

## JOURNAL OF THE HOUSE

## Forty-ninth Legislative Assembly

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## FIFTY-FIFTH DAY

Bismarck, March 27, 1985

The House convened at 9:00 a.m., with Speaker R. Hausauer presiding.

The prayer was offered by Reverend Edward J. Widmer, Medcenter One Chaplain, Bismarck, North Dakota.

## ROLL CALL

The roll was called and all Representatives were present, except Representatives G. Berg, R. Berg, Cleveland, Gerntholz, Gullickson, Gunsch, O. Hanson, Kelly, Kingsbury, Kretschmar, Kuchera, Laughlin, Lautenschlager, Lipsiea, Nowatzki, Opedahl, J. Peterson, Rice, Rydell, Schneider, Smette, O. Solberg, Stofferahn, Thompson, Ulmer, Unhjem, Wald, Winkelman, Wold.

A quorum was declared by the Speaker.

## REVISION AND CORRECTION OF THE JOURNAL

MR. SPEAKER: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Fifty-fourth Day and recommends that the same be corrected as follows and when so corrected, recommends that the same be approved:

On page 2292, line 4, after the word "to" insert the following: "and the emergency clause was declared carried"

REP. KENT, Chairman

REP. MYRDAL MOVED that the report be adopted, which motion prevailed.

## REPORTS OF CONFERENCE COMMITTEES

MR. SPEAKER: Your Conference Committee to which was referred HB 1614 has had the same under consideration and recommends that the SENATE RECEDE from its amendments as found on page 1615 of the House Journal and that HB 1614 be amended as follows:

On page 1, line 14, after the word "has" insert the word "also"

On page 1, line 18, delete the words "two-year and four-year", and after the word "office" insert the words "not to exceed four years"

On page 1, line 19, delete the words "as will" and insert in lieu thereof the period and words ". . . Such a combination must"

On page 1, line 20, after the word "number" insert the words "and length", and delete the word "alike" and insert in lieu thereof the words "to be elected during the next three election years."

On page 1, line 21, delete the word "which" and insert in lieu thereof the words "The members'", and delete the word "to" and insert in lieu thereof the words "and must"

And renumber the lines and pages accordingly

For the Senate: Sens. Peterson, Bakewell, Heinrich

For the House: Reps. R. Pederson, Tollefson, Hoffner

REP. TOLLEFSON MOVED that the report be adopted, which motion prevailed.

HB 1614 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Conference Committee to which was referred SB 2068 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on pages 1894-1895 of the House Journal:

For the Senate: Sens. Holmberg, Christensen, Redlin

For the House: Reps. Cleveland, Lindgren, Shockman

REP. CLEVELAND MOVED that the report be adopted, which motion prevailed.

SB 2068 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Conference Committee to which was referred Engrossed SB 2116 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on pages 1632-1633 of the House Journal and that Engrossed SB 2116 be amended as follows:

On page 3 of the engrossed bill, line 9, delete the word "five" and insert in lieu thereof the word "ten"

On page 3 of the engrossed bill, line 15, delete the word "two" and insert in lieu thereof the word "five"

And renumber the lines and pages accordingly

For the Senate: Sens. Olson, Stenehjem, Maixner

For the House: Reps. Wentz, Conmy, Solberg

REP. WENTZ MOVED that the report be adopted, which motion prevailed.

Engrossed SB 2116 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

**MR. SPEAKER:** Your Conference Committee to which was referred SB 2153 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on page 1676 of the House Journal and that SB 2153 be amended as follows:

On page 1, line 11, delete the words "one hundred", overstrike the word "fifty" and insert immediately thereafter the words "one hundred"

On page 1, line 12, delete the words "one hundred" and insert in lieu thereof the word "seventy-five", and remove the overstrike over the word "day"

On page 1, line 13, delete the word "meeting"

And renumber the lines and pages accordingly

**For the Senate:** Sens. Freborg, Kelly, Heinrich  
**For the House:** Reps. V. Olson, Belter, C. Williams

**REP. V. OLSON MOVED** that the report be adopted, which motion prevailed.

SB 2153 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

#### MOTION

**REP. KINGSBURY MOVED** that the House reconsider its action whereby the House adopted the conference committee report on SB 2153, which motion prevailed on a verification vote.

**REP. V. OLSON MOVED** that the conference committee report on SB 2153 be adopted.

#### REQUEST

**REP. O'CONNELL REQUESTED** a recorded roll call vote on the motion to adopt the conference committee report on SB 2153, which request was granted.

#### ROLL CALL

The question being on the adoption of the conference committee report on SB 2153, the roll was called and there were 42 YEAS, 61 NAYS, 3 ABSENT AND NOT VOTING.

**YEAS:** Belter; Berg, G.; Berg, R.; Brokaw; DeMers; Enget; Frey; Halmrast; Hanson, L.; Hill; Hoffner; Keller; Kelly; Klundt; Knudson; Kretschmar; Lautenschlager; Linderman; Lloyd; Martin; Mertens; Meyer; Nalewaja; Nowatzki; Oban; O'Connell; Olson, V.; Opedahl; Payne; Richard; Riehl; Sauter; Schneider; Shaw; Solberg, O.;

Starke; Stofferahn; Ulmer; Watne; Wentz; Williams, C.; Williams, W.

**NAYS:** Anderson, C.; Anderson, R.; Cleveland; Conmy; Dalrymple; Dorso; Dotzenrod; Eckroth; Gates; Gerntholz; Goetz; Graba; Gunsch; Hamerlik; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hughes; Kent; Kingsbury; Kloubec; Koland; Kuchera; Lang; Larson; Laughlin; Lindgren; Lipsiea; Martinson; Moore; Murphy; Myrdal; Nicholas; Olsen, D.; Olson, A.; O'Shea; Pederson, R.; Peterson, J.; Retzer; Rice; Riley; Schindler; Schmidt; Shide; Shockman; Skjerven; Smette; Solberg, R.; Strinden; Thompson; Timm; Tollefson; Unhjem; Vander Vorst; Wald; Whalen; Williams, A.; Winkelman; Wold; Speaker Hausauer, R.

**ABSENT AND NOT VOTING:** Gullickson; Melby; Rydell

So the motion to adopt the report of the conference committee on SB 2153 failed.

#### REPORTS OF CONFERENCE COMMITTEES

**MR. SPEAKER:** Your Conference Committee to which was referred Engrossed SB 2251 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on pages 1768-1769 of the House Journal and that Engrossed SB 2251 be amended as follows:

- On page 1 of the engrossed bill, line 2, delete the numerals "10-19.1" and insert in lieu thereof the numerals "10-23", and delete the words "as created by Senate Bill"
- On page 1 of the engrossed bill, line 3, delete the words "No. 2041, as approved by the forty-ninth legislative assembly"
- On page 1 of the engrossed bill, line 11, delete the numerals "10-19.1" and insert in lieu thereof the numerals "10-23"
- On page 1 of the engrossed bill, line 12, delete the words "as created by Senate Bill No. 2041, as approved"
- On page 1 of the engrossed bill, line 13, delete the words "by the forty-ninth legislative assembly,"
- On page 1 of the engrossed bill, line 20, delete the numerals "10-21-13.2" and insert in lieu thereof the words "2 of this Act"
- On page 1 of the engrossed bill, line 27, delete the numerals "10.19.1" and insert in lieu thereof the numerals "10-23"
- On page 1 of the engrossed bill, line 28, delete the words "as created by Senate Bill No. 2041, as approved"

On page 2 of the engrossed bill, line 1, delete the words "by the forty-ninth legislative assembly,"

And renumber the lines and pages accordingly

For the Senate: Sens. Todd, Mutch, Krauter

For the House: Reps. Riley, Shide, Dotzenrod

REP. RILEY MOVED that the report be adopted, which motion prevailed.

Engrossed SB 2251 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Conference Committee to which was referred Engrossed SB 2279 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on page 1679 of the House Journal and that Engrossed SB 2279 be amended as follows:

On page 2 of the engrossed bill, line 15, remove the overstrike over the word "~~fifteenth~~" and delete the word "first"

On page 2 of the engrossed bill, line 28, remove the overstrike over the word "~~fifteenth~~" and delete the word "first"

On page 3 of the engrossed bill, line 28, remove the overstrike over the word "~~fifteenth~~"

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

And renumber the lines and pages accordingly

For the Senate: Sens. Freborg, Peterson, Wogsland

For the House: Reps. Rydell, Hamerlik, Klundt

REP. RYDELL MOVED that the report be adopted, which motion prevailed.

Engrossed SB 2279 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Conference Committee to which was referred SB 2470 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on pages 1819 and 1820 of the House Journal and that SB 2470 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 50-25.1 of the North Dakota Century Code, relating to the disposition of reports of child abuse which implicate a person who is not responsible for the child's health or welfare; and"

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

"SECTION 1. A new section to chapter 50-25.1 of the North Dakota Century Code is hereby created and enacted to read as follows:

Disposition of reports implicating a person not responsible for the child's health or welfare. Upon determination by the division or its designee that a report made under this chapter implicates a person other than a person responsible for a child's welfare, the division may refer the report to an appropriate law enforcement agency for investigation and disposition."

On page 1, line 16, delete the numerals "12.1-20-12.1" and insert in lieu thereof the numerals "12.1-20-08"

And renumber the lines, sections, and pages accordingly

For the Senate: Sens. Christensen, Stenehjem, Matchie

For the House: Reps. Gates, Nalewaja, Hill

REP. GATES MOVED that the report be adopted, which motion prevailed.

SB 2470 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

#### MOTION

REP. CONMY MOVED that the House reconsider its action whereby the House did concur in the Senate amendments to HB 1067, which motion prevailed.

#### CONSIDERATION OF MESSAGE FROM SENATE

REP. CONMY MOVED that the House do not concur in the Senate amendments to HB 1067 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed.

#### APPOINTMENT OF A CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1067:

Reps. Conmy, Riley, Brokaw

#### CONSIDERATION OF MESSAGE FROM SENATE

REP. KUCHERA MOVED that the House do concur in the Senate amendments to HB 1007, which motion prevailed.

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

**APPOINTMENTS OF CONFERENCE COMMITTEES**

**THE SPEAKER ANNOUNCED** the following appointment to a Conference Committee on SB 2012:

Reps. Gunsch, Gerntholz, Laughlin

**THE SPEAKER ANNOUNCED** the following appointment to a new Conference Committee on SB 2153:

Reps. V. Olson, Belter, C. Williams

**CONSIDERATION OF MESSAGE FROM SENATE**

**REP. KUCHERA MOVED** that the House do concur in the Senate amendments to HB 1028, which motion prevailed.

HB 1028 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

**SIXTH ORDER OF BUSINESS**

**REP. KRETSCHMAR MOVED** that the amendments to HB 1070 as recommended by the conference committee as printed on pages 2281-2282 of the House Journal be adopted, and when so adopted, recommends that HB 1070 DO PASS, which motion prevailed.

HB 1070 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

**MOTION**

**REP. STRINDEN MOVED** that the rules be suspended and that HB 1070 be placed on the Eleventh order for second reading and final passage, and dispense with the reading of the title to HB 1070, which motion prevailed.

**SECOND READING OF HOUSE BILL**

**HB 1070:** A BILL for an Act to create and enact three new sections to chapter 20.1-01 and a new subsection to section 20.1-02-05 of the North Dakota Century Code, relating to noncriminal game and fish violations; to amend and reenact sections 20.1-01-09, 20.1-01-10, 20.1-01-25, 20.1-01-26, 20.1-03-01.2, 20.1-03-16, 20.1-03-23, 20.1-03-27, 20.1-04-09, 20.1-04-10, 20.1-04-12, 20.1-04-14, 20.1-05-06, 20.1-06-07, 20.1-07-05, 20.1-08-01, 20.1-10-01, 20.1-13-02, subsection 13 of section 20.1-13-03, sections 20.1-13-03.1, 20.1-13-03.2, 20.1-13-04, subsection 7 of section 20.1-13-05, section 20.1-13-07, subsection 6 of section 20.1-13-10, sections 20.1-13-17 and 27-07.1-17 of the North Dakota Century Code, relating to noncriminal game and fish violations and the suspension of hunting, trapping, or fishing privileges; 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 60 YEAS, 42 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Cleveland; Conmy; Dalrymple; DeMers; Eckroth; Enget; Frey; Gates; Graba; Hamerlik; Hanson, L.; Haugland; Hedstrom; Hoffner; Hughes; Kent; Kloubec; Knudson; Koland; Kretschmar; Kuchera; Larson; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Melby; Mertens; Meyer; Moore; Nalewaja; Nicholas; Opedahl; O'Shea; Richard; Riehl; Riley; Sauter; Schmidt; Shaw; Solberg, O.; Solberg, R.; Stofferahn; Strinden; Thompson; Ulmer; Vander Vorst; Wentz; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Hausauer, R.

NAYS: Brokaw; Dorso; Dotzenrod; Gerntholz; Goetz; Gunsch; Halmrast; Hanson, O.; Hausauer, A.; Hill; Keller; Kelly; Kingsbury; Klundt; Lang; Laughlin; Murphy; Myrdal; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Payne; Pederson, R.; Peterson, J.; Retzer; Rice; Schindler; Schneider; Shide; Shockman; SKjerven; Smette; Starke; Timm; Tollefson; Wald; Watne; Whalen; Wold

ABSENT AND NOT VOTING: Gullickson; Martinson; Rydell; Unhjem

HB 1070 passed and the title was agreed to.

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## SIXTH ORDER OF BUSINESS

REP. KRETSCHMAR MOVED that the amendments to HB 1071 as recommended by the Conference Committee as printed on page 1611 of the House Journal be adopted, and when so adopted, recommends that HB 1071 DO PASS.

## MOTION

REP. KRETSCHMAR MOVED that the amendments to HB 1071 be laid on the table, which motion prevailed.

## SIXTH ORDER OF BUSINESS

REP. A. OLSON MOVED that the amendments to HB 1077 as recommended by the conference committee as printed on pages 2283-2290 of the House Journal be adopted, and when so adopted, recommends that HB 1077 DO PASS, which motion prevailed.

HB 1077 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.



MOTION

REP. STRINDEN MOVED that the rules be suspended and that HB 1077 be placed on the Eleventh order for second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1077: A BILL for an Act entering into the Dakota interstate low-level radioactive waste management compact; to designate North Dakota's representatives to the administrative body of the interstate compact; and to provide an appropriation.

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 99 YEAS, 3 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Melby; Mertens; Moore; Murphy; Myrdal; Nalewaja; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Peterson, J.; Retzer; Rice; Richard; Riehl; Riley; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Shockman; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn; Strinden; Thompson; Timm; Tollefson; Ulmer; Vander Vorst; Wald; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Winkelman; Speaker Hausauer, R.

NAYS: Hanson, L.; Meyer; Williams, W.

ABSENT AND NOT VOTING: Gullickson; Rydell; Unhjem; Wold

HB 1077 passed and the title was agreed to.

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SIXTH ORDER OF BUSINESS

REP. MARTIN MOVED that the amendments to HCR 3003 as recommended by the Committee on Joint Constitutional Revision as printed on pages 2335-2336 of the House Journal be adopted, and when so adopted, recommends that HCR 3003 DO PASS, which motion prevailed.

HCR 3003 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. J. PETERSON MOVED that the amendments to SB 2009 as recommended by the Committee on Appropriations as printed on pages 2336-2346 of the House Journal be adopted, and when so adopted, recommends that SB 2009 DO PASS, which motion prevailed.

SB 2009 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

#### MOTION

REP. STRINDEN MOVED that the rules be suspended and that SB 2009 be placed on the Fourteenth order, as amended, for second reading and final passage, which motion prevailed.

#### SECOND READING OF SENATE BILL

SB 2009: A BILL for an Act making an appropriation for defraying the expenses of the cooperative extension division and the experiment stations of North Dakota state university of agriculture and applied science; to amend and reenact sections 38-14.1-04.2 and 38-14.1-04.3 of the North Dakota Century Code, relating to the reclamation research advisory committee; 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 86 YEAS, 16 NAYS, 4 ABSENT AND NOT VOTING.

**YEAS:** Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Cleveland; Conmy; Dalrymple; DeMers; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Gunsch; Halmrast; Hamerlik; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Keller; Kelly; Kent; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Lindgren; Lipsiea; Martin; Martinson; Melby; Meyer; Moore; Myrdal; Nalewaja; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Opedahl; O'Shea; Pederson, R.; Peterson, J.; Retzer; Rice; Richard; Riehl; Riley; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Smette; Solberg, O.; Solberg, R.; Starke; Strinden; Thompson; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Wald; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Winkelman; Speaker Hausauer, R.

**NAYS:** Brokaw; Dorso; Graba; Hanson, L.; Hoffner; Hughes; Kingsbury; Linderman; Lloyd; Mertens; Murphy; Payne; Shockman; Skjerven; Stofferahn; Williams, W.

ABSENT AND NOT VOTING: Gullickson; Olson, V.; Rydell;  
Wold

SB 2009 passed and the title was agreed to.

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MOTION

REP. STRINDEN MOVED that the rules be suspended and that HB 1070, HB 1077, and SB 2009 be messaged to the Senate immediately, which motion prevailed.

