Secretary

SENATE CHAMBER

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

HB 1249, HB 1570

Very respectfully,
LEO LEIDHOLM, Secretary

SENATE CHAMBER

MADAM SPEAKER: I have the honor to inform you that the Senate has not adopted the conference committee report on HB 1004 and HB 1386, and the President has appointed as a new conference committee to act with a like committee from the House on:

HB 1004: Sens. Lips, Streibel, Tallackson

HB 1386: Sens. Stenehjelm, Holmberg, J. Meyer

Very respectfully,
LEO LEIDHOLM, Secretary

MOTION

SEN. NOTHING MOVED that the Senate stand in recess until 9:00 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 President has appointed as a new conference committee to act with a like committee from the House on:

HB 1025: Sens. Lips, Fritzell, Tallackson

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 2001, SB 2012, SB 2016, SB 2018, SB 2038

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 1005, and now wishes to inform you that it does now concur in the Senate amendments to HB 1005, and subsequently passed the same. Also, the House has dissolved the House Conference Committee on HB 1005.

Very respectfully,
CHARLES FLEMING, Chief Clerk

HOUSE CHAMBER

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

SB 2501: Reps. Mertens, G. Martin, Peterson

Very respectfully,
CHARLES FLEMING, Chief Clerk

MOTION

SEN. NOTHING MOVED that the Senate stand in recess until 10:00 a.m., which motion prevailed.

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

MESSAGE FROM THE HOUSE
HOUSE CHAMBER

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

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

HB 1386: Reps. Nowatzki, Kretschmar, Linderman

Very respectfully,
CHARLES FLEMING, Chief Clerk

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 2008, SB 2015, SB 2033, SB 2067, SB 2244

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 2008, SB 2015, SB 2033, SB 2067, SB 2244

LEO LEIDHOLM, Secretary

MOTION

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

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

MESSAGE TO THE HOUSE

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 2008, SB 2015, SB 2033, SB 2067, SB 2244

Very respectfully,

LEO LEIDHOLM, Secretary

MOTION

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

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

PRESENTATION OF PETITIONS AND COMMUNICATIONS

Allen I. Olson
Governor

April 19, 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 19, 1983, I signed the following:

TUESDAY, APRIL 19, 1983

2583

SB 2068, SB 2106, SB 2122, SB 2144, SB 2227, SB 2277,
SB 2313, SB 2322, SB 2502.

Sincerely,

ALLEN I. OLSON
Governor

MOTION

SEN. NOTHING MOVED that the Senate stand in recess until 2:00 p.m., which motion prevailed.

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

MESSAGE FROM THE HOUSE
HOUSE CHAMBER

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

HB 1030, HB 1031, HB 1728, HCR 3101

Very respectfully,
CHARLES FLEMING, Chief Clerk

SIGNING OF BILLS AND RESOLUTIONS

THE SECRETARY ANNOUNCED that the President signed the following:

HB 1030, HB 1031, HB 1728, HCR 3101

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 1030, HB 1031, HB 1728, HCR 3101

Very respectfully,
LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE
HOUSE CHAMBER

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

SB 2008, SB 2015, SB 2033, SB 2067, SB 2244

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 2:15 p.m., April 19, 1983:

SB 2008, SB 2015, SB 2033; SB 2067, SB 2244

SEN. FRITZELL, Chairman

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

MOTION

SEN. NETHING MOVED that the Senate stand in recess until 3:00 p.m., which motion prevailed.

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

MOTION

SEN. NETHING MOVED that the Senate resolve itself into a session of "Hearts and Flowers" and that the spouses join their spouses on the floor, which motion prevailed.

SPECIAL ORDER OF BUSINESS

SEN. NETHING: Mr. President, I move that Senator Thane be recognized.

SEN. THANE: Mr. President, ladies and gentlemen of the Senate: After seventy-four days of constant endeavor in the legislative process, it's rather nice to be able to relax and do something a little different and what I consider is pretty nice. I have a few presentations that I would like to make at this time. I'll make some brief remarks and preceding each one I guess I will have to have at least one Page, maybe two, to run errands for me.

We are indeed fortunate to have what I consider some of the finest employees that any legislative session has ever had. That's why I feel very good about this privilege that I am being afforded and that is to make presentations to certain individuals.

The Secretary of our Senate is a veteran and has been with us for many, many years, longer perhaps than almost anyone on the floor with the exception of one or two. He knows the legislative process as well as anyone does and provides help, not only to us, but to the President and the President Pro Tem, if they happen to get into minor problems. So at this time, Leo Leidholm, we have a gift for you. Best wishes to you, Leo, in the interim.

I don't have any particular reason for taking this order because all of you are deeply appreciated, but that is just the way the list runs, and I'm taking it from top to bottom, instead of from bottom to top.

Doris McMahon, our Desk Reporter, an individual who is always willing to answer any of our questions, has done a fantastic job this session because earlier in the session we had some problems that required long hours on her part. Many of you are not aware of the fact that she was here sometimes at 2:00 or 3:00 o'clock in the morning because of the heavy workload we had, and work that had to be done on the Journal. And, that's above and beyond the call of duty in my frank opinion; I think everyone here would agree. There's not many of us even that want to stay up until 2:00 o'clock in the morning unless it happened to be to close up the Gaiety or the Townhouse. Doris, we very much appreciate you, and we have a gift for you here if one of the Pages will take it up.

Vern Asheim has served for several sessions as Assistant Secretary of the Senate. I can't recall when he actually took over during the session in the afternoon, but I'm sure he's capable of it and would certainly do so if Leo should fall by the wayside. Apparently Leo has got a pretty tough constitution, so, Vern, you haven't had to assume that duty, but I know you're busy the rest of the time. You, too, are much appreciated by the members of the Senate, so we have a small gift for you at this time.

It has always been my privilege for a number of years to be able to say nice things about everyone of our desk force and Sandy Boehler is no exception. I happened to be reading the Journal from a couple years back, not that I was trying to get information on how to handle it this time, but just to see what I had actually said. I was amazed that I could say such nice things about people under the conditions that we operate under. But, anyhow, I meant every word of it, Sandy, and we appreciate you very much. You have always got a smile for us and I think a lot of times we need that smile because it's a little hard sometimes to smile back, but you force us to do it. So, we have a gift for you, Sandy, at this time.

We are extremely fortunate to have fine Sergeants-at-Arms. Olger is our Chief Sergeant-at-Arms. He runs the Senate with an iron hand, and yet he is extremely courteous with those that he deals with. He maintains order, not only amongst the Sergeants-at-Arms, but also amongst the visitors and he has never in my recollection ever had a harsh word for anyone. So, at this time, if one of the Pages would take Olger's gift to him, please.

I'm not particularly looking forward to these off-the-cuff comments when I see them in the Journal. I hope that Doris straightens them out a little bit because they're certainly not written down and certainly not rehearsed.

Last, but certainly not least, John Clement has done an able job of being the chief assistant Sergeant-at-Arms, and we very much appreciate him. I want him to know that we didn't leave him till last because he was least. And so at this time we have a gift for John Clement.

LEO LEIDHOLM: Mr. President and members of the Senate: On behalf of the desk force and our Sergeants-at-Arms, we want to say thank you to Senator Thane for the kind words and to the rest of the members of the Senate, we wish to thank you for our gifts. We'll add it to our memories of the Forty-eighth Legislative Assembly. Again, thank you very much.

SEN. NETHING: Mr. President, I now ask that you recognize Senator Lee.

