

JOURNAL OF THE SENATE

Forty-ninth Legislative Assembly

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THIRTY-SECOND DAY

Bismarck, February 20, 1985

The Senate convened at 12:30 p.m., with President Meiers presiding.

The prayer was offered by Reverend Paul Long, Church of the Nazarene, Bismarck.

Our Father, we unite our hearts in prayer this day, thanking You for the privilege each has been given to serve in his or her area of responsibility.

Bless the members of this body. May each one look to You for the knowledge and wisdom needed for the proceedings of this day. Help them to distinguish between wrong and right--between the good and the best of actions and decisions that would create the type of government with which You would be pleased.

We commit today's agenda to You, believing that nothing takes You by surprise because You are an omniscient God. We ask that You would bless that which is before us today. May each one's understanding be increased, and their awareness of the issues sharpened so that Your will may be accomplished in the actions registered today. All this we ask in Christ's name, Amen.

ROLL CALL

The roll was called and all members were present, except Senators Heigaard, Nething, Walsh.

A quorum was declared by the President.

REVISION AND CORRECTION OF THE JOURNAL

MADAM PRESIDENT: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Thirty-first day and finds the same to be correct.

SEN. DAVID, Chairman

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

REPORT OF PROCEDURAL COMMITTEE

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

SB 2002, SB 2010, SB 2012, SB 2015, SB 2016, SB 2017,
 SB 2021, SB 2029, SB 2032, SB 2035, SB 2109, SB 2163,
 SB 2164, SB 2167

SEN. BAKEWELL, Chairman

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

REPORT OF PROCEDURAL COMMITTEE

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

SB 2197, SB 2249, SB 2251, SB 2255, SB 2321, SB 2338,
 SB 2373, SB 2391, SB 2405, SB 2410, SB 2415, SB 2450,
 SB 2455, SB 2475, SB 2486, SB 2489, SB 2786, SCR 4010

SEN. BAKEWELL, Chairman

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

MESSAGES FROM THE HOUSE HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to transmit herewith the following which the House has passed and your favorable consideration is requested on:

HB 1077, HB 1211, HB 1281, HB 1320, HB 1375, HB 1388,
 HB 1390, HB 1402, HB 1404, HB 1421, HB 1433, HB 1494,
 HB 1510, HB 1540, HB 1561, HB 1564, HB 1570, HB 1571,
 HB 1587, HB 1595, HB 1596, HB 1600, HB 1610, HCR 3052,
 HCR 3053, HCR 3055, HCR 3059

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

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

SCR 4049

ROY GILBREATH, Chief Clerk

MESSAGES TO THE HOUSE SENATE CHAMBER

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

HB 1090, HB 1109, HB 1141, HB 1177, HB 1201, HCR 3013

LEO LEIDHOLM, Secretary

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:

SB 2056, SB 2075, SB 2181, SB 2343, SB 2351, SB 2390,
SB 2445, SB 2449, SB 2452, SB 2470, SB 2479, SB 2485

LEO LEIDHOLM, Secretary

CONSIDERATION OF AMENDMENTS

SEN. LIPS MOVED that the amendments to SB 2025 as recommended by the Committee on Appropriations as printed on pages 866-868 of the Senate Journal be adopted, and when so adopted, recommends that SB 2025 DO PASS, which motion prevailed.

MOTION

SEN. MUSHIK MOVED that the rules be suspended, that SB 2025 be deemed properly engrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE BILL

SB 2025: A BILL for an Act making an appropriation for defraying the expenses of the 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 45 YEAS, 6 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Berube; Christensen; Dotzenrod; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Naaden; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: David; Freborg; Lashkowitz; Mutch; Nelson; Vosper

ABSENT AND NOT VOTING: Heigaard; Nothing

SB 2025 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SEN. LIPS MOVED that the amendments to SB 2033 as recommended by the Committee on Appropriations as printed on pages 868-870 of the Senate Journal be adopted, and when so adopted, recommends that SB 2033 DO PASS, which motion prevailed.

MOTION

SEN. STREIBEL MOVED that the rules be suspended, that SB 2033 be deemed properly engrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE BILL

SB 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 51 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Berube; Christensen; David; Dotzenrod; Freborg; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nelson; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Heigaard; Nothing

SB 2033 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SEN. MUTCH MOVED that the amendments to SB 2200 as recommended by the Committee on Transportation as printed on pages 870-871 of the Senate Journal be adopted, and when so adopted, recommends that SB 2200 DO PASS, which motion prevailed.

SEN. MUTCH MOVED that the amendments to SB 2304 as recommended by the Committee on Transportation as printed on pages 871-872 of the Senate Journal be adopted, and when so adopted, recommends that SB 2304 DO PASS, which motion prevailed.

SEN. MUTCH MOVED that the amendments to SB 2413 as recommended by the Committee on Transportation as printed on page 873 of the Senate Journal be adopted, and when so adopted, recommends that SB 2413 DO PASS, which motion prevailed.

SEN. REITEN MOVED that the amendments to SB 2414 as recommended by the Committee on Industry, Business and Labor as printed on

page 874 of the Senate Journal be adopted, and when so adopted, recommends that SB 2414 DO PASS, which motion prevailed.

SEN. REITEN MOVED that the amendments to SB 2468 as recommended by the Committee on Industry, Business and Labor as printed on page 875 of the Senate Journal be adopted, and when so adopted, recommends that SB 2468 DO PASS, which motion prevailed.

SEN. REITEN MOVED that the amendments to SB 2477 as recommended by the Committee on Industry, Business and Labor as printed on page 876 of the Senate Journal be adopted, and when so adopted, recommends that SB 2477 DO PASS, which motion prevailed.

MOTION

SEN. KRAUTER MOVED that the rules be suspended, that SB 2477 be deemed properly engrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE BILL

SB 2477: A BILL for an Act to amend and reenact section 40-22-25 of the North Dakota Century Code, relating to notice to persons with interest in property affected by an improvement by special assessment.

Which has been read.

ROLL CALL

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

YEAS: Adams; Bakewell; Berube; Christensen; David; Dotzenrod; Freborg; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nelson; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Heigaard; Nething; Vosper

SB 2477 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SEN. WRIGHT MOVED that the amendments to SCR 4051 as recommended by the Committee on Finance and Taxation as printed on page 877 of the Senate Journal be adopted, and when so adopted, recommends that SCR 4051 DO PASS, which motion prevailed.

SEN. PETERSON MOVED that the amendments to HB 1050 as recommended by the Committee on Education as printed on page 878 of the Senate Journal be adopted, and when so adopted, recommends that HB 1050 DO PASS, which motion prevailed.

SEN. CHRISTENSEN MOVED that the amendments to HB 1057 as recommended by the Committee on Judiciary as printed on page 878 of the Senate Journal be adopted, and when so adopted, recommends that HB 1057 DO PASS, which motion prevailed.

SEN. WRIGHT MOVED that the amendments to HB 1087 as recommended by the Committee on Finance and Taxation as printed on page 879 of the Senate Journal be adopted, and when so adopted, recommends that HB 1087 DO PASS, which motion prevailed.

SEN. VOSPER MOVED that the amendments to HB 1263 as recommended by the Committee on Agriculture as printed on page 880 of the Senate Journal be adopted, and when so adopted, recommends that HB 1263 DO PASS, which motion prevailed.

SECOND READING OF SENATE BILLS

SB 2004: A BILL for an Act making an appropriation for defraying the expenses of the junior or community colleges.

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

ROLL CALL

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

YEAS: None

NAYS: Adams; Bakewell; Berube; Christensen; David; Dotzenrod; Freborg; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nelson; Olson; Parker; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

ABSENT AND NOT VOTING: Heigaard; Nething; Peterson

SB 2004 was declared lost.

SB 2008: A BILL for an Act making an appropriation for defraying the expenses of the university of North Dakota medical center and the medical center rehabilitation hospital under the supervision of the state board of higher education of the state of North Dakota.

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

ROLL CALL

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

YEAS: None

NAYS: Adams; Bakewell; Berube; Christensen; David; Dotzenrod; Freborg; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nelson; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

ABSENT AND NOT VOTING: Heigaard; Nothing

SB 2008 was declared lost.

SB 2034: A BILL for an Act making an appropriation for defraying the expenses of the North Dakota state university - state toxicologist and the North Dakota forest service under the supervision of the state board of higher education of the state of North Dakota.

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

ROLL CALL

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

YEAS: None

NAYS: Adams; Bakewell; Berube; Christensen; David; Dotzenrod; Freborg; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nelson; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

ABSENT AND NOT VOTING: Heigaard; Nothing

SB 2034 was declared lost.

SB 2180: A BILL for an Act to adopt the Uniform Marital Property Act, relating to the legal ownership of property by and between spouses; to amend section 14-07-05 of the North Dakota Century Code, relating to rights and liabilities of married persons; and to repeal sections 14-07-03, 14-07-04, 14-07-06, 14-07-07, and 14-07-08 of the North Dakota Century Code, relating to legal ownership of property by and between spouses.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 44 YEAS, 7 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Bakewell; Berube; Christensen; Dotzenrod; Freborg; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Lashkowitz; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Naaden; Nelson; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjøm; Streibel; Stromme; Tallackson; Thane; Todd; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: Adams; David; Langley; Lips; Mutch; Tennefos; Tweten

ABSENT AND NOT VOTING: Heigaard; Nething

SB 2180 passed and the title was agreed to.

SB 2214: A BILL for an Act to create and enact a new section to chapter 39-12 of the North Dakota Century Code, relating to the voluntary payment of extraordinary road use fees; to amend and reenact sections 39-12-14, 39-12-16, and 39-12-20 of the North Dakota Century Code, relating to the civil procedure applicable to overweight vehicles and the disbursement of extraordinary road use fees.

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

MOTION

SEN. MUTCH MOVED that SB 2214 be amended as follows:

On page 2, line 6, delete the word "distribution"

On page 2, line 23, delete the words "collected for a"

On page 2, line 24, delete the words "violation occurring on a state highway"

On page 2, line 25, delete the word "construction"

On page 2, delete lines 26 through 31

And renumber the lines and pages accordingly

MOTIONS

SEN. MUTCH MOVED that the proposed amendments be adopted, which motion prevailed.

SEN. LASHKOWITZ MOVED that the rules be suspended, that SB 2214 be deemed properly engrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SB 2214: A BILL for an Act to create and enact a new section to chapter 39-12 of the North Dakota Century Code, relating to the voluntary payment of extraordinary road use fees; to amend and reenact sections 39-12-14, 39-12-16, and 39-12-20 of the North Dakota Century Code, relating to the civil procedure applicable to overweight vehicles and the disbursement of extraordinary road use fees.

Which has been read.

ROLL CALL

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

YEAS: Adams; Bakewell; Berube; David; Dotzenrod; Freborg; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nelson; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Christensen; Heigaard; Nething

SB 2214 passed and the title was agreed to.

MOTION

SEN. NELSON MOVED that SB 2139, SB 2217, SB 2240, and SB 2375 be laid over one legislative day, which motion prevailed.

SECOND READING OF A SENATE BILL

SB 2262: A BILL for an Act to amend and reenact section 14-07.1-02 and subsection 2 of section 14-07.1-03 of the North Dakota Century Code, relating to adult abuse protection orders; 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 51 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Berube; Christensen; David; Dotzenrod; Freborg; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nelson; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Heigaard; Nething

SB 2262 passed, the title was agreed to, and the emergency clause carried.

MOTION

SEN. WRIGHT MOVED that the Senate reconsider the action whereby SB 2351 was passed, which motion lost on a verification vote.

SECOND READING OF SENATE BILLS

SB 2362: A BILL for an Act to authorize the inclusion of motor vehicles of senior citizens groups in state or political subdivision insurance policies.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 43 YEAS, 7 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Bakewell; Berube; Christensen; David; Dotzenrod; Freborg; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Mushik; Naaden; Nelson; Olson; Redlin; Reiten; Satrom; Stenehjem; Streibel; Stromme;

Tallackson; Thane; Todd; Tweten; Vosper; Waldera;
Walsh; Wenstrom; Wogsland; Wright

NAYS: Adams; Lips; Moore; Mutch; Parker; Peterson;
Tennefos

ABSENT AND NOT VOTING: Heigaard; Nething; Shea

SB 2362 passed and the title was agreed to.