MESSAGES FROM THE SENATE

SENATE CHAMBER

MR. SPEAKER: I have the honor to transmit herewith the following which the Senate has passed and your favorable consideration is requested on:

SCR 4078, SCMR 1

LEO LEIDHOLM, Secretary

SENATE CHAMBER

MR. SPEAKER: I have the honor to return herewith HB 1127 which the Senate has amended:

SENATE AMENDMENTS TO ENGROSSED HB 1127

On page 1 of the engrossed bill, line 12 remove the overstrike over the word "~~five~~", and delete the word "eight"

And renumber the lines accordingly

LEO LEIDHOLM, Secretary

SENATE CHAMBER

MR. SPEAKER: I have the honor to return herewith HB 1018, HB 1021, HB 1293, and HB 1653 which the Senate has amended:

SENATE AMENDMENTS TO HB 1018

On page 1, line 7, delete the numerals "4,500,000" and insert in lieu thereof the numerals "5,200,000"

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Payments of Insurance Premium Taxes

The appropriation from the state fire and tornado fund is increased from \$4.5 million to \$5.2 million to provide funds necessary to make payments to fire departments as provided under Section 18-04-05 and as proposed in Senate Bill No. 2104.

SENATE AMENDMENTS TO ENGROSSED HB 1021

On page 1 of the engrossed bill, line 16, delete the numerals "927,887" and insert in lieu thereof the numerals "979,029"

On page 1 of the engrossed bill, line 19, delete the numerals "3,715,500" and insert in lieu thereof the numerals "3,664,358"

On page 2 of the engrossed bill, after line 14, insert the following new section:

"SECTION 5. Souris River flood control project - Budget section approval. The amount appropriated in section 1 of this Act to the state water commission for the line item entitled contracts includes \$905,000 for the Souris River flood control project. If the full amount of \$905,000 is not needed to complete the project, or if the full amount will not be expended during the 1985-87 biennium due to reasons such as the delay of the project, the remainder of the unexpended amount may be utilized by the state water commission for other contract purposes, subject to approval of the budget section of the legislative council."

And renumber the lines and pages accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

State Water Commission

The operating expenses line item is increased by \$51,142 with a corresponding decrease to the contracts line item to provide funds for continued membership in the Missouri Basin States Association.

A new section is added which provides that if less than \$905,000 is expended during the 1985-87 biennium for the Souris River Flood Control Project, the remainder of the unexpended amount may be used by the commission for other contract purposes, subject to Budget Section approval.

The salaries and wages line item allows funds to continue the cost of average salary increases of 5.5 percent for the first year and to provide salary increases of four percent for the second year of the biennium, with funds to provide a minimum increase of \$50 per month for each year of the biennium.

**SENATE AMENDMENTS TO ENGROSSED HB 1293**

On page 1 of the engrossed bill, line 6, delete the words "certificate and"

On page 1 of the engrossed bill, delete lines 26 through 28

On page 2 of the engrossed bill, delete lines 1 through 6

On page 2 of the engrossed bill, line 7, remove the overstrike over the numeral "1-" and delete the numeral "3."

- On page 2 of the engrossed bill, line 11, remove the overstrike over the numeral "~~2~~."
- On page 2 of the engrossed bill, line 17, delete the numeral "4."
- On page 2 of the engrossed bill, line 19, delete the numeral "5." and insert in lieu thereof the numeral "3."
- On page 2 of the engrossed bill, line 20, delete the numeral "6." and insert in lieu thereof the numeral "4."
- On page 2 of the engrossed bill, line 27, remove the overstrike over the numeral "~~5~~." and delete the numeral "7."
- On page 2 of the engrossed bill, line 32, delete the second word "two" and insert in lieu thereof the word "three"
- On page 3 of the engrossed bill, after line 28, insert the following new subdivision:
- "i. Headstart programs that are federally funded and meet federal headstart standards."
- On page 3 of the engrossed bill, line 29, delete the numeral "8." and insert in lieu thereof the numeral "6."
- On page 3 of the engrossed bill, line 31, remove the overstrike over the word "~~ne~~" and delete the words "three or"
- On page 3 of the engrossed bill, line 32, remove the overstrike over the words "~~than seven~~" and overstrike the words "from more than one family"
- On page 3 of the engrossed bill, line 33, delete the words "and the children are"
- On page 3 of the engrossed bill, delete line 34
- On page 3 of the engrossed bill, line 35, delete the words "children are cared for" and after the word "any" insert the word "one"
- On page 4 of the engrossed bill, line 1, delete the numeral "9." and insert in lieu thereof the numeral "7."
- On page 4 of the engrossed bill, line 7, delete the numeral "10." and insert in lieu thereof the numeral "8."
- On page 4 of the engrossed bill, line 10, delete the numeral "11." and insert in lieu thereof the numeral "9."
- On page 4 of the engrossed bill, line 11, after the word "a" insert the words "family child care home,"

- On page 4 of the engrossed bill, line 16, delete the numeral "12." and insert in lieu thereof the numeral "10."
- On page 4 of the engrossed bill, line 19, delete the numeral "13." and insert in lieu thereof the numeral "11."
- On page 4 of the engrossed bill, line 25, delete the numeral "14." and insert in lieu thereof the numeral "12."
- On page 4 of the engrossed bill, line 28, delete the numeral "15." and insert in lieu thereof the numeral "13."
- On page 4 of the engrossed bill, line 33, delete the numeral "16." and insert in lieu thereof the numeral "14."
- On page 6 of the engrossed bill, delete lines 15 through 19
- On page 6 of the engrossed bill, line 34, delete the words "or certificate"
- On page 6 of the engrossed bill, after line 34, insert the following new subsection:
- "1. A license for a family child care home is required if early childhood services are provided for four or more children ages twenty-four months and under or six or more children at any one time. Those persons not required by this subsection to hold a family child care license may voluntarily apply for and receive such a license."
- On page 7 of the engrossed bill, line 1, delete the numeral "1." and insert in lieu thereof the numeral "2."
- On page 7 of the engrossed bill, line 3, delete the words "family child care home,"
- On page 7 of the engrossed bill, line 5, delete the words "or certificated"
- On page 7 of the engrossed bill, line 7, delete the words "family child care home,"
- On page 7 of the engrossed bill, line 11, delete the words "family child care homes,"
- On page 7 of the engrossed bill, line 14, delete the numeral "2." and insert in lieu thereof the numeral "3." and delete the words "or certificate"
- On page 7 of the engrossed bill, line 17, delete the first word "certificate" and insert in lieu thereof the word "license"

and delete the second word "certificate" and insert in lieu thereof the word "license"

- On page 7 of the engrossed bill, line 18, delete the word "fifteen" and insert in lieu thereof the word "twenty", and delete the word "certificate" and insert in lieu thereof the word "license"
- On page 7 of the engrossed bill, line 19, delete the word "thirty" and insert in lieu thereof the word "thirty-five"
- On page 7 of the engrossed bill, line 21, delete the word "twenty" and insert in lieu thereof the word "twenty-five"
- On page 7 of the engrossed bill, line 23, delete the word "forty" and insert in lieu thereof the word "forty-five"
- On page 7 of the engrossed bill, line 26, delete the word "twenty-five" and insert in lieu thereof the word "thirty"
- On page 7 of the engrossed bill, line 27, delete the word "fifty" and insert in lieu thereof the word "fifty-five"
- On page 7 of the engrossed bill, line 29, delete the word "thirty-five" and insert in lieu thereof the word "forty"
- On page 7 of the engrossed bill, line 31, delete the word "seventy" and insert in lieu thereof the word "seventy-five"
- On page 7 of the engrossed bill, line 32, delete the words "or certified"
- On page 7 of the engrossed bill, line 34, delete the words "or certification" and delete the word "forty-five" and insert the word "fifty"
- On page 8 of the engrossed bill, line 1, delete the words "or certificate"
- On page 8 of the engrossed bill, line 2, delete the word "ninety" and insert in lieu thereof the word "ninety-five"
- On page 8 of the engrossed bill, line 3, delete the numeral "3." and insert in lieu thereof the numeral "4."
- On page 8 of the engrossed bill, line 8, delete the words "or certificate"
- On page 8 of the engrossed bill, line 17, delete the words "or certificate"
- On page 8 of the engrossed bill, line 18, delete the words "or certificate"

- On page 8 of the engrossed bill, line 19, delete the words "and certificates"
- On page 8 of the engrossed bill, line 24, delete the words "or certificate"
- On page 8 of the engrossed bill, line 25, delete the word "certificate" and insert in lieu thereof the word "license"
- On page 8 of the engrossed bill, line 31, delete the words "or certificate"
- On page 9 of the engrossed bill, line 12, delete the words "or certificate"
- On page 9 of the engrossed bill, line 15, delete the words "or certificate"
- On page 9 of the engrossed bill, line 18, delete the words "or certificate"
- On page 9 of the engrossed bill, line 25, delete the words "or certification"
- On page 9 of the engrossed bill, line 27, delete the words "or certification"
- On page 10 of the engrossed bill, line 1, delete the word "certificate"
- On page 10 of the engrossed bill, line 2, delete the word "holders,"
- On page 10 of the engrossed bill, line 8, delete the underscored comma
- On page 10 of the engrossed bill, line 9, delete the word "certificate,"
- On page 10 of the engrossed bill, line 13, delete the words "or certificate"
- On page 10 of the engrossed bill, line 16, delete the words ", certificate holders,"
- On page 13 of the engrossed bill, line 29, delete the word "or"
- On page 13 of the engrossed bill, line 30, delete the word "certificate"
- On page 14 of the engrossed bill, line 4, delete the word ", certificate,"
- On page 14 of the engrossed bill, line 5, delete the word "or"



- On page 14 of the engrossed bill, line 6, delete the word "certificate"
- On page 14 of the engrossed bill, line 12, delete the words ", certificate holder,"
- On page 14 of the engrossed bill, line 15, delete the word ", certificate,"
- On page 14 of the engrossed bill, line 18, delete the words ", certificate holder,"
- On page 14 of the engrossed bill, line 20, delete the words ", certificate holder,"
- On page 14 of the engrossed bill, line 23, delete the words ", certificate holder,"
- On page 14 of the engrossed bill, line 24, delete the words "or certificate holder"
- On page 15 of the engrossed bill, line 2, delete the words "certified, or"
- On page 15 of the engrossed bill, line 26, delete the words "or certificates"

And renumber the lines and pages accordingly

SENATE AMENDMENTS TO ENGROSSED HB 1653

- On page 1 of the engrossed bill, line 2, delete the words "for the period" and insert in lieu thereof the words "; to provide"
- On page 1 of the engrossed bill, delete line 3
- On page 1 of the engrossed bill, line 5, after the word "plan" insert the following: "; and to declare an emergency"
- On page 6 of the engrossed bill, line 7, after the word "provide" insert the word "average"
- On page 6 of the engrossed bill, line 10, delete the words "\$50 per month or" and insert in lieu thereof the words "average compensation increases of", and after the word "percent" delete the comma and insert in lieu thereof the word "to"
- On page 6 of the engrossed bill, line 11, delete the words "whichever is greater, for"
- On page 6 of the engrossed bill, line 12, after the period insert the following new sentence: "It is intended that employees receive minimum increases of fifty dollars per month."

On page 6 of the engrossed bill, line 18, after the period insert the following new sentence: "The salary increases are to be based on merit, performance, or equity adjustments, and are not intended to be across-the-board salary increases.", and delete the word "shall" and insert in lieu thereof the word "may"

On page 6 of the engrossed bill, line 24, delete the words "The moneys herein appropriated shall be made" and insert in lieu thereof the following: "Notwithstanding other provisions of this Act, any agency or institution may pay an employee a one time payment for amounts the employee would have received pursuant to the provisions of this Act had it been effective earlier, or an agency may use the funds appropriated by this Act to provide increased salary levels during the biennium ending June 30, 1987."

On page 6 of the engrossed bill, delete lines 25 through 30

On page 7 of the engrossed bill, after line 3, 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, sections, and pages accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

The purpose of amendment is to clarify how compensation increases are to be paid and to allow an agency or institution to use the funds to provide increased salary levels over the next biennium.

LEO LEIDHOLM, Secretary

#### SENATE CHAMBER

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

HB 1089, HB 1246, HB 1421, HB 1485, HB 1542, HB 1557,  
HB 1577, HB 1585, HB 1609, HB 1643

LEO LEIDHOLM, Secretary

#### MESSAGES TO THE SENATE

#### HOUSE CHAMBER

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

SB 2059, SB 2067, SB 2143, SB 2161, SB 2209, SB 2232,  
SB 2242, SB 2281, SB 2286, SB 2319, SB 2332, SB 2357,  
SB 2389, SB 2425, SB 2426, SB 2427, SB 2451, SB 2472,  
SB 2476, SCR 4032, SCR 4040, SCR 4061, SCR 4067

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to return herewith the following which the House has amended:

SB 2009

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

MADAM 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 2301: Reps. R. Anderson, A. Hausauer, Enget

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to inform you that the House has concurred in the Senate amendments to HB 1606 and subsequently passed the same.

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

MADAM 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 2012: Reps. Gunsch, Gernholtz, Laughlin

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to inform you that the House has reconsidered its action whereby it did concur in the Senate amendments to HB 1067, and consequently did not concur in the Senate amendments to HB 1067, and the Speaker has appointed as a conference committee to meet with a like committee from the Senate, the following:

HB 1067: Reps. Conmy, Riley, Brokaw

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to inform you that the House has not adopted the conference committee report on SB 2153 and the Speaker has appointed as a new conference committee to act with a like committee from the Senate on:

SB 2153: Reps. V. Olson, Belter, C. Williams

ROY GILBREATH, Chief Clerk

## HOUSE CHAMBER

MADAM 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 1070, HB 1077

ROY GILBREATH, Chief Clerk

## MOTION

REP. KRETSCHMAR MOVED that the House stand in recess until 1:00 p.m., which motion prevailed.

THE HOUSE RECONVENED pursuant to recess taken, with Speaker R. Hausauer presiding.

## SIXTH ORDER OF BUSINESS

REP. J. PETERSON MOVED that the amendments to SB 2023 as recommended by the Committee on Appropriations as printed on pages 2346-2347 of the House Journal be adopted, and when so adopted, recommends that SB 2023 DO PASS, which motion prevailed.

SB 2023 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

## MOTION

REP. STRINDEN MOVED that the rules be suspended and that SB 2023 be placed on the Fourteenth order, as amended, for second reading and final passage, and dispense with the reading of the title, which motion prevailed.

## SECOND READING OF SENATE BILL

SB 2023: A BILL for an Act making an appropriation for defraying the expenses of the highway patrol of the state of North Dakota; and providing for a transfer of funds from the state highway 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 92 YEAS, 5 NAYS, 9 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, R.; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Moore; Myrdal; Nalewaja; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Pederson, R.; Rice; Riehl;

Riley; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Shockman; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn; Strinden; Thompson; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Wald; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: Brokaw; Linderman; Melby; Mertens; Murphy

ABSENT AND NOT VOTING: Berg, G.; Gullickson; Meyer; Nicholas; Opedahl; Peterson, J.; Retzer; Richard; Rydell

SB 2023 passed and the title was agreed to.

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SIXTH ORDER OF BUSINESS

REP. J. PETERSON MOVED that the amendments to SB 2028 as recommended by the Committee on Appropriations as printed on pages 2347-2349 of the House Journal be adopted, and when so adopted, recommends that SB 2028 DO PASS, which motion prevailed.

SB 2028 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MOTION

REP. STRINDEN MOVED that the rules be suspended and that SB 2028 be placed on the Fourteenth order, as amended, for second reading and final passage, and dispense with the reading of the title to SB 2028, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2028: A BILL for an Act making an appropriation for defraying the expenses of the state industrial commission and the agencies under the management of the industrial commission of the state of North Dakota.

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 91 YEAS, 10 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Conmy; Dalrymple; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hoffner; Hughes; Keller; Kelly; Kent; Kingsbury; Kloubec; Klundt; Knudson; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Mertens; Moore; Myrdal;

Nalewaja; Nicholas; Nowatzki; Oban; O'Connell;  
 Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea;  
 Payne; Pederson, R.; Retzer; Rice; Richard; Riehl;  
 Riley; Sauter; Schindler; Schmidt; Shaw; Shide;  
 Skjerven; Smette; Solberg, O.; Starke; Stofferahn;  
 Strinden; Thompson; Timm; Tollefson; Ulmer; Unhjem;  
 Vander Vorst; Wald; Watne; Wentz; Williams, A.;  
 Williams, C.; Williams, W.; Winkelman;  
 Speaker Hausauer, R.

**NAYS:** DeMers; Dorso; Hill; Koland; Melby; Meyer; Murphy;  
 Schneider; Shockman; Solberg, R.

**ABSENT AND NOT VOTING:** Gullickson; Peterson, J.; Rydell;  
 Whalen; Wold

SB 2028 passed and the title was agreed to.

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**SIXTH ORDER OF BUSINESS**

**REP. J. PETERSON** MOVED that the amendments to SB 2115 as recommended by the Committee on Appropriations as printed on page 2350 of the House Journal be adopted, and when so adopted, recommends that SB 2115 DO PASS, which motion prevailed.