SEN. LEE: Mr. President and members of the Senate: It's a real privilege for me to make this next award, because this award is going to a good friend of mine and a good friend of us all. The next presentation is to former Senator and now Lieutenant Governor Ernest Sands. I've had the opportunity of serving four years with Senator Sands. He's been in this chamber for eight sessions. Four of those sessions he's been my neighbor to the north, and a good friend and a good colleague. The last two sessions we've all served under his direction, and he has done an excellent job. Somehow Ernie has the sense of the Senate. He knows when to be firm. He knows when to be kind. He knows when tensions are running high, and he never fails to inject a word of humor that relaxes us all. I think it's been a real privilege to have served under him. On behalf of the Senate, we would like to say thank you and to give you this small token of our appreciation.

LIEUTENANT GOVERNOR SANDS: Thank you very much. Ione and I really appreciate this. I've always said that I have felt in my life that the finest people that I've ever been associated with have been right here in the North Dakota Senate, and that I reaffirm for this forty-eighth session of the North Dakota Senate. It's been an honor for me to preside over you the last two sessions. I remember the last session: I thought many, many times that I would much rather have been sitting over there in the corner than sitting up here, and this session I have enjoyed very much sitting up here because of your cooperation and your courtesy and your kindness to me, and I thought it was so nice of you to wait until the seventy-third day to read the rules to me. Thank you again. We appreciate it very much.

SEN. LEE: I would now ask, Mr. President, that you recognize Senator Miller Heinrich.

SEN. MILLER HEINRICH: Mr. President, members of the Senate: The next person that we're having the opportunity of honoring today is someone that we elected to his post, not only because of his experience, but because of his dignity, because of his integrity, because he's someone that we can trust, and I'm also especially pleased to be able to honor him today for something that he once did for me. It's a story that I haven't told very many people. I think you'll see why. It happened in my first session. I was a freshman in the 1977 session, the one that went till seven in the morning, which, by the way, I hope we are not repeating this year. But at seven in the morning, when we adjourned sine die, and we were staggering out of the chamber, Senator Thane came up to me and shook my hand and he said, "Senator, you did a good job as a Senator. In fact," he said, "you were a lot different from what I thought you'd be." Well, Mr. President, ladies and gentlemen of the Senate, I went home and I thought about that a long time, and for six years now, I have been waiting to get an opportunity to compliment Senator Thane, and today is the day, so, Senator, here goes:

Senator Thane, you did a good job as our President Pro Tem. In fact, you did an excellent job. We were proud of you, Senator, and on behalf of the Senate, I'd like to present you this gift.

SEN. THANE: Mr. President: I'm sure a reply is in order. It has been a unique experience for me to have several opportunities to serve as president pro tem. You can rest assured it's entirely different sitting up there, and you can have all the competence in the world when you're sitting back here, but when you sit in the seat that our president is now occupying, it's funny how you can forget names--people like majority leaders, and it really is. The acoustics up there aren't very good, I can assure you that. But anyhow, it's been a unique experience. I've appreciated very much the honor that the Senate bestowed on me, and, Senator, I also appreciate your remarks. Thank you very much.

SEN. MILLER HEINRICH: Mr. President, I ask that you now recognize Senator Naaden.

SEN. NAADEN: Mr. President, ladies and gentlemen of the Senate: It is my responsibility and privilege to present a token of appreciation to the minority leader in the forty-eighth legislative session.

Senator Redlin, you have performed your duties as the leader of the loyal opposition with dignity and pride. You have held your troops together on most issues and only let them go when they wanted to vote with the Republicans anyway.

Your dedication to the dignity of this body has not gone unnoticed by any of us. Your sense of fairness and cooperation is greatly appreciated by all, but as Matt Dahl would have said, "If you don't have da wotes, what else could you do?"

It is with deep pride and appreciation that I present this small token for your service in this forty-eighth session as minority leader, and my only wish is that you will return in that capacity in 1985. Thank you very much, Senator Redlin. We appreciate you very much.

SEN. REDLIN: Mr. President, ladies and gentlemen of the Senate: It is very heartening to work as a team with Senator Nething. We have a lot in common, believe it or not, on several issues at least. I think, too, that I am going to be seeking to enlarge a number of votes we have in here and I am sorry that I don't want to make your wish come true and I also think, Senator, that maybe you better count those five votes again and have a more accurate count as to what happened on that occasion. Thank you for the gift. I will cherish this gift for a long, long time and value it a great deal. I appreciate your cooperation and the forthright approach that the majority and its leadership have consistently shown to the processes of this Senate and to those of us in the minority.

I am grateful to the work of the staff of this Senate who, I think, have done an outstanding job, and I would be remiss if I didn't say that my secretary, who came with me from Minot, Mary Ebach, has done an excellent job. I hope that the members of the minority party particularly agree with me on that. The devotion to duties that has been demonstrated by all of the Senators is outstanding in my opinion, and the dedication to the party purposes displayed by the Democratic NPL members, has made my work as minority leader a great joy. Thank you all for that privilege.

SEN. NAADEN: Mr. President: At this time I would like you to recognize Senator Dean Meyer.

SEN. D. MEYER: Thank you. I'd thought you'd never ask.

Mr. President, members of the Senate: I stayed up till about 1:30 this morning working on a speech to make this presentation to the assistant majority leader, Senator Nelson. It was quite difficult to come up with a speech that I thought would be adequate for the job he has done this session. We have so many people here from both sides of the political aisle that owe so much to Senator Nelson. Every day when he stood up in the last hours of the day and would say in his compassionate voice, "May the absent Senators be excused," my heart went out to

him. I realize it was a tough job and somebody had to do it and Senator Nelson, I think you did a good job.

Sincerely, as a freshman Senator down here, I came to know Senator Nelson as a friend and as a Senator. He was always there to help and give advice on things and issues that bothered me. I think the entire Senate owes him our thanks and appreciation for the times when the majority leader was gone; he got things done and we got through the calendar in good shape. I would like to present this gift to him. Thank you again, Senator Nelson.

SEN. NELSON: Mr. President, members of the Senate: I can't excuse anyone today because everyone was here. In fact, at one point, I thought maybe that was the job we could pass around the Senate with the type of attendance that we had during this session, I didn't get enough chance to do it myself and kept it mainly with myself.

I would like to thank Senator Meyer for his kind words. I also would like to say "thank you" to all the rest of the members of the Senate for the cooperation that was shown to me while our majority leader, from time to time, was out of the state on state business. I was very thankful that in none of those times were we confronted with the issue of the rules and things went rather smoothly. So, again, Mr. President, I would say "thank you" to the members of the Senate.

SEN. D. MEYER: Mr. President: I ask that you now recognize Senator Peterson.

SEN. PETERSON: Mr. President, ladies and gentlemen of the Senate: It is my privilege and honor to present a small gift to the assistant majority leader, Senator William S. Heigaard. This gift is a token of appreciation from the members of this Senate to an individual whom we want to recognize for hours of hard work and for willingness to give of his time and talent to the citizens of North Dakota, and as a member of the Senate, I have appreciated your reasonable comments to this Assembly from time to time. Although I have not had the opportunity to serve with Senator Heigaard on a committee, I think that he has been very fair and I hope that he feels the same about the Senate majority. He has been an excellent leader for his party and it gives me a great deal of pleasure to present this gift to Senator Heigaard.

SEN. HEIGAARD: Mr. President, fellow colleagues: Thank you for the introduction as the assistant majority leader, it is somewhat premature, but I certainly appreciate it! Being here as a freshman Senator, that is absolutely the nicest thing that has been said about me this session. It probably will be the nicest thing said about me for the

rest of this session also. I asked Senator Redlin if I was expected to speak and he said "Yes, very short". I said "Can't I have one more opportunity to eulogize the majority party?" He said, "No, that would not be appropriate." I just want to thank all of the members of the Senate. It has been a privilege to serve in the Senate, it is a privilege to serve as the assistant leader, and I thank you very much for your patience and your consideration. Thank you.