SB 2386: A BILL for an Act to create and enact a new chapter to title 6 of the North Dakota Century Code, relating to the disclosure of customer financial institution records; and to provide a penalty.

Which has been read.

ROLL CALL

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

YEAS: Adams; Bakewell; Berube; Christensen; David;
Dotzenrod; Freborg; Heinrich; Hilken; Holmberg;
Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler;
Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie;
Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch;
Naaden; Nelson; Olson; Parker; Redlin; Reiten; Satrom;
Shea; Stenehjem; Streibel; Stromme; Tallackson;
Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh;
Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Heigaard; Nething; Peterson

SB 2386 passed and the title was agreed to.

SB 2388: A BILL for an Act to create and enact a new subsection to section 54-52-01 and a new section to chapter 54-52 of the North Dakota Century Code, relating to the definition of law enforcement officer and to employee and employer contributions by and for law enforcement officers under the public employees retirement system; and to amend and reenact subsection 3 of section 54-52-05 and subsections 2, 3, and 4 of section 54-52-17 of the North Dakota Century Code, relating to retirement benefits of law enforcement officers under the public employees retirement system.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 32 YEAS, 18 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Christensen; Dotzenrod; Hilken; Holmberg; Ingstad; Kilander; Krauter; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Naaden; Nelson; Olson; Reiten; Shea; Stenehjem; Stromme; Tallackson; Thane; Todd; Vosper; Waldera; Wenstrom; Wogsland; Wright

NAYS: Berube; David; Ereborg; Heinrich; Kelly; Kelsh; Kusler; Moore; Mushik; Mutch; Parker; Peterson; Redlin; Satrom; Streibel; Tennefos; Tweten; Walsh

ABSENT AND NOT VOTING: Heigaard; Meyer, W.; Nothing

SB 2388 passed and the title was agreed to.

SB 2430: A BILL for an Act to create and enact a new section to chapter 37-10 of the North Dakota Century Code, relating to national guard facilities.

Which has been read.

ROLL CALL

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

YEAS: Adams; Bakewell; Berube; Christensen; David; Dotzenrod; Ereborg; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Moore; Mushik; Mutch; Naaden; Nelson; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Heigaard; Meyer, W.; Nothing

SB 2430 passed and the title was agreed to.

SB 2448: A BILL for an Act to provide for adoption of rules under state employment discrimination law and enforcement of the law by the commissioner of labor; to amend and

reenact section 14-02.4-03 of the North Dakota Century Code, relating to discriminatory practices of an employer; and to provide an effective date.

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

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 20 YEAS, 31 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Berube; Heinrich; Hilken; Kelsh; Krauter; Kusler; Langley; Lashkowitz; Lips; Maixner; Matchie; Meyer, D.; Meyer, J.; Mushik; Redlin; Satrom; Shea; Waldera; Walsh; Wogsland

NAYS: Adams; Bakewell; Christensen; David; Dotzenrod; Freborg; Holmberg; Ingstad; Kelly; Kilander; Lodoen; Meyer, W.; Moore; Mutch; Naaden; Nelson; Olson; Parker; Peterson; Reiten; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Wenstrom; Wright

ABSENT AND NOT VOTING: Heigaard; Nothing

SB 2448 was declared lost.

SB 2464: A BILL for an Act to amend and reenact section 44-11-02 of the North Dakota Century Code, relating to the number of persons who must sign a complaint seeking the gubernatorial removal of a public official.

Which has been read.

ROLL CALL

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

YEAS: Adams; Bakewell; Berube; Christensen; David; Dotzenrod; Freborg; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nelson; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland

NAYS: None

ABSENT AND NOT VOTING: Heigaard; Nething; Wright

SB 2464 passed and the title was agreed to.

SB 2480: A BILL for an Act to amend and reenact section 12.1-27.1-01 of the North Dakota Century Code, relating to obscenity, definitions, and classification of offenses.

Which has been read.

ROLL CALL

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

YEAS: Adams; Bakewell; Berube; Christensen; David; Dotzenrod; Freborg; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nelson; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Heigaard; Nething

SB 2480 passed and the title was agreed to.

SB 2488: A BILL for an Act to amend and reenact section 50-11-06.6 of the North Dakota Century Code, relating to information which must be furnished by the department of human services or county social service boards to foster care providers.

Which has been read.

ROLL CALL

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

YEAS: Adams; Bakewell; Berube; Christensen; David; Dotzenrod; Freborg; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nelson; Olson; Parker; Peterson; Redlin;

Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme;
Tallackson; Tennefos; Thane; Todd; Tweten; Vosper;
Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Heigaard; Nething

SB 2488 passed and the title was agreed to.

POINT OF PERSONAL PRIVILEGE

SEN. WOGSLAND: Madam President, I rise on a point of personal privilege and request my remarks be printed in the Journal.

Madam President, members of the Senate, on Saturday, February 15, a young man by the name of David Hilliard, a senior from Lakota High School, set a national wrestling record, a record which probably will never be broken. Let me set the stage for the Senate.

We are in the finals of the 138 weight class of the North Dakota Class B wrestling tournament. David's opponent jumps off to a quick 3-0 lead. Time is running out. David scores on a reversal, receives a penalty point, and, with just ten seconds remaining in the match, scores a near pin to win 6-3. With that win David scored his 159 career victory, tying a state record. That in itself is an outstanding achievement, but beyond that record is the extraordinary national record which he set that night. For that night David Hilliard won his fifth individual state wrestling title. And he accomplished that feat in his fifth different weight class. This outstanding achievement is a record which is unsurpassed in the United States of America. What an appropriate finale to a very outstanding wrestling career.

Today I rise to salute David Hilliard on his outstanding achievements in the most demanding of sports, the sport of wrestling. His hard work and dedication, combined with an outstanding attitude and personality, are examples that we can all be proud of. David is truly a credit to his family, his friends, his school, his community, and his state. David Hilliard is a true champion.

SECOND READING OF SENATE BILLS

SB 2494: A BILL for an Act to amend and reenact subsection 9 of section 10-04-06 of the North Dakota Century Code, relating to securities transactions exempt from registration requirements.

Which has been read.

ROLL CALL

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

YEAS: Adams; Bakewell; Berube; Christensen; David; Dotzenrod; Freborg; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nelson; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Heigaard; Nething

SB 2494 passed and the title was agreed to.

SB 2498: A BILL for an Act to amend and reenact sections 19-03.1-05, 19-03.1-07, 19-03.1-09, 19-03.1-11, and subsection 6 of section 19-03.1-16 of the North Dakota Century Code, relating to the Uniform Controlled Substances Act schedules.

Which has been read.

ROLL CALL

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

YEAS: Adams; Bakewell; Berube; Christensen; David; Freborg; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nelson; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Dotzenrod; Heigaard; Nething

SB 2498 passed and the title was agreed to.

SECOND READING OF A SENATE CONCURRENT RESOLUTION

SCR 4040: A concurrent resolution directing the Legislative Council to study existing state law enforcement agencies.

Which has been read.

The question being on the final adoption of the resolution, as amended.

SCR 4040 was declared adopted on a voice vote.

SECOND READING OF SENATE BILLS

SB 2063: A BILL for an Act to create and enact section 15-40.2-08.1 of the North Dakota Century Code, relating to the payment of tuition for handicapped children placed outside their school districts of residence for purposes other than education; and to amend and reenact section 15-40.2-08 of the North Dakota Century Code, relating to tuition payments for foster care students placed outside their school districts of residence.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 44 YEAS, 5 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Berube; Christensen; Dotzenrod; Freborg; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Naaden; Olson; Parker; Peterson; Redlin; Reiten; Shea; Stenehjem; Stromme; Tallackson; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: David; Mutch; Nelson; Streibel; Tennefos

ABSENT AND NOT VOTING: Heigaard; Maixner; Nething; Satrom

SB 2063 passed and the title was agreed to.

SB 2109: A BILL for an Act to amend and reenact section 39-06.1-11 of the North Dakota Century Code, relating to issuance of temporary restricted operator's licenses.

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 32 YEAS, 19 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Bakewell; David; Dotzenrod; Heinrich; Hilken; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lodoen; Maixner; Meyer, D.; Meyer, J.; Meyer, W.; Mushik; Mutch; Naaden; Parker; Peterson; Shea; Stenehjem; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Wogsland

NAYS: Adams; Berube; Christensen; Freborg; Holmberg; Ingstad; Lashkowitz; Lips; Matchie; Moore; Nelson; Olson; Redlin; Reiten; Satrom; Streibel; Walsh; Wenstrom; Wright

ABSENT AND NOT VOTING: Heigaard; Nothing

SB 2109 passed and the title was agreed to.

MOTION

SEN. NELSON MOVED that the Senate stand in recess for ten minutes, which motion prevailed.

THE SENATE RECONVENED pursuant to recess taken, the President presiding.

SECOND READING OF SENATE BILLS

SB 2163: A BILL for an Act to create and enact a new section to chapter 39-01 of the North Dakota Century Code, relating to administrative hearings on alleged violations of dealer laws; and to amend and reenact sections 39-22-04 and 39-22.3-04 of the North Dakota Century Code, relating to suspension or revocation of motor vehicle dealer's license, and suspension or revocation of motorcycle dealer's license.

Which has been read.

ROLL CALL

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

YEAS: Adams; Bakewell; Berube; Christensen; David; Dotzenrod; Freborg; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nelson; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme;

Tallackson; Tennefos; Thane; Todd; Tweten; Vosper;
Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Heigaard; Nothing

SB 2163 passed and the title was agreed to.

SB 2164: A BILL for an Act to amend and reenact subsection 23 of section 39-01-01 and section 39-18-01 of the North Dakota Century Code, relating to the definition of house car and the sale of house cars.

Which has been read.

ROLL CALL

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

YEAS: Adams; Bakewell; Berube; Christensen; David; Dotzenrod; Freborg; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nelson; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Heigaard; Meyer, J.; Nothing

SB 2164 passed and the title was agreed to.

SB 2167: A BILL for an Act to create and enact a new subsection to section 39-22-04 of the North Dakota Century Code, relating to grounds for denial, suspension, cancellation, or revocation of dealer's license; to amend and reenact section 39-21-51 of the North Dakota Century Code, relating to alteration of odometers; and to provide a penalty.

Which has been read.

ROLL CALL

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

YEAS: Adams; Bakewell; Berube; Christensen; David; Dotzenrod; Ereborg; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nelson; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Heigaard; Nothing

SB 2167 passed and the title was agreed to.

SB 2197: A BILL for an Act to amend and reenact subsections 14 and 17 of section 52-01-01, subsections 1 and 2 of section 52-04-06, sections 52-04-08, 52-04-09, 52-04-22, 52-06-16, and 52-06-32 of the North Dakota Century Code, relating to unemployment compensation definitions and contribution rates, transfer experience rates, classification of employers to determine contributions, federal advance interest repayment fund, and representation of employers.

Which has been read.

ROLL CALL

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

YEAS: Adams; Bakewell; Berube; Christensen; David; Dotzenrod; Ereborg; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nelson; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Heigaard; Nothing

SB 2197 passed and the title was agreed to.

MOTIONS

SEN. STENEHJEM MOVED that SB 2249 be laid over one legislative day, which motion prevailed.

SEN. STROMME MOVED that SCR 4014 be returned to the Senate floor from the Committee on Joint Constitutional Revision, which motion prevailed.

REQUEST

SEN. STROMME REQUESTED the unanimous consent of the Senate to withdraw SCR 4014. There being no objection, it was so ordered by the President.

MOTION

SEN. STROMME MOVED that SB 2244 be placed at the head of the calendar, which motion prevailed.

REQUEST

SEN. STROMME REQUESTED the unanimous consent of the Senate to withdraw SB 2244. There being no objection, it was so ordered by the President.

SECOND READING OF SENATE BILLS

SB 2251: A BILL for an Act to create and enact two new sections to chapter 10-19.1 of the North Dakota Century Code as created by Senate Bill No. 2041, as approved by the forty-ninth legislative assembly, relating to the Business Corporation Act, or in the alternative to amend and reenact sections 10-21-13.1, 10-21-13.2, 10-23-01, 10-23-02, 10-23-03, 10-23-04, 10-23-05, and 10-23-06 of the North Dakota Century Code, relating to the Business Corporation Act; 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 51 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Berube; Christensen; David; Dotzenrod; Freborg; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nelson; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Heigaard; Nething

SB 2251 passed, the title was agreed to, and the emergency clause carried.