SB 2115 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

**MOTION**

**REP. KRETSCHMAR** MOVED that the rules be suspended and that SB 2115 be placed on the Fourteenth order, as amended, for second reading and final passage, and dispense with the reading of the title to SB 2115, which motion prevailed.

**SECOND READING OF SENATE BILL**

**SB 2115:** A BILL for an Act to amend and reenact section 25-07-04 of the North Dakota Century Code, relating to the qualifications for admission to the school for the deaf and transportation costs for students; and to provide for an expiration date.

Which has been read.

**MOTION**

**REP. ULMER** MOVED the previous question, which motion prevailed.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were 83 YEAS, 17 NAYS, 6 ABSENT AND NOT VOTING.

**YEAS:** Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw;  
 Cleveland; Conmy; Dalrymple; DeMers; Dotzenrod;

Eckroth; Enget; Frey; Gates; Gerntholz; Graba; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer, A.; Hill; Hoffner; Keller; Kelly; Kent; Kloubec; Klundt; Knudson; Koland; Kretschmar; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; Nalewaja; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Retzer; Richard; Riehl; Sauter; Schindler; Schmidt; Schneider; Shaw; Shockman; Solberg, O.; Solberg, R.; Starke; Stofferahn; Strinden; Thompson; Timm; Ulmer; Unhjem; Vander Vorst; Wathe; Wentz; Williams, C.; Williams, W.; Winkelman; Speaker Hausauer, R.

NAYS: Anderson, C.; Dorso; Goetz; Gunsch; Hanson, O.; Hedstrom; Hughes; Kingsbury; Olson, A.; Rice; Riley; Shide; Skjerven; Smette; Tollefson; Wald; Williams, A.

ABSENT AND NOT VOTING: Gullickson; Kuchera; Peterson, J.; Rydell; Whalen; Wold

SB 2115 passed and the title was agreed to.

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#### MOTION

REP. STRINDEN MOVED that SB 2114 be placed at the top of the calendar, which motion prevailed.

#### REQUEST

REP. STRINDEN REQUESTED the unanimous consent of the House to amend SB 2114 as follows, which request was granted.

#### FLOOR AMENDMENT TO SENATE BILL NO. 2114

On page 1 of the bill, line 3, after the word "students" insert the following words "; and to provide for an expiration date"

On page 2 of the bill, after line 3, insert the following new section:

"SECTION 2. EXPIRATION DATE. This Act is effective through June 30, 1987, and after that date is ineffective."

And renumber the lines and pages accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

The amendment adds June 30, 1987, as the expiration date so the 50th Legislative Assembly may review the new transportation program implemented through this Act.

The floor amendments to SB 2114 were adopted.

## MOTION

REP. STRINDEN MOVED that the rules be suspended and that SB 2114 be placed on the Fourteenth order, as amended, for second reading and final passage, which motion prevailed.

## SECOND READING OF SENATE BILL

SB 2114: A BILL for an Act to amend and reenact section 25-06-04 of the North Dakota Century Code, relating to qualifications for admission to the school for the blind and transportation costs for students.

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 82 YEAS, 15 NAYS, 9 ABSENT AND NOT VOTING.

YEAS: Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Conmy; Dalrymple; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Graba; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer, A.; Hill; Hoffner; Keller; Kelly; Kent; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; Nalewaja; Nicholas; Oban; O'Connell; Olsen, D.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Retzer; Richard; Riehl; Sauter; Schindler; Schmidt; Schneider; Shaw; Shockman; Solberg, O.; Solberg, R.; Starke; Stofferahn; Strinden; Thompson; Timm; Ulmer; Unhjem; Vander Vorst; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Hausauer, R.

NAYS: Anderson, C.; Dorso; Goetz; Gunsch; Hanson, O.; Hedstrom; Hughes; Kingsbury; Olson, A.; Rice; Riley; Shide; Skjerven; Smette; Tollefson

ABSENT AND NOT VOTING: DeMers; Gullickson; Lloyd; Nowatzki; Peterson, J.; Rydell; Wald; Whalen; Wold

SB 2114 passed and the title was agreed to.

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## SIXTH ORDER OF BUSINESS

REP. J. PETERSON MOVED that the amendments to SB 2249 as recommended by the Committee on Appropriations as printed on pages 2350-2351 of the House Journal be adopted, and when so adopted, recommends that SB 2249 DO PASS, which motion prevailed.

SB 2249 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.



## MOTION

REP. KRETSCHMAR MOVED that the rules be suspended and that SB 2249 be placed on the Fourteenth order, as amended, for second reading and final passage, and dispense with the reading of the title to SB 2249, which motion prevailed.

## SECOND READING OF SENATE BILL

SB 2249: A BILL for an Act authorizing a developmentally disabled facility loan fund program for the establishment by nonprofit corporations of facilities for the developmentally disabled, chronically mentally ill, and physically disabled persons; authorizing the board of university and school lands to invest in a developmentally disabled facility loan fund program; to create and enact a new chapter to title 25 of the North Dakota Century Code, relating to appointment of receivers for facilities for developmentally disabled clients; to amend and reenact section 6-09.6-03 of the North Dakota Century Code, relating to the amount, terms, and conditions of the loans made under the developmentally disabled facility loan fund; and to provide an appropriation.

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 98 YEAS, 0 NAYS, 8 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Conny; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Gates; Gerntholz; Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kingsbury; Kloubec; Klundt; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; Nalewaja; Nicholas; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Retzer; Rice; Richard; Riehl; Riley; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Shockman; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn; Thompson; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Wald; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Hausauer, R.

NAYS: None

ABSENT AND NOT VOTING: Erey; Gullickson; Knudson; Nowatzki; Peterson, J.; Rydell; Strinden; Wold

SB 2249 passed and the title was agreed to.

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## SIXTH ORDER OF BUSINESS

REP. J. PETERSON MOVED that the amendments to SB 2307 as recommended by the Committee on Appropriations as printed on pages 2351-2352 of the House Journal be adopted, and when so adopted, recommends that SB 2307 DO PASS, which motion prevailed.

SB 2307 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

## MOTION

REP. KRETSCHMAR MOVED that the rules be suspended and that SB 2307 be placed on the Fourteenth order, as amended, for second reading and final passage and dispense with the reading of the title to SB 2307, which motion prevailed.

## SECOND READING OF SENATE BILL

SB 2307: A BILL for an Act to amend and reenact subsection 2 of section 14-06.1-02 and section 14-06.1-12 of the North Dakota Century Code, relating to the citizen advisory body to the displaced homemaker program; and to provide an appropriation.

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 95 YEAS, 5 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; Nalewaja; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Retzer; Rice; Richard; Riehl; Riley; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Shockman; Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn; Strinden; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Wald; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Hausauer, R.

NAYS: Hanson, O.; Kingsbury; Skjerven; Thompson; Whalen

ABSENT AND NOT VOTING: Gullickson; Nicholas; Nowatzki; Peterson, J.; Rydell; Wold

SB 2307 passed and the title was agreed to.

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MOTIONS

REP. STRINDEN MOVED that the rules be suspended and that SB 2023, SB 2028, SB 2114, SB 2115, SB 2249, and SB 2307 be messaged to the Senate immediately, which motion prevailed.

REP. STRINDEN MOVED that HB 1305 and HB 1375 be placed on the calendar for the purpose of reconsideration as vetoed measures pursuant to Article V, Section 9 of the Constitution of the State of North Dakota, which motion prevailed.

SECOND READING OF SENATE BILLS

SB 2017: A BILL for an Act making an appropriation for defraying the expenses of the livestock sanitary board of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 98 YEAS, 2 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Mertens; Meyer; Moore; Myrdal; Nalewaja; Nicholas; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Retzer; Rice; Richard; Riehl; Riley; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Shockman; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn; Strinden; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Wald; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Hausauer, R.

NAYS: Melby; Murphy

ABSENT AND NOT VOTING: Gullickson; Nowatzki; Peterson, J.; Rydell; Thompson; Wold

SB 2017 passed and the title was agreed to.

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SB 2035: A BILL for an Act making an appropriation for defraying the expenses of the soil conservation committee and soil conservation districts of the state of North Dakota.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 98 YEAS, 3 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Meyer; Moore; Myrdal; Nalewaja; Nicholas; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Retzer; Rice; Richard; Riehl; Riley; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Shockman; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn; Strinden; Thompson; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Wald; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: Melby; Mertens; Murphy

ABSENT AND NOT VOTING: Brokaw; Gullickson; Nowatzki; Peterson, J.; Rydell

SB 2035 passed and the title was agreed to.

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SB 2049: A BILL for an Act to amend and reenact sections 21-10-01 and 21-10-04 of the North Dakota Century Code, relating to the membership and meetings of the state investment board.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 92 YEAS, 9 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Conmy; Dalrymple; DeMers; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Halmrast; Hamerlik; Hanson, L.; Haugland; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent;

Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; Myrdal; Nalewaja; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Retzer; Rice; Richard; Riehl; Riley; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Shockman; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn; Strinden; Tollefson; Unhjem; Vander Vorst; Wald; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: Dorso; Gunsch; Hanson, O.; Hausauer, A.; Murphy; Pederson, R.; Thompson; Timm; Whalen

ABSENT AND NOT VOTING: Gullickson; Lipsiea; Peterson, J.; Rydell; Ulmer

SB 2049 passed and the title was agreed to.

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SB 2053: A BILL for an Act to create and enact a new section to chapter 50-24.1 of the North Dakota Century Code, relating to reimbursement by the department of human services to long-term care facilities for care provided to persons under the medical assistance program.

Which has been read.

MOTION

REP. A. HAUSAUER MOVED the previous question, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 81 YEAS, 20 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Conmy; DeMers; Dotzenrod; Eckroth; Frey; Gates; Gerntholz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hausauer, A.; Hedstrom; Hill; Hoffner; Keller; Kelly; Kent; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Melby; Moore; Murphy; Myrdal; Nalewaja; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Pederson, R.; Retzer; Richard; Sauter; Schmidt; Schneider; Shaw; Shide; Shockman; Smette; Solberg, O.; Starke; Stofferahn; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Hausauer, R.

**NAYS:** Dalrymple; Dorso; Enget; Goetz; Hanson, O.;  
Haugland; Mertens; Meyer; Payne; Peterson, J.; Rice;  
Riehl; Schindler; Skjerven; Solberg, R.; Strinden;  
Thompson; Wald; Whalen; Wold

**ABSENT AND NOT VOTING:** Gullickson; Hughes; Kingsbury;  
Riley; Rydell

SB 2053 passed and the title was agreed to.

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#### MOTION

**REP. STRINDEN MOVED** that SB 2253 be placed at the top of the Fourteenth order on the calendar, which motion prevailed.

#### SECOND READING OF SENATE BILL

**SB 2253:** A BILL for an Act to amend and reenact subsection 31 of section 52-01-01, sections 52-01-03, 52-04-05, and subsections 12 and 13 of section 52-06-02 of the North Dakota Century Code, relating to definitions, disclosures, contributions, and disqualification for purposes of unemployment compensation; to provide an effective date; and to declare an emergency.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 99 YEAS, 0 NAYS, 7 ABSENT AND NOT VOTING.

**YEAS:** Anderson, C.; Anderson, R.; Belter; Berg, G.;  
Berg, R.; Brokaw; Cleveland; Conmy; Dalrymple; DeMers;  
Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates;  
Gerntholz; Goetz; Graba; Gunsch; Halmrast; Hamerlik;  
Hanson, L.; Hanson, O.; Haugland; Hausauer, A.;  
Hedstrom; Hill; Hoffner; Keller; Kelly; Kent;  
Kingsbury; Kloubec; Klundt; Knudson; Koland;  
Kretschmar; Kuchera; Lang; Larson; Laughlin;  
Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd;  
Martin; Martinson; Melby; Mertens; Meyer; Moore;  
Murphy; Myrdal; Nalewaja; Nicholas; Oban; O'Connell;  
Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea;  
Payne; Pederson, R.; Peterson, J.; Retzer; Rice; Riehl;  
Sauter; Schindler; Schmidt; Schneider; Shaw; Shide;  
Shockman; Skjerven; Smette; Solberg, O.; Solberg, R.;  
Starke; Stofferahn; Strinden; Thompson; Timm;  
Tollefson; Ulmer; Vander Vorst; Wald; Watne; Wentz;  
Whalen; Williams, A.; Williams, C.; Williams, W.;  
Winkelman; Wold; Speaker Hausauer, R.

**NAYS:** None

ABSENT AND NOT VOTING: Gullickson; Hughes; Nowatzki; Richard; Riley; Rydell; Unhjem

SB 2253 passed, the title was agreed to, and the emergency clause was declared carried.

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MOTION

REP. STRINDEN MOVED that the rules be suspended and that SB 2253 be messaged to the Senate immediately, which motion prevailed.

MESSAGES FROM THE SENATE  
SENATE CHAMBER

MR. SPEAKER: I have the honor to inform you that the President has appointed replacements on the following conference committees:

- SB 2313: Sen. Krauter, instead of Sen. Langley
- SB 2411: Sen. Parker, instead of Sen. Reiten
- SB 2413: Sen. Mutch, instead of Sen. Reiten

LEO LEIDHOLM, Secretary

SENATE CHAMBER

MR. SPEAKER: I have the honor to inform you that the Senate does not concur in the House amendments to SB 2036 and the President has appointed as a conference committee to act with a like committee from the House on:

- SB 2036: Sens. Tennefos, Wenstrom, Mushik

LEO LEIDHOLM, Secretary

SENATE CHAMBER

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

- SB 2055, SB 2079, SB 2097, SB 2104, SB 2136, SB 2137,
- SB 2163, SB 2202, SB 2205, SB 2238, SB 2266, SB 2290,
- SB 2305, SB 2323, SB 2326, SB 2337, SB 2361, SB 2368,
- SB 2379, SB 2423, SB 2433, SB 2434

LEO LEIDHOLM, Secretary

SENATE CHAMBER

MR. 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 2153: Sens. Freborg, Kelly, Heinrich

LEO LEIDHOLM, Secretary

## SENATE CHAMBER

MR. 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 1048: Sens. Peterson, Freborg, Heinrich  
 HB 1049: Sens. Peterson, Freborg, Heinrich  
 HB 1522: Sens. Lodoen, Vosper, D. Meyer  
 HB 1523: Sens. Lodoen, Vosper, D. Meyer

LEO LEIDHOLM, Secretary

## SENATE CHAMBER

MR. SPEAKER: I have the honor to inform you that the Senate has concurred in the House amendments to SB 2015, SB 2018, SB 2024, SB 2026, SB 2159, SB 2160, SB 2197, SB 2274, SB 2436, and SB 2468 and subsequently passed the same.

LEO LEIDHOLM, Secretary

## SIGNING OF BILLS AND RESOLUTIONS

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following:

SB 2055, SB 2079, SB 2097, SB 2104, SB 2136, SB 2137,  
 SB 2163, SB 2202, SB 2205, SB 2238, SB 2266, SB 2290,  
 SB 2305, SB 2323, SB 2326, SB 2337, SB 2361, SB 2368,  
 SB 2379, SB 2423, SB 2433, SB 2434

ROY GILBREATH, Chief Clerk

MESSAGE TO THE SENATE  
HOUSE CHAMBER

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

SB 2055, SB 2079, SB 2097, SB 2104, SB 2136, SB 2137,  
 SB 2163, SB 2202, SB 2205, SB 2238, SB 2266, SB 2290,  
 SB 2305, SB 2323, SB 2326, SB 2337, SB 2361, SB 2368,  
 SB 2379, SB 2423, SB 2433, SB 2434

ROY GILBREATH, Chief Clerk

## MOTION

REP. KRETSCHMAR MOVED that the House stand in recess until 4:00 p.m., which motion prevailed.

THE HOUSE RECONVENED pursuant to recess taken, with Speaker R. Hausauer presiding.

MESSAGE FROM THE SENATE  
SENATE CHAMBER

MR. SPEAKER: I have the honor to transmit herewith the following which the Senate has passed and your favorable consideration is requested on:

SCR 4074, SCR 4075, SCR 4076

LEO LEIDHOLM, Secretary



## ANNOUNCEMENT

THE SPEAKER ANNOUNCED that Representative Shide will replace Representative Koland on the Conference Committee on SB 2313.

