

JOURNAL OF THE SENATE

Forty-ninth Legislative Assembly

\* \* \* \* \*

FIFTY-FOURTH DAY

The Senate convened at 9:00 a.m., with President Meiers presiding. Bismarck, March 26, 1985

The prayer was offered by Reverend Theodore Gall, Messiah Lutheran Church, Mandan, North Dakota.

In the Name of the Father, Son, and Holy Spirit. Amen.

O Triune God, Eternal Lord and Ruler of all, we assemble now before You with a unity of purpose. Bless our actions, our thinking, and our deliberations as we continue to put first the welfare of others. Give us wisdom and strength to carry on the duties of this day. Keep our nation and state under Your care. Bless our leaders with justice and truthfulness. Defend our liberties. Lead us in the proper use of the wealth and resources of our land.

Protect the lives of Your people. Provide our children with education, our families with unity, our elderly with comfort. Save us from all calamity by fire and water, from war and pestilence, from scarcity and famine, and from every other evil. Spread Your grace over us all.

We praise You for Your free mercy and undeserved kindness. We thank You for loving us and caring for our needs. When we face hardships and anxiety, be our comfort and trust. When times are prosperous and there is peace in our land, let our hearts be thankful unto You. Bless us with patience, generosity and understanding toward each other. Make us a people at peace with ourselves and a blessing to the other nations of the world.

We humbly pray that You will open our hearts to Your word that we may repent of our sins, believe in Jesus Christ as our only Savior, and grow in grace and holiness to serve You faithfully.

In the name of Jesus Christ, our Lord, we pray, Amen.

ROLL CALL

The roll was called and all Senators were present.

A quorum was declared by the President.

## CONSIDERATION OF AMENDMENTS

SEN. STENEHJEM MOVED that the amendments to SCR 4070 as recommended by the Committee on Social Services and Veterans Affairs as printed on page 1755 of the Senate Journal be adopted, and when so adopted, recommends that SCR 4070 DO PASS, which motion prevailed.

## MOTION

SEN. PETERSON MOVED that the rules be suspended, that SCR 4070 be deemed properly engrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

## SECOND READING OF SENATE CONCURRENT RESOLUTION

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

Which has been read.

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

SCR 4070 was declared adopted on a voice vote.

\*\*\*\*\*

## MOTION

SEN. NETHING MOVED that the vote by which SCR 4070 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

## CONSIDERATION OF AMENDMENTS

SEN. LIPS MOVED that the amendments to HB 1007 as recommended by the Committee on Appropriations as printed on pages 1755-1756 of the Senate Journal be adopted, and when so adopted, recommends that HB 1007 DO PASS, which motion prevailed.

## MOTION

SEN. MUSHIK MOVED that the rules be suspended, that HB 1007 be placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

## SECOND READING OF HOUSE BILL

HB 1007: A BILL for an Act making an appropriation for defraying the expenses of the state industrial school of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 52 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Berube; Christensen; David; Dotzenrod; Heigaard; 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; Nething; 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: Freborg

HB 1007 passed and the title was agreed to.

\*\*\*\*\*

MOTION

SEN. NETHING MOVED that the vote by which HB 1007 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SEN. LIPS MOVED that the amendments to HB 1010 as recommended by the Committee on Appropriations as printed on pages 1756-1757 of the Senate Journal be adopted, and when so adopted, recommends that HB 1010 DO PASS, which motion prevailed.

MOTION

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

SECOND READING OF HOUSE BILL

HB 1010: A BILL for an Act making an appropriation for defraying the expenses of the Grafton state school, San Haven, protection and advocacy project, and deinstitutionalization court monitor 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, 2 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Berube; Christensen; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken;

Holmberg; Ingstad; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Mushik; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

**NAYS:** Kelly; Moore

**ABSENT AND NOT VOTING:** None

HB 1010 passed and the title was agreed to.

\*\*\*\*\*

#### MOTION

SEN. NETHING MOVED that the vote by which HB 1010 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### CONSIDERATION OF AMENDMENTS

SEN. LIPS MOVED that the amendments to HB 1012 as recommended by the Committee on Appropriations as printed on pages 1757-1758 of the Senate Journal be adopted, and when so adopted, recommends that HB 1012 DO PASS, which motion prevailed.