SB 2255: A BILL for an Act to amend and reenact section 24-05-20 of the North Dakota Century Code, relating to county and township road grades.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 50 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING.

YEAS: Adams; Berube; Christensen; David; Dotzenrod; Freborg; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nelson; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: Bakewell

ABSENT AND NOT VOTING: Heigaard; Nething

SB 2255 passed and the title was agreed to.

SB 2265: A BILL for an Act to provide an appropriation of five million dollars to the state board of public school education for the state school construction fund.

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

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 9 YEAS, 42 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Kelsh; Lashkowitz; Lodoen; Meyer, W.; Mushik; Parker; Peterson; Wogsland; Wright

NAYS: Adams; Bakewell; Berube; Christensen; David; Dotzenrod; Freborg; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kilander; Krauter; Kusler; Langley; Lips; Maixner; Matchie; Meyer, D.; Meyer, J.; Moore;

Mutch; Naaden; Nelson; Olson; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom

ABSENT AND NOT VOTING: Heigaard; Nothing

SB 2265 was declared lost.

SB 2321: A BILL for an Act to create and enact a new section to chapter 25-09 of the North Dakota Century Code, relating to payment for the expense of providing care and treatment at the state hospital to an Indian who resides on an Indian reservation; and to amend and reenact sections 23-07.1-02, 25-09-04, 25-09-10, and 25-16-13 of the North Dakota Century Code, relating to the responsibility of relatives to pay for the expense of providing care and treatment of persons with tuberculosis, persons at the state hospital, and the payment of expenses for care and treatment at the state hospital of an Indian who resides on an Indian reservation.

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 21 YEAS, 30 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Berube; David; Dotzenrod; Freborg; Holmberg; Kelly; Kelsh; Kilander; Krauter; Moore; Parker; Peterson; Satrom; Shea; Thane; Todd; Tweten; Wenstrom; Wright

NAYS: Christensen; Heinrich; Hilken; Ingstad; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Mushik; Mutch; Naaden; Nelson; Olson; Redlin; Reiten; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Vosper; Waldera; Walsh; Wogsland

ABSENT AND NOT VOTING: Heigaard; Nothing

SB 2321 was declared lost.

SB 2334: A BILL for an Act making an appropriation to the commissioner of agriculture to provide an attorney for the farm credit counseling program.

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

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 12 YEAS, 37 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Dotzenrod; Hilken; Kelsh; Krauter; Kusler; Maixner; Meyer, D.; Meyer, J.; Meyer, W.; Vosper; Wogsland; Wright

NAYS: Adams; Bakewell; Christensen; David; Freborg; Heinrich; Holmberg; Ingstad; Kelly; Kilander; Langley; Lashkowitz; Lips; Lodoen; Matchie; Moore; Mushik; Mutch; Naaden; Nelson; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjerm; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Waldera; Walsh; Wenstrom

ABSENT AND NOT VOTING: Berube; Heigaard; Nething; Tweten

SB 2334 was declared lost.

SB 2338: A BILL for an Act to create and enact a new subsection to section 20.1-03-11 and a new section to chapter 20.1-03 of the North Dakota Century Code, relating to licenses issued to landowners to hunt elk and the governor's proclamation on the hunting of elk.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 48 YEAS, 2 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Christensen; David; Dotzenrod; Freborg; Heinrich; Hilken; Holmberg; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nelson; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjerm; Streibel; Stromme; Tallackson; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: Ingstad; Tennefos

ABSENT AND NOT VOTING: Berube; Heigaard; Nething

SB 2338 passed and the title was agreed to.

SB 2341: A BILL for an Act to amend and reenact section 54-17.1-08 of the North Dakota Century Code, relating to transfer of funds from the Vietnam veterans' bonus bond sinking 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 47 YEAS, 3 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Christensen; David; Dotzenrod; Freborg; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nelson; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Streibel; Stromme; Tallackson; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: Maixner; Stenehjem; Tennefos

ABSENT AND NOT VOTING: Berube; Heigaard; Nothing

SB 2341 passed and the title was agreed to.

SB 2349: A BILL for an Act to create and enact a new section to chapter 4-01 of the North Dakota Century Code, relating to establishing a farm credit counseling program; 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 46 YEAS, 5 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Berube; Christensen; Dotzenrod; Freborg; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Olson; Parker; Peterson; Reiten; Satrom; Shea; Stenehjem; Stromme; Tallackson; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: David; Nelson; Redlin; Streibel; Tennefos

ABSENT AND NOT VOTING: Heigaard; Nething

SB 2349 passed, the title was agreed to, and the emergency clause carried.

SB 2371: A BILL for an Act to establish a children's trust fund as a special fund in the state treasury for the purpose of funding activities that aid in the prevention of child abuse and neglect; to amend and reenact sections 23-02.1-29 and 50-26-01 of the North Dakota Century Code, relating to an additional fee for the issuance of a certified copy of a birth certificate and the composition of the executive committee on children and youth of the governor's council on human resources; 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 50 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Berube; Christensen; David; Dotzenrod; Ereborg; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nelson; Olson; Parker; Peterson; Redlin; Reiten; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Heigaard; Nething; Satrom

SB 2371 passed and the title was agreed to.

SB 2373: A BILL for an Act to create and enact a new subsection to section 39-06-32 of the North Dakota Century Code, relating to sanctions for administrative motor vehicle operator's license sanctions of other states; and to amend and reenact sections 39-06-35, 39-06-36, 39-06-42, subdivision b of subsection 3 and subsection 3.1 of section 39-06.1-10, subsection 2 of section 39-06.1-11, subsection 3 of section 39-06.1-13, subsection 5 of section 39-08-01, sections 39-16.1-01, 39-16.1-07, 39-20-01, 39-20-02, 39-20-03.1, 39-20-03.2, 39-20-04, 39-20-04.1, 39-20-05, 39-20-06, 39-20-07, 39-20-13, 39-20-14, and 40-18-12 of the North Dakota Century Code, relating to law enforcement,

judicial, and administrative procedures, sanctions, and penalties for driving or being in actual physical control of a motor vehicle while under the influence of alcohol or a controlled substance.

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 28 YEAS, 21 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Adams; Berube; Christensen; Freborg; Heinrich; Holmberg; Ingstad; Kelly; Kilander; Lashkowitz; Lips; Lodoen; Matchie; Moore; Naaden; Nelson; Olson; Redlin; Reiten; Stenehjem; Tallackson; Tennefos; Todd; Tweten; Vosper; Walsh; Wenstrom; Wright

NAYS: Bakewell; David; Dotzenrod; Hilken; Kelsh; Krauter; Kusler; Langley; Maixner; Meyer, D.; Meyer, J.; Meyer, W.; Mushik; Mutch; Parker; Peterson; Shea; Streibel; Stromme; Waldera; Wogsland

ABSENT AND NOT VOTING: Heigaard; Nething; Satrom; Thane

SB 2373 passed and the title was agreed to.

SB 2391: A BILL for an Act to establish a health care data committee as a standing committee of the state health council for the collection, analysis, and public distribution of information regarding the costs and prices charged for health care services in North Dakota, and to establish a health care data advisory council to advise the health care data committee of the health council; and to provide a penalty.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 35 YEAS, 15 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Berube; Christensen; Dotzenrod; Heinrich; Hilken; Holmberg; Ingstad; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Naaden; Nelson; Peterson; Redlin; Shea; Stenehjem; Stromme; Tallackson; Thane; Todd; Waldera; Walsh; Wenstrom; Wogsland

NAYS: Adams; Bakewell; David; Freborg; Kelly; Lips; Mutch; Olson; Parker; Reiten; Streibel; Tennefos; Tweten; Vosper; Wright

ABSENT AND NOT VOTING: Heigaard; Nething; Satrom

SB 2391 passed and the title was agreed to.

SB 2392: A BILL for an Act to provide disclosure requirements for persons who produce or sell toxic or hazardous substances in the state to the state fire marshal and local fire departments; and to provide a penalty.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 37 YEAS, 14 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Berube; Christensen; Dotzenrod; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Mushik; Olson; Parker; Redlin; Reiten; Satrom; Shea; Stenehjem; Stromme; Tallackson; Todd; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: Adams; Bakewell; David; Freborg; Moore; Mutch; Naaden; Nelson; Peterson; Streibel; Tennefos; Thane; Tweten; Vosper

ABSENT AND NOT VOTING: Heigaard; Nething

SB 2392 passed and the title was agreed to.

SB 2396: A BILL for an Act to require the state to pay costs of imprisonment prior to sentencing for individuals convicted in district court; and to amend and reenact section 27-01-01.1 of the North Dakota Century Code, relating to budgeting and financing of the supreme court and district courts.

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

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 9 YEAS, 40 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Dotzenrod; Kelly; Krauter; Kusler; Maixner; Moore; Tallackson; Waldera; Wright

NAYS: Adams; Bakewell; Berube; Christensen; David; Freborg; Heinrich; Hilken; Holmberg; Ingstad; Kelsh; Kilander; Langley; Lashkowitz; Lips; Lodoen; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Mutch; Naaden; Nelson; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Tennefos; Thane; Todd; Vosper; Walsh; Wenstrom; Wogsland

ABSENT AND NOT VOTING: Heigaard; Mushik; Nething; Tweten

SB 2396 was declared lost.

MOTION

SEN. NELSON MOVED that SB 2400, which is on the Eleventh order, be laid over one legislative day, which motion prevailed.

SECOND READING OF SENATE BILLS

SB 2405: A BILL for an Act to amend and reenact subdivision e of subsection 3 of section 39-06-14 and section 39-06-37 of the North Dakota Century Code, relating to operation of motorcycles by persons less than sixteen years old, and to required driver education for certain motor vehicle operators with suspended licenses.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 47 YEAS, 2 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Christensen; David; Dotzenrod; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mutch; Naaden; Nelson; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: Berube; Freborg

ABSENT AND NOT VOTING: Heigaard; Mushik; Nething; Tweten

SB 2405 passed and the title was agreed to.

SB 2410: A BILL for an Act to provide for licensure of environmental health practitioners; and to provide a penalty.

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 28 YEAS, 23 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Christensen; Dotzenrod; Heinrich; Hilken; Holmberg; Ingstad; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Maixner; Matchie; Meyer, J.; Meyer, W.; Mushik; Redlin; Satrom; Shea; Stenehjem; Stromme; Tallackson; Waldera; Walsh; Wenstrom; Wogsland

NAYS: Adams; Bakewell; Berube; David; Ereborg; Kelly; Lodoen; Meyer, D.; Moore; Mutch; Naaden; Nelson; Olson; Parker; Peterson; Reiten; Streibel; Tennefos; Thane; Todd; Tweten; Vosper; Wright

ABSENT AND NOT VOTING: Heigaard; Nothing

SB 2410 passed and the title was agreed to.

SB 2415: A BILL for an Act to amend and reenact sections 15-47-26 and 15-47-27 of the North Dakota Century Code, relating to the definition of teacher.

Which has been read.

ROLL CALL

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

YEAS: Adams; Berube; Christensen; David; Dotzenrod; Ereborg; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nelson; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Bakewell; Heigaard; Maixner; Nothing

SB 2415 passed and the title was agreed to.

SENATE RULE 507 AMENDED

SEN. NELSON MOVED that the rules be suspended, that Rule 507 be amended, that all bills that were to be reported out of committee on the Thirty-first Day be extended to the Thirty-third Day, which motion prevailed.

MOTIONS

SEN. NAADEN MOVED that SB 2441 which is on the Eleventh order be rereferred to the Committee on Appropriations, which motion prevailed.

SEN. NELSON MOVED that SB 2063, SB 2262, SB 2413, and SB 2477 be reprinted, which motion prevailed.

ANNOUNCEMENT

Members of the Legislative Assembly will be playing basketball against the lobbyists this evening.

SEN. TENNEFOS MOVED that the names of the legislative team be printed in the Journal, which motion prevailed.