SEN. PETERSON: Mr. President: I ask that you now recognize Senator Kusler.

SEN. KUSLER: On behalf of the members of the Senate, I am pleased to present to the Majority Floor Leader a gift symbolic of our appreciation for a job very well done under very difficult circumstances. As a freshman Democrat, I was surprised that I was asked to make the presentation, and I asked why. I was told that after seventy-four days I am, apparently, the only member of this body who is willing to work without an honorarium.

On a more serious note, there are fifty-three individuals in this assembly, or chamber, with fifty-three ideas and fifty-three opinions on how things should run. Out of the chaos some organization must emerge. The Majority Leader, in addition to leading his own party, is responsible for the smooth and efficient management and operation of the Senate. Mr. Majority Leader, you've performed your assigned tasks with vigor, determination, and dispatch. We are all the beneficiaries of your good work. For that we are grateful and on behalf of the members of this body, we wish to express our heartfelt appreciation, and say thank you for a job well done. You've made us all look good.

SEN. NOTHING: Mr. President, fellow Senators: Thank you very much for those words. Some days, you know, you wonder if you're going to hear any of those again.

Senator Nelson, Assistant Leader; Senator Thane, the President Pro Tem; Senator Naaden, our Caucus Chairman, thank you. The legislative leader doesn't function alone and these three people have been of great assistance. I can't help but also tell you of another that's been of great assistance, and that's my secretary, Lois Scherr. I'd like to have you recognize Lois.

I also want to thank all of you for the gift--I expected a clock. On the other hand, knowing how conservative I am, that wouldn't have been appropriate. It's a real fun opportunity to be the Majority Leader and I guess I've said in the past that it's unfortunate that everyone doesn't get that chance. I've explained to people on different

occasions that one of the things people fail to realize is that I can't tell any of you how to vote. I didn't hire any of you. I can't fire any of you. So, there's only one thing to do, and that's to work with you, and I enjoy that.

The other day, I forget how many days ago this was, but it was one evening and I was thinking about this day, and I thought, you know, we associate all the time together, but we don't really pay much attention to legislative spouses. Oh, we do individually, but collectively we don't do very much of that because we have other things to do. I was thinking about that, and I thought, you know today would be the time that perhaps we ought to have our spouses join us and that's the reason that I extended the invitation in my motion. As I was thinking about this, I thought, transfer yourself to be a legislative spouse. What would it be like? Some things ran through my mind and I thought, you know, to some it is an absolute disruption of family routine. Absolute. People move here, either the family is divided or they move here, or whichever way it is. It makes an unusual demand of spouses' personalities. They don't dare get mad at the wrong time. They've got to dress right at the right time. The demands in things like this are constant and their personalities must be flexible. I think to some it is really fun and I hope to most, because I think spouses enjoy making new friends like we do, and I think they enjoy seeing the old friends like we do. I am sure it must provide a better understanding of people in government to be a legislative spouse, than if your mate was not in the legislature. I hope that all of you, as spouses, recognize that you do have an opportunity and that you do really contribute to government.

I thought then of what spouses might do if they were the legislator. They might stay home or they might live in Bismarck. They might not come at all. They might quit earlier, or they might start later, or they might not even show up. They'd vote red maybe, vote green, or maybe they'd walk out of the chamber. Some would say, "Don't party," others would say, "Do party," some would say, "Laugh all the time," and some would say, "Why don't you cry all the time?" But, what do we think, as legislators, of our spouses? "Thanks for helping get us elected. No, we can handle the questions. Yes, you do talk at the wrong time. Thanks for reminding us of meetings. No, we don't want anything special for supper. Thanks for taking the phone call. Didn't you know I didn't want to talk to her? Thanks for volunteering me to that program, because of you, I'll do it." Above all, we know, that without you, we probably wouldn't be here. That's why we say, spouses, thank you.

SEN. NETHING: Mr. President, I now ask that you recognize Leo Leidholm.

LEO LEIDHOLM: Mr. President, members of the Senate: On behalf of all Senate employees, we wish to take this opportunity to say that it has been our privilege to serve each and everyone of you Senators in some way or another, through the jobs for which we were hired. It has been a learning experience for many of us and something we will long remember. The friendships which have been made through these past three and one-half months among our fellow employees and your legislators will be cherished.

I would like to present a small gift to each member of the Employment Committee on behalf of the Senate employees. They are Senator Thane, Senator Barth, Senator Nelson, Senator Satrom, and Senator Naaden. This is our way of saying thank you for having hired each one of us and giving us the opportunity to work for the Senate during the Forty-eighth Legislative Session. Again, we say thank you.

SEN. BERUBE: Mr. President, members of the Senate, I've worked, I think, with all of you. I've been the Dean in the Senate for the last twelve years and this is my sixteenth session. I had a lot of little gifts, I was on the Employment Committee, and everything. And, of all the years I've been here, I have never heard anybody mention the greatest gift that you have, and this is my wife right here, who has been my backbone all the time. She has given me courage and she helped me all the time. She is the one that really helped me, the way she treated me and took care of me, this is why I am so good looking at my age.

SEN. THANE: Mr. President, on behalf of each and every member of the Senate Employment Committee, I would like to thank Leo and all of the Senate employees, not only for the token of appreciation in the form of a gift, but for the loyal assistance that they have provided us this session. I think we should all give those employees a nice round of applause.

SEN. CHRISTENSEN: Mr. President, your old seat, Mr. President: You never find that I just want to add a couple of words of appreciation for our leaders. I don't have any gifts. I think of our Senate Majority Leader, Senator Nething, some people think that he's too easy going, kind of like a Teddy bear. Others, especially from across the hall, think he's more like a mule. He's got to be hovering somewhere there in between, I think. I appreciate his kind of leadership, he's responsive to the opinions of others, I know in his caucus; I won't speak for the minority party, I guess they can speak for themselves. I do find him responsive, he's had a terrifically tough job, especially this session. I made up my mind, I'm glad he has that job and not me. Not that anyone is offering, you understand.

Senate Minority Leader, Senator Redlin, I want to thank you for conducting yourself always like a gentleman, and I know I don't want your job.

SEN. NAADEN: Mr. President: Serving on the Employment Committee, I'd like to take this opportunity to thank the employees. You've just been a tremendous bunch of ladies and gentlemen. And, I guess the poem that JaniRae had hanging on the bulletin board and in the office is so appropriate that I shall read it now:

"It's not my job to run the train,
the whistle I cannot blow.
It's not my job to say how far
that train is supposed to go.
It's not my job to shoot off steam
or even clang the bell.
But let the darn thing jump the track
And see who catches hell."

SEN. BARTH: Mr. President, I too want to extend my thanks to the employees for the nice gifts that they have presented to us on the Employment Committee, and I want the employees to know that it's been a real pleasure for me to serve as a Senator for the state of North Dakota and have the kind of employees we have, not only at the desk, but surrounding us. Without you people my task would have been impossible. Thank you very much.

PRESIDENT SANDS: It is an honor today to have Mrs. Stanley Wright with us. This is her birthday, and I think we should rise and sing her a happy birthday.

MOTION

SEN. NETHING: Mr. President, I move that the "Hearts and Flowers" session be dissolved, which motion prevailed.