#### MOTION

SEN. STORMME MOVED that the rules be suspended, that HB 1012 be placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

#### SECOND READING OF HOUSE BILL

HB 1012: A BILL for an Act making an appropriation for defraying the expenses of the soldiers' home and the department of veterans' affairs of the state of North Dakota; and providing for a transfer of earnings from the veterans' postwar trust fund and the sinking fund for the state of North Dakota general obligation bonds.

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; Heigaard; 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; Nething; Olson; Parker; Redlin; Satrom; Shea; Stenehjem; Streibel; Stromme;

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

NAYS: None

ABSENT AND NOT VOTING: Peterson; Reiten

HB 1012 passed and the title was agreed to.

\*\*\*\*\*

#### MOTION

SEN. NETHING MOVED that the vote by which HB 1012 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### CONSIDERATION OF AMENDMENTS

SEN. LIPS MOVED that the amendments to HB 1028 as recommended by the Committee on Appropriations as printed on pages 1758-1759 of the Senate Journal be adopted, and when so adopted, recommends that HB 1028 DO PASS, which motion prevailed.

#### MOTION

SEN. NELSON MOVED that the rules be suspended, that HB 1028 be placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

#### SECOND READING OF HOUSE BILL

HB 1028: A BILL for an Act making an appropriation for defraying the expenses of the game and fish department 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; Heigaard; Heinrich; Hilken;  
Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter;  
Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner;  
Matchie; Meyer, D.; Meyer, J.; Moore; Mushik; Mutch;  
Naaden; Nelson; Nething; 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: Meyer, W.; Peterson

HB 1028 passed and the title was agreed to.

\*\*\*\*\*

## MOTION

SEN. NETHING MOVED that the vote by which HB 1028 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

## CONSIDERATION OF AMENDMENTS

SEN. LIPS MOVED that the amendments to HB 1035 as recommended by the Committee on Appropriations as printed on pages 1759-1760 of the Senate Journal be adopted, and when so adopted, recommends that HB 1035 DO PASS, which motion prevailed.

## MOTION

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

## SECOND READING OF HOUSE BILL

HB 1035: A BILL for an Act to create and enact a new section to chapter 48-02 of the North Dakota Century Code, relating to the award of pipeline, labor, and service contracts for the southwest water pipeline project; and to make an appropriation for defraying the expenses of the southwest water pipeline project of the state of North Dakota.

Which has been read.

## ROLL CALL

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

YEAS: Bakewell; Berube; Christensen; David; Dotzenrod; Freborg; Heigaard; 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; Nething; Olson; Parker; Reiten; Satrom; Shea; Stenehjem; Streibel; Tallackson; Tennefos; Thane; Todd; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: Redlin; Stromme

ABSENT AND NOT VOTING: Adams; Peterson; Tweten

HB 1035 passed and the title was agreed to.

\*\*\*\*\*

## MOTION

SEN. NETHING MOVED that the vote by which HB 1035 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

## POINT OF PERSONAL PRIVILEGE

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

The southwest pipeline project is part of an approximately \$1 billion water program, exclusive of the Garrison Diversion Project proposed by the State Water Commission, and I don't think any other program can possibly have a higher priority in terms of the future of this state.

Water is rapidly becoming a scarce resource, and in many parts of the world, it already is. This scarcity will be, as it is in some parts of the world, the most pressing problem facing humanity for all time.

This 320-mile pipeline will have the capability of furnishing quality water through a reliable distribution system to 27 cities and at least four rural water distribution systems. The water will come from the 23,000,000 acre foot Garrison Reservoir. The pipeline will have a capability, as presently designed, of 15-25,000,000 gallons of water per day.

As I indicated, and as I believe we all understand, the availability and distribution of quality water is the most serious problem facing humanity, and the solution to this problem should always be the highest priority and must be completely devoid of partisan politics. Certainly this observation should pertain not only to the southwest pipeline project, but also to the Water Commission's water program for the state.

We all understand the constraints of the budget this biennium, but even with those constraints, I would hope that the conference committee on HB 1035 would make every effort to restore the \$1,500,000 from HB 1035 which we have deleted from the appropriation for the pipeline project this biennium. Thank you.