MEMBERS OF THE WRONG TEAM

1.	Sen. 2-POINT DEANO (Meyer)	Forward	6'2"	Democrat
2.	Sen. MATCHLESS MATCHIE (Tom)	Guard	5'10"	Democrat
3.	Sen. DONALD DUNK (Don Kilander)	Forward	6'	Republican
4.	Sen. TRAVELIN' JOE (Satrom)	Guard	5'11"	Democrat
5.	Sen. SCARY GARY (Nelson)	Forward	6'1"	Republican
6.	Sen. TOO TALL HILKEN (Gene)	Center	6'5"	Democrat
7.	Sen. TRICK KNEE RICK (Maixner)	Center	6'4"	Democrat
8.	Sen. OFFENSIVE DAN WOGSLAND	Forward	6'2"	Democrat
9.	Sen. OLE OLSON (John)	Guard	5'11"	Republican
10.	Rep. MAGIC ANDERSON (Ron)	Guard	6'	Republican
11.	Rep. HYPERACTIVE HUGHES (Steve)	Guard	5'11"	Republican
12.	Rep. DOUBLE DRIBBLE DAVE KENT	Guard	5'10"	Republican
13.	Rep. JUMPING JOHN DORSO	Designated	6'	Republican

Shooter

HEAD COACH: Sen. BYRON LAYUP LANGLEY

REPORTS OF STANDING COMMITTEES

MADAM PRESIDENT: Your Committee on Appropriations to which was referred SB 2003 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 17, delete the numerals "63,075,384" and insert in lieu thereof the numerals "63,886,651"

On page 1, line 18, delete the numerals "21,177,880" and insert in lieu thereof the numerals "19,874,940"

- On page 1, line 19, delete the numerals "1,460,874" and insert in lieu thereof the numerals "1,677,954"
- On page 1, line 20, delete the numerals "85,714,138" and insert in lieu thereof the numerals "85,439,545"
- On page 1, line 21, delete the numerals "21,984,928" and insert in lieu thereof the numerals "24,124,453"
- On page 1, line 22, delete the numerals "63,729,210" and insert in lieu thereof the numerals "61,315,092"
- On page 1, line 23, delete the numerals "1,620,000" and insert in lieu thereof the numerals "1,330,150"
- On page 1, line 24, delete the numerals "65,349,210" and insert in lieu thereof the numerals "62,645,242"
- On page 1, line 28, delete the numerals "55,319,275" and insert in lieu thereof the numerals "55,686,656"
- On page 2, line 1, delete the numerals "17,880,775" and insert in lieu thereof the numerals "16,803,854"
- On page 2, line 2, delete the numerals "1,025,269" and insert in lieu thereof the numerals "980,593"
- On page 2, line 3, delete the numerals "74,225,319" and insert in lieu thereof the numerals "73,471,103"
- On page 2, line 4, delete the numerals "19,940,466" and insert in lieu thereof the numerals "22,045,626"
- On page 2, line 5, delete the numerals "54,284,853" and insert in lieu thereof the numerals "51,425,477"
- On page 2, line 6, delete the numerals "1,620,000" and insert in lieu thereof the numerals "1,330,150"
- On page 2, line 7, delete the numerals "55,904,853" and insert in lieu thereof the numerals "52,755,627"
- On page 2, line 10, delete the numerals "18,563,384" and insert in lieu thereof the numerals "20,020,757"
- On page 2, line 11, delete the numerals "5,502,074" and insert in lieu thereof the numerals "5,264,459"
- On page 2, line 12, delete the numerals "835,669" and insert in lieu thereof the numerals "683,551"
- On page 2, line 13, delete the numerals "24,901,127" and insert in lieu thereof the numerals "25,968,767"

- On page 2, line 14, delete the numerals "6,815,403" and insert in lieu thereof the numerals "7,097,050"
- On page 2, line 15, delete the numerals "18,085,724" and insert in lieu thereof the numerals "18,871,717"
- On page 2, line 16, delete the numerals "449,800" and insert in lieu thereof the numerals "369,050"
- On page 2, line 17, delete the numerals "18,535,524" and insert in lieu thereof the numerals "19,240,767"
- On page 2, line 20, delete the numerals "8,189,040" and insert in lieu thereof the numerals "8,502,255"
- On page 2, line 21, delete the numerals "2,902,150" and insert in lieu thereof the numerals "2,726,152"
- On page 2, line 22, delete the numerals "237,742" and insert in lieu thereof the numerals "177,633"
- On page 2, line 23, delete the numerals "11,328,932" and insert in lieu thereof the numerals "11,406,040"
- On page 2, line 24, delete the numerals "2,014,670" and insert in lieu thereof the numerals "2,115,261"
- On page 2, line 25, delete the numerals "9,314,262" and insert in lieu thereof the numerals "9,290,779"
- On page 2, line 26, delete the numerals "192,004" and insert in lieu thereof the numerals "157,154"
- On page 2, line 27, delete the numerals "9,506,266" and insert in lieu thereof the numerals "9,447,933"
- On page 2, line 30, delete the numerals "5,657,399" and insert in lieu thereof the numerals "5,960,478"
- On page 2, line 31, delete the numerals "1,944,784" and insert in lieu thereof the numerals "1,844,974"
- On page 2, line 32, delete the numerals "144,321" and insert in lieu thereof the numerals "86,923"
- On page 2, line 33, delete the numerals "7,746,504" and insert in lieu thereof the numerals "7,892,375"
- On page 2, line 34, delete the numerals "1,457,478" and insert in lieu thereof the numerals "1,507,714"
- On page 2, line 35, delete the numerals "6,289,026" and insert in lieu thereof the numerals "6,384,661"

- On page 3, line 1, delete the numerals "89,424" and insert in lieu thereof the numerals "73,274"
- On page 3, line 2, delete the numerals "6,378,450" and insert in lieu thereof the numerals "6,457,935"
- On page 3, line 5, delete the numerals "16,691,557" and insert in lieu thereof the numerals "16,576,724"
- On page 3, line 6, delete the numerals "3,177,436" and insert in lieu thereof the numerals "2,966,282"
- On page 3, line 7, delete the numerals "325,214" and insert in lieu thereof the numerals "237,430"
- On page 3, line 8, delete the numerals "20,194,207" and insert in lieu thereof the numerals "19,780,436"
- On page 3, line 9, delete the numerals "6,678,936" and insert in lieu thereof the numerals "7,116,982"
- On page 3, line 10, delete the numerals "13,515,271" and insert in lieu thereof the numerals "12,663,454"
- On page 3, line 11, delete the numerals "408,024" and insert in lieu thereof the numerals "334,924"
- On page 3, line 12, delete the numerals "13,923,295" and insert in lieu thereof the numerals "12,998,378"
- On page 3, line 15, delete the numerals "7,272,851" and insert in lieu thereof the numerals "7,549,248"
- On page 3, line 16, delete the numerals "2,067,624" and insert in lieu thereof the numerals "1,936,952"
- On page 3, line 17, delete the numerals "184,923" and insert in lieu thereof the numerals "133,245"
- On page 3, line 18, delete the numerals "9,525,398" and insert in lieu thereof the numerals "9,619,445"
- On page 3, line 19, delete the numerals "2,211,071" and insert in lieu thereof the numerals "2,312,213"
- On page 3, line 20, delete the numerals "7,314,327" and insert in lieu thereof the numerals "7,307,232"
- On page 3, line 21, delete the numerals "220,320" and insert in lieu thereof the numerals "181,220"
- On page 3, line 22, delete the numerals "7,534,647" and insert in lieu thereof the numerals "7,488,452"

- On page 3, delete line 25
- On page 3, line 26, delete the numerals "2,874,661" and insert in lieu thereof the numerals "3,030,486"
- On page 3, line 27, delete the numerals "771,901" and insert in lieu thereof the numerals "731,334"
- On page 3, line 28, delete the numerals "130,446" and insert in lieu thereof the numerals "90,387"
- On page 3, line 29, delete the numerals "3,777,008" and insert in lieu thereof the numerals "3,852,207"
- On page 3, line 30, delete the numerals "787,249" and insert in lieu thereof the numerals "827,567"
- On page 3, line 31, delete the numerals "2,989,759" and insert in lieu thereof the numerals "3,024,640"
- On page 3, line 32, delete the numerals "147,415" and insert in lieu thereof the numerals "121,065"
- On page 3, line 33, delete the numerals "3,137,174" and insert in lieu thereof the numerals "3,145,705"
- On page 3, after line 33, insert the following new subdivisions:

"Subdivision 9.

UNIVERSITY OF NORTH DAKOTA MEDICAL CENTER

Salaries and wages	\$ 32,558,926
Operating expenses	11,403,527
Equipment	752,191
Genetics program	105,000
Total all funds	\$ 44,819,644
Less estimated income	17,415,381
Total general fund appropriation	\$ 27,404,263

Subdivision 10.

MEDICAL CENTER REHABILITATION HOSPITAL

Salaries and wages	\$ 14,623,139
Operating expenses	5,716,692
Equipment	205,192
Total appropriation from institutional income	\$ 20,545,023

Subdivision 11.

NORTH DAKOTA STATE UNIVERSITY - STATE TOXICOLOGIST

Salaries and wages	\$ 464,689
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Operating expenses	99,160
Equipment	23,000
Total all funds	\$ 586,849
Less estimated income	144,157
Total general fund appropriation	\$ 442,692

Subdivision 12.

NORTH DAKOTA FOREST SERVICE

Salaries and wages	\$ 1,219,716
Operating expenses	360,403
Equipment	56,035
Total operating budget	\$ 1,636,154
Less estimated income	643,027
Net operating budget	\$ 993,127
Capital improvements	30,100
Total general fund appropriation	\$ 1,023,227"

On page 3, line 34, delete the numerals "180,269,419" and insert in lieu thereof the numerals "203,050,221"

On page 3, line 35, delete the numerals "61,890,201" and insert in lieu thereof the numerals "105,894,454"

On page 4, line 1, delete the numerals "242,159,620" and insert in lieu thereof the numerals "308,944,675"

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

University of North Dakota

The salaries and wages line item is reduced by \$1,103,167 from the general fund. This will allow funds for average salary increases of 9.5 percent for faculty and senior administrative staff and 5.5 percent for other employees the first year of the biennium (these funds are to continue the cost of average increases of 9.5 and 5.5 percent on April 1, 1985) and average salary increases of four percent for all employees 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.

The salaries and wages line item is increased by \$1,914,434 from the general fund to provide funds for 27.35 FTE faculty positions which the executive budget included in a 104.3 FTE faculty position pool in the Board of Higher Education budget. Funds for 92.45 of the 104.3 FTE's are being restored to the various institutions' budgets and funds for the remaining 11.85 FTE's are

deleted. The faculty position pool is being deleted from the board's budget.

The operating expenses line item is reduced by \$156,940 from the general fund to delete funds for the faculty development program enhancement. The operating expenses line item is further reduced by \$1,146,000 from the general fund to reflect a proportionate share of a \$3 million general fund reduction to the operating expenses line items of the colleges and universities.

The equipment line item is increased by \$217,080 from the general fund to reflect the establishment of a twenty-year equipment replacement cycle.

The capital improvements line item is reduced by \$289,850 from the general fund to reflect a proportionate share of an \$850,000 general fund reduction to the capital improvements line items of the colleges and universities.

The estimated income line item is increased by \$89,830 with a corresponding decrease to the general fund to reflect a revised estimate of the July 1, 1985, cash carryover balance and to reflect revised estimates of interest and income to be allocated by the Board of University and School Lands.

The estimated income line item is increased by \$654,535 with a corresponding decrease to the general fund to reflect tuition rate increases of 12.5 percent the first year of the 1985-87 biennium and 12 percent the second year, rather than 10 percent increases in each year.

The estimated income line item is increased by \$451,000 with a corresponding decrease to the general fund to reflect a \$500 per year increase in tuition rates for foreign students.

The estimated income line item is increased by \$944,160 with a corresponding decrease to the general fund to reflect the estimated effect of charging Minnesota students the Minnesota resident tuition rate.

North Dakota State University

The salaries and wages line item is reduced by \$1,238,789 from the general fund. This will allow funds for average salary increases of 9.5 percent for faculty and senior administrative staff and 5.5 percent for other employees the first year of the biennium (these funds are to continue the cost of average increases of 9.5 and 5.5 percent on April 1, 1985) and average salary increases of four percent for all employees 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.

The salaries and wages line item is increased by \$1,350,954 from the general fund to provide funds for 19.3 FTE faculty positions which the executive budget included in a 104.3 FTE faculty position pool in the Board of Higher Education budget. Funds for 92.45 of the 104.3 FTE's are being restored to the various institutions' budgets and funds for the remaining 11.85 FTE's are deleted. The faculty position pool is being deleted from the board's budget.