## REPORTS OF STANDING COMMITTEES

MR. SPEAKER: Your Committee on Appropriations to which was referred Engrossed SB 2002 has had the same under consideration and recommends by a vote of 20 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

- On page 1 of the engrossed bill, line 17, delete the numerals "975,493" and insert in lieu thereof the numerals "1,024,793"
- On page 1 of the engrossed bill, line 18, delete the numerals "246,540" and insert in lieu thereof the numerals "262,005"
- On page 1 of the engrossed bill, line 22, delete the numerals "400,000" and insert in lieu thereof the numerals "600,000"
- On page 1 of the engrossed bill, line 23, delete the numerals "1,685,000" and insert in lieu thereof the numerals "1,485,000"
- On page 1 of the engrossed bill, line 24, delete the numerals "9,574,821" and insert in lieu thereof the numerals "9,797,143"
- On page 1 of the engrossed bill, line 25, delete the numerals "13,048,089" and insert in lieu thereof the numerals "13,335,176"
- On page 1 of the engrossed bill, line 27, delete the numerals "12,648,089" and insert in lieu thereof the numerals "12,935,176"
- On page 2 of the engrossed bill, line 4, delete the numerals "15,008,189" and insert in lieu thereof the numerals "15,295,276"
- On page 2 of the engrossed bill, line 5, delete the numerals "12,543,545" and insert in lieu thereof the numerals "12,528,223"
- On page 2 of the engrossed bill, line 6, delete the numerals "27,551,734" and insert in lieu thereof the numerals "27,823,499"
- On page 2 of the engrossed bill, line 25, delete the numerals "7,890,002" and insert in lieu thereof the numerals "7,877,938"

On page 2 of the engrossed bill, line 26, delete the numerals "1,834,036" and insert in lieu thereof the numerals "1,831,778"

On page 2 of the engrossed bill, line 27, delete the numerals "2,419,507" and insert in lieu thereof the numerals "2,418,507"

On page 2 of the engrossed bill, line 29, delete the numerals "12,143,545" and insert in lieu thereof the numerals "12,128,223"

And renumber the lines and pages accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

State Board of Higher Education

The salaries and wages line item is increased by \$25,000 from the general fund to allow funds to continue average salary increases of 9.5 percent for senior administrative staff and 5.5 percent (\$50 per month minimum) for other employees the first year of the biennium and to provide average salary increases of four percent (\$50 per month minimum) the second year of the biennium.

The salaries and wages line item is increased by \$20,000 from the general fund to upgrade the salary of the Associate Commissioner for Academic Affairs.

The salaries and wages line item is increased by \$4,300 from the general fund for providing board employees' disability insurance similar to that received by institution employees.

The operating expenses line item is increased by \$15,465 from the general fund to provide funds to restore postage, printing, supplies, and travel to the current service level.

The private college tuition assistance line item is increased by \$200,000 from the general fund and the student financial assistance grants line item is decreased by \$200,000 from the general fund. This allows each program the approximate same percentage increase from last biennium.

The community colleges line item is increased by \$222,322 from the general fund. This provides funding of \$207,000 for roof repairs at Lake Region Community College. Also the amount of the general fund appropriation is increased by \$15,322 with a corresponding decrease to the amount of community colleges estimated income. This eliminates additional income from proposed increases in Minnesota student tuition and foreign student tuition as summarized by each community college below:

	Minnesota Student Tuition <u>Increase</u>	Foreign Student Tuition <u>Increase</u>	<u>Total</u>
Bismarck Junior College	\$2,064	\$10,000	\$12,064
Lake Region Community College	258	2,000	2,258
UND-Williston	<u>0</u>	<u>1,000</u>	<u>1,000</u>
<b>Total</b>	<b>\$2,322</b>	<b>\$13,000</b>	<b>\$15,322</b>

REP. J. PETERSON, Chairman

Engrossed SB 2002 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Appropriations to which was referred SB 2005 has had the same under consideration and recommends by a vote of 19 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1 of the engrossed bill, line 19, delete the numerals "18,959,806" and insert in lieu thereof the numerals "20,381,437"

On page 1 of the engrossed bill, line 21, delete the numerals "21,705,484" and insert in lieu thereof the numerals "23,127,115"

On page 1 of the engrossed bill, line 23, delete the numerals "14,050,495" and insert in lieu thereof the numerals "15,472,126"

And renumber the lines and pages accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

Board for Vocational Education

The grants, benefits, and claims line item is increased by \$1,421,631 from the general fund to provide additional general fund moneys for vocational education grants.

The salaries and wages line item allows funds to continue average salary increases of 5.5 percent (\$50 per month minimum) for the first year of the biennium and to provide average salary increases of four percent (\$50 per month minimum) the second year of the biennium.

REP. J. PETERSON, Chairman

SB 2005 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

**MR. SPEAKER:** Your Committee on Appropriations to which was referred Engrossed SB 2010 has had the same under consideration and recommends by a vote of 18 YEAS, 1 NAY, 4 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1 of the engrossed bill, line 21, delete the numerals "5,790,700" and insert in lieu thereof the numerals "6,090,700"

On page 1 of the engrossed bill, line 23, delete the numerals "36,774,039" and insert in lieu thereof the numerals "37,074,039"

On page 1 of the engrossed bill, line 25, delete the numerals "10,037,845" and insert in lieu thereof the numerals "10,337,845"

On page 2 of the engrossed bill, line 2, delete the numerals "10,037,845" and insert in lieu thereof the numerals "10,337,845"

On page 2 of the engrossed bill, line 4, delete the numerals "37,174,039" and insert in lieu thereof the numerals "37,474,039"

And renumber the lines and pages accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

Health Department

The salaries and wages line item provides for the continuation of a 5.5 percent increase the first year of the biennium (\$50/month minimum) and a four percent increase the second year of the biennium (\$50/month minimum).

The grants, benefits, and claims line item is increased by \$300,000 from the general fund for state funding of the Child Evaluation and Treatment Program (CETA) at the University of North Dakota Medical Center Rehabilitation Hospital.

REP. J. PETERSON, Chairman

Engrossed SB 2010 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

**MR. SPEAKER:** Your Committee on Appropriations to which was referred Engrossed SB 2025 has had the same under consideration and recommends by a vote of 22 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 2 of the engrossed bill, line 3, delete the numerals "252,490" and insert in lieu thereof the numerals "189,490"

On page 2 of the engrossed bill, after line 3, insert the following new line:

"Total general fund appropriation \$310,000"

On page 2 of the engrossed bill, line 4, delete the numerals "247,000" and insert in lieu thereof the numerals "310,000"

On page 2 of the engrossed bill, line 5, delete the numerals "2,230,932" and insert in lieu thereof the numerals "2,167,932"

On page 2 of the engrossed bill, after line 18, insert the following new section:

"SECTION 4. APPROPRIATION. There is hereby appropriated to the geological survey any federal funds that become available for the purposes of monitoring the underground injection control program and monitoring coal exploration drilling for the biennium beginning July 1, 1985, and ending June 30, 1987."

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Geological Survey

Any federal funds that become available for monitoring the underground injection control program and for monitoring coal exploration drilling are appropriated.

The salaries and wages line item allows funds to continue the cost of average salary increases of 5.5 percent for the first year and to provide average salary increases of four percent for the second year of the biennium, with funds to provide a minimum increase of \$50 per month for each year of the biennium.

Upper Great Plains Transportation Institute

The salaries and wages line item allows funds to continue the cost of average salary increases of 9.5 percent or 5.5 percent for the first year and to provide average salary increases of four percent for the second year of the biennium, with funds to provide a minimum increase of \$50 per month for each year of the biennium.

The estimated income line item is reduced by \$63,000, with a corresponding increase to the general fund to provide additional general fund support.

REP. J. PETERSON, Chairman

Engrossed SB 2025 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

**MR. SPEAKER:** Your Committee on Appropriations to which was referred SB 2027 has had the same under consideration and recommends by a vote of 23 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 14, delete the numerals "883,212" and insert in lieu thereof the numerals "867,485"

On page 1, line 20, delete the numerals "1,281,012" and insert in lieu thereof the numerals "1,265,285"

And renumber the lines accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

Land Department

The salaries and wages line item is reduced by \$15,727 from other funds. this will allow funds for continuation of average salary increases of 5.5 percent the first year of the biennium and average salary increases of four percent the second year of the biennium. Funds are allowed to provide a minimum increase of \$50 per month for each year of the biennium. The salary increases are to be based on merit, performance, or equity adjustments, and are not intended to be across-the-board salary increases.

REP. J. PETERSON, Chairman

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

**MR. SPEAKER:** Your Committee on Appropriations to which was referred Engrossed SB 2033 has had the same under consideration and recommends by a vote of 22 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1 of the engrossed bill, line 24, delete the numerals "582,410" and insert in lieu thereof the numerals "552,410"

On page 1 of the engrossed bill, line 25, delete the numerals "3,549,185" and insert in lieu thereof the numerals "3,579,185"

On page 2 of the engrossed bill, line 1, delete the numerals "482,191" and insert in lieu thereof the numerals "480,952"

On page 2 of the engrossed bill, line 4, delete the numerals "2,671,620" and insert in lieu thereof the numerals "2,670,381"

On page 2 of the engrossed bill, line 6, delete the numerals "2,256,731" and insert in lieu thereof the numerals "2,255,492"

On page 2 of the engrossed bill, line 7, delete the numerals "5,805,916" and insert in lieu thereof the numerals "5,834,677"

On page 2 of the engrossed bill, line 8, delete the numerals "997,299" and insert in lieu thereof the numerals "967,299"

On page 2 of the engrossed bill, line 9, delete the numerals "6,803,215" and insert in lieu thereof the numerals "6,801,976"

And renumber the lines and pages accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

School for the Deaf

The salaries and wages line item provides for the continuation of a 5.5 percent increase the first year of the biennium (\$50/month minimum) and a four percent increase the second year of the biennium (\$50/month minimum).

The estimated income line item is decreased by \$30,000 with a corresponding increase to the general fund appropriation for funding the parent/infant program. This action is to reverse the Senate amendment.

Also, if high school students enrolled at the school do not participate 100 percent in the weekend transportation program, the school may have to transfer appropriation amounts between the salaries and wages and operating expenses line items.

School for the Blind

The salaries and wages line item provides for the continuation of a 5.5 percent increase the first year of the biennium (\$50/month minimum) and a four percent increase the second year of the biennium (\$50/month minimum).

The operating expenses line item is reduced by \$1,239 from the general fund. This net reduction includes decreasing food, clothing, and household supplies by \$1,161 and utilities by \$218 and increasing postage by \$140.

REP. J. PETERSON, Chairman

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

MR. SPEAKER: Your Committee on Agriculture to which was referred Engrossed SB 2100 has had the same under consideration and recommends by a vote of 11 YEAS, 0 NAYS, 6 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 2 of the engrossed bill, line 3, delete the numerals "608c(15)" and insert in lieu thereof the numerals "608c"

On page 2 of the engrossed bill, line 4, after the word "agriculture" insert the words "or of the reduction or elimination of the amount levied on milk producers by the United States department of agriculture", and delete the words "Approval of the referendum must"

On page 2 of the engrossed bill, delete line 5

And renumber the lines accordingly

REP. NICHOLAS, Chairman

Engrossed SB 2100 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Appropriations to which was referred Reengrossed SB 2135 has had the same under consideration and recommends by a vote of 21 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1 of the reengrossed bill, line 11, after the first semicolon insert the words "to provide a statement of legislative intent governing issuance of bonds under this Act;"

On page 3 of the reengrossed bill, line 16, delete the word "one" and insert in lieu thereof the word "two"

On page 3 of the reengrossed bill, line 17, delete the words "seven hundred fifty thousand"

On page 4 of the reengrossed bill, after line 23, insert the following new section:

"SECTION 15. LEGISLATIVE INTENT. It is the intention of the legislative assembly that the state board of higher education, prior to issuing any bonds under authority of this Act, consider all of the following:

1. Enrollment projections for the institution.
2. The financial feasibility of the project for which the bonds would be issued, including the present and future ability of the project to fully pay the principal and interest on the bonds.
3. The probability of future legislative action which may affect payment of principal and interest on the bonds.



4. Any other relevant matters of which the board has knowledge."

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Increases the Minot State College bonding authority for student housing from \$1.75 million to \$2 million, an increase of \$250,000.

A new section is added which provides the intent that the Board of Higher Education is to make certain considerations prior to issuing bonds for any of the institutions.

REP. J. PETERSON, Chairman

Reengrossed SB 2135 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Appropriations to which was referred Engrossed SB 2138 has had the same under consideration and recommends by a vote of 23 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1 of the engrossed bill, line 2, delete the words "management responsibility over"

On page 1 of the engrossed bill, line 4, after the word "require" insert the words "that any", and after the word "sales" insert the words "or other disposition"

On page 1 of the engrossed bill, line 5, delete the word "land's" and insert in lieu thereof the word "lands", and delete the word "mineral's" and insert in lieu thereof the word "minerals"

On page 1 of the engrossed bill, line 13, delete the word "and"

On page 1 of the engrossed bill, line 14, after the word "appropriation" insert the words "; and to declare an emergency"

On page 1 of the engrossed bill, line 18, delete the word "management"

On page 1 of the engrossed bill, line 19, delete the words "responsibility over"

On page 1 of the engrossed bill, line 21, delete the word "management"

On page 1 of the engrossed bill, line 22, after the word "addition" insert the words "and shall be substituted for

the state board of higher education on all contracts regarding the state addition", and delete the words "payment of the principal and interest owed to" and insert in lieu thereof the words "transfer of the state addition"

- On page 1 of the engrossed bill, line 23, delete the words "it by the state board of higher education"
- On page 1 of the engrossed bill, line 27, after the word "education" insert the words ", and shall assume all other existing obligations on the state addition"
- On page 2 of the engrossed bill, delete lines 5 through 10
- On page 2 of the engrossed bill, line 11, delete the words "be received shall"
- On page 2 of the engrossed bill, line 18, delete the words "management responsibility over the"
- On page 2 of the engrossed bill, line 19, remove the overstrike over the words "board of", and delete the words "board of"
- On page 2 of the engrossed bill, line 20, delete the words "university and school lands", and overstrike the word "shall" and insert immediately thereafter the words "university and school lands may"
- On page 2 of the engrossed bill, line 32, delete the words "on behalf of the"
- On page 2 of the engrossed bill, line 33, delete the words "board of higher education"
- On page 2 of the engrossed bill, line 35, overstrike the word "shall" and insert immediately thereafter the word "may"
- On page 3 of the engrossed bill, line 20, delete the numerals "2,840,787" and insert in lieu thereof the numerals "644,284"
- On page 3 of the engrossed bill, line 21, delete the word "state", and delete the words "higher education" and insert in lieu thereof the words "university and school lands"
- On page 3 of the engrossed bill, line 22, delete the words "interest on any notes owed to the board of" and insert in lieu thereof the words "city of Dickinson for"
- On page 3 of the engrossed bill, line 23, delete the words "university and school lands and for paying", and after the word "assessments" insert the words "due on March 1, 1985, and on March 1, 1986,"

On page 3 of the engrossed bill, line 24, after the word "on" insert the word "the"

On page 3 of the engrossed bill, after line 24, insert the following new section:

"SECTION 5. 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

REP. J. PETERSON, Chairman

Engrossed SB 2138 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

#### MOTIONS

REP. KRETSCHMAR MOVED that the amendments to HB 1071 and HB 1071 be taken from the table, which motion prevailed.

REP. STRINDEN MOVED that the rules be suspended and that the amendments to HB 1071 be placed on the Sixth order of business, which motion prevailed.

REP. STRINDEN MOVED that the rules be suspended and HB 1071 be placed on the Eleventh order for second reading and final passage, as amended, which motion prevailed.

#### SECOND READING OF HOUSE BILL

HB 1071: A BILL for an Act to amend and reenact section 20.1-01-26 of the North Dakota Century Code, relating to suspension of hunting, trapping, or fishing privileges.

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

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 0 YEAS, 100 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: None

NAYS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Conmy; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lloyd; Martin; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; Nalewaja; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl;

O'Shea; Payne; Pederson, R.; Peterson, J.; Retzer;  
 Rice; Richard; Riehl; Riley; Sauter; Schindler;  
 Schmidt; Schneider; Shaw; Shide; Shockman; Skjerven;  
 Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn;  
 Strinden; Thompson; Timm; Tollefson; Ulmer; Unhjem;  
 Vander Vorst; Wald; Watne; Wentz; Williams, A.;  
 Williams, C.; Williams, W.; Winkelman; Wold;  
 Speaker Hausauer, R.

**ABSENT AND NOT VOTING:** Dalrymple; Gullickson; Lipsiea;  
 Martinson; Rydell; Whalen

HB 1071 was declared lost.

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**MOTION**

REP. KRETSCHMAR MOVED that the rules be suspended and that SB 2002, SB 2005, SB 2010, SB 2025, SB 2027, SB 2033, SB 2100, and SB 2135 on the Fifth order be placed on the Sixth order of business, which motion prevailed.

**SIXTH ORDER OF BUSINESS**

REP. J. PETERSON MOVED that the amendments to SB 2002 as recommended by the Committee on Appropriations be adopted, and when so adopted, recommends that SB 2002 DO PASS, which motion prevailed.

**MOTION**

REP. STRINDEN MOVED that the rules be suspended and that SB 2002 be placed on the Fourteenth order, as amended, for second reading and final passage, and dispense with the reading of the title, which motion prevailed.

**SECOND READING OF SENATE BILL**

SB 2002: A BILL for an Act making an appropriation for defraying the expenses of the state board of higher education, and Bismarck junior college, Lake Region community college, university of North Dakota-Williston center and reciprocal agreements 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 78 YEAS, 21 NAYS, 7 ABSENT AND NOT VOTING.