MESSAGES TO THE HOUSE  
SENATE CHAMBER

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

HB 1318: Sens. Christensen, Kelly, Heinrich  
 HB 1528: Sens. Christensen, Stenehjem, Maixner  
 HB 1588: Sens. Olson, Stenehjem, Maixner

LEO LEIDHOLM, Secretary

## SENATE CHAMBER

MR. SPEAKER: I have the honor to inform you that the Senate does not concur in the House amendments to SB 2369, SB 2373, SB 2432, and SCR 4051 and the President has appointed as a conference committee to act with a like committee from the House on:

SB 2369: Sens. Christensen, Kelly, Matchie  
 SB 2373: Sens. Olson, Holmberg, Redlin  
 SB 2432: Sens. Stenehjem, Olson, Redlin  
 SCR 4051: Sens. Wright, Kilander, Satrom

LEO LEIDHOLM, Secretary

## SENATE CHAMBER

MR. SPEAKER: I have the honor to inform you that the Senate has concurred in the House amendments to SB 2167, SB 2170, SB 2201, SB 2214, SB 2228, SB 2250, SB 2300, SB 2342, SB 2364, SB 2430, SB 2435, SB 2442, SB 2495, and SB 2498 and subsequently passed the same.

LEO LEIDHOLM, Secretary

MESSAGES FROM THE HOUSE  
HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to inform you that the House has concurred in the Senate amendments to HB 1083, HB 1290, HB 1363, HB 1378, and HB 1537 and subsequently passed the same.

ROY GILBREATH, Chief Clerk

## HOUSE CHAMBER

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

SB 2111, SB 2414, SB 2424

ROY GILBREATH, Chief Clerk

## HOUSE CHAMBER

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

SB 2016, SCR 4044

ROY GILBREATH, Chief Clerk

## 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:

HCR 3099, HCR 3100, HCR 3101

ROY GILBREATH, Chief Clerk

## HOUSE CHAMBER

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



SCR 4077

ROY GILBREATH, Chief Clerk

## SECOND READING OF HOUSE BILL

HB 1019: A BILL for an Act making an appropriation for defraying the expenses of the state historical board of the state of North Dakota.

Which has been read.

## ROLL CALL

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

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

NAYS: Meyer, D.

ABSENT AND NOT VOTING: Peterson; Wenstrom

HB 1019 passed and the title was agreed to.

\*\*\*\*\*

## MOTION

SEN. NETHING MOVED that the vote by which HB 1019 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGE TO THE HOUSE  
SENATE CHAMBER

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

HB 1007, HB 1010, HB 1012, HB 1019, HB 1028, HB 1035

LEO LEIDHOLM, Secretary

## CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. REITEN MOVED that the Senate do not concur in the House amendments to SB 2178 as printed on pages 1689-1690 of the Senate Journal and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed.

## APPOINTMENT OF A CONFERENCE COMMITTEE

THE PRESIDENT APPOINTED as a Conference Committee on SB 2178:

Sens. Parker, Mutch, Kelsh

#### CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. REITEN MOVED that the Senate do not concur in the House amendments to SB 2411 as printed on page 1694 of the Senate Journal and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed.

#### APPOINTMENT OF A CONFERENCE COMMITTEE

THE PRESIDENT APPOINTED as a Conference Committee on SB 2411:

Sens. Mutch, Reiten, Krauter

#### REPORTS OF CONFERENCE COMMITTEES

SEN. HOLMBERG MOVED that the conference committee report on SB 2068 as printed on page 1753 of the Senate Journal be adopted, which motion prevailed.

SEN. FREBORG MOVED that the conference committee report on SB 2153 as printed on pages 1753-1754 of the Senate Journal be adopted, which motion prevailed.

#### MOTION

SEN. FREBORG MOVED that the rules be suspended, that SB 2153 be deemed properly engrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

#### SECOND READING OF SENATE BILL

SB 2153: A BILL for an Act to amend and reenact section 15-39.1-08 of the North Dakota Century Code, relating to compensation of the members of the teachers' fund for retirement board.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 51 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Berube; Christensen; David; Dotzenrod; Freborg; Heigaard; 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; Nething; Olson; Parker; Redlin; Reiten; Satrom; Shea; Stenehjem; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: Streibel

ABSENT AND NOT VOTING: Peterson

SB 2153 passed and the title was agreed to.