The salaries and wages line item is increased by \$255,216 from the general fund and the operating expenses line item is increased by \$40,474 from the general fund for purposes of plant maintenance. These amounts are the institutions' allocation of the \$1 million in the executive budget which was pooled in the Board of Higher Education budget for facilities maintenance purposes. The facilities maintenance pool is being deleted from the board's budget.

The operating expenses line item is reduced by \$148,395 from the general fund to delete funds for the faculty development program enhancement. The operating expenses line item is further reduced by \$969,000 from the general fund to reflect a proportionate share of a \$3 million general fund reduction to the operating expenses line items of the colleges and universities.

The equipment line item is reduced by \$44,676 from the general fund to reflect the establishment of a twenty-year equipment replacement cycle.

The capital improvements line item is reduced by \$289,850 from the general fund to reflect a proportionate share of an \$850,000 general fund reduction to the capital improvements line items of the colleges and universities.

The estimated income line item is increased by \$298,700 with a corresponding decrease to the general fund to reflect revised estimates of interest and income to be allocated by the Board of University and School Lands.

The estimated income line item is increased by \$581,000 with a corresponding decrease to the general fund to reflect tuition rate increases of 12.5 percent the first year of the 1985-87 biennium and 12 percent the second year, rather than 10 percent increases in each year.

The estimated income line item is increased by \$233,000 with a corresponding decrease to the general fund to reflect a \$500 per year increase in tuition rates for foreign students.

The estimated income line item is increased by \$992,460 with a corresponding decrease to the general fund to reflect the estimated effect of charging Minnesota students the Minnesota resident tuition rate.

North Dakota State School of Science

The salaries and wages line item is reduced by \$234,242 from the general fund. This will allow funds for average salary increases of 9.5 percent for faculty and senior administrative staff and 5.5 percent for other employees the first year of the biennium (these funds are to continue the cost of average increases of 9.5 and 5.5 percent on April 1, 1985) and average salary increases of four percent for all employees 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.

The salaries and wages line item is increased by \$1,269,659 from the general fund to provide funds for 21.5 FTE faculty positions which the executive budget included in a 104.3 FTE faculty position pool in the Board of Higher Education budget. Funds for 92.45 of the 104.3 FTE's are being restored to the various institutions' budgets and funds for the remaining 11.85 FTE's are deleted. The faculty position pool is being deleted from the board's budget.

The salaries and wages line item is increased by \$421,956 from the general fund and the operating expenses line item is increased by \$108,990 from the general fund for purposes of plant maintenance. These amounts are the institutions' allocation of the \$1 million in the executive budget which was pooled in the Board of Higher Education budget for facilities maintenance purposes. The facilities maintenance pool is being deleted from the board's budget.

The operating expenses line item is reduced by \$49,605 from the general fund to delete funds for the faculty development program enhancement. The operating expenses line item is further reduced by \$297,000 from the general fund to reflect a proportionate share of a \$3 million general fund reduction to the operating expenses line items of the colleges and universities.

The equipment line item is reduced by \$152,118 from the general fund to reflect the establishment of a twenty-year equipment replacement cycle.

The capital improvements line item is reduced by \$80,750 from the general fund to reflect a proportionate share of an \$850,000 general fund reduction to the capital improvements line items of the colleges and universities.

The estimated income line item is decreased by \$26,200 with a corresponding increase to the general fund to reflect a revised estimate of the July 1, 1985, cash carryover balance and to reflect revised estimates of interest and income to be allocated by the Board of University and School Lands.

The estimated income line item is increased by \$167,779 with a corresponding decrease to the general fund to reflect tuition rate increases of 12.5 percent the first year of the 1985-87 biennium and 12 percent the second year, rather than 10 percent increases in each year.

The estimated income line item is increased by \$25,000 with a corresponding decrease to the general fund to reflect a \$500 per year increase in tuition rates for foreign students.

The estimated income line item is increased by \$115,068 with a corresponding decrease to the general fund to reflect the estimated effect of charging Minnesota students the Minnesota resident tuition rate.

Dickinson State College

The salaries and wages line item is reduced by \$129,793 from the general fund. This will allow funds for average salary increases of 9.5 percent for faculty and senior administrative staff and 5.5 percent for other employees the first year of the biennium (these funds are to continue the cost of average increases of 9.5 and 5.5 percent on April 1, 1985) and average salary increases of four percent for all employees 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.

The salaries and wages line item is increased by \$443,008 from the general fund to provide funds for 7.1 FTE faculty positions which the executive budget included in a 104.3 FTE faculty position pool in the Board of Higher Education budget. Funds for 92.45 of the 104.3 FTE's are being restored to the various institutions' budgets and funds for the remaining 11.85 FTE's are deleted. The faculty position pool is being deleted from the board's budget.

The operating expenses line item is reduced by \$19,998 from the general fund to delete funds for the faculty development program enhancement. The operating expenses line item is further reduced by \$156,000 from the general fund to reflect a proportionate share of a \$3 million general fund reduction to the operating expenses line items of the colleges and universities.

The equipment line item is reduced by \$60,109 from the general fund to reflect the establishment of a twenty-year equipment replacement cycle.

The capital improvements line item is reduced by \$34,850 from the general fund to reflect a proportionate share of an \$850,000 general fund reduction to the capital improvements line items of the colleges and universities.

The estimated income line item is increased by \$36,559 with a corresponding decrease to the general fund to reflect a revised estimate of the July 1, 1985, cash carryover balance and to reflect revised estimates of interest and income to be allocated by the Board of University and School Lands.

The estimated income line item is increased by \$57,000 with a corresponding decrease to the general fund to reflect tuition rate increases of 12.5 percent the first year of the 1985-87 biennium and 12 percent the second year, rather than 10 percent increases in each year.

The estimated income line item is increased by \$6,000 with a corresponding decrease to the general fund to reflect a \$500 per year increase in tuition rates for foreign students.

The estimated income line item is increased by \$1,032 with a corresponding decrease to the general fund to reflect the estimated effect of charging Minnesota students the Minnesota resident tuition rate.

Mayville State College

The salaries and wages line item is reduced by \$93,547 from the general fund. This will allow funds for average salary increases of 9.5 percent for faculty and senior administrative staff and 5.5 percent for other employees the first year of the biennium (these funds are to continue the cost of average increases of 9.5 and 5.5 percent on April 1, 1985) and average salary increases of four percent for all employees 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.

The salaries and wages line item is increased by \$304,652 from the general fund to provide funds for 4.9 FTE faculty positions which the executive budget included in a 104.3 FTE faculty position pool in the Board of Higher Education budget. Funds for 92.45 of the 104.3 FTE's are being restored to the various institutions' budgets and funds for the remaining 11.85 FTE's are deleted. The faculty position pool is being deleted from the board's budget.

The salaries and wages line item is increased by \$91,974 from the general fund and the operating expenses line item is increased by \$18,899 from the general fund for purposes of plant maintenance. These amounts are the institution's allocation of the \$1 million in the executive budget which was pooled in the Board of Higher Education budget for facilities maintenance purposes. The facilities maintenance pool is being deleted from the board's budget.

The operating expenses line item is reduced by \$13,709 from the general fund to delete funds for the faculty development program enhancement. The operating expenses line item is further reduced by \$105,000 from the general fund to reflect a proportionate share of a \$3 million general fund reduction to the operating expenses line items of the colleges and universities.

The equipment line item is reduced by \$57,398 from the general fund to reflect the establishment of a 20-year equipment replacement cycle.

The capital improvements line item is reduced by \$16,150 from the general fund to reflect a proportionate share of an \$850,000 general fund reduction to the capital improvements line items of the colleges and universities.

The estimated income line item is decreased by \$27,536 with a corresponding increase to the general fund to reflect a revised estimate of the July 1, 1985, cash carryover balance and to reflect revised estimates of interest and income to be allocated by the Board of University and School Lands.

The estimated income line item is increased by \$34,650 with a corresponding decrease to the general fund to reflect tuition rate increases of 12.5 percent the first year of the 1985-87 biennium and 12 percent the second year, rather than 10 percent increases in each year.

The estimated income line item is increased by \$15,000 with a corresponding decrease to the general fund to reflect a \$500 per year increase in tuition rates for foreign students.

The estimated income line item is increased by \$28,122 with a corresponding decrease to the general fund to reflect the estimated effect of charging Minnesota students the Minnesota resident tuition rate.

Minot State College

The salaries and wages line item is reduced by \$365,403 from the general fund. This will allow funds for average salary increases of 9.5 percent for faculty and senior administrative staff and 5.5 percent for other employees the first year of the biennium (these funds are to continue the cost of average increases of 9.5 and 5.5 percent on April 1, 1985) and average salary increases of four percent for all employees 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.

The salaries and wages line item is increased by \$250,570 from the general fund to provide funds for 4.05 FTE faculty positions which the executive budget included in a 104.3 FTE faculty

position pool in the Board of Higher Education budget. Funds for 92.45 of the 104.3 FTE's are being restored to the various institutions' budgets and funds for the remaining 11.85 FTE's are deleted. The faculty position pool is being deleted from the board's budget.

The operating expenses line item is reduced by \$40,154 from the general fund to delete funds for the faculty development program enhancement. The operating expenses line item is further reduced by \$171,000 from the general fund to reflect a proportionate share of a \$3 million general fund reduction to the operating expenses line items of the colleges and universities.

The equipment line item is reduced by \$87,784 from the general fund to reflect the establishment of a 20-year equipment replacement cycle.

The capital improvements line item is reduced by \$73,100 from the general fund to reflect a proportionate share of an \$850,000 general fund reduction to the capital improvements line items of the colleges and universities.

The estimated income line item is increased by \$174,652 with a corresponding decrease to the general fund to reflect a revised estimate of the July 1, 1985, cash carryover balance and to reflect revised estimates of interest and income to be allocated by the Board of University and School Lands.

The estimated income line item is increased by \$156,750 with a corresponding decrease to the general fund to reflect tuition rate increases of 12.5 percent the first year of the 1985-87 biennium and 12 percent the second year, rather than 10 percent increases in each year.

The estimated income line item is increased by \$102,000 with a corresponding decrease to the general fund to reflect a \$500 per year increase in tuition rates for foreign students.

The estimated income line item is increased by \$4,644 with a corresponding decrease to the general fund to reflect the estimated effect of charging Minnesota students the Minnesota resident tuition rate.

Valley City State College

The salaries and wages line item is reduced by \$95,482 from the general fund. This will allow funds for average salary increases of 9.5 percent for faculty and senior administrative staff and 5.5 percent for other employees the first year of the biennium (these funds are to continue the cost of average increases of 9.5 and 5.5 percent on April 1, 1985) and average salary increases of four percent for all employees 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.

The salaries and wages line item is increased by \$371,879 from the general fund to provide funds for 5.85 FTE faculty positions which the executive budget included in a 104.3 FTE faculty position pool in the Board of Higher Education budget. Funds for 92.45 of the 104.3 FTE's are being restored to the various institutions' budgets and funds for the remaining 11.85 FTE's are deleted. The faculty position pool is being deleted from the board's budget.

The operating expenses line item is reduced by \$16,672 from the general fund to delete funds for the faculty development program enhancement. The operating expenses line item is further reduced by \$114,000 from the general fund to reflect a proportionate share of a \$3 million general fund reduction to the operating expenses line items of the colleges and universities.

The equipment line item is reduced by \$51,678 from the general fund to reflect the establishment of a 20-year equipment replacement cycle.

The capital improvements line item is reduced by \$39,100 from the general fund to reflect a proportionate share of an \$850,000 general fund reduction to the capital improvements line items of the colleges and universities.

The estimated income line item is increased by \$40,000 with a corresponding decrease to the general fund to reflect a revised estimate of the July 1, 1985, cash carryover balance and to reflect revised estimates of interest and income to be allocated by the Board of University and School Lands.

The estimated income line item is increased by \$47,790 with a corresponding decrease to the general fund to reflect tuition rate increases of 12.5 percent the first year of the 1985-87 biennium and 12 percent the second year, rather than 10 percent increases in each year.

The estimated income line item is increased by \$2,000 with a corresponding decrease to the general fund to reflect a \$500 per year increase in tuition rates for foreign students.

The estimated income line item is increased by \$11,352 with a corresponding decrease to the general fund to reflect the estimated effect of charging Minnesota students the Minnesota resident tuition rate.