MOTION

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

REPORT OF CONFERENCE COMMITTEE

SEN. LIPS MOVED that the conference committee report on SB 2019 as printed on pages 2574 and 2575 of the Senate Journal be adopted, which motion prevailed.

SEN. LIPS MOVED that the rules be suspended, that SB 2019 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 2019: A BILL for an Act providing for cash flow financing; making an appropriation; 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 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

SB 2019 passed, the title was agreed to, and the emergency clause carried.

SEN. NOTHING MOVED that the vote by which SB 2019 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 2020 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on pages 1974-1979 of the Senate Journal and that SB 2020 be amended as follows:

- On page 1 of the engrossed bill, line 2, delete the words "and authorizing a board of"
- On page 1 of the engrossed bill, line 3, delete the words "university and school lands loan" and insert in lieu thereof the words "; authorizing a developmentally disabled facility loan fund", and delete the word "construction,"
- On page 1 of the engrossed bill, line 4, delete the words "reconstruction, and acquisition" and insert in lieu thereof the word "establishment"
- On page 1 of the engrossed bill, line 5, after the word "disabled" insert the words ", chronically mentally ill, and physically disabled", and after the word "persons" and before the period insert the words "; and authorizing the board of university and school

lands to invest in a developmentally disabled facility loan fund program"

On page 1 of the engrossed bill, line 18, delete the numerals "34,132,917" and insert in lieu thereof the numerals "34,789,370"

On page 1 of the engrossed bill, line 24, delete the numerals "189,228,007" and insert in lieu thereof the numerals "190,873,070"

On page 1 of the engrossed bill, line 25, delete the words "all funds", and delete the numerals "380,984,613" and insert in lieu thereof the numerals "383,286,129"

On page 1 of the engrossed bill, after line 25, insert the following new line:

"Less budget adjustment 495,000"

On page 1 of the engrossed bill, line 26, delete the numerals "250,811,975" and insert in lieu thereof the numerals "253,752,368"

On page 1 of the engrossed bill, line 27, delete the numerals "130,172,638" and insert in lieu thereof the numerals "129,038,761"

On page 2 of the engrossed bill, line 2, delete the numerals "205,621" and insert in lieu thereof the numerals "209,016"

On page 2 of the engrossed bill, line 5, delete the words "all funds", and delete the numerals "818,126" and insert in lieu thereof the numerals "821,521"

On page 2 of the engrossed bill, after line 5, insert the following new line:

"Less budget adjustment 9,930"

On page 2 of the engrossed bill, line 6, delete the numerals "597,590" and insert in lieu thereof the numerals "593,116"

On page 2 of the engrossed bill, line 7, delete the numerals "220,536" and insert in lieu thereof the numerals "218,475"

On page 2 of the engrossed bill, line 8, delete the numerals "130,393,174" and insert in lieu thereof the numerals "129,257,236"

- On page 2 of the engrossed bill, line 9, delete the numerals "251,409,565" and insert in lieu thereof the numerals "256,434,034"
- On page 2 of the engrossed bill, line 10, delete the numerals "381,802,739" and insert in lieu thereof the numerals "385,691,270"
- On page 2, delete lines 16 through 30 and insert in lieu thereof the following new sections:

"SECTION 3. DEVELOPMENTALLY DISABLED FACILITY LOAN FUND PROGRAM NO. 2. There is hereby created a developmentally disabled facility loan fund program no. 2 for the purpose of making loans to nonprofit corporations, organized in the localities in which facilities are proposed to be located, for project costs, including the cost of real estate, construction, reconstruction, acquisition, furnishings, and equipment, and administrative costs related to the establishment thereof, of facilities for developmentally disabled, chronically mentally ill, and physically disabled persons. The loan fund may borrow an amount not to exceed five million dollars from the common school trust fund to finance the program. The loan shall be repaid from any moneys in the lands and minerals trust fund not otherwise appropriated. Any interest earned by the loan fund before loans are made shall be credited by the Bank to the lands and minerals trust fund. The loan fund program shall be administered by the Bank of North Dakota in the same manner the Bank administers the program established by chapter 6-09.6, except that all payments of principal and interest shall be credited by the Bank to the lands and minerals trust fund after the Bank has deducted a service fee for administering the program equivalent to an annual fee of one-half of one percent of the principal balance of the outstanding loans.

SECTION 4. LOAN AUTHORITY. The board of university and school lands is hereby authorized to invest an amount not to exceed five million dollars from the common school trust fund in the developmentally disabled facility loan fund program no. 2. The term of this investment shall not exceed twenty-five years and the rate of interest shall not exceed ten and one-half percent. The common school trust fund shall have a security interest in the properties of the lands and minerals trust fund in the amount of the loan.

SECTION 5. APPROPRIATION. There is hereby appropriated out of any moneys in the lands and minerals trust fund, not otherwise appropriated, the sum of \$1,144,300, or so much thereof as may be necessary, for the purpose of making payments of principal and interest to the common school trust fund on any loans made from it pursuant to section 3, for the biennium beginning July 1, 1983, and ending June 30, 1985.

SECTION 6. PSYCHIATRIC RESIDENCY PROGRAM. It is the intent of the legislative assembly that the department of human services be permitted to continue the psychiatric residency program in cooperation with the university of North Dakota within the limits of available appropriations.

SECTION 7. FACILITY STAFF TRAINING. It is the intent of the legislative assembly that the department of human services design and implement a facility staff training system in cooperation with the director of institutions and the board of higher education to assure adequate and appropriate staff development and training for the providers of community-based care on behalf of developmentally disabled persons.

SECTION 8. COMPREHENSIVE COMMUNITY RESIDENTIAL PROGRAM. It is the intent of the legislative assembly that the department of human services implement a comprehensive community residential program for developmentally disabled children, including the use of intermediate care facilities and other such foster home and group home resources as deemed appropriate.

SECTION 9. LEGISLATIVE INTENT - REIMBURSEMENT BY THE DEPARTMENT OF HUMAN SERVICES FOR SPECIAL EDUCATION BOARDING CARE COSTS. It is the intent of the legislative assembly that the department of human services, within the limits of appropriations provided therefor, make reimbursements to local school districts toward defraying the costs of room and board paid on behalf of handicapped children placed in facilities outside their school district of residence for special education services not available within their school district of residence. It is the intent of the legislative assembly that reimbursements shall be made regardless of whether the child has been placed in a facility within the state or outside the state. Any special education room and board costs in excess of those payments made by the department of human services are the responsibility of the local school district. The

placement of handicapped children in public or private facilities will be made by school districts. Placement in congregate care will be made in facilities designated by the department of human services.

SECTION 10. APPROPRIATION. There is hereby appropriated \$944,250, or so much thereof as may be necessary, from estimated collections resulting from the requirements of Senate Bill No. 2373, relating to the penalty and punishments resulting from operating a motor vehicle while under the influence, to the human services department for the purpose of defraying the expenses including twenty-four additional personnel to provide chemical dependency evaluations and treatments for the biennium beginning July 1, 1983, and ending June 30, 1985."

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Department of Human Services

The salaries and wages line item has a net increase of \$656,453; \$584,243 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 \$252,226 over the executive budget for health insurance premiums.