\*\*\*\*\*

SEN. OLSON MOVED that the conference committee report on SB 2116 as printed on page 1604 of the Senate Journal be adopted, which motion prevailed.

#### MOTION

SEN. OLSON MOVED that the rules be suspended, that SB 2116 be deemed properly reengrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

#### SECOND READING OF SENATE BILL

SB 2116: A BILL for an Act to create and enact a new subsection to section 14-15-09 of the North Dakota Century Code, relating to the fee for filing an adoption petition; and to amend and reenact sections 11-17-04, 11-26-04, 26.1-02-19, 27-07.1-11, 27-07.1-33, 27-08.1-03, 28-20-20, 28-20.1-05, 30.1-28-03, 32-37-05, 35-18-04, 35-21-05, 35-24-12, 43-01-19, 43-20-04, 44-06-03, and 57-22-32 of the North Dakota Century Code, relating to fees to be charged by the clerks of the district and county courts.

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; Heigaard; 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; Nething; Olson; Parker; Redlin; Reiten; Satrom; Shea; Stenehjelm; Streibel; Stromme; Tallackson; Thane; Tennefos; Todd; Tweten; Vosper; Waldera; Walsh; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Peterson; Wenstrom

SB 2116 passed and the title was agreed to.

\*\*\*\*\*

SEN. TODD MOVED that the conference committee report on SB 2251 as printed on page 1705 of the Senate Journal be adopted, which motion prevailed.

## MOTION

SEN. TODD MOVED that the rules be suspended, that SB 2251 be deemed properly reengrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

## SECOND READING OF SENATE BILL

SB 2251: A BILL for an Act to create and enact two new sections to chapter 10-23 of the North Dakota Century Code, 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, and 10-23-05 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 50 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING.

YEAS: Adams; Berube; Christensen; David; Dotzenrod; Freborg; Heigaard; 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; Nething; Olson; Parker; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wogsland; Wright

NAYS: Bakewell

ABSENT AND NOT VOTING: Peterson; Wenstrom

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

\*\*\*\*\*

SEN. FREBORG MOVED that the conference committee report on SB 2279 as printed on pages 1653-1654 of the Senate Journal be adopted, which motion prevailed.

## MOTION

SEN. FREBORG MOVED that the rules be suspended, that SB 2279 be deemed properly reengrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

## SECOND READING OF SENATE BILL

SB 2279: A BILL for an Act to amend and reenact sections 15-47-27, 15-47-27.1, and subsection 5 of section 15-47-38

of the North Dakota Century Code, relating to the date for the second evaluation of teachers.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 51 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Berube; Christensen; David; Dotzenrod; Freborg; Heigaard; 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; Nething; Olson; Parker; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: Heinrich

ABSENT AND NOT VOTING: Peterson

SB 2279 passed and the title was agreed to.

\*\*\*\*\*

SEN. CHRISTENSEN MOVED that the conference committee report on SB 2470 as printed on page 1754 of the Senate Journal be adopted, which motion prevailed.

#### MOTION

SEN. CHRISTENSEN MOVED that the rules be suspended, that SB 2470 be deemed properly engrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

#### SECOND READING OF SENATE BILL

SB 2470: A BILL for an Act to create and enact a new section to chapter 50-25.1 of the North Dakota Century Code, relating to the disposition of reports of child abuse which implicate a person who is not responsible for the child's health or welfare; and to amend and reenact subsection 2 of section 50-25.1-02 of the North Dakota Century Code, relating to the definition of abused child for purposes of child abuse reports and protection.

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, 2 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Bakewell; Berube; Christensen; David; Dotzenrod; Freborg; Heigaard; 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; Nething; Olson; Parker; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Tallackson; Thane; Todd; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: Tennefos; Tweten

ABSENT AND NOT VOTING: Adams; Peterson

SB 2470 passed and the title was agreed to.

\*\*\*\*\*

## MOTION

SEN. WRIGHT MOVED that HB 1638 which is on the Fourteenth order be rereferred to the Committee on Finance and Taxation, which motion prevailed.

## REPORT OF CONFERENCE COMMITTEE

SEN. HOLMBERG MOVED that the conference committee report on HB 1057 as printed on page 1654 of the Senate Journal be adopted, which motion prevailed.