NDSU - Bottineau

The salaries and wages line item is reduced by \$42,098 from the general fund. This will allow funds for average salary increases of 9.5 percent for faculty and senior administrative staff and

5.5 percent for other employees the first year of the biennium (these funds are to continue the cost of average increases of 9.5 and 5.5 percent on April 1, 1985) and average salary increases of four percent for all employees 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.

The salaries and wages line item is increased by \$143,314 from the general fund to provide funds for 2.4 FTE faculty positions which the executive budget included in a 104.3 FTE faculty position pool in the Board of Higher Education budget. Funds for 92.45 of the 104.3 FTE's are being restored to the various institutions' budgets and funds for the remaining 11.85 FTE's are deleted. The faculty position pool is being deleted from the board's budget.

The salaries and wages line item is increased by \$54,609 from the general fund and the operating expenses line item is increased by \$7,882 from the general fund for purposes of plant maintenance. These amounts are the institution's allocation of the \$1 million in the executive budget which was pooled in the Board of Higher Education budget for facilities maintenance purposes. The facilities maintenance pool is being deleted from the board's budget.

The operating expenses line item is reduced by \$6,449 from the general fund to delete funds for the faculty development program enhancement. The operating expenses line item is further reduced by \$42,000 from the general fund to reflect a proportionate share of a \$3 million general fund reduction to the operating expenses line items of the colleges and universities.

The equipment line item is reduced by \$40,059 from the general fund to reflect the establishment of a 20-year equipment replacement cycle.

The capital improvements line item is reduced by \$26,350 from the general fund to reflect a proportionate share of an \$850,000 general fund reduction to the capital improvements line items of the colleges and universities.

The estimated income line item is decreased by \$9,100 with a corresponding increase to the general fund to reflect a revised estimate of the July 1, 1985, cash carryover balance and to reflect revised estimates of interest and income to be allocated by the Board of University and School Lands.

The estimated income line item is increased by \$18,354 with a corresponding decrease to the general fund to reflect tuition rate increases of 12.5 percent the first year of the 1985-87 biennium and 12 percent the second year, rather than 10 percent increases in each year.

The estimated income line item is increased by \$29,000 with a corresponding decrease to the general fund to reflect a \$500 per year increase in tuition rates for foreign students.

The estimated income line item is increased by \$2,064 with a corresponding decrease to the general fund to reflect the estimated effect of charging Minnesota students the Minnesota resident tuition rate.

UND - Medical Center

The executive budget recommended appropriation for the UND - Medical Center was originally provided in Senate Bill No. 2008. The provisions of Senate Bill No. 2008 as they relate to the Medical Center are being incorporated into Senate Bill No. 2003 after being revised as follows:

The salaries and wages line item of the UND - Medical Center is reduced by \$783,760, of which \$548,632 is from the general fund and \$235,128 is from other funds. This will allow funds for average salary increases of 9.5 percent for faculty and senior administrative staff and 5.5 percent for other employees the first year of the biennium (these funds are to continue the cost of average increases of 9.5 and 5.5 percent on April 1, 1985) and average salary increases of four percent for all employees 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.

The operating expenses line item is reduced by \$597,046 from the general fund to reflect holding the Medical Center general fund appropriation to the 1983-85 biennium level, prior to compensation adjustments.

UND - Rehabilitation Hospital

The executive budget recommended appropriation for the Rehabilitation Hospital was originally provided in Senate Bill No. 2008. The provisions of Senate Bill No. 2008 as they relate to the Rehabilitation Hospital are being incorporated into Senate Bill No. 2003 after being revised as follows:

The salaries and wages line item is reduced by \$130,215 from other funds. This will allow funds for average salary increases of 9.5 percent for faculty and senior administrative staff and 5.5 percent for other employees the first year of the biennium (these funds are to continue the cost of average increases of 9.5 and 5.5 percent on April 1, 1985) and average salary increases of four percent for all employees 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.

NDSU - State Toxicologist

The executive budget recommended appropriation for the State Toxicologist was originally provided in Senate Bill No. 2034. The provisions of Senate Bill No. 2034 as they relate to the State Toxicologist are being incorporated into Senate Bill No. 2003 after being revised as follows:

The salaries and wages line item is reduced by \$10,981, of which \$7,466 is from the general fund and \$3,515 is from other funds. This will allow funds for average salary increases of 9.5 percent for faculty and senior administrative staff and 5.5 percent for other employees the first year of the biennium (these funds are to continue the cost of average increases of 9.5 and 5.5 percent on April 1, 1985) and average salary increases of four percent for all employees 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.

Forest Service

The executive budget recommended appropriation for the Forest Service was originally provided in Senate Bill No. 2034. The provisions of Senate Bill No. 2034 as they relate to the Forest Service are being incorporated into Senate Bill No. 2003 after being revised as follows:

The salaries and wages line item is reduced by \$25,391, of which \$13,546 is from the general fund and \$11,845 is from other funds. This will allow funds for average salary increases of 9.5 percent for faculty and senior administrative staff and 5.5 percent for other employees the first year of the biennium (these funds are to continue the cost of average increases of 9.5 and 5.5 percent on April 1, 1985) and average salary increases of four percent for all employees 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.

SUMMARY OF AMENDMENTS BY INSTITUTION IN SENATE BILL NO. 2003

Institution	Salary Compensation Package	Restore Pooled Faculty Positions	Restore Facilities Maintenance Pool	\$3 Million Reduction to Operating Expenses	Additional Income			Other Amendments	Impact of Amendments	
					Minnesota Student Tuition	Tuition Rate Increase	Foreign Student Tuition		General Fund	Estimated Income
UND	\$(1,103,167)	\$1,914,434	\$ 0	\$(1,146,000)	\$ 944,160	\$ 654,535	\$451,000	\$(319,540)	\$(12,701,968)	\$2,139,525
NDGU	(1,238,789)	1,350,954	295,690	(969,000)	992,460	581,000	231,000	(781,621)	(3,149,226)	2,105,160
NDSS	(234,242)	1,269,659	530,946	(297,000)	115,068	167,779	25,000	(256,273)	705,243	281,647
Dickinson State College	(129,793)	443,008	0	(156,000)	1,032	57,000	6,000	(151,516)	(58,333)	100,591
Mayville State College	(93,547)	304,652	110,873	(105,000)	28,122	34,650	15,000	(59,721)	79,485	50,236
Minot State College	(365,403)	250,570	0	(171,000)	4,644	156,750	102,000	(375,690)	(924,917)	438,046
Valley City State College	(95,482)	371,879	0	(114,000)	11,352	47,790	2,000	(147,450)	(46,195)	101,142
NDGU-Pottineau	(42,098)	143,314	62,491	(42,000)	2,064	18,354	29,000	(63,758)	8,531	40,318
Subtotal	\$(3,302,521)	\$6,048,470	\$1,000,000	\$(3,000,000)	\$2,098,902	\$1,717,858	\$863,000	\$(2,155,569)	\$(16,089,380)	\$5,256,645
Other Institutions Transferred From SB 2008 and SB 2014										
UND-Medical Center	(783,760)							(597,046)	(1,145,678)	(235,128)
Rehabilitation Hospital	(130,215)									(130,215)
State Toxicologist	(10,981)								(7,466)	(3,515)
Forest Service	(25,391)								(13,546)	(11,845)
Total Amendments to Institutions Included in SB 2003	\$(4,252,868)	\$6,048,470	\$1,000,000	\$(3,000,000)	\$2,098,902	\$1,717,858	\$863,000	\$(2,252,615)	\$(17,256,070)	\$4,875,962

SEN. LIPS, Chairman

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

MADAM PRESIDENT: Your Committee on Appropriations to which was referred SB 2013 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 13, delete the numerals "295,238" and insert in lieu thereof the numerals "288,148"

On page 1, line 14, delete the numerals "94,561" and insert in lieu thereof the numerals "96,529"

On page 1, line 19, delete the numerals "3,899,109" and insert in lieu thereof the numerals "3,893,987"

On page 1, line 20, delete the numerals "2,840,451" and insert in lieu thereof the numerals "2,901,077"

On page 1, line 21, delete the numerals "1,058,658" and insert in lieu thereof the numerals "992,910"

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Aeronautics Commission

The salaries and wages line item is reduced by \$7,090 from the general fund. This will allow funds for average salary increases of 5.5 percent the first year of the biennium (these funds are to continue the cost of an average increase of 5.5 percent on April 1, 1985) 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.

The operating expenses line item is increased by \$1,968 from the general fund to reinstate the amount requested by the commission. Of the net total increase \$580 is for increased postage prices, \$200 is for vehicle liability insurance, \$700 is for a computer and copier maintenance contract, and \$488 is for computer and copier supplies.

The estimated income line item is increased by \$60,626 with a corresponding decrease to the amount of general funding. This amount is from unclaimed aviation fuel tax refunds.

SEN. LIPS, Chairman

SB 2013 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Appropriations to which was referred SB 2024 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 13, delete the numerals "58,199,713" and insert in lieu thereof the numerals "57,159,394"

On page 1, line 14, delete the numerals "54,556,880" and insert in lieu thereof the numerals "47,389,292"

On page 1, line 15, delete the numerals "2,671,080" and insert in lieu thereof the numerals "1,888,445"

On page 1, line 16, delete the numerals "6,554,727" and insert in lieu thereof the numerals "6,368,839"

On page 1, line 18, delete the numerals "5,444,900" and insert in lieu thereof the numerals "8,444,900"

On page 1, line 19, delete the numerals "215,434,042" and insert in lieu thereof the numerals "226,571,201"

On page 1, line 20, delete the numerals "346,988,773" and insert in lieu thereof the numerals "351,949,502"

On page 1, line 21, delete the numerals "346,958,773" and insert in lieu thereof the numerals "351,919,502"

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Highway Department

The salaries and wages line item is reduced by \$1,040,319. This will allow funds for average salary increases of 5.5 percent the first year of the biennium (these funds are to continue the cost of an average increase of 5.5 percent on April 1, 1985) 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.

The operating expenses line item is reduced by \$7,167,588. This decrease includes a reduction of \$127,000 to delete funds which would make all driver's license photosites handicapped accessible and would permit all driver's license hearing and suspension notices to be mailed by registered mail.

The data processing line item is reduced by \$782,635. This consists of a \$282,635 decrease to delete funds for increased data processing costs and enhancements and a \$500,000 decrease to delete funds related to proposed Highway Department enhancements of the Statewide Accounting and Management Information System (SAMIS).

The equipment line item is reduced by \$185,888.

The capital improvements line item is increased by \$3 million to provide additional funds for highway maintenance.

The contracts line item is increased by \$11,137,159 to provide state funds for highway construction projects that will match all available federal funds.