**YEAS:** Anderson, C.; Berg, G.; Berg, R.; Cleveland; Conmy;  
 DeMers; Dotzenrod; Eckroth; Frey; Gates; Gerntholz;  
 Goetz; Graba; Halmrast; Hamerlik; Hanson, L.;  
 Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill;  
 Hughes; Kelly; Kloubec; Knudson; Koland; Kretschmar;  
 Kuchera; Lang; Laughlin; Lautenschlager; Lindgren;

Lloyd; Martin; Moore; Myrdal; Nalewaja; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Peterson, J.; Retzer; Rice; Riley; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Shockman; Skjerven; Smette; Solberg, O.; Solberg, R.; Strinden; Thompson; Timm; Tollefson; Unhjem; Vander Vorst; Wald; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

**NAYS:** Anderson, R.; Belter; Brokaw; Dorso; Enget; Gunsch; Hoffner; Keller; Kent; Kingsbury; Klundt; Larson; Linderman; Melby; Mertens; Meyer; Richard; Riehl; Starke; Stofferahn; Ulmer

**ABSENT AND NOT VOTING:** Dalrymple; Gullickson; Lipsiea; Martinson; Murphy; Rydell; Whalen

SB 2002 passed and the title was agreed to.

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**SIXTH ORDER OF BUSINESS**

REP. J. PETERSON **MOVED** that the amendments to SB 2005 as recommended by the **Committee on Appropriations** be adopted, and when so adopted, recommends that SB 2005 **DO PASS**, which motion prevailed.

**MOTION**

REP. STRINDEN **MOVED** that the rules be suspended and that SB 2005 be placed on the Fourteenth order, as amended, for second reading and final passage, and dispense with the reading of the title, which motion prevailed.

**SECOND READING OF SENATE BILL**

SB 2005: A **BILL** for an Act making an appropriation for defraying the expenses of the state board of vocational education of the state of North Dakota.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were 85 YEAS, 14 NAYS, 7 ABSENT AND NOT VOTING.

**YEAS:** Anderson, C.; Berg, G.; Berg, R.; Brokaw; Cleveland; Dalrymple; DeMers; Dotzenrod; Eckroth; Enget; Frey; Gates; Gertholz; Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hedstrom; Hill; Hoffner; Keller; Kent; Kingsbury; Klundt; Knudson; Koland; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lloyd; Martin; Mertens; Meyer; Myrdal; Nalewaja; Nicholas;

Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Pederson, R.; Peterson, J.; Retzer; Rice; Riehl; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn; Strinden; Thompson; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Wald; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

**NAYS:** Anderson, R.; Belter; Conmy; Dorso; Hausauer, A.; Hughes; Kelly; Kloubec; Melby; Moore; Payne; Richard; Riley; Shockman

**ABSENT AND NOT VOTING:** Gullickson; Kretschmar; Lipsiea; Martinson; Murphy; Rydell; Whalen

SB 2005 passed and the title was agreed to.

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#### SIXTH ORDER OF BUSINESS

**REP. J. PETERSON** **MOVED** that the amendments to SB 2010 as recommended by the Committee on Appropriations be adopted, and when so adopted, recommends that SB 2010 DO PASS, which motion prevailed.

#### MOTION

**REP. STRINDEN** **MOVED** that the rules be suspended and that SB 2010 be placed on the Fourteenth order, as amended, for second reading and final passage, and dispense with the reading of the title, which motion prevailed.

#### SECOND READING OF SENATE BILL

**SB 2010:** A BILL for an Act making an appropriation for defraying the expenses of the department of health and the abandoned motor vehicles division 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 95 YEAS, 6 NAYS, 5 ABSENT AND NOT VOTING.

**YEAS:** Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lloyd; Martin; Mertens; Meyer; Moore; Myrdal; Nalewaja; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.;

Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Peterson, J.; Retzer; Rice; Richard; Riehl; Riley; Sauter; Schmidt; Schneider; Shaw; Shide; Shockman; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn; Strinden; Thompson; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Wald; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: Brokaw; Hanson, O.; Lang; Melby; Murphy; Schindler

ABSENT AND NOT VOTING: Gullickson; Lipsiea; Martinson; Rydell; Whalen

SB 2010 passed and the title was agreed to.

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SIXTH ORDER OF BUSINESS

REP. J. PETERSON MOVED that the amendments to SB 2025 as recommended by the Committee on Appropriations be adopted, and when so adopted, recommends that SB 2025 DO PASS, which motion prevailed.

MOTION

REP. STRINDEN MOVED that the rules be suspended and that SB 2025 be placed on the Fourteenth order, as amended, for second reading and final passage, and dispense with the reading of the title, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2025: A BILL for an Act making an appropriation for defraying the expenses of the geological survey and the upper great plains transportation institute 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 95 YEAS, 6 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Conmy; Dalrymple; DeMers; Dotzenrod; Eckroth; Enget; Frey; Gates; Gertholz; Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lloyd; Martin; Mertens; Meyer; Moore; Myrdal; Nalewaja; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne;

Pederson, R.; Peterson, J.; Retzer; Rice; Richard;  
 Riley; Sauter; Schindler; Schmidt; Schneider; Shaw;  
 Shide; Skjerven; Smette; Solberg, O.; Solberg, R.;  
 Starke; Stofferahn; Strinden; Thompson; Timm;  
 Tollefson; Ulmer; Unhjem; Vander Vorst; Wald; Watne;  
 Wentz; Williams, A.; Williams, C.; Williams, W.;  
 Winkelman; Wold; Speaker Hausauer, R.

**NAYS:** Anderson, C.; Dorso; Melby; Murphy; Riehl; Shockman

**ABSENT AND NOT VOTING:** Gullickson; Lipsiea; Martinson;  
 Rydell; Whalen

SB 2025 passed and the title was agreed to.

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#### SIXTH ORDER OF BUSINESS

**REP. J. PETERSON** MOVED that the amendments to SB 2027 as recommended by the Committee on Appropriations be adopted, and when so adopted, recommends that SB 2027 DO PASS, which motion prevailed.

#### MOTION

**REP. STRINDEN** MOVED that the rules be suspended and that SB 2027 be placed on the Fourteenth order, as amended, for second reading and final passage, and dispense with the reading of the title, which motion prevailed.

#### SECOND READING OF SENATE BILL

**SB 2027:** A BILL for an Act making an appropriation for defraying the expenses of the commissioner of university and school lands of the state of North Dakota.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 100 YEAS, 2 NAYS, 4 ABSENT AND NOT VOTING.

**YEAS:** Anderson, C.; Anderson, R.; Belter; Berg, G.;  
 Berg, R.; Brokaw; Cleveland; Conmy; Dalrymple; DeMers;  
 Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates;  
 Gerntholz; Goetz; Graba; Gunsch; Halmrast; Hamerlik;  
 Hanson, L.; Hanson, O.; Haugland; Hausauer, A.;  
 Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent;  
 Kingsbury; Kloubec; Klundt; Knudson; Koland;  
 Kretschmar; Kuchera; Lang; Larson; Laughlin;  
 Lautenschlager; Linderman; Lindgren; Lloyd; Martin;  
 Martinson; Mertens; Meyer; Moore; Myrdal; Nalewaja;  
 Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.;  
 Olson, A.; Olson, V.; Opedah; O'Shea; Payne;  
 Pederson, R.; Peterson, J.; Retzer; Rice; Richard;



Riehl; Riley; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Shockman; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn; Strinden; Thompson; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Wald; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: Melby; Murphy

ABSENT AND NOT VOTING: Gullickson; Lipsiea; Rydell; Whalen

SB 2027 passed and the title was agreed to.

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SIXTH ORDER OF BUSINESS

REP. J. PETERSON MOVED that the amendments to SB 2033 as recommended by the Committee on Appropriations be adopted, and when so adopted, recommends that SB 2033 DO PASS, which motion prevailed.

MOTION

REP. KRETSCHMAR MOVED that the rules be suspended and that SB 2033 be placed on the Fourteenth order, as amended, for second reading and final passage, and dispense with the reading of the title, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2033: A BILL for an Act making an appropriation for defraying the expenses of the school for the deaf and the school for the blind 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 99 YEAS, 2 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lloyd; Martin; Martinson; Mertens; Meyer; Moore; Myrdal; Nalewaja; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Peterson, J.; Retzer; Rice; Riehl; Riley; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide;

Shockman; Skjerven; Smette; Solberg, O.; Solberg, R.;  
 Starke; Stofferahn; Strinden; Thompson; Timm;  
 Tollefson; Ulmer; Unhjem; Vander Vorst; Wald; Watne;  
 Wentz; Williams, A.; Williams, C.; Williams, W.;  
 Winkelman; Wold; Speaker Hausauer, R.

NAYS: Melby; Murphy

ABSENT AND NOT VOTING: Gullickson; Lipsiea; Richard;  
 Rydell; Whalen

SB 2033 passed and the title was agreed to.

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#### SIXTH ORDER OF BUSINESS

REP. NICHOLAS MOVED that the amendments to SB 2100 as recommended by the Committee on Agriculture be adopted, and when so adopted, recommends that SB 2100 DO PASS, which motion prevailed.

#### MOTION

REP. KRETSCHMAR MOVED that the rules be suspended and that SB 2100 be placed on the Fourteenth order, as amended, for second reading and final passage, and dispense with the reading of the title, which motion prevailed.

#### SECOND READING OF SENATE BILL

SB 2100: A BILL for an Act to create and enact a new subsection to section 4-27-06 of the North Dakota Century Code, relating to assessments charged milk producers; to amend and reenact subsection 1 of section 4-27-06 of the North Dakota Century Code, relating to the assessment charged milk producers under the North Dakota Dairy Promotion Act; to repeal subsection 1 of section 4-27-06 of the North Dakota Century Code, relating to assessments charged milk producers; and to provide an effective date.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 97 YEAS, 4 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.;  
 Berg, R.; Cleveland; Dalrymple; DeMers; Dorso;  
 Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz;  
 Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.;  
 Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill;  
 Hughes; Keller; Kelly; Kent; Kingsbury; Kloubec;  
 Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang;  
 Larson; Laughlin; Lautenschlager; Linderman; Lindgren;  
 Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore;  
 Murphy; Myrdal; Nalewaja; Nicholas; Nowatzki; Oban;

O'Connell; Olsen, D.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Peterson, J.; Retzer; Rice; Richard; Riehl; Riley; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn; Strinden; Thompson; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Wald; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

**NAYS:** Brokaw; Conny; Hoffner; Shockman

**ABSENT AND NOT VOTING:** Gullickson; Lipsiea; Olson, A.; Rydell; Whalen

SB 2100 passed and the title was agreed to.

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#### SIXTH ORDER OF BUSINESS

REP. J. PETERSON MOVED that the amendments to SB 2135 as recommended by the Committee on Appropriations be adopted, and when so adopted, recommends that SB 2135 DO PASS, which motion prevailed.

#### MOTION

REP. KRETSCHMAR MOVED that the rules be suspended and that SB 2135 be placed on the Fourteenth order, as amended, for second reading and final passage, and dispense with the reading of the title, which motion prevailed.

#### SECOND READING OF SENATE BILL

SB 2135: A BILL for an Act to authorize the state board of higher education to issue and sell self-liquidating, tax-exempt bonds for the construction of revenue-producing student housing at the university of North Dakota, a revenue-producing parking lot at the university of North Dakota, a revenue-producing student housing facility at North Dakota state university, a revenue-producing addition to the student center at Mayville state college, a revenue-producing student housing at Minot state college, a revenue-producing addition to the student center at North Dakota state university, and a revenue-producing addition to the auxiliary services building at North Dakota state university; to provide a statement of legislative intent governing issuance of bonds under this Act; to provide an appropriation; 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 84 YEAS, 15 NAYS, 7 ABSENT AND NOT VOTING.

**YEAS:** Anderson, R.; Berg, G.; Berg, R.; Brokaw; Cleveland; Conmy; Dalrymple; DeMers; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hoffner; Hughes; Keller; Kelly; Kent; Kloubec; Klundt; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lloyd; Martin; Martinson; Mertens; Meyer; Moore; Nalewaja; Nowatzki; Oban; Olsen, D.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Peterson, J.; Retzer; Rice; Riehl; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Shockman; Smette; Solberg, O.; Starke; Stofferahn; Strinden; Thompson; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Wald; Watne; Wentz; Williams, A.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

**NAYS:** Anderson, C.; Belter; Dorso; Gunsch; Hill; Kingsbury; Knudson; Melby; Murphy; Myrdal; O'Connell; Olson, A.; Richard; Skjerven; Solberg, R.

**ABSENT AND NOT VOTING:** Gullickson; Lipsiea; Nicholas; Riley; Rydell; Whalen; Williams, C.

SB 2135 passed, the title was agreed to, and the emergency clause was declared carried.

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#### SIXTH ORDER OF BUSINESS

**REP. J. PETERSON MOVED** that the amendments to SB 2138 as recommended by the **Committee on Appropriations** be adopted, and when so adopted, recommends that SB 2138 **DO PASS**, which motion prevailed.

#### MOTION

**REP. KRETSCHMAR MOVED** that the rules be suspended and that SB 2138 be placed on the Fourteenth order, as amended, for second reading and final passage, and dispense with the reading of the title, which motion prevailed.

#### SECOND READING OF SENATE BILL

**SB 2138:** A **BILL** for an Act to require the state board of higher education to transfer the state addition of the city of Dickinson, North Dakota, to the board of university and school lands and to require that any proceeds from sales or other disposition of state addition property be deposited in the lands and minerals trust fund; to amend and reenact section 6 of chapter 208 of the 1979 Session Laws of North Dakota as amended by section 1 of chapter 88 of the 1983 Session Laws of North Dakota authorizing the board of university and school lands to sell state addition; to repeal chapter 151 of the 1977 Session Laws of North Dakota, sections 1, 2, 3, 4, 5, and 7 of chapter 208 of the

1979 Session Laws of North Dakota, section 1 of chapter 175 of the 1981 Session Laws of North Dakota, and section 2 of chapter 4 of the 1983 Session Laws of North Dakota; to provide an appropriation; 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 68 YEAS, 33 NAYS, 5 ABSENT AND NOT VOTING.

**YEAS:** Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Cleveland; Conmy; Dalrymple; Dorso; Eckroth; Gates; Gerntholz; Goetz; Gunsch; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Keller; Kelly; Kent; Kingsbury; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Lindgren; Martin; Martinson; Moore; Murphy; Myrdal; Nalewaja; Nowatzki; Olsen, D.; Olson, A.; Olson, V.; Opedahl; Payne; Pederson, R.; Peterson, J.; Retzer; Rice; Schindler; Schmidt; Shaw; Shide; Smette; Solberg, O.; Stofferahn; Strinden; Thompson; Timm; Unhjem; Vander Vorst; Wald; Watne; Wentz; Williams, A.; Winkelman; Wold; Speaker Hausauer, R.

**NAYS:** Brokaw; DeMers; Dotzenrod; Enget; Frey; Graba; Halmrast; Hill; Hoffner; Hughes; Kloubec; Klundt; Linderman; Lloyd; Melby; Mertens; Meyer; Oban; O'Connell; O'Shea; Richard; Riehl; Riley; Sauter; Schneider; Shockman; Skjerven; Solberg, R.; Starke; Tollefson; Ulmer; Williams, C.; Williams, W.

**ABSENT AND NOT VOTING:** Gullickson; Lipsiea; Nicholas; Rydell; Whalen

SB 2138 passed, the title was agreed to, and the emergency clause was declared carried.

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#### SECOND READING OF HOUSE BILL

HB 1168: A BILL for an Act to amend and reenact sections 50-24.2-01 and 50-24.2-02 of the North Dakota Century Code, relating to noninstitutional personal care and family home care; 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 99 YEAS, 0 NAYS, 7 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; Nalewaja; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Peterson, J.; Retzer; Rice; Richard; Riehl; Riley; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Shockman; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn; Strinden; Thompson; Timm; Tollefson; Ulmer; Vander Vorst; Wald; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: None

ABSENT AND NOT VOTING: Gullickson; Hanson, O.; Lipsiea; Nicholas; Rydell; Unhjem; Whalen

HB 1168 passed, and the title was agreed to, and the emergency clause was declared carried.

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#### MOTION

REP. KINGSBURY MOVED that HB 1659 be laid over one legislative day, which motion prevailed.

#### REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER: Your procedural Committee on Delayed Bills recommends that the following be introduced:

HCR 3103, HCR 3104

REP. STRINDEN, Chairman

REP. KRETSCHMAR MOVED that the report be adopted, which motion prevailed.

#### FIRST READING OF A HOUSE CONCURRENT RESOLUTION

Rep. Mertens introduced:

(Approved by the Committee on Delayed Bills)

HCR 3103: A concurrent resolution urging the Governor to appoint three citizen members and the Legislative Council to appoint six legislators to a committee formed for the purpose of providing a forum for cooperation with surrounding states with a goal of sharing services and state resources and resolving issues of common concern in a mutually beneficial manner.

Was read the first time.

**MOTION**

REP. STRINDEN MOVED that the rules be suspended, that HCR 3103 be printed, not be referred to committee, and placed on the calendar for second reading and final passage, which motion prevailed.

**SECOND READING OF A HOUSE CONCURRENT RESOLUTION**

HCR 3103: A concurrent resolution urging the Governor to appoint three citizen members and the Legislative Council to appoint six legislators to a committee formed for the purpose of providing a forum for cooperation with surrounding states with a goal of sharing services and state resources and resolving issues of common concern in a mutually beneficial manner.

Which has been read.

The question being on the final adoption of the resolution.

HCR 3103 was declared adopted on a voice vote.