## MOTION

SEN. HOLMBERG MOVED that the rules be suspended, that HB 1057 be placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

## SECOND READING OF HOUSE BILL

HB 1057: A BILL for an Act to amend and reenact section 16.1-01-09 of the North Dakota Century Code, relating to requirements for the form and circulation of initiative, referendum, or recall petitions.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 51 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Berube; Christensen; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelsh; Kilander; Krauter; Kusler;

Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nelson; Nething; Olson; Parker; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: Kelly

ABSENT AND NOT VOTING: Peterson

HB 1057 passed and the title was agreed to.

\*\*\*\*\*

MESSAGES FROM THE HOUSE  
HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to return herewith SB 2031, SB 2301, and SB 2491 which the House has amended:

HOUSE AMENDMENTS TO ENGROSSED SB 2031

On page 1 of the engrossed bill, line 16, delete the numerals "22,753,361" and insert in lieu thereof the numerals "22,323,005"

On page 1 of the engrossed bill, line 19, delete the numerals "28,438,170" and insert in lieu thereof the numerals "28,007,814"

On page 1 of the engrossed bill, line 22, delete the numerals "234,850" and insert in lieu thereof the numerals "231,208"

On page 1 of the engrossed bill, line 25, delete the numerals "339,150" and insert in lieu thereof the numerals "335,508"

On page 1 of the engrossed bill, line 27, delete the numerals "28,777,320" and insert in lieu thereof the numerals "28,343,322"

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Job Service North Dakota

The salaries and wages line item is reduced by \$430,356 from other funds. This will allow funds for average salary increases of 5.5 percent the first year of the biennium and average salary increases of four percent the second year of the biennium. 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.

North Dakota OASIS and Social Security

The salaries and wages line item is reduced by \$3,642 from other funds. This will allow funds for average salary increases of 5.5 percent the first year of the biennium and average salary increases of four percent the second year of the biennium. 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.

## HOUSE AMENDMENTS TO SB 2301

- On page 1, line 1, after the word "Act" insert the words "to create and enact a new section to chapter 5-01 of the North Dakota Century Code, relating to a penalty for possession, transportation, or sale of untaxed alcoholic beverages," and delete the word "section" and insert in lieu thereof the words and numerals "sections 5-03-01, 5-03-04, and"
- On page 1, line 2, after the word "to" insert the words "state wholesale beer or liquor licensees, wholesale beer or liquor tax exemption for certain sales, and"
- On page 1, line 3, after the word "highways" insert the words "; and to declare an emergency"
- On page 1, after line 5, insert the following new sections:

"SECTION 1. A new section to chapter 5-01 of the North Dakota Century Code is hereby created and enacted to read as follows:

Possession, transportation, or sale of untaxed alcoholic beverages - Penalty. Any person who possesses, transports, or sells any alcoholic beverage purchased within this state from a regular retail outlet of any agency or instrumentality of the United States government, on which beer or liquor tax has not been paid, is guilty of a class A misdemeanor. This section does not apply to purchases of alcoholic beverages from a regular retail outlet of any agency or instrumentality of the United States government for personal use or consumption within this state.

SECTION 2. AMENDMENT. Section 5-03-01 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

5-03-01. State wholesale license required - Qualifications - Penalty. Before any person shall engage in the sale at wholesale of beer or liquor in this state, except for sales by an out-of-state seller at wholesale to agencies or instrumentalities of the United States government, he shall first procure a license from only the state treasurer.



Such license shall only allow sale to licensed retailers, licensed wholesalers, and regular retail outlets on federal military reservations of any agency or instrumentality of the United States government. Licensed retailers may only purchase alcoholic beverages from licensed wholesalers. No such wholesale license shall be issued unless the applicant shall file a sworn application, accompanied by the required fee, showing the following qualifications:

1. Applicant, other than corporate, must be a citizen of the United States and a resident of the state of North Dakota and a person of good moral character. If applicant is a corporation, the manager of the licensed premises shall be a resident of the state of North Dakota, a citizen of the United States, and a person of good moral character, and the officers, directors, and stockholders must be citizens of the United States and persons of good moral character. Corporate applicants must first be properly registered with the secretary of state.
2. The state treasurer may require applicant to set forth such other information as is necessary to enable him to determine if a license should be granted.
3. No person shall be eligible for such a license unless he has a warehouse and office in this state in which is kept a complete set of records relative to his alcoholic beverage transactions in North Dakota.