The other grants, benefits, and claims line item is adjusted as follows:

	<u>Adjustment</u>	<u>Total</u>	<u>General Fund</u>	<u>Estimated Income</u>
1. Increased to provide funds for a projected increase in the AFDC caseload and increases in the level of payments to be determined by the department of human services.	\$ 871,363	\$277,025	\$ 594,338	
2. Decreased Title XIX grants for ICF/MR at Grafton/San Haven as a result of increases in salaries at those two institutions.	456,409	182,564	273,845	

3. Increased to provide all the funds for the state's share of boarding care costs (in-state and out-of-state) in one budget. This amount was previously in Senate Bill No. 2002, the Department of Public Instruction and represented the amount allocated for in-state boarding care. A new section (Section 9) has been added to the bill to allow the Department of Human Services to make reimbursements for both in-state and out-of-state boarding care for handicapped students.	317,291	317,291	
4. Adjustment to reflect the Department of Human Services receiving a Title XIX waiver for certain developmentally disabled services.	-0-	(2,000,000)	2,000,000
<hr/>			
Total increase (decrease) to other grants, benefits, and claims line item	\$1,645,063	\$(1,223,120)	\$2,868,183

The appropriation is reduced by a budget adjustment of \$495,000 from the general fund. The executive director shall take such administrative action as may be necessary to spend less than the total of the line items in the appropriation to achieve the \$495,000 budget reduction. Line items other than salaries and wages, operating expenses, data processing, and equipment are not to be affected by the budget reduction.

In addition, new Sections 3, 4, and 5 are added to create a Developmentally Disabled Loan Fund Program No. 2 for facilities for developmentally disabled, chronically mentally ill, and physically disabled persons; to give the Board of University and School Lands the authority to invest up to \$5 million from the common school trust fund in the Developmentally Disabled Faculty Loan Fund Program No. 2; and to appropriate \$1,144,300 from the lands and minerals trust fund for the purpose of making payments of principal and interest to the common school trust fund.

The new Section 6 allows the Department of Human Services to continue the psychiatric residency program in cooperation with the University of North Dakota should funds be available in the next biennium. The new Section 7

provides direction to the Department of Human Services in the establishment of a facility staff training program to assure adequate and appropriate staff development and training for providers of community based care of developmentally disabled persons.

The new Section 8 states it is the Legislative Assembly's intent that the Department of Human Services implement a comprehensive community residential program for developmentally disabled children.

The new Section 9 provides that it is the Legislative Assembly's intent that the Department of Human Services reimburse local school districts for a portion of the costs of room and board paid on behalf of handicapped children placed in both in-state and out-of-state facilities because services are not available in their school district of residence.

Section 10 appropriates \$944,250 from fees collected for addiction evaluations and treatments required by Senate Bill No. 2373. Senate Bill No. 2373 provides that drivers convicted of driving while intoxicated be evaluated for chemical addiction and receive treatment if necessary. The Department of Human Services, in Section 10, is given the authority to expend moneys received from fees collected for evaluation and treatment at the regional human service centers.

Governor's Council on Human Resources

The salaries and wages line item has a net increase of \$3,395; \$2,397 from the general fund. This will allow funds for the state to provide a two percent contribution to retirement on wages earned after July 1, 1983, and an additional two percent contribution amounting to a full four percent on wages earned after July 1, 1984. It also provides \$1,115 over the executive budget for health insurance premiums.

The appropriation is reduced by a budget adjustment of \$9,930 (two percent); \$4,458 from the general fund. The executive director of the Department of Human Services 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 \$9,930 budget reduction. Line items other than salaries and wages, operating expenses, data processing, and equipment are not to be affected by the budget reduction.

For the Senate: Sens. Lips, Thane, Grotberg

For the House: Reps. Mushik, Horgan, Unhjem

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

SEN. LIPS MOVED that the rules be suspended, that SB 2020 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 2020: A BILL for an Act making an appropriation for defraying the expenses of the human services department; authorizing a developmentally disabled facility loan fund program for the establishment by nonprofit corporations of facilities for developmentally disabled, chronically mentally ill, and physically disabled persons; and authorizing the board of university and school lands to invest in a developmentally disabled facility loan fund program.

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 41 YEAS, 10 NAYS, 2 ABSENT AND NOT VOTING.

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

NAYS: Adams; Bakewell; David; Erickson; Moore; Mutch; Parker; Tennefos; Todd; Vosper

ABSENT AND NOT VOTING: Goodman; Lips

SB 2020 passed and the title was agreed to.

SEN. NOTHING MOVED that the vote by which SB 2020 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 2226 has had the same under consideration and recommends that the SENATE ACCEDE to the House amendments as found on pages 1915 and 1916 of the Senate Journal.

For the Senate: Sens. Peterson, Miller Heinrich (refused to sign), Bakewell

For the House: Reps. Serenus Hoffner (refused to sign), Schindler, Lautenschlager

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

SEN. PETERSON MOVED that the rules be suspended, that SB 2226 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 2226: A BILL for an Act to amend and reenact section 15-40.1-05 of the North Dakota Century Code, relating to the schedule for distribution of foundation program payments to school districts.

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 39 YEAS, 13 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Christensen; David; Dykshoorn; Erickson; Fritzell; Heigaard; Holmberg; Kilander; Lee; Leibhan; Lips; Lodoen; Meyer, D.; Meyer, J.; Moore; Mutch; Naaden; Nelson; Nothing; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Walsh; Wenstrom; Wright

NAYS: Barth; Berube; Dotzenrod; Grotberg; Miller Heinrich; Hilken; Krauter; Kusler; Lashkowitz; Maixner; Matchie; Waldera; Wogsland

ABSENT AND NOT VOTING: Goodman

SB 2226 passed and the title was agreed to.

SEN. NOTHING MOVED that the vote by which SB 2226 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGES FROM THE HOUSE HOUSE CHAMBER

MR. PRESIDENT: I have the honor to inform you that the House has reconsidered its action whereby it did not concur in the Senate amendments to HB 1386, and wishes to inform you that it does now concur in the Senate amendments to HB 1386, and

subsequently failed to pass the same. Also, the House has dissolved the House Conference Committee on HB 1386.

Very respectfully,
CHARLES FLEMING, Chief Clerk

HOUSE CHAMBER

MR. PRESIDENT: I have the honor to inform you that the House has not adopted the conference committee report on HB 1053, and the Speaker has appointed as a new conference committee to act with a like committee from the Senate on:

HB 1053: Reps. Sinner, A. Olson, Laughlin

Very respectfully,
CHARLES FLEMING, Chief Clerk

MOTION

SEN. ADAMS MOVED that the Conference Committee on HB 1053 be dissolved, and that the President appoint a new conference committee to act with a like committee from the House on HB 1053, which motion prevailed.

APPOINTMENT OF A CONFERENCE COMMITTEE

The President appointed as a new Conference Committee on HB 1053:

Sens. Wright, Lee, Matchie

MOTION

SEN. NOTHING MOVED that the Senate stand in recess until 5:00 p.m., which motion prevailed.