SEN. LIPS, Chairman

SB 2024 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Appropriations to which was referred SB 2048 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

- On page 1 of the engrossed bill, line 3, after the first word "of" insert the words "real property or"
- On page 1 of the engrossed bill, line 5, after the second word "of" insert the words "fixed rate securities or"
- On page 1 of the engrossed bill, line 6, after the semicolon insert the words "to provide a continuing appropriation;"
- On page 1 of the engrossed bill, line 12, after the word "of" insert the words "real property or", after the word "using" insert the words "fixed rate securities", and after the word "notes" insert the hyphen and word "- Appropriation"
- On page 1 of the engrossed bill, line 13, after the word "acquire" insert the words "fee simple title, or any lesser interest therein, to any real property or"
- On page 1 of the engrossed bill, line 14, after the word "for" insert the words "present or future"
- On page 1 of the engrossed bill, line 18, after the word "purchase" insert the words "real property or"
- On page 1 of the engrossed bill, line 22, delete the words "in the" and insert in lieu thereof the words "evidencing assignments of proportionate undivided interests in certain payments pursuant to the"
- On page 1 of the engrossed bill, line 26, after the word "certificates" insert the words "of participation"
- On page 1 of the engrossed bill, line 27, after the first word "the" insert the words "real property or"
- On page 2 of the engrossed bill, line 1, after the word "lease" insert the words "real property or"
- On page 2 of the engrossed bill, line 4, after the word "the" insert the words "real property or"
- On page 2 of the engrossed bill, line 5, delete the words "in the" and insert in lieu thereof the words "evidencing assignments of proportionate undivided interests in certain payments pursuant to the"
- On page 2 of the engrossed bill, line 6, delete the words "office of management and budget shall make the"

- On page 2 of the engrossed bill, line 7, after the word "payments" insert the words "may be made"
- On page 2 of the engrossed bill, line 11, after the word "the" insert the words "real property or"
- On page 2 of the engrossed bill, line 35, after the comma insert the words "real property or"
- On page 3 of the engrossed bill, line 1, after the second word "the" insert the words "real property or"
- On page 3 of the engrossed bill, line 10, after the word "of" insert the words "real property or"
- On page 3 of the engrossed bill, line 13, after the word "of" insert the words "real property or"
- On page 3 of the engrossed bill, line 15, after the word "of" insert the words "real property or"
- On page 3 of the engrossed bill, line 19, after the first word "of" insert the words "real property or"
- On page 3 of the engrossed bill, line 23, after the word "the" insert the words "real property or"
- On page 3 of the engrossed bill, line 25, after the third word "the" insert the words "real property or"
- On page 3 of the engrossed bill, line 29, after the first word "the" insert the words "real property or"
- On page 4 of the engrossed bill, line 11, delete the word "in" and insert in lieu thereof the words "issued pursuant to"
- On page 4 of the engrossed bill, line 12, after the second word "the" insert the words "real property or"
- On page 4 of the engrossed bill, line 14, after the word "total" insert the words "real property or"
- On page 4 of the engrossed bill, line 34, after the word "legal" insert the words "and administrative"
- On page 5 of the engrossed bill, line 6, after the word "the" insert the words "real property or"
- On page 5 of the engrossed bill, line 7, delete the word "Equipment" and insert in lieu thereof the words "Real property or equipment"
- On page 5 of the engrossed bill, line 23, after the word "the" insert the words "real property or"

- On page 6 of the engrossed bill, line 1, after the word "certificates" insert the words "of participation"
- On page 6 of the engrossed bill, line 3, after the word "appropriation" insert the words "or other available moneys"
- On page 6 of the engrossed bill, line 5, after the word "certificates" insert the words "of participation"
- On page 6 of the engrossed bill, line 6, after the first word "the" insert the words "real property or"
- On page 6 of the engrossed bill, after line 22, insert the following new section:

"SECTION 2. CONTINUING APPROPRIATION. The moneys received by the office of management and budget and the state agencies and institutions from the sale of certificates of participation, lease rental payments, and from revenue generated by real property or equipment under section 1 of this Act are hereby appropriated as a continuing appropriation for the acquisition of real property or equipment and the payment of lease rentals authorized under section 1 of this Act."

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

SB 2048 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Appropriations to which was rereferred SB 2274 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 9 of the engrossed bill, line 19, delete the word "general" and insert in lieu thereof the word "bonding"

And renumber the lines and pages accordingly
SEN. LIPS, Chairman

SB 2274 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Appropriations to which was referred SB 2278 has had the same under consideration and recommends that the same BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION.

SEN. LIPS, Chairman

SB 2278 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Appropriations to which was referred SB 2311 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 11, delete the words "six months" and insert in lieu thereof the words "calendar year"

And renumber the lines and pages accordingly

SEN. LIPS, Chairman

SB 2311 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Social Services and Veterans Affairs to which was referred SB 2328 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 2, line 12, delete the words "All private," and insert in lieu thereof the word "Private", and delete the words "occupied exclusively by"

On page 2, line 13, delete the word "smokers", delete the word "and", and delete the word "occupied" and insert in lieu thereof an underscored comma

On page 2, line 14, delete the words "exclusively by smokers" and insert in lieu thereof the words "and all sleeping rooms" and delete the underscored comma

On page 2, line 15, delete the words "even though the rooms may be visited by nonsmokers"

On page 3, line 2, delete the words "including a restaurant where"

On page 3, line 3, delete the words "alcoholic beverages are served,"

On page 3, line 4, after the period insert the following new sentence: "A restaurant where alcoholic beverages are served may not be designated as a smoking area in its entirety, but proprietors may adjust seating proportionately to accommodate their particular type of clientele."

On page 3, line 10, delete the words "make reasonable efforts to"

On page 3, line 12, delete the comma and insert in lieu thereof the word "and", and after the word "arranging" insert the word "appropriate"

On page 3, delete lines 13 through 15

- On page 3, line 16, delete the words "appropriate means"
- On page 3, line 19, after the second period insert the numeral and period "1."
- On page 3, line 21, delete the word and numerals "and 23-12-10", and overstrike the words ", or who"
- On page 3, line 22, overstrike the word "has", delete the words "a duty to", and overstrike the words "and fails to"
- On page 3, line 23, delete the words "prohibit smoking in places of public assembly"
- On page 3, line 24, delete the words "outside a designated smoking", overstrike the word "area,", and after the word "be" insert the following:

"and 23-12-10 is guilty of an infraction for which a maximum fine of one hundred dollars may be imposed, regardless of the existence of other infraction convictions of the offender within a year of the conviction under this section.

2. Any proprietor or person in charge of a place of public assembly under section 23-12-10 who fails to carry out this Act"

- On page 3, line 24, overstrike the word "fine" and insert immediately thereafter the words "civil fee"
- On page 3, line 29, delete the words "enforce section 23-12-09 through" and insert in lieu thereof the words "investigate premises subject to license by the department and investigate complaints regarding other places of public assembly covered under sections 23-12-09 and 23-12-10, and subsection 2 of section"
- On page 3, line 31, delete the words "and administer sections 23-12-09 through 23-12-11" and insert in lieu thereof the words "this section, including rules regarding the investigation of complaints filed against those in charge of places of public assembly"

And renumber the lines and pages accordingly

SEN. STENEHJEM, Chairman

SB 2328 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Social Services and Veterans Affairs to which was referred SB 2398 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

- On page 1, line 1, delete the second word "to"
- On page 1, line 2, delete the words "establish the state board of denturitry;"
- On page 1, line 7, delete the word "denturitry" and insert in lieu thereof the words "dental examiners"
- On page 1, line 8, delete the words "or partial"
- On page 2, line 28, delete the word "denturitry" and insert in lieu thereof the words "dental examiners", and delete the words "There is hereby" and insert in lieu thereof the words "The North Dakota state board of dental examiners shall enforce the provisions of this Act."
- On page 2, delete lines 29 through 35
- On page 3, delete lines 1 through 26
- On page 4, line 24, delete the word "partial"
- On page 4, line 28, delete the word "six" and insert in lieu thereof the word "twelve"
- On page 4, line 29, delete the semicolon and word "; or" and insert in lieu thereof the words ". The practice of denturitry pursuant to a license issued under this subsection must be under the direct supervision of a licensed dentist."
- On page 4, line 32, delete the words "completed formal" and insert in lieu thereof the words "received a baccalaureate degree in the general field of dental technology"
- On page 4, line 33, delete the words "training of not less than two years' duration at" and insert in lieu thereof the word "from"
- On page 5, line 2, delete the word "partial"
- On page 5, line 8, delete the word "six" and insert in lieu thereof the word "twelve"
- On page 5, line 23, delete the words "Partial denture" and insert in lieu thereof the word "Denture"
- On page 7, line 26, delete the word "DENTURITRY" and insert in lieu thereof the words "DENTAL EXAMINERS"
- And renumber the lines, sections, and pages accordingly
SEN. STENEHJEM, Chairman

SB 2398 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Appropriations to which was referred SB 2417 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1 of the engrossed bill, line 6, delete the words "; and to provide an appropriation"

On page 14 of the engrossed bill, delete lines 1 through 13

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

The appropriations in the bill are deleted.

SEN. LIPS, Chairman

SB 2417 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Appropriations to which was referred SB 2436 has had the same under consideration and recommends that the same DO NOT PASS.

SEN. LIPS, Chairman

SB 2436 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Appropriations to which was rereferred SB 2442 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1 of the engrossed bill, line 18, after the word "services" insert the words ", except for professional services related to prefabricated steel for bridge purposes"

And renumber the lines and pages accordingly

SEN. LIPS, Chairman

SB 2442 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Appropriations to which was rereferred SB 2456 has had the same under consideration and recommends that the same DO NOT PASS.

SEN. LIPS, Chairman

SB 2456 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Appropriations to which was referred SB 2460 has had the same under consideration and recommends that the same DO NOT PASS.

SEN. LIPS, Chairman

SB 2460 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Industry, Business and Labor to which was referred SB 2463 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 1, delete the words "section to" and the numerals "19-01" and insert in lieu thereof the words and numerals "to title 23,"

On page 1, line 3, delete the word "farm" and the word "accommodation" and insert in lieu thereof the word "facility"

On page 1, delete lines 10 through 17 and insert in lieu thereof the following new section:

"SECTION 1. A new chapter to title 23 of the North Dakota Century Code is hereby created and enacted to read as follows:

"Bed and breakfast facilities - Powers of state laboratories department. The state laboratories department, prior to January 1, 1986, shall establish by rule the procedures for licensing, qualifying, classifying, inspecting, and regulating persons providing bed and breakfast facilities in private homes, including rules affecting the health and safety of the facility and the persons using the facility.

License fee. The annual license fee paid to the state laboratories department by proprietors of bed and breakfast facilities is five dollars.

Definitions. As used in this chapter:

1. "Bed and breakfast facility" means a private home which is used to provide accommodations for a charge to the public, with at most two lodging units for up to eight persons per night and in which no more than two family style meals per day are provided.
2. "Family style meal" means a meal ordered by persons staying at a bed and breakfast facility which is served from common food service containers, as long as any food not consumed by

those persons is not reused or fed to other people if the food is unwrapped."

On page 1, line 26, delete the words "private farm"

On page 1, delete line 27

On page 1, line 28, delete the words "accommodations to eight or fewer persons per night" and insert in lieu thereof the words "bed and breakfast facilities for which rules have been adopted under section 1 of this Act"

On page 2, line 3, delete the word "establishments" and insert in lieu thereof the word "facilities"

On page 2, line 4, delete the words "farm homes and other private homes offering bed and" and insert in lieu thereof the words "bed and breakfast facilities for which rules have been adopted under section 1 of this Act."

On page 2, delete line 5

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

SB 2463 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Appropriations to which was rereferred SB 2506 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 24, delete the word "general" and insert in lieu thereof the words "highway trust"

On page 2, line 5, delete the word "general" and insert in lieu thereof the words "highway trust"

And renumber the lines accordingly
SEN. LIPS, Chairman

SB 2506 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Finance and Taxation to which was referred SCR 4050 has had the same under consideration and recommends that the same DO PASS.

SEN. WRIGHT, Chairman

SCR 4050 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Judiciary to which was referred HB 1064 has had the same under consideration and recommends that the same DO NOT PASS.

SEN. CHRISTENSEN, Chairman

HB 1064 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Judiciary to which was referred HB 1066 has had the same under consideration and recommends that the same DO PASS.

SEN. CHRISTENSEN, Chairman

HB 1066 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Finance and Taxation to which was referred HB 1094 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 1, after the words "A BILL" delete the remainder of the bill and insert in lieu thereof the following: "for an Act to amend and reenact sections 57-02-26 and 57-24-31 of the North Dakota Century Code, relating to taxable property used for oil and gas discovery, exploration, processing, or transportation being taxable to the owner of that property; and to provide an effective date.

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

SECTION 1. AMENDMENT. Section 57-02-26 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

57-02-26. Certain property taxable to lessee or equitable owner.

1. Property held under a lease for a term of years, or under a contract for the purchase thereof, belonging to the United States or to the state or a political subdivision thereof, except such lands as have been leased for pasture or grazing purposes, or to any religious, scientific, or benevolent society or institution, whether incorporated or unincorporated, or to any railroad corporation whose property is not taxed in the same manner as other property, shall be considered, for all purposes of taxation, as the property of the person so holding the same.
2. Property held under an easement or a lease for a term of years and any improvements upon that

property which are used for any purpose relating to discovery, exploration, processing, or transportation of oil or gas shall be considered the property of the lease or easement holder. For the purposes of this subsection, "improvements" does not include pipelines or property subject to the provisions of chapter 57-06 or property subject to the in lieu of ad valorem tax provisions of chapter 57-51.

SECTION 2. AMENDMENT. Section 57-24-31 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

57-24-31. Collection of real estate taxes on leasehold or other possessory interests.