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**MESSAGE TO THE SENATE  
HOUSE CHAMBER**

MADAM PRESIDENT: I have the honor to inform you that the House has adopted the conference committee report and subsequently failed to pass:

HB 1071

ROY GILBREATH, Chief Clerk

**FIRST READING OF A HOUSE CONCURRENT RESOLUTION**

Rep. Kretschmar introduced:

HCR 3104: A concurrent resolution directing the Legislative Council to study municipal court services.

Was read the first time.

**MOTION**

REP. KRETSCHMAR MOVED that the rules be suspended, that HCR 3104 be printed, not be referred to committee, and placed on the calendar for second reading and final passage, which motion prevailed.

**SECOND READING OF A HOUSE CONCURRENT RESOLUTION**

HCR 3104: A concurrent resolution directing the Legislative Council to study municipal court services.

Which has been read.

## ROLL CALL

The question being on the final adoption of the resolution, the roll was called and there were 62 YEAS, 35 NAYS, 9 ABSENT AND NOT VOTING.

**YEAS:** Berg, G.; Berg, R.; Cleveland; Conmy; Dalrymple; DeMers; Dotzenrod; Eckroth; Enget; Frey; Gates; Goetz; Graba; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Keller; Kelly; Knudson; Kretschmar; Kuchera; Lang; Larson; Lautenschlager; Linderman; Lindgren; Martin; Martinson; Mertens; Moore; Myrdal; Nalewaja; Nicholas; Nowatzki; Oban; O'Connell; O'Shea; Payne; Peterson, J.; Riley; Sauter; Shaw; Smette; Solberg, R.; Starke; Stofferahn; Strinden; Tollefson; Ulmer; Unhjem; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Wold; Speaker Hausauer, R.

**NAYS:** Anderson, C.; Anderson, R.; Belter; Brokaw; Gunsch; Hanson, O.; Hughes; Kent; Kingsbury; Kloubec; Klundt; Koland; Laughlin; Lloyd; Melby; Meyer; Murphy; Olsen, D.; Olson, A.; Olson, V.; Opedahl; Pederson, R.; Rice; Richard; Riehl; Schindler; Shide; Shockman; Skjerven; Solberg, O.; Thompson; Timm; Vander Vorst; Wald; Winkelman

**ABSENT AND NOT VOTING:** Dorso; Gerntholz; Gullickson; Lipsiea; Retzer; Rydell; Schmidt; Schneider; Whalen

HCR 3104 was declared adopted.

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## FIRST READING OF A SENATE CONCURRENT RESOLUTION

SCR 4074: A concurrent resolution expressing the support of the Forty-ninth Legislative Assembly and urging cooperation for the Young Men's Christian Association model legislature program.

Was read the first time.

## MOTION

REP. KRETSCHMAR MOVED that the rules be suspended, that SCR 4074 not be referred to committee, and be placed on the calendar for second reading and final passage, which motion prevailed.

## SECOND READING OF A SENATE CONCURRENT RESOLUTION

SCR 4074: A concurrent resolution expressing the support of the Forty-ninth Legislative Assembly and urging cooperation for the Young Men's Christian Association model legislature program.

Which has been read.



The question being on the final adoption of the resolution.

SCR 4074 was declared adopted on a voice vote.

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FIRST READING OF A SENATE CONCURRENT RESOLUTION

SCR 4075: A concurrent resolution directing the Legislative Council to study the issue of state courts' jurisdiction over civil cases which arise within the exterior boundaries of Indian reservations and to urge a concurrent study by the Congress of the United States.

Was read the first time.

MOTION

REP. STRINDEN MOVED that the rules be suspended, that SCR 4075 not be referred to committee, and placed on the calendar for second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE CONCURRENT RESOLUTION

SCR 4075: A concurrent resolution directing the Legislative Council to study the issue of state courts' jurisdiction over civil cases which arise within the exterior boundaries of Indian reservations and to urge a concurrent study by the Congress of the United States.

Which has been read.

ROLL CALL

The question being on the final adoption of the resolution, the roll was called and there were 86 YEAS, 14 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hedstrom; Hill; Hoffner; Hughes; Keller; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lloyd; Martin; Martinson; Mertens; Meyer; Moore; Murphy; Nalewaja; Nicholas; Nowatzki; O'Connell; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Peterson, J.; Retzer; Rice; Richard; Riehl; Riley; Schmidt; Shaw; Shockman; Skjerven; Smette; Solberg, O.; Solberg, R.; Stofferahn; Strinden; Thompson; Timm; Tollefson; Unhjem; Vander Vorst; Wald; Watne; Wentz; Williams, A.; Williams, C.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: Gunsch; Halmrast; Hausauer, A.; Kelly; Melby; Myrdal; Oban; Olson, A.; Sauter; Schindler; Shide; Starke; Ulmer; Williams, W.

ABSENT AND NOT VOTING: Gullickson; Lipsiea; Olsen, D.;  
Rydell; Schneider; Whalen

SCR 4075 was declared adopted.

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FIRST READING OF A SENATE CONCURRENT RESOLUTION

SCR 4076: A concurrent resolution urging the Congress of the United States and the Secretary of Agriculture to allow the production of sunflowers on a portion of a producer's acreage conservation reserve (ACR) land.  
Was read the first time.

MOTION

REP. STRINDEN MOVED that the rules be suspended, that SCR 4076 not be referred to committee, and be placed on the calendar for second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE CONCURRENT RESOLUTION

SCR 4076: A concurrent resolution urging the Congress of the United States and the Secretary of Agriculture to allow the production of sunflowers on a portion of a producer's acreage conservation reserve (ACR) land.

Which has been read.

REQUEST

REP. RETZER REQUESTED a recorded roll call vote on the motion to adopt SCR 4076, which request was granted.

ROLL CALL

The question being on the adoption of SCR 4076, the roll was called and there were 18 YEAS, 82 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Enget; Gerntholz; Kelly; Klundt; Kuchera; Laughlin; Myrdal; Retzer; Shaw; Shockman; Solberg, R.; Starke; Strinden; Unhjem; Vander Vorst; Watne; Wentz; Williams, A.

NAYS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Frey; Gates; Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kingsbury; Kloubec; Knudson; Koland; Kretschmar; Lang; Larson; Lautenschlager; Linderman; Lindgren; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Nalewaja; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Peterson, J.; Rice; Richard; Riehl; Riley; Sauter; Schindler; Schmidt; Schneider; Shide; Skjerven; Smette; Solberg, O.; Stofferahn; Thompson; Timm; Tollefson; Ulmer; Wald;

Williams, C.; Williams, W.; Winkelman; Wold;  
Speaker Hausauer, R.

ABSENT AND NOT VOTING: Gullickson; Kent; Lipsiea;  
Nicholas; Rydell; Whalen

So the motion to adopt SCR 4076 failed.

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FIRST READING OF A SENATE CONCURRENT RESOLUTION

SCR 4078: A concurrent resolution urging the Governor of the state of North Dakota to invite the Premier of the province of Manitoba, Canada, and other leaders of the Manitoba government to meet with North Dakota leaders of the legislative and executive branches of government to discuss issues of mutual concern between the two governments and the people they represent in order to arrive at mutually acceptable and beneficial solutions to those issues.

Was read the first time.

MOTION

REP. STRINDEN MOVED that the rules be suspended, that SCR 4078 not be referred to committee, and be placed on the calendar for second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE CONCURRENT RESOLUTION

SCR 4078: A concurrent resolution urging the Governor of the state of North Dakota to invite the Premier of the province of Manitoba, Canada, and other leaders of the Manitoba government to meet with North Dakota leaders of the legislative and executive branches of government to discuss issues of mutual concern between the two governments and the people they represent in order to arrive at mutually acceptable and beneficial solutions to those issues.

Which has been read.

The question being on the final adoption of the resolution.

SCR 4078 was declared adopted on a voice vote.

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FIRST READING OF A SENATE CONCURRENT MEMORIAL RESOLUTION

Sen. Stenehjem and Reps. Hamerlik, Cleveland introduced:  
(Approved by the Committee on Delayed Bills)

SCMR 1: A concurrent memorial resolution extending sympathy and condolence to the family of Dr. Elwyn B. Robinson.

Was read the first time.

MOTION

REP. KRETSCHMAR MOVED that the rules be suspended, that SCMR 1 not be printed, be printed in the Journal, be read in its

entirety, and placed on the calendar for second reading and final passage, which motion prevailed.

Sen. Stenehjem and Reps. Hamerlik, Cleveland introduced:

SENATE CONCURRENT MEMORIAL RESOLUTION NO. 1

A concurrent memorial resolution extending sympathy and condolence to the family of Dr. Elwyn B. Robinson.

WHEREAS, God in his infinite wisdom has seen fit to summon from our midst Dr. Elwyn B. Robinson, who was a professor of history at the University of North Dakota and a noted North Dakota historian; and

WHEREAS, Dr. Robinson taught at the University of North Dakota for 35 years; authored the definitive text on North Dakota history entitled "History of North Dakota"; and received several distinguished teaching awards including being named University professor, the University of North Dakota's highest teaching rank; and

WHEREAS, Dr. Robinson's written analysis of North Dakota history and politics will be for many decades the benchmark against which future state historical publications will be judged;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That we express our deep sorrow and extend to all members of Dr. Robinson's family our sincere sympathy and condolence in this their time of sorrow; and

BE IT FURTHER RESOLVED, that the Secretary of State present an enrolled copy of this resolution to the family of Dr. Elwyn B. Robinson.

SECOND READING OF A SENATE CONCURRENT MEMORIAL RESOLUTION  
SCMR 1: A concurrent memorial resolution extending sympathy and condolence to the family of Dr. Elwyn B. Robinson.

Which has been read.

The question being on the final adoption of the resolution.

SCMR 1 was declared adopted on a voice vote.

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REPORT OF STANDING COMMITTEE

MR. SPEAKER: Your Committee on Appropriations to which was referred Engrossed SB 2003 has had the same under consideration and recommends by a vote of 22 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING

that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

- On page 1 of the engrossed bill, line 18, delete the numerals "19,874,940" and insert in lieu thereof the numerals "20,516,440"
- On page 1 of the engrossed bill, line 19, delete the numerals "1,677,954" and insert in lieu thereof the numerals "1,513,115"
- On page 1 of the engrossed bill, line 20, delete the numerals "85,439,545" and insert in lieu thereof the numerals "85,916,206"
- On page 1 of the engrossed bill, line 21, delete the numerals "24,124,453" and insert in lieu thereof the numerals "22,729,293"
- On page 1 of the engrossed bill, line 22, delete the numerals "61,315,092" and insert in lieu thereof the numerals "63,186,913"
- On page 1 of the engrossed bill, line 24, delete the numerals "62,645,242" and insert in lieu thereof the numerals "64,517,063"
- On page 1 of the engrossed bill, line 28, delete the numerals "55,686,656" and insert in lieu thereof the numerals "56,158,809"
- On page 2 of the engrossed bill, line 1, delete the numerals "16,803,854" and insert in lieu thereof the numerals "16,967,954"
- On page 2 of the engrossed bill, line 2, delete the numerals "980,593" and insert in lieu thereof the numerals "1,032,564"
- On page 2 of the engrossed bill, line 3, delete the numeral "73,471,103" and insert in lieu thereof the numerals "74,159,327"
- On page 2 of the engrossed bill, line 4, delete the numerals "22,045,626" and insert in lieu thereof the numerals "20,820,166"
- On page 2 of the engrossed bill, line 5, delete the numerals "51,425,477" and insert in lieu thereof the numerals "53,339,161"
- On page 2 of the engrossed bill, line 7, delete the numerals "52,755,627" and insert in lieu thereof the numerals "54,669,311"

- On page 2 of the engrossed bill, line 10, delete the numerals "20,020,757" and insert in lieu thereof the numerals "19,676,495"
- On page 2 of the engrossed bill, line 12, delete the numerals "683,551" and insert in lieu thereof the numerals "719,779"
- On page 2 of the engrossed bill, line 13, delete the numerals "25,968,767" and insert in lieu thereof the numerals "25,660,733"
- On page 2 of the engrossed bill, line 14, delete the numerals "7,097,050" and insert in lieu thereof the numerals "6,956,982"
- On page 2 of the engrossed bill, line 15, delete the numerals "18,871,717" and insert in lieu thereof the numerals "18,703,751"
- On page 2 of the engrossed bill, line 17, delete the numerals "19,240,767" and insert in lieu thereof the numerals "19,072,801"
- On page 2 of the engrossed bill, line 21, delete the numerals "2,726,152" and insert in lieu thereof the numerals "2,831,252"
- On page 2 of the engrossed bill, line 22, delete the numerals "177,633" and insert in lieu thereof the numerals "187,047"
- On page 2 of the engrossed bill, line 23, delete the numerals "11,406,040" and insert in lieu thereof the numerals "11,520,554"
- On page 2 of the engrossed bill, line 24, delete the numerals "2,115,261" and insert in lieu thereof the numerals "2,108,229"
- On page 2 of the engrossed bill, line 25, delete the numerals "9,290,779" and insert in lieu thereof the numerals "9,412,325"
- On page 2 of the engrossed bill, line 27, delete the numerals "9,447,933" and insert in lieu thereof the numerals "9,569,479"
- On page 2 of the engrossed bill, line 32, delete the numerals "86,923" and insert in lieu thereof the numerals "91,530"
- On page 2 of the engrossed bill, line 33, delete the numerals "7,892,375" and insert in lieu thereof the numerals "7,896,982"

- On page 2 of the engrossed bill, line 34, delete the numerals "1,507,714" and insert in lieu thereof the numerals "1,464,592"
- On page 2 of the engrossed bill, line 35, delete the numerals "6,384,661" and insert in lieu thereof the numerals "6,432,390"
- On page 3 of the engrossed bill, line 2, delete the numerals "6,457,935" and insert in lieu thereof the numerals "6,505,664"
- On page 3 of the engrossed bill, line 5, delete the numerals "16,576,724" and insert in lieu thereof the numerals "16,789,675"
- On page 3 of the engrossed bill, line 6, delete the numerals "2,966,282" and insert in lieu thereof the numerals "3,091,282"
- On page 3 of the engrossed bill, line 7, delete the numerals "237,430" and insert in lieu thereof the numerals "250,014"
- On page 3 of the engrossed bill, line 8, delete the numerals "19,780,436" and insert in lieu thereof the numerals "20,130,971"
- On page 3 of the engrossed bill, line 9, delete the numerals "7,116,982" and insert in lieu thereof the numerals "7,010,338"
- On page 3 of the engrossed bill, line 10, delete the numerals "12,663,454" and insert in lieu thereof the numerals "13,120,633"
- On page 3 of the engrossed bill, line 11, delete the numerals "334,924" and insert in lieu thereof the numerals "451,924"
- On page 3 of the engrossed bill, line 12, delete the numerals "12,998,378" and insert in lieu thereof the numerals "13,572,557"
- On page 3 of the engrossed bill, line 15, delete the numerals "7,549,248" and insert in lieu thereof the numerals "7,593,248"
- On page 3 of the engrossed bill, line 16, delete the numerals "1,936,952" and insert in lieu thereof the numerals "2,016,152"
- On page 3 of the engrossed bill, line 17, delete the numerals "133,245" and insert in lieu thereof the numerals "140,307"

- On page 3 of the engrossed bill, line 18, delete the numerals "9,619,445" and insert in lieu thereof the numerals "9,749,707"
- On page 3 of the engrossed bill, line 19, delete the numerals "2,312,213" and insert in lieu thereof the numerals "2,298,861"
- On page 3 of the engrossed bill, line 20, delete the numerals "7,307,232" and insert in lieu thereof the numerals "7,450,846"
- On page 3 of the engrossed bill, line 22, delete the numerals "7,488,452" and insert in lieu thereof the numerals "7,632,066"
- On page 3 of the engrossed bill, line 27, delete the numerals "90,387" and insert in lieu thereof the numerals "86,389"
- On page 3 of the engrossed bill, line 28, delete the numerals "3,852,207" and insert in lieu thereof the numerals "3,848,209"
- On page 3 of the engrossed bill, line 29, delete the numerals "827,567" and insert in lieu thereof the numerals "796,503"
- On page 3 of the engrossed bill, line 30, delete the numerals "3,024,640" and insert in lieu thereof the numerals "3,051,706"
- On page 3 of the engrossed bill, line 32, delete the numerals "3,145,705" and insert in lieu thereof the numerals "3,172,771"
- On page 4 of the engrossed bill, line 1, delete the numerals "11,403,527" and insert in lieu thereof the numerals "11,922,957"
- On page 4 of the engrossed bill, line 4, delete the numerals "44,819,644" and insert in lieu thereof the numerals "45,339,074"
- On page 4 of the engrossed bill, line 6, delete the numerals "27,404,263" and insert in lieu thereof the numerals "27,923,693"
- On page 4 of the engrossed bill, line 15, delete the numerals "464,689" and insert in lieu thereof the numerals "495,684"
- On page 4 of the engrossed bill, line 18, delete the numerals "586,849" and insert in lieu thereof the numerals "617,844"
- On page 4 of the engrossed bill, line 20, delete the numerals "442,692" and insert in lieu thereof the numerals "473,687"



- On page 4 of the engrossed bill, line 31, delete the numerals "203,050,221" and insert in lieu thereof the numerals "209,132,319"
- On page 4 of the engrossed bill, line 32, delete the numerals "105,894,454" and insert in lieu thereof the numerals "102,932,552"
- On page 4 of the engrossed bill, line 33, delete the numerals "308,944,675" and insert in lieu thereof the numerals "312,064,871"
- On page 5 of the engrossed bill, after line 17, insert the following new sections:

"SECTION 5. TRANSFERS. Each institution or agency included in this Act, upon approval from the board of higher education, may make such transfers between line items in its appropriation as may be determined necessary by the board of higher education for operations of the institution or agency.