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

MESSAGES TO THE HOUSE
SENATE CHAMBER

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

HB 1053: Sens. Wright, Lee, Matchie

Very respectfully,
LEO LEIDHOLM, Secretary

SENATE CHAMBER

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

SB 2019, SB 2020, SB 2226

Very respectfully,
LEO LEIDHOLM, Secretary

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT: Your Conference Committee to which was referred SB 2009 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on pages 1922-1924 of the Senate Journal and that SB 2009 be amended as follows:

- On page 1 of the engrossed bill, line 18, delete the numerals "29,809,040" and insert in lieu thereof the numerals "30,509,016"
- On page 1 of the engrossed bill, line 23, delete the words "all funds", and delete the numerals "43,669,884" and insert in lieu thereof the numerals "44,369,860"
- On page 1 of the engrossed bill, after line 23, insert the following new line:

"Less budget adjustment 109,566"
- On page 1 of the engrossed bill, line 24, delete the numerals "22,925,751" and insert in lieu thereof the numerals "27,240,740"
- On page 1 of the engrossed bill, line 25, delete the numerals "20,744,133" and insert in lieu thereof the numerals "17,019,554"
- On page 1 of the engrossed bill, line 28, delete the numerals "4,273,435" and insert in lieu thereof the numerals "4,281,172"
- On page 2 of the engrossed bill, line 1, delete the numerals "4,273,435" and insert in lieu thereof the numerals "4,281,172"
- On page 2 of the engrossed bill, line 4, delete the numerals "9,369,835" and insert in lieu thereof the numerals "9,591,497"
- On page 2 of the engrossed bill, line 9, delete the words "all funds", and delete the numerals "12,956,310" and insert in lieu thereof the numerals "13,177,972"
- On page 2 of the engrossed bill, after line 9, insert the following new line:

"Less budget adjustment 40,434"
- On page 2 of the engrossed bill, line 10, delete the numerals "5,238,858" and insert in lieu thereof the numerals "5,380,278"

- On page 2 of the engrossed bill, line 11, delete the numerals "7,717,452" and insert in lieu thereof the numerals "7,757,260"
- On page 2 of the engrossed bill, line 12, delete the numerals "32,735,020" and insert in lieu thereof the numerals "29,057,986"
- On page 2 of the engrossed bill, line 13, delete the numerals "28,164,609" and insert in lieu thereof the numerals "32,621,018"
- On page 2 of the engrossed bill, line 14, delete the numerals "60,899,629" and insert in lieu thereof the numerals "61,679,004"
- On page 2 of the engrossed bill, delete lines 20 through 27 and insert in lieu thereof the following new section:

"SECTION 3. APPROPRIATION - TRANSFER. There is hereby transferred to the Grafton state school the sum of \$11,722,662 from the resources trust fund created by subdivision 2 of section 57-51.1-07 of the 1981 Supplement to the North Dakota Century Code for the purpose of defraying the expenses of the Grafton state school, including \$7,722,622 of capital improvements. The transfers shall be made only at such times that funds are needed for disbursement by the Grafton state school."

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Grafton State School

The salaries and wages line item has a net increase of \$699,976; \$384,987 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 \$238,524 over the executive budget for health insurance premiums.

The appropriation is reduced by a budget adjustment of \$109,566 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 \$109,566 budget reduction. Line items other than salaries and wages, operating expenses, data processing, and equipment are not to be affected by the budget reduction. Wherever possible the budget reductions should be applied to areas not eligible

for the Title XIX reimbursement or other general fund moneys should be used for matching to reduce to the extent possible a loss of Title XIX moneys.

Section 3 of the bill is changed to allow an additional \$4 million from the resources trust fund to be transferred to the Grafton state school. This bill now provides a total transfer of \$11,722,662 from the trust to the Grafton state school, \$7,722,662 of which is for capital improvements.

Grafton - Deinstitutionalization

The Grafton - deinstitutionalization appropriation has a net increase of \$7,737 from the general fund. This adjusts the appropriation to 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 \$36,710 over the executive budget for health insurance premiums.

San Haven

The salaries and wages line item has a net increase of \$221,662; \$80,242 from the general fund. This will allow funds for the state to provide a two percent contribution to retirement on wages earned after July 1, 1983, and an additional two percent contribution amounting to a full four percent on wages earned after July 1, 1984. It also provides \$65,239 over the executive budget for health insurance premiums.

The appropriation is reduced by a budget adjustment of \$40,434 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 \$40,434 budget reduction. Line items other than salaries and wages, operating expenses, data processing, and equipment are not to be affected by the budget reduction. Wherever possible the budget reductions should be applied to areas not eligible for the Title XIX reimbursement or other general fund moneys should be used for matching to reduce to the extent possible a loss of Title XIX moneys.

For the Senate: Sens. Thane, Nelson, Tallackson

For the House: Reps. Mushik, Erdman, Unhjem

SEN. THANE MOVED that the report be adopted.

SEN. MAIXNER REQUESTED a recorded roll call vote on the motion to adopt the conference committee report on SB 2009, which request was granted.

ROLL CALL

The question being on the motion to adopt the conference committee report on SB 2009, the roll was called and there were 30 YEAS, 21 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Adams; Christensen; Dykshoorn; Erickson; Fritzell; Goodman; Grotberg; Holmberg; Kilander; Lashkowitz; Lee; Leibhan; Lips; Lodoen; Moore; Nelson; Nething; Olson; Redlin; Reiten; Stenehjem; Streibel; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Wenstrom; Wright

NAYS: Bakewell; Barth; Berube; David; Dotzenrod; Heigaard; Miller Heinrich; Hilken; Krauter; Kusler; Maixner; Matchie; Meyer, D.; Meyer, J.; Naaden; Parker; Satrom; Stromme; Waldera; Walsh; Wogsland

ABSENT AND NOT VOTING: Mutch; Peterson

The conference committee report on SB 2009 was adopted.

SEN. THANE MOVED that the rules be suspended, that SB 2009 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 2009: A BILL for an Act making an appropriation for defraying the expenses of the Grafton state school, Grafton - deinstitutionalization, and San Haven of the state of North Dakota; and providing for a transfer of oil extraction tax funds; 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 45 YEAS, 8 NAYS, 0 ABSENT AND NOT VOTING.

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

NAYS: Bakewell; Barth; David; Lee; Moore; Mutch; Tennefos; Waldera

ABSENT AND NOT VOTING: None

SB 2009 passed, the title was agreed to, and the emergency clause carried.

SEN. NETHING MOVED that the vote by which SB 2009 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 2031 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on pages 1931 and 1932 of the Senate Journal and that SB 2031 be amended as follows:

On page 1 of the engrossed bill, line 14, delete the numerals "3,797,969" and insert in lieu thereof the numerals "3,882,441"

On page 1 of the engrossed bill, line 19, delete the words "all funds", and delete the numerals "7,380,689" and insert in lieu thereof the numerals "7,465,161"

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

"Less budget adjustment 102,983"

On page 1 of the engrossed bill, line 20, delete the numerals "911,900" and insert in lieu thereof the numerals "1,409,982"

On page 1 of the engrossed bill, line 21, delete the numerals "6,468,789" and insert in lieu thereof the numerals "5,952,196"

On page 1 of the engrossed bill, line 24, delete the numerals "500,000" and insert in lieu thereof the numerals "1,000,000", and delete the comma

On page 1 of the engrossed bill, delete line 25

On page 1 of the engrossed bill, line 26, delete the words "the forty-eighth legislative assembly,"

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

State Water Commission

The salaries and wages line item is increased by \$84,472 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 \$21,965 over the executive budget for health insurance premiums.

The general fund appropriation is decreased by \$500,000 with a corresponding increase to the estimated income line item to reflect a \$500,000 increase in funding from the resources trust fund. This provides for a total of \$1 million to be transferred from the resources trust fund to the Water Commission operating fund to be used for the Contracts line item.

The total appropriation is reduced by a budget adjustment of \$102,983 (two percent), of which \$101,065 is from the general fund and \$1,918 from other funds. The Water Commission 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 \$102,983 budget reduction.