1. If any holder of a leasehold or other possessory interest in exempt real property neglects or refuses to pay any real estate taxes legally assessed and levied thereon at such time as now is or may hereafter be required by law for the payment of real property taxes, such leasehold or other possessory interest shall be sold in the manner provided by law for the sale of real property for delinquent taxes. Such taxes shall also constitute a personal charge against the holder of the lease or other possessory interest from and after the day they become due, and all of the provisions of law with respect to the enforcement of collection of personal property taxes shall be applicable.
2. For property subject to assessment under the provisions of subsection 2 of section 57-02-26, taxes upon the property constitute a personal charge against the lease or easement holder from and after the day they become due, and all of the provisions of law with respect to the enforcement of collection of personal property taxes shall be applicable.

SECTION 3. EFFECTIVE DATE. This Act is effective for taxable years beginning after December 31, 1984."

And renumber the lines and pages accordingly

SEN. WRIGHT, Chairman

HB 1094 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on State and Federal Government to which was referred HB 1111 has had the same under consideration and recommends that the same DO PASS.

SEN. LODOEN, Chairman

HB 1111 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Industry, Business and Labor to which was referred HB 1121 has had the same under consideration and recommends that the same DO PASS and BE PLACED ON THE CONSENT CALENDAR.

SEN. PARKER, Vice Chairman

HB 1121 was placed on the Tenth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Industry, Business and Labor to which was referred HB 1122 has had the same under consideration and recommends that the same DO PASS and BE PLACED ON THE CONSENT CALENDAR.

SEN. PARKER, Vice Chairman

HB 1122 was placed on the Tenth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on State and Federal Government to which was referred HB 1128 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1 of the engrossed bill, line 12, delete the words "with the written"

On page 1 of the engrossed bill, line 13, delete the words "consent of the member's spouse, if any"

And renumber the lines accordingly

SEN. LODOEN, Chairman

HB 1128 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Judiciary to which was referred HB 1136 has had the same under consideration and recommends that the same DO PASS.

SEN. CHRISTENSEN, Chairman

HB 1136 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Judiciary to which was referred HB 1150 has had the same under consideration and recommends that the same DO PASS.

SEN. CHRISTENSEN, Chairman

HB 1150 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Industry, Business and Labor to which was referred HB 1183 has had the same under consideration and recommends that the same DO PASS.

SEN. REITEN, Chairman

HB 1183 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Finance and Taxation to which was referred HB 1204 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1 of the engrossed bill, line 17, delete the words "The total amount of credits"

On page 1 of the engrossed bill, delete line 18

On page 1 of the engrossed bill, line 19, delete the words "of the current true and full value of the property."

And renumber the lines and pages accordingly

SEN. WRIGHT, Chairman

HB 1204 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Industry, Business and Labor to which was referred HB 1238 has had the same under consideration and recommends that the same DO PASS and BE PLACED ON THE CONSENT CALENDAR.

SEN. PARKER, Vice Chairman

HB 1238 was placed on the Tenth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on State and Federal Government to which was referred HB 1251 has had the same under consideration and recommends that the same DO NOT PASS.

SEN. LODOEN, Chairman

HB 1251 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Education to which was referred HB 1257 has had the same under consideration and recommends that

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

On page 3 of the engrossed bill, line 13, overstrike the word "four" and insert immediately thereafter the word "eight"

And renumber the lines and pages accordingly

SEN. PETERSON, Chairman

HB 1257 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Judiciary to which was referred HB 1383 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 12, remove the overstrike over the words "~~including apartments of~~", and after the word "five" insert the word "two"

On page 1, line 13, remove the overstrike over the words "~~or more units~~", and delete the words "or any building which is being leased or has rental"

On page 1, line 14, delete the word "units"

And renumber the lines and pages accordingly

SEN. CHRISTENSEN, Chairman

HB 1383 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on State and Federal Government to which was referred HB 1385 has had the same under consideration and recommends that the same DO NOT PASS.

SEN. LODOEN, Chairman

HB 1385 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Industry, Business and Labor to which was referred HB 1389 has had the same under consideration and recommends that the same DO PASS.

SEN. REITEN, Chairman

HB 1389 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Education to which was referred HB 1407 has had the same under consideration and recommends that the same DO PASS.

SEN. PETERSON, Chairman

HB 1407 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Education to which was referred HB 1549 has had the same under consideration and recommends that the same DO PASS.

SEN. PETERSON, Chairman

HB 1549 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Education to which was referred HB 1614 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 14, delete the words "and has increased the"

On page 1, delete line 15

On page 1, line 16, delete the word "section"

And renumber the lines and pages accordingly

SEN. PETERSON, Chairman

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

FIRST READING OF HOUSE BILLS

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

Was read the first time and referred to the Committee on Natural Resources.

HB 1211: A BILL for an Act to create and enact section 26-39-03.1 of the North Dakota Century Code, relating to substance abuse benefits for human service centers; and to amend and reenact sections 26-39-01, 26-39-02, 26-39-03, and 26-39-05 of the North Dakota Century Code, relating to mental illness, addiction, and substance abuse insurance coverage; or in the alternative to amend and reenact sections 26.1-36-08 and 26.1-36-09 of the North Dakota Century Code as created by Senate Bill No. 2078, as approved by the forty-ninth legislative assembly, relating to mental illness and addiction insurance coverage and substance abuse coverage.

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

HB 1281: A BILL for an Act to amend and reenact section 53-06.1-10 of the North Dakota Century Code, relating to rules of the game of twenty-one.

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

HB 1320: A BILL for an Act to amend and reenact section 6 of chapter 632 of the 1983 Session Laws of North Dakota, relating to effective dates and to make permanent the income tax rates and the repeal of the energy cost relief credit as enacted on a temporary basis by the 1983 Legislative Assembly.

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

HB 1375: A BILL for an Act to amend and reenact sections 57-39.2-12.1 and 57-40.2-07.1 of the North Dakota Century Code, relating to deductions to reimburse retailers for administrative expenses of collection of sales and use taxes.

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

HB 1388: A BILL for an Act to provide an appropriation to the commissioner of agriculture for rangeland grasshopper control.

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

HB 1390: A BILL for an Act to provide authority for the creation and operation of job development authorities or for a tax levy to support industrial development organizations; and to create and enact a new subsection to section 57-15-06.7 of the North Dakota Century Code, relating to a county tax levy for operation of job development authorities or for support of industrial development organizations.

Was read the first time and referred to the Committee on Industry, Business and Labor.

HB 1402: A BILL for an Act to amend and reenact section 15-53.1-41 of the North Dakota Century Code, or in the alternative to amend and reenact section 15-27.4-01 of the North Dakota Century Code as created by Senate Bill No. 2065, as approved by the forty-ninth legislative assembly, relating to the dissolution of school districts; to repeal section 15-53.1-05.2 of the North Dakota Century Code, or in the alternative to repeal section 15-27.2-03 of the North Dakota Century Code as created by Senate Bill No. 2065, as approved by the forty-ninth legislative assembly, relating to proposed annexations involving ten percent or more of the school district's assessed valuation; and to declare an emergency.

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

HB 1404: A BILL for an Act to adopt the Family Farm Survival Act of 1985; to provide an appropriation; and to declare an emergency.

Was read the first time and referred to the **Committee on Agriculture.**

HB 1421: A BILL for an Act to amend and reenact section 57-36-32 of the North Dakota Century Code, relating to taxes on sales of cigarettes; and to provide an effective date.

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

HB 1433: A BILL for an Act to amend and reenact section 15-38.2-03 of the North Dakota Century Code, relating to the review of material placed in teachers' files.

Was read the first time and referred to the **Committee on Education.**

HB 1494: A BILL for an Act to establish a farm foreclosure negotiation board and a home-quarter purchase fund; and to provide an appropriation.

Was read the first time and referred to the **Committee on Agriculture.**

HB 1510: A BILL for an Act to amend and reenact section 28-01.1-02 of the North Dakota Century Code, relating to the statute of limitations for the recovery of damages for injury to property caused by products containing asbestos; and to declare an emergency.

Was read the first time and referred to the **Committee on Judiciary.**

HB 1540: A BILL for an Act to provide for the dissemination of regulatory information by the workmen's compensation bureau and the compilation of that information by the economic development commission.

Was read the first time and referred to the **Committee on Industry, Business and Labor.**

HB 1561: A BILL for an Act to amend and reenact subsection 2 of section 4-09-03 of the North Dakota Century Code, relating to membership of the state seed commission.

Was read the first time and referred to the **Committee on Agriculture.**

HB 1564: A BILL for an Act to amend and reenact section 29-10.2-01 of the North Dakota Century Code, relating to expansion of the statewide grand jury jurisdiction to investigate civil fraud or deception.

Was read the first time and referred to the **Committee on Judiciary.**

HB 1570: A BILL for an Act to create and enact a new subsection to section 39-10-43 of the North Dakota Century Code, relating to duty to stop at railroad grade crossings.

Was read the first time and referred to the **Committee on Transportation.**

HB 1571: A BILL for an Act to create and enact section 12.1-10-04.1 of the North Dakota Century Code, relating to

the offense of obstruction of judicial process; to amend and reenact sections 28-26-31 and 47-19.1-09 of the North Dakota Century Code, relating to filing of frivolous lawsuits, awards of attorneys' fees, slander of title, and soliciting obstruction of judicial proceedings; and to provide a penalty.

Was read the first time and referred to the **Committee on Judiciary**.

HB 1587: A BILL for an Act to set safety standards for anhydrous ammonia facilities; and to provide a penalty.

Was read the first time and referred to the **Committee on Agriculture**.

HB 1595: A BILL for an Act to amend and reenact subsection 3 of section 41-09-39 of the North Dakota Century Code, relating to the notice of an assignment which must be given an account debtor.

Was read the first time and referred to the **Committee on Judiciary**.

HB 1596: A BILL for an Act to create and enact a new section to chapter 35-05 of the North Dakota Century Code, relating to limitations on crop liens; and to amend and reenact subsection 1 of section 41-09-17 and subsection 2 of section 41-09-42 of the North Dakota Century Code, relating to after-acquired property and the duration of financing statement filings.

Was read the first time and referred to the **Committee on Agriculture**.

HB 1600: A BILL for an Act to create and enact a new subsection to section 57-02-08 of the North Dakota Century Code, to provide that certain minerals are exempt from ad valorem property taxes; and to provide an effective date.

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

HB 1610: A BILL for an Act to create and enact a new section to chapter 11-18 of the North Dakota Century Code, relating to requiring the filing of a plat depicting any change in the existing boundaries of real property resulting from a court action or arbitration proceeding.

Was read the first time and referred to the **Committee on Judiciary**.

FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

HCR 3052: A concurrent resolution commending the Governor for the creation of a commission to study, coordinate, and promote the functions, services, facilities, and resources of the juvenile justice and human service delivery systems to determine appropriate means of treatment and placement services to meet the needs of children and adolescents at risk and to request the Governor to report the commission's findings and recommendations which may require legislative action to an interim committee of the Legislative Council for review and recommendations.

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

HCR 3053: A concurrent resolution commending the Rural Electrification Administration on its 50th anniversary. Was read the first time and referred to the Committee on Agriculture.

HCR 3055: A concurrent resolution urging the Congress of the United States to study and investigate the pricing and patenting of agricultural herbicide and pesticide chemicals. Was read the first time and referred to the Committee on Agriculture.

HCR 3059: A concurrent resolution regarding the approval of state agency use of block grant funds, and authorizing the Budget Section of the Legislative Council to hold the required legislative hearings on state plans for the receipt and expenditure of new or revised block grants as passed by Congress. Was read the first time and referred to the Committee on Appropriations.

MOTIONS

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

SEN. NELSON MOVED that at the conclusion of the Fifth order of business, the Thirteenth order of business and after the reading of SB 2139, SB 2200, SB 2217, SB 2240, SB 2249, SB 2278, SB 2304, SB 2375, SB 2400, SB 2413, SB 2414, SB 2436, SB 2456, SB 2460, SB 2468, SCR 4050, SCR 4051, HB 1050, HB 1057, HB 1064, HB 1066, HB 1087, HB 1111, HB 1121, HB 1122, HB 1136, HB 1150, HB 1183, HB 1238, HB 1251, HB 1263, HB 1385, HB 1389, HB 1407, and HB 1549, the Senate adjourn and convene at 12:30 p.m., Thursday, February 21, 1985, which motion prevailed.

LEO LEIDHOLM, Secretary