SECTION 6. APPROPRIATION. There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$1,000,000, or so much thereof as may be necessary, to the state board of higher education for the biennium beginning July 1, 1985, and ending June 30, 1987. This appropriation shall be used by the board of higher education for critical needs of the institutions of higher education provided for in the constitution and as included in this Act, excluding the university of North Dakota-medical center, for faculty or other positions, operating expenses, and equipment as may be determined by the board. This appropriation shall not be used to increase employees' salaries. When making allocations to institutions, the board of higher education shall consider the future mission of each institution, and consider reduction or elimination of selective programs and services, admissions standards, and the reallocation of resources within each institution. The board of higher education shall notify the office of management and budget of the allocations to each institution made from this appropriation."

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

University of North Dakota

The operating expenses line item is increased by \$641,500 from the general fund to reflect funding the institution at 87 percent of the facilities maintenance formula.

The equipment line item is reduced by \$164,839 from the general fund to reflect the establishment of a 19-year rather than 20-year equipment replacement cycle. The reduction reflects an exclusion of the computer valuation which was initially included in the equipment calculation amount.

The estimated income line item is reduced by \$1,395,160 with a corresponding increase to the general fund to eliminate the additional income from the proposed increases in Minnesota student tuition of \$944,160 and foreign student tuition of \$451,000.

The salaries and wages line item allows funds to continue average salary increases of 9.5 percent for faculty and senior administrative staff and 5.5 percent (\$50 per month minimum) for other employees the first year of the biennium and to provide average salary increases of four percent (\$50 per month minimum) the second year of the biennium.

#### North Dakota State University

The salaries and wages line item is increased by \$472,153 from the general fund to provide funds for a total increase of eight FTE faculty positions: four FTE faculty positions the first year of the biennium and an additional four FTE faculty positions the second year of the biennium.

The operating expenses line item is increased by \$164,100 from the general fund to reflect funding the institution at 87 percent of the facilities maintenance formula.

The equipment line item is increased by \$51,971 from the general fund to reflect the establishment of a 19-year rather than 20-year equipment replacement cycle.

The estimated income line item is reduced by \$1,225,460 with a corresponding increase to the general fund to eliminate the additional income from the proposed increases in Minnesota student tuition of \$992,460 and foreign student tuition of \$233,000.

The salaries and wages line item allows funds to continue average salary increases of 9.5 percent for faculty and senior administrative staff and 5.5 percent (\$50 per month minimum) for other employees the first year of the biennium and to provide average salary increases of four percent (\$50 per month minimum) the second year of the biennium.

#### North Dakota State School of Science

The salaries and wages line item is reduced by \$344,262 from the general fund to delete a total of 6.9 FTE faculty positions: 3.25 faculty positions in the first year of the biennium and an

additional reduction of 3.65 positions in the second year of the biennium.

The equipment line item is increased by \$36,228 from the general fund to reflect the establishment of a 19-year rather than 20-year equipment replacement cycle.

The estimated income line is reduced by \$140,068 with a corresponding increase to the general fund to eliminate the additional income from the proposed increases in Minnesota student tuition of \$115,068 and foreign student tuition of \$25,000.

The salaries and wages line item allows funds to continue average salary increases of 9.5 percent for faculty and senior administrative staff and 5.5 percent (\$50 per month minimum) for other employees the first year of the biennium and to provide average salary increases of four percent (\$50 per month minimum) the second year of the biennium.

#### Dickinson State College

The operating expenses line item is increased by \$105,100 from the general fund to reflect funding the institution at 87 percent of the facilities maintenance formula.

The equipment line item is increased by \$9,414 from the general fund to reflect the establishment of a 19-year rather 20-year equipment replacement cycle.

The estimated income line item is reduced by \$7,032 with a corresponding increase to the general fund to eliminate the additional income from the proposed increases in Minnesota student tuition of \$1,000 and foreign student tuition of \$6,000.

The salaries and wages line item allows funds to continue average salary increases of 9.5 percent for faculty and senior administrative staff and 5.5 percent (\$50 per month minimum) for other employees the first year of the biennium and to provide average salary increases of four percent (\$50 per month minimum) the second year of the biennium.

#### Mayville State College

The equipment line item is increased by \$4,607 from the general fund to reflect the establishment of a 19-year rather than 20-year equipment replacement cycle.

The estimated income line item is reduced by \$43,122 with a corresponding increase to the general fund to eliminate the additional income from the proposed increases in Minnesota student tuition of \$28,122 and foreign student tuition of \$15,000.

The salaries and wages line item allows funds to continue average salary increases of 9.5 percent for faculty and senior administrative staff and 5.5 percent (\$50 per month minimum) for other employees the first year of the biennium and to provide average salary increases of four percent (\$50 per month minimum) the second year of the biennium.

Minot State College

The salaries and wages line item is increased by \$212,951 from the general fund to provide funds for a total increase of four FTE faculty positions: two FTE faculty positions the first year of the biennium and an additional two FTE faculty positions the second year of the biennium.

The operating expenses line item is increased by \$125,000 from the general fund to reflect funding the institution at 87 percent of the facilities maintenance formula.

The equipment line item is increased by \$12,584 from the general fund to reflect the establishment of a 19-year rather than 20-year equipment replacement cycle.

The estimated income line item is reduced by \$106,644 with a corresponding increase to the general fund to eliminate the additional income from the proposed increases in Minnesota student tuition of \$4,644 and foreign student tuition of \$102,000.

The capital improvements line item is increased by \$117,000 from the general fund to provide funds for payment of water improvement special assessments.

The salaries and wages line item allows funds to continue average salary increases of 9.5 percent for faculty and senior administrative staff and 5.5 percent (\$50 per month minimum) for other employees the first year of the biennium and to provide average salary increases of four percent (\$50 per month minimum) the second year of the biennium.

Valley City State College

The salaries and wages line item is increased by \$44,000 from the general fund to provide funds for one FTE computer programmer analyst position.

The operating expenses line item is increased by \$79,200 from the general fund to reflect funding the institution at 87 percent of the facilities maintenance formula.

The equipment line item is increased by \$7,062 from the general fund to reflect the establishment of a 19-year rather than 20-year equipment replacement cycle.

The estimated income line item is reduced by \$13,352 with a corresponding increase to the general fund to eliminate the additional income from the proposed increases in Minnesota student tuition of \$11,352 and foreign student tuition of \$2,000.

The salaries and wages line item allows funds to continue average salary increases of 9.5 percent for faculty and senior administrative staff and 5.5 percent (\$50 per month minimum) for other employees the first year of the biennium and to provide average salary increases of four percent (\$50 per month minimum) the second year of the biennium.

#### NDSU-Bottineau

The equipment line item is reduced by \$3,998 from the general fund to reflect the establishment of a 19-year rather than 20-year equipment replacement cycle.

The estimated income line item is reduced by \$31,064 with a corresponding increase to the general fund to eliminate the additional income from the proposed increases in Minnesota student tuition of \$2,064 and foreign student tuition of \$29,000.

The salaries and wages line item allows funds to continue average salary increases of 9.5 percent for faculty and senior administrative staff and 5.5 percent (\$50 per month minimum) for other employees the first year of the biennium and to provide average salary increases of four percent (\$50 per month minimum) the second year of the biennium.

#### UND-Medical Center

The operating expenses line item is increased by \$519,430 from the general fund.

The salaries and wages line item allows funds to continue average salary increases of 9.5 percent for faculty and senior administrative staff and 5.5 percent (\$50 per month minimum) for other employees the first year of the biennium and to provide average salary increases of four percent (\$50 per month minimum) the second year of the biennium.

#### NDSU State Toxicologist

The salaries and wages line item is increased \$30,995 from the general fund for one FTE chemist position.

The salaries and wages line item allows funds to continue average salary increases of 9.5 percent for faculty and senior administrative staff and 5.5 percent (\$50 per month minimum) for other employees the first year of the biennium and to provide average salary increases of four percent (\$50 per month minimum) the second year of the biennium.

Forest Service

The salaries and wages line item allows funds to continue average salary increases of 9.5 percent for faculty and senior administrative staff and 5.5 percent (\$50 per month minimum) for other employees the first year of the biennium and to provide average salary increases of four percent (\$50 per month minimum) the second year of the biennium.

Purpose of Other Changes

A new section is added which authorizes line item transfers by each institution or agency upon approval from the Board of Higher Education.

Another new section is added which appropriates \$1,000,000 to the Board of Higher Education to be used for critical needs of the institutions of higher education provided for in the constitution and included in Senate Bill No. 2003, excluding the UND-Medical Center, for faculty or other positions, operating expenses, and equipment.

## SUMMARY OF HOUSE AMENDMENTS BY INSTITUTION TO ENGROSSED SENATE BILL NO. 2003

Institution	Reallocation of Faculty Positions	Restore to 87 Percent of Facilities Maintenance Forfeits	19-Year Rather Than 20-Year Equipment Replacement Cycle	Estimated Income		Other Amendments	Impact of Amendments	
				Exclusion of Increase in Minnesota Student Tuition	Exclusion of Increase in Foreign Student Tuition		General Fund	Estimated Income
UND		\$ 641,500	\$(164,839)	\$ (944,160)	\$(451,000)		\$1,871,821	\$(1,395,160)
NDSSU	\$472,153	164,100	51,971	(992,460)	(233,000)		1,913,684	(1,225,460)
NDSSS	(344,262)		36,228	(115,068)	(25,000)		(167,966)	(140,068)
Dickinson State College		105,100	9,414	(1,032)	(6,000)		121,546	(7,032)
Mayville State College			4,607	(28,122)	(15,000)		47,729	(43,122)
Minot State College	212,951	125,000	12,584	(4,644)	(102,000)	\$ 117,000	574,179	(106,644)
Valley City State College		79,200	7,062	(11,352)	(2,000)	44,000	143,614	(13,352)
MESU-Bottineau			(3,998)	(2,064)	(29,000)		27,066	(31,064)
UND-Medical Center			0	0	0	519,430	519,430	0
State Toxicologist						30,995	30,995	0
Subtotal	\$340,842	\$1,114,900	\$(46,971)	\$(2,098,902)	\$(863,000)	\$ 711,425	\$5,082,098	\$(2,961,902)
Board of Higher Education pool						1,000,000	1,000,000	
Total of House amendments to Engrossed Senate Bill No. 2003	\$340,842	\$1,114,900	\$(46,971)	\$(2,098,902)	\$(863,000)	\$1,711,425	\$6,082,098	\$(2,961,902)

REP. J. PETERSON, Chairman

Engrossed SB 2003 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

## MOTION

REP. STRINDEN MOVED that the rules be suspended and that SB 2003 be placed on the Sixth order of business, which motion prevailed.

## SIXTH ORDER OF BUSINESS

REP. J. PETERSON MOVED that the amendments to SB 2003 as recommended by the Committee on Appropriations be adopted, and when

so adopted, recommends that SB 2003 DO PASS, which motion prevailed.

#### MOTION

REP. WALD MOVED the previous question, which motion prevailed.

#### REQUEST

REP. MERTENS REQUESTED a recorded roll call vote on the motion to adopt the proposed amendments to SB 2003, which request was granted.

#### ROLL CALL

The question being on the motion to adopt the amendments to SB 2003, the roll was called and there were 59 YEAS, 42 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Berg, G.; Berg, R.; Cleveland; Conny; DeMers; Dotzenrod; Frey; Gates; Gerntholz; Goetz; Graba; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hedstrom; Hughes; Kelly; Kent; Kingsbury; Kloubec; Knudson; Koland; Kretschmar; Kuchera; Laughlin; Lautenschlager; Martin; Moore; Nalewaja; Nicholas; Nowatzki; Olsen, D.; Olson, V.; Payne; Peterson, J.; Retzer; Rice; Riley; Sauter; Schneider; Shaw; Shide; Smette; Solberg, O.; Strinden; Thompson; Timm; Tollefson; Unhjem; Vander Vorst; Wald; Wentz; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: Anderson, R.; Belter; Brokaw; Dalrymple; Dorso; Eckroth; Enget; Gunsch; Halmrast; Hausauer, A.; Hill; Hoffner; Keller; Klundt; Lang; Larson; Linderman; Lindgren; Lloyd; Martinson; Melby; Mertens; Meyer; Murphy; Myrdal; Oban; O'Connell; Olson, A.; Opedahl; O'Shea; Pederson, R.; Richard; Schindler; Schmidt; Shockman; Skjerven; Solberg, R.; Starke; Stofferahn; Ulmer; Watne; Williams, A.

ABSENT AND NOT VOTING: Gullickson; Lipsiea; Riehl; Rydell; Whalen

The motion to adopt the amendments to SB 2003 passed.

#### MOTION

REP. STRINDEN MOVED that the rules be suspended and that SB 2003 be placed on the Fourteenth order, as amended, for second reading and final passage, and dispense with the reading of the title, which motion prevailed.

#### SECOND READING OF SENATE BILL

SB 2003: A BILL for an Act making an appropriation for defraying the expenses of the various institutions of higher learning under the supervision of the state board of higher education of the state of North Dakota.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were 69 YEAS, 32 NAYS, 5 ABSENT AND NOT VOTING.

**YEAS:** Anderson, C.; Berg, G.; Berg, R.; Brokaw; Cleveland; Conmy; DeMers; Dotzenrod; Frey; Gates; Gerntholz; Goetz; Graba; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Kelly; Kent; Kloubec; Knudson; Koland; Kretschmar; Kuchera; Larson; Laughlin; Lautenschlager; Lindgren; Martin; Martinson; Moore; Myrdal; Nalewaja; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; Payne; Peterson, J.; Retzer; Rice; Riley; Sauter; Schindler; Schneider; Shaw; Shide; Smette; Strinden; Thompson; Timm; Tollefson; Unhjem; Vander Vorst; Wald; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

**NAYS:** Anderson, R.; Belter; Dalrymple; Dorso; Eckroth; Enget; Gunsch; Halmrast; Hill; Hoffner; Hughes; Keller; Kingsbury; Klundt; Lang; Linderman; Lloyd; Melby; Mertens; Meyer; Murphy; O'Shea; Pederson, R.; Richard; Schmidt; Shockman; Skjerven; Solberg, O.; Solberg, R.; Starke; Stofferahn; Ulmer

**ABSENT AND NOT VOTING:** Gullickson; Lipsiea; Riehl; Rydell; Whalen

SB 2003 passed and the title was agreed to.

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**MESSAGE FROM THE SENATE  
SENATE CHAMBER**

**MR. SPEAKER:** I have the honor to transmit herewith the following which the Senate has passed and your favorable consideration is requested on:

SCR 4070

LEO LEIDHOLM, Secretary

**MOTION**

**REP. STRINDEN MOVED** that the rules be suspended and that SB 2002, SB 2003, SB 2005, SB 2010, SB 2025, SB 2027, SB 2033, SB 2100, SB 2135, SB 2138, HB 1168, HCR 3103, and HCR 3104 be messaged to the Senate immediately, which motion prevailed.



WEDNESDAY, MARCH 27, 1985

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MESSAGES TO THE SENATE  
HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to return herewith the following which the House has amended:

SB 2023, SB 2028, SB 2114, SB 2115, SB 2249, SB 2307  
ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to inform you that the Speaker has appointed Rep. Shide as a replacement conferee for Rep. Koland on SB 2313.

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

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

SB 2253  
ROY GILBREATH, Chief Clerk

REPORT OF PROCEDURAL COMMITTEE

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

HB 1036, HB 1054, HB 1169, HB 1202, HB 1207, HB 1218,  
HB 1221, HB 1266, HB 1296, HB 1313, HB 1335, HB 1388,  
HB 1406, HB 1448, HB 1540, HB 1635, HB 1646, HB 1078,  
HB 1159, HB 1199, HB 1334, HB 1431, HB 1432, HB 1500,  
HB 1521, HB 1539, HB 1571, HCR 3037, HCR 3065  
REP. HEDSTROM, Chairman

REP. RIEHL MOVED that the report be adopted, which motion prevailed.

REPORT OF PROCEDURAL COMMITTEE

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

HB 1032, HB 1036, HB 1054, HB 1169, HB 1202, HB 1207,  
HB 1218, HB 1221, HB 1266, HB 1296, HB 1313, HB 1335,  
HB 1388, HB 1406, HB 1448, HB 1540, HB 1545, HB 1635,  
HB 1646, HB 1078, HB 1159, HB 1199, HB 1334, HB 1431,  
HB 1432, HB 1500, HB 1521, HB 1539, HB 1571, HCR 3037,  
HCR 3065

REP. HEDSTROM, Chairman

REP. RIEHL MOVED that the report be adopted, which motion prevailed.