For the Senate: Sens. Tweten, Thane, Tallackson

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

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

SEN. TWETEN MOVED that the rules be suspended, that SB 2031 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 2031: A BILL for an Act making an appropriation for defraying the expenses of the water commission of the state of North Dakota; and providing for a transfer from the resources trust 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 36 YEAS, 17 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Christensen; Dotzenrod; Dykshoorn; Erickson; Fritzell; Goodman; Grotberg; Holmberg; Kilander; Lee; Leibhan; Lips; Lodoen; Moore; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Stenehjerm; Streibel; Stromme; Tallackson; Thane; Todd; Tweten; Vosper; Wenstrom; Wright

NAYS: Barth; Berube; David; Heigaard; Miller Heinrich; Hilken; Krauter; Kusler; Lashkowitz; Maixner; Matchie; Meyer, D.; Meyer, J.; Tennefos; Waldera; Walsh; Wogsland

ABSENT AND NOT VOTING: None

SB 2031 passed and the title was agreed to.

SEN. NOTHING MOVED that the vote by which SB 2031 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

EXPLANATION OF VOTE

SEN. MAIXNER: Mr. President: I would like to explain my vote. My vote in opposition to SB 2031 is in objection to the removal of a million dollars from the resources trust fund which will not be repaid even though the funds are not available for completion of the southwest pipeline.

MOTION

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

REPORT OF CONFERENCE COMMITTEE

SEN. GOODMAN MOVED that the Senate do concur in the House amendments to SB 2493 as printed on pages 2487-2490 of the Senate Journal.

SEN. LASHKOWITZ REQUESTED a recorded roll call vote on the motion to concur in the House amendments to SB 2493, which request was granted.

ROLL CALL

The question being on the motion to concur in the House amendments to SB 2493, 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; Heigaard; Holmberg; Kilander; Lee; Leibhan; Lips; Lodoen; Maixner; Meyer, D.; Mutch; Naaden; Nelson; Nothing; Olson; Parker; Peterson; Redlin; Reiten; Stenehjsem; Streibel; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Wenstrom; Wright

NAYS: Barth; Berube; Dotzenrod; Grotberg; Miller Heinrich; Hilken; Krauter; Kusler; Lashkowitz; Matchie; Meyer, J.; Moore; Satrom; Stromme; Waldera; Walsh; Wogsland

ABSENT AND NOT VOTING: None

The Senate concurred in the House amendments to SB 2493.

SEN. GOODMAN MOVED that the rules be suspended, that SB 2493 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 2493: A BILL for an Act to amend and reenact sections 26-01-11, 26-16-10, 26-27-13, and 26-40-14 of the North Dakota Century Code, or in the alternative to amend and reenact sections 26.1-03-17, 26.1-09-10, 26.1-14-13, and 26.1-17-10 of the North Dakota Century Code as created by House Bill No. 1054 and amended by House Bill No. 1068, as approved by the forty-eighth legislative assembly, relating to insurance premium taxes; to provide for retroactive application; to provide a penalty; 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 40 YEAS, 13 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Christensen; David; Dotzenrod; Dykshoorn; Erickson; Fritzell; Goodman; Heigaard; Miller Heinrich; Holmberg; Kilander; Lee; Leibhan; Lips; Lodoen; Maixner; Moore; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Stenehjeme; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Wenstrom; Wright

NAYS: Barth; Berube; Grotberg; Hilken; Krauter; Kusler; Lashkowitz; Matchie; Meyer, D.; Meyer, J.; Waldera; Walsh; Wogsland

ABSENT AND NOT VOTING: None

SB 2493 passed, the title was agreed to, and the emergency clause carried.

SEN. NOTHING MOVED that the vote by which SB 2493 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 2037 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on pages 1979 and

1980 of the Senate Journal and that SB 2037 be amended as follows:

On page 1 of the reengrossed bill, line 13, delete the numerals "19,171,300" and insert in lieu thereof the numerals "22,000,000"

On page 1 of the reengrossed bill, line 14, delete the numerals "19,171,300" and insert in lieu thereof the numerals "22,000,000"

On page 1 of the reengrossed bill, delete lines 19 through 27

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Adds \$2,828,700 to the distribution of general fund revenue to local political subdivisions. The amendment also removes the section of legislative intent that limited revenue sharing to the appropriated amount.

For the Senate: Sens. Nething, Lips, Heigaard

For the House: Reps. Opedahl, Mertens, Kuchera

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

SEN. LIPS MOVED that the conference committee report on SB 2037 be adopted, which motion prevailed.

SEN. LIPS MOVED that the rules be suspended, that SB 2037 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 2037: A BILL for an Act making an appropriation for the distribution of state general fund revenue to local political subdivisions 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; Stenehjelm; Streibel;
 Stromme; Tallackson; Tennefos; Thane; Todd; Tweten;
 Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Goodman

SB 2037 passed and the title was agreed to.

SEN. NOTHING MOVED that the vote by which SB 2037 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 2044 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on page 1981 of the Senate Journal and that SB 2044 be amended as follows:

On page 1, line 3, delete the words "; to repeal chapter 35 of the 1981 Session Laws," and insert in lieu thereof a period

On page 1, delete lines 4 through 6

On page 1, line 17, remove the overstrike over the words "~~for the year prior to the current~~"

On page 1, line 18, remove the overstrike over the words "~~fiscal~~ year", and delete the words "sections 57-38-07, 57-38-29, and 57-38-30" and insert in lieu thereof the words "chapter 57-38"

On page 1, line 20, delete the words "sections 57-39.2-02.1 and 57-40.2-02.1" and insert in lieu thereof the words "chapters 57-39.2 and 57-40.2"

On page 1, line 24, delete the words "within the limits of" and insert in lieu thereof the word "by"

On page 3, delete lines 25 through 34

On page 4, delete lines 1 through 5

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

The bill is amended to clarify its meaning that revenue sharing relates to all sales and income taxes and also that

moneys for revenue sharing are to be paid by legislative appropriation. The amount also deletes the provisions of the bill relating to the six-month period ending June 30, 1983.

For the Senate: Sens. Thane, Streibel, Heigaard

For the House: Reps. Mushik, Mertens, Kuchera

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

SEN. THANE MOVED that the Conference Committee report on SB 2044 be adopted, which motion prevailed.

SEN. THANE MOVED that the rules be suspended, that SB 2044 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 2044: A BILL for an Act to amend and reenact sections 54-27-20.1 and 54-27-20.2 of the North Dakota Century Code, relating to state revenue sharing.

Which has been read.

ROLL CALL

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

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

NAYS: None

ABSENT AND NOT VOTING: Adams; Dotzenrod; Goodman; Maixner

SB 2044 passed and the title was agreed to.

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:

TUESDAY, APRIL 19, 1983

2615

SB 2009, SB 2031, SB 2037, SB 2044

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 2493, and subsequently passed the same.

Very respectfully,
LEO LEIDHOLM, Secretary

MOTION

SEN. NOTHING MOVED that the Senate stand in recess until 7:00 p.m., which motion prevailed.

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

MESSAGES FROM THE HOUSE

HOUSE CHAMBER

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

SB 2019, SB 2020

Very respectfully,
CHARLES FLEMING, Chief Clerk

HOUSE CHAMBER

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

SB 2226

Very respectfully,
CHARLES FLEMING, Chief Clerk

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 1005

Very respectfully,
CHARLES FLEMING, Chief Clerk

SIGNING OF BILLS AND RESOLUTIONS

THE SECRETARY ANNOUNCED that the President signed the following:

HB 1005

LEO LEIDHOLM, Secretary

JOURNAL OF THE SENATE

MESSAGE TO THE HOUSE
SENATE CHAMBER

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

HB 1005

Very respectfully,
LEO LEIDHOLM, Secretary

MOTION

SEN. STENEHJEM MOVED that the Conference Committee on HB 1386 be dissolved, which motion prevailed.

MESSAGES FROM THE HOUSE
HOUSE CHAMBER

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

SB 2031, SB 2037, SB 2044

Very respectfully,
CHARLES FLEMING, Chief Clerk

HOUSE CHAMBER

MR. PRESIDENT: I have the honor to inform you that the House has not adopted the conference committee report on SB 2009, and the Speaker has appointed as a new conference committee to act with a like committee from the Senate on:

SB 2009: Reps. Mushik, Erdman, Unhjem

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 new Conference Committee on SB 2009, which motion prevailed.

THE PRESIDENT APPOINTED as a new Conference Committee on SB 2009:

Sens. Thane, Nelson, Tallackson

MESSAGE TO THE HOUSE
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:

SB 2009: Sens. Thane, Nelson, Tallackson

Very respectfully,
LEO LEIDHOLM, Secretary

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 1007

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 1052

Very respectfully,
CHARLES FLEMING, Chief Clerk

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT: Your Conference Committee to which was referred HB 1007 has had the same under consideration and recommends that the SENATE RECEDE from its amendments as found on pages 1756 and 2122-2125 of the Senate Journal and that HB 1007 be amended as follows:

- On page 1 of the engrossed bill, line 14, delete the numerals "8,844,286" and insert in lieu thereof the numerals "8,401,376"
- On page 1 of the engrossed bill, line 18, delete the numerals "11,819,128" and insert in lieu thereof the numerals "11,376,218"
- On page 1 of the engrossed bill, line 19, delete the numerals "7,650,776" and insert in lieu thereof the numerals "7,603,087"
- On page 1 of the engrossed bill, line 20, delete the numerals "4,168,352" and insert in lieu thereof the numerals "3,773,131"
- On page 1 of the engrossed bill, line 22, delete the numerals "2,942,844" and insert in lieu thereof the numerals "2,842,321"
- On page 1 of the engrossed bill, line 25, delete the numerals "4,200,176" and insert in lieu thereof the numerals "4,099,653"
- On page 1 of the engrossed bill, line 26, delete the numerals "2,504,050" and insert in lieu thereof the numerals "2,474,829"

- On page 1 of the engrossed bill, line 27, delete the numerals "1,696,126" and insert in lieu thereof the the numerals "1,624,824"
- On page 2 of the engrossed bill, line 2, delete the numerals "2,549,188" and insert in lieu thereof the numerals "2,404,283"
- On page 2 of the engrossed bill, line 7, delete the numerals "3,650,977" and insert in lieu thereof the numerals "3,506,072"
- On page 2 of the engrossed bill, line 8, delete the numerals "2,363,433" and insert in lieu thereof the numerals "2,285,437"
- On page 2 of the engrossed bill, line 9, delete the numerals "1,287,544" and insert in lieu thereof the numerals "1,220,635"
- On page 2 of the engrossed bill, line 10, delete the numerals "7,152,022" and insert in lieu thereof the numerals "6,618,590"
- On page 2 of the engrossed bill, line 11, delete the numerals "12,518,259" and insert in lieu thereof the numerals "12,363,353"
- On page 2 of the engrossed bill, line 12, delete the numerals "19,670,281" and insert in lieu thereof the numerals "18,981,943"

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Bismarck Junior College

The salaries and wages line item is reduced by \$442,910, of which \$325,224 is from the general fund and \$117,686 is from other funds. The reduction will allow funds equivalent to the contribution to retirement and the medical insurance adjustment provided state employees.

The general fund appropriation is reduced by \$200,000, with a corresponding increase in estimated income, to delete general fund moneys provided by the House for a power plant technology program.

In addition, the general fund appropriation is reduced by \$54,647 (1.5 percent after the above adjustments) with a corresponding increase in estimated income. After this adjustment, estimated income was reduced and the general fund appropriation was increased by \$184,650 for the

payment of a portion of retirement and medical insurance benefits from the general fund.

Lake Region Community College

The salaries and wages line item is reduced by \$100,523, which includes a \$110,000 general fund decrease and a \$9,477 increase from other funds. The reduction will allow funds equivalent to the contribution to retirement and the medical insurance adjustment provided state employees.

In addition, the general fund appropriation is reduced by \$23,792 (1.5 percent after the above adjustments) with a corresponding increase in estimated income. After this adjustment, estimated income was reduced by \$62,490 and the general fund appropriation was increased by \$62,490 for the payment of a portion of retirement and medical insurance benefits from the general fund.

UND-Williston

The salaries and wages line item is reduced by \$144,905, of which \$101,986 is from the general fund and \$42,919 is from other funds. The reduction will allow funds equivalent to the contribution to retirement and the medical insurance adjustment provided state employees. In addition, the general fund appropriation is reduced by \$17,783 (1.5 percent after the above adjustments) with a corresponding increase in estimated income. After this adjustment, estimated income was reduced and the general fund appropriation was increased by \$52,860 for the payment of a portion of retirement and medical insurance benefits from the general fund.

For the Senate: Sens. Lips, Wenstrom, Stromme
For the House: Reps. G. Martin, Boyle, O. Hanson

HB 1007 was placed on the Seventh order of business on the calendar for the succeeding legislative day.

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT: Your Conference Committee to which was referred HB 1052 has had the same under consideration and recommends that the SENATE RECEDE from its amendments as found on pages 1600 and 1601 of the Senate Journal and that HB 1052 be amended as follows:

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

On page 1 of the engrossed bill, line 23, delete the word "forty" and insert in lieu thereof the word

"twenty-five", and after the word "determined" insert the words "by the agricultural economics department at North Dakota state university"

- On page 1 of the engrossed bill, line 24, overstrike the words "which would be produced if the"
- On page 1 of the engrossed bill, line 25, overstrike the words "land were used for the growing of hay" and insert immediately thereafter the words "based upon the animal unit carrying capacity of the land"
- On page 2 of the engrossed bill, line 16, remove the overstrike over the numerals "~~1983~~", and delete the numerals "1985"
- On page 2 of the engrossed bill, line 17, after the word "~~five-year~~" insert the words "rate which is one-half of one percentage point below a"
- On page 2 of the engrossed bill, line 28, remove the overstrike over the numbers "~~1983~~"
- On page 2 of the engrossed bill, line 29, delete the numerals "1984 and 1985"
- On page 2 of the engrossed bill, line 30, after the period insert the following: "Notwithstanding the other provisions of this section, the maximum increase or decrease in the capitalization rate in any two-year period is three-tenths of one percentage point above or below the capitalization rate for the year preceding the two-year period."
- On page 2 of the engrossed bill, line 34, after the word "basis" insert the words ", to compute the average agricultural value per acre for cropland and noncropland, which is agricultural land, for each county,"
- On page 3 of the engrossed bill, line 1, delete the words "The information provided will show the county-wide"
- On page 3 of the engrossed bill, delete line 2
- On page 3 of the engrossed bill, line 4, overstrike the words "this estimate" and insert immediately thereafter the words "these estimates"
- On page 3 of the engrossed bill, line 32, delete the numerals "1984" and insert in lieu thereof the numerals "1983"

On page 3 of the engrossed bill, after line 32, insert the following new section:

"SECTION 3. EMERGENCY. 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 and pages accordingly

For the Senate: Sens. Adams, Lee, Matchie

For the House: Reps. Sinner, Koski (refused to sign), R. Anderson

HB 1052 was placed on the Seventh order of business on the calendar for the succeeding legislative day.

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 2001, SB 2005, SB 2012, SB 2016, SB 2018, SB 2021,
SB 2038

SEN. FRITZELL, Chairman

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

MOTION

SEN. NETHING MOVED that the Senate adjourn and convene at 8:00 a.m., Wednesday, April 20, 1983, which motion prevailed.

LEO LEIDHOLM, Secretary