## SIGNING OF BILLS AND RESOLUTIONS

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following:

HB 1032, HB 1054, HB 1078, HB 1159, HB 1169, HB 1199,  
 HB 1202, HB 1207, HB 1218, HB 1221, HB 1266, HB 1296,  
 HB 1313, HB 1334, HB 1335, HB 1388, HB 1406, HB 1431,  
 HB 1432, HB 1448, HB 1500, HB 1521, HB 1539, HB 1540,  
 HB 1545, HB 1571, HB 1635, HB 1646, HCR 3037, HCR 3065

ROY GILBREATH, Chief Clerk

## MOTIONS

REP. STRINDEN MOVED that the absent members be excused, which motion prevailed.

REP. STRINDEN MOVED that the House be on the Fifth order of business, and at the conclusion of the Fifth order, the House be on the Thirteenth order of business, and at the conclusion of the Thirteenth order, the House stand adjourned until 9:00 a.m., Thursday, March 28, 1985, which motion prevailed.

## REPORTS OF STANDING COMMITTEES

MR. SPEAKER: Your Committee on Appropriations to which was referred Engrossed SB 2011 has had the same under consideration and recommends by a vote of 21 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1 of the engrossed bill, line 15, delete the numerals "300,000" and insert in lieu thereof the numerals "350,000"

On page 1 of the engrossed bill, line 16, delete the numerals "200,000" and insert in lieu thereof the numerals "225,000"

On page 1 of the engrossed bill, line 18, delete the numerals "704,885" and insert in lieu thereof the numerals "779,885"

And renumber the lines and pages accordingly

## STATEMENT OF PURPOSE OF AMENDMENT:

Indian Affairs Commission

The salaries and wages line item allows funds for average salary increases of 5.5 percent the first year of the biennium and average salary increases of four percent the second year of the biennium.

The Native American alcohol and drug abuse education line item is increased by \$50,000 from the general fund.

The grants, benefits, and claims line item is increased by \$25,000 from the general fund for the Indian scholarship program.

REP. J. PETERSON, Chairman

Engrossed SB 2011 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

**MR. SPEAKER:** Your **Committee on Appropriations** to which was referred Engrossed SB 2014 has had the same under consideration and recommends by a vote of 15 YEAS, 8 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1 of the engrossed bill, line 19, delete the numerals "2,235,377" and insert in lieu thereof the numerals "1,885,377"

On page 1 of the engrossed bill, line 20, delete the numerals "441,167" and insert in lieu thereof the numerals "791,167"

And renumber the lines and pages accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

Weather Modification Board

The general fund line item is increased by \$350,000 with a corresponding decrease to the estimated income line item to provide general fund support for the weather modification operations program.

The salaries and wages line item allows funds to continue average salary increases of 5.5 percent (\$50 per month minimum) the first year of the biennium and to provide average salary increases of four percent (\$50 per month minimum) the second year of the biennium.

**REP. J. PETERSON, Chairman**

Engrossed SB 2014 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

**MR. SPEAKER:** Your **Committee on Appropriations** to which was referred SB 2019 has had the same under consideration and recommends by a vote of 23 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 12, delete the numerals "215,000" and insert in lieu thereof the numerals "280,000"

On page 1, line 13, delete the numerals "215,000" and insert in lieu thereof the numerals "280,000"

And renumber the lines accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

Increases State Fair premiums from the general fund from \$215,000 to \$280,000 for the 1985-87 biennium, an increase of \$65,000.

REP. J. PETERSON, Chairman

SB 2019 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

**MR. SPEAKER:** Your Committee on Appropriations to which was referred Engrossed SB 2021 has had the same under consideration and recommends by a vote of 21 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

- On page 1 of the engrossed bill, line 13, delete the numerals "200,407" and insert in lieu thereof the numerals "242,767"
- On page 1 of the engrossed bill, line 14, delete the numerals "106,455" and insert in lieu thereof the numerals "163,365"
- On page 1 of the engrossed bill, line 16, delete the numerals "1,215,450" and insert in lieu thereof the numerals "1,354,690"
- On page 1 of the engrossed bill, line 17, delete the numerals "1,523,312" and insert in lieu thereof the numerals "1,761,842"
- On page 1 of the engrossed bill, line 18, delete the numerals "1,197,731" and insert in lieu thereof the numerals "1,265,450"
- On page 1 of the engrossed bill, line 19, delete the numerals "325,581" and insert in lieu thereof the numerals "496,392"
- On page 1 of the engrossed bill, after line 23, insert the following section:

**"SECTION 3. LEGISLATIVE AUTHORIZATION.** The North Dakota council on the arts is authorized to apply for a three-year federal grant for the national endowment for the arts test program of support for local arts agencies. The grants, benefits, and claims line item in section 1 of this Act includes \$200,000 for this purpose during the 1985-87 biennium, \$100,000 from the general fund and \$100,000 from federal funds. The \$100,000 general fund appropriation may not be expended unless \$200,000 of local matching funds is made available during the 1985-87 biennium. The council on the arts is authorized to request funding for the third year of this grant during the 1987-89 biennium."

And renumber the lines, sections, and pages accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

Council on the Arts

The salaries and wages line item provides for the continuation of a 5.5 percent increase the first year of the biennium (\$50/month minimum) and a four percent increase the second year of the biennium (\$50/month minimum). The salaries and wages line item is increased by \$42,360, and the operating expenses line item by \$23,400 from federal funds for a community coordinator position. The grants line item is decreased by \$65,760 from federal funds to provide the funding for the position.

In addition, the operating expenses line item is increased by \$33,530 from the general fund to continue the current cost of operations.

In addition, the grants line item is increased by \$205,000, \$105,000 from the general fund and \$100,000 from federal funds. An amount of \$5,000 of the general fund appropriation increase is to provide funds for cultural endowment. An amount of \$200,000, \$100,000 from the general fund, is added to provide funds for the National Endowment for the Arts test program of local arts agencies.

Also, the estimated income line item is decreased by \$32,281 with a corresponding increase to the general fund to adjust the estimated income line item to the expected level.

A new section is added to provide legislative authorization for the Council on the Arts to apply for the NEA test program of support for local arts agencies. The section provides that if \$200,000 of local funds cannot be raised during the 1985-87 biennium the \$100,000 of general fund support may not be expended.

REP. J. PETERSON, Chairman

Engrossed SB 2021 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Appropriations to which was referred Engrossed SB 2029 has had the same under consideration and recommends by a vote of 17 YEAS, 2 NAYS, 4 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1 of the engrossed bill, line 16, delete the numerals "766,611" and insert in lieu thereof the numerals "659,772"

On page 1 of the engrossed bill, line 17, delete the numerals "601,330" and insert in lieu thereof the numerals "293,154"

On page 1 of the engrossed bill, line 18, delete the numerals "673,800" and insert in lieu thereof the numerals "460,163"

On page 1 of the engrossed bill, line 19, delete the numerals "18,800" and insert in lieu thereof the numerals "10,000"

On page 1 of the engrossed bill, line 20, delete the numerals "150,000" and insert in lieu thereof the numerals "50,000"

On page 1 of the engrossed bill, line 21, delete the numerals "2,210,541" and insert in lieu thereof the numerals "1,473,089"

On page 2 of the engrossed bill, line 4, delete the numerals "2,282,140" and insert in lieu thereof the numerals "1,544,688"

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Public Employees Retirement Board

The salaries and wages line item is reduced by \$106,839 from other funds. The reduction deletes funding for 2.5 FTE positions which includes \$44,732 for a one FTE Administrative Officer II position, \$27,107 for a one FTE account clerk position, and \$35,000 for a .5 Programmer I/Analyst III position. The Senate had provided funding for these positions in addition to a one FTE Accountant II position.

The salaries and wages line item provides for the continuation of a 5.5 percent increase the first year of the biennium (\$50/month minimum) and a four percent increase the second year of the biennium (\$50/month minimum).

The operating expenses line item is reduced by \$308,176 from other funds. Reductions include:

Employee travel	\$ 25,000
Utilities	3,000
Lease-buildings	48,000
Telephone	15,000
Intergovernmental services	1,026
Other travel	1,000
Postage	7,000
Miscellaneous fees and services	16,800
Office supplies	1,650
Miscellaneous	9,000
Professional services and operating fees	180,700
Total	<u>\$308,176</u>

Funding is provided at the level needed. The reduction to professional services and operating fees is because these expenses as they are incurred will be paid from PERS's investment earnings.

The data processing line item is reduced by \$213,637 from other funds to delete the additions the Senate made.

The equipment line item is reduced by \$8,800 from other funds. Funding is deleted for providing equipment for the deleted 2.5 FTE positions. \$1,639 of the Senate increase remains to provide office equipment for the new Accountant II position.

The contingency line item is reduced by \$100,000 from other funds. The funding is deleted for the addition the Senate made as the need for the contingency line item is decreased because passage of House Bill No. 1132 enables PERS to pay certain professional fees from PERS's investment earnings.

REP. J. PETERSON, Chairman

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

MR. SPEAKER: Your Committee on Appropriations to which was referred Engrossed SB 2030 has had the same under consideration and recommends by a vote of 19 YEAS, 1 NAY, 3 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1 of the engrossed bill, line 13, delete the numerals "480,298" and insert in lieu thereof the numerals "405,217"

On page 1 of the engrossed bill, line 14, delete the numerals "307,079" and insert in lieu thereof the numerals "267,301"

On page 1 of the engrossed bill, line 15, delete the numerals "336,726" and insert in lieu thereof the numerals "322,986"

On page 1 of the engrossed bill, line 16, delete the numerals "5,735" and insert in lieu thereof the numerals "3,642"

On page 1 of the engrossed bill, line 17, delete the numerals "75,000" and insert in lieu thereof the numerals "50,000"

On page 1 of the engrossed bill, line 18, delete the numerals "1,204,838" and insert in lieu thereof the numerals "1,049,146"

And renumber the lines and pages accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

##### Teachers' Fund for Retirement

The salaries and wages line item is a net reduction of \$75,081 from other funds. The total net reduction includes deleting \$35,000 for a .5 FTE Programmer I/Analyst III position and \$34,630 for one FTE Information Processing Operator I which the Senate had provided funding for. The Senate also provided

funding for one FTE Account Technician II position. The net reduction includes deleting \$7,400 which the Senate had provided funding for reclassifying an Accountant II position to Accountant III. The executive recommendation included the funding for the reclassification. The total net reduction also includes an increase of \$1,949 to provide funds for reclassifying a Clerk-Typist II position to an Information Processing Operator I position.

The salaries and wages line item provides for the continuation of a 5.5 percent increase the first year of the biennium (\$50/month minimum) and a four percent increase the second year of the biennium (\$50/month minimum).

The operating expenses line item is reduced by \$39,778 from other funds. Reductions were made to the following items to provide the amount of funding necessary:

Employee travel	\$23,295
Utilities	1,534
Lease - buildings	3,920
Postage	5,622
Telephone	1,884
Miscellaneous fees	1,380
Other resale supplies	1,500
Resource and reference material	643
Total	<u>\$39,778</u>

The data processing line item is reduced by \$13,740 from other funds to delete funding for three of the five terminals the Senate provided funding for. The amount provided for data processing allows funds for two terminals for the two new positions.

The equipment line item is reduced by \$2,093 from other funds to provide amounts necessary for the biennium.

The contingency line item is reduced by \$25,000 from other funds as the need for contingency funding is decreased because passage of Senate Bill No. 2152 allows certain professional fees to be paid as they are incurred from TFFR's investment income.

REP. J. PETERSON, Chairman

Engrossed SB 2030 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Appropriations to which was referred Engrossed SB 2032 has had the same under consideration and recommends by a vote of 22 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:



- On page 1 of the engrossed bill, line 3, after the word "Dakota" insert the words "and to provide for performance reviews of employees of all state agencies and institutions"
- On page 1 of the engrossed bill, line 17, delete the numerals "3,180,952" and insert in lieu thereof the numerals "3,240,226"
- On page 1 of the engrossed bill, line 18, delete the numerals "891,677" and insert in lieu thereof the numerals "947,749"
- On page 1 of the engrossed bill, line 19, delete the numerals "831,487" and insert in lieu thereof the numerals "781,487"
- On page 1 of the engrossed bill, line 20, delete the numerals "42,975" and insert in lieu thereof the numerals "47,548"
- On page 1 of the engrossed bill, line 22, delete the numerals "4,977,091" and insert in lieu thereof the numerals "5,047,010"
- On page 2 of the engrossed bill, line 4, delete the numerals "5,047,091" and insert in lieu thereof the numerals "5,117,010"
- On page 2 of the engrossed bill, line 5, delete the numerals "5,310,591" and insert in lieu thereof the numerals "5,380,510"
- On page 2 of the engrossed bill, after line 17, insert the following new sections:

**"SECTION 4. Budget section authorization - Data processing and accounting systems.** The workmen's compensation bureau shall make periodic reports during the 1985-86 interim to the budget section of the legislative council regarding the bureau's progress in the modernization of its data processing and accounting systems. Funding in the amount of \$561,487 for this project is provided in the data processing line item in subdivision 1 of section 1 of this Act. The bureau may expend the funds for such project only upon the approval of the budget section.

**SECTION 5. Office of management and budget approval required - Accountant position - Data processing and accounting systems.** It is the intent of the legislative assembly that the current unclassified position of executive director at the workmen's compensation bureau be changed to a classified position. Funding in the amount of \$86,849 for salaries and wages and \$561,487 for the data processing and accounting system project provided in the data processing line item in subdivision 1 of section 1 of this Act may be expended by the bureau only after the bureau has certified to the director of the office of management and budget, and

subject to the director's approval, that a person has been hired to fill the position who is either a licensed public accountant or a certified public accountant and is qualified and capable of implementing data processing and accounting systems that are modern and efficient.

**SECTION 6. State employees - Performance reviews - Pay increases.** No agency, department, or institution after January 1, 1987, shall make discretionary pay increases or merit pay increases to the salary of any employee unless a performance review system is in place including, but not limited to, the following:

1. A written job description for all employees, prepared within the last year.
2. A written performance goal prepared within the last year for each employee which is mutually agreed to by the employee and supervisor.
3. A written performance review for each employee prepared within the last year.
4. Annual performance interviews for each employee.

**Performance review system - Office of management and budget - Procedures - Guidelines - Establishment.** The director of the office of management and budget shall establish procedures and guidelines regarding the implementation and enforcement of the performance review system. The director of the central personnel division, under the supervision of the office of management and budget, shall establish performance review system procedures and guidelines which shall apply to all classified employees. Each agency, department, and institution shall establish a specific performance review program in accordance with such guidelines, and be responsible to administer the program in a uniform and equitable manner."

And renumber the lines and pages accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

Workmen's Compensation Bureau

The salaries and wages line item reflects a net increase of \$59,274 from other funds. Of the total, \$48,881 is a decrease from other funds for the purpose of reclassifying a current Attorney III position as a Legal Assistant II. Funds are provided to allow a starting salary for the Legal Assistant II of \$18,000 a year with a four percent increase the second year of the biennium. This amendment also includes a \$108,155 increase to reflect the addition of a medical claims only examiner, \$39,344, a lost time claims examiner, \$44,821, and a clerk,

\$23,990. These amounts include four percent increases in the second year of the biennium for these positions.

The remaining salaries and wages line item allows funds to continue average salary increases of 5.5 percent (\$50 per month minimum) the first year of the biennium and to provide average salary increases of four percent (\$50 per month minimum) the second year of the biennium.

A new section is added regarding Budget Section authorization for the Workmen's Compensation Bureau to make periodic reports during the 1985-86 interim to the Budget Section regarding the bureau's progress in the modernization of its data processing and accounting systems. Another new section is added which would change the current unclassified position of executive director to a classified Accountant IV position. This position is to be filled by a person qualified to implement the necessary changes to the data processing and accounting systems.

The operating expenses line item is increased by \$56,072 from other funds. Of the total, \$6,072 relates to the three additional positions. The remaining \$50,000 reflects a transfer from the data processing line item to provide funds to continue the consultant services of management services limited in their design of the data processing and accounting system.

The equipment line item is increased by \$4,573 from other funds relating to the three additional positions.

A new section is added to require agencies, departments, or institutions to make performance reviews prior to authorizing discretionary or merit pay increases beginning January 1, 1987.

REP. J. PETERSON, Chairman

Engrossed SB 2032 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Appropriations to which was referred Engrossed SCR 4002 has had the same under consideration and recommends by a vote of 23 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 2 of the engrossed resolution, line 1, delete the numerals "1986" and insert in lieu thereof the numerals "1987"

On page 3 of the engrossed resolution, line 2, delete the word and numerals "July 1, 1987" and insert in lieu thereof the word and numerals "January 1, 1988"

On page 3 of the engrossed resolution, line 13, delete the word "implementing" and insert in lieu thereof the words "designing and developing"

And renumber the lines and pages accordingly

REP. J. PETERSON, Chairman

Engrossed SCR 4002 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

FIRST READING OF A SENATE CONCURRENT RESOLUTION

SCR 4070: A concurrent resolution directing the Legislative Council to study the problems faced by small rural hospitals in this state and possible alternative courses of action for the state and these hospitals to ensure the continued viability of the small rural hospital in North Dakota.

Was read the first time and referred to the Committee on Social Services and Veterans Affairs.

The House stood adjourned pursuant to Representative Strinden's motion.

ROY GILBREATH, Chief Clerk