Any person distributing alcoholic beverages in this state without compliance with the provisions of this title is guilty of an infraction a class B misdemeanor.

SECTION 3. AMENDMENT. Section 5-03-04 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

5-03-04. Collection of taxes. The taxes imposed by this chapter shall be paid by wholesalers to the state treasurer on or before the fifteenth day of each month. Liquor wholesalers shall make such payments based on the total gallonage sold the preceding calendar month. Beer wholesalers shall make such payments based on the total gallonage purchased from brewers the preceding calendar month. Sales of beer of an alcoholic content of not more than 3-2 percent by weight to military exchanges or liquor to an agency or instrumentality of the United States government shall be excluded from the computation of gallonage tax due from wholesalers. The taxpayer shall certify to the state treasurer that sales of beer or liquor

claimed exempt under this section are to an agency or instrumentality of the United States government. Upon satisfactory proof a tax credit shall be allowed beer wholesalers for beer purchased, but which cannot be sold in North Dakota. A tax credit shall be allowed wholesalers on bad accounts which are charged off for income tax purposes, but a pro rata tax shall again be paid on any accounts subsequently collected. If any wholesaler makes an overpayment of taxes due, the state treasurer shall issue a credit applicable to future obligations or certify such amount to the department of accounts and purchases office of management and budget for a refund. Any remittance within one dollar of the correct amount due may be accepted by the state treasurer as the correct amount due."

On page 2, after line 12, insert the following new section:

"SECTION 5. EMERGENCY. Sections 1, 2, and 3 of this Act are hereby declared to be an emergency measure and are in effect from and after their passage and approval."

And renumber the lines, sections, and pages accordingly

#### HOUSE AMENDMENTS TO SB 2491

In lieu of the amendments to Senate Bill No. 2491 adopted by the House of Representatives as printed on page 2051 of the House Journal, Senate Bill No. 2491 is amended as follows:

On page 1, line 10, remove the overstrike over the word "two", delete the word "fifteen", and remove the overstrike over the numerals "8½"

On page 1, line 11, delete the numerals "6.07"

On page 1, line 20, after the period insert the following sentence: "All real property owned by any religious corporation or organization and used as a parking lot by persons attending religious services is exempt from taxation."

And renumber the lines and pages accordingly

ROY GILBREATH, Chief Clerk

#### HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to transmit herewith the following on which the House has adopted the conference committee report on HB 1493.

ROY GILBREATH, Chief Clerk

## REPORT OF PROCEDURAL COMMITTEE

MADAM PRESIDENT: Your Committee on Enrollment and Engrossment respectfully report that the following bills were delivered to the Governor for his approval:

SB 2081, SB 2200

SEN. BAKEWELL, Chairman

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

## MOTION

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

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

## REVISION AND CORRECTION OF THE JOURNAL

MADAM PRESIDENT: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Fifty-third day and recommends that the same be corrected as follows and when so corrected, recommends that the same be approved:

On page 1711, line 4, delete "HB 1458" and insert in lieu thereof "HB 1448"

SEN. DAVID, Chairman

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

MESSAGE TO THE HOUSE  
SENATE CHAMBER

MR. SPEAKER: I have the honor to inform you that the Senate does not concur in the House amendments to SB 2178 and SB 2411 and the President has appointed as a conference committee to act with a like committee from the House on:

SB 2178: Sens. Parker, Mutch, Kelsh  
SB 2411: Sens. Mutch, Reiten, Krauter

LEO LEIDHOLM, Secretary

## SIGNING OF BILLS AND RESOLUTIONS

THE SECRETARY ANNOUNCED that the President signed the following:

HCR 3019, HCR 3020, HCR 3022, HCR 3024, HCR 3030, HCR 3034,  
HCR 3035, HCR 3036, HCR 3046, HCR 3050, HCR 3051, HCR 3052,  
HCR 3056, HCR 3058, HCR 3062, HCR 3067, HCR 3069, HCR 3070,  
HCR 3074, HCR 3075, HCR 3077, HCR 3078, HCR 3080, HCR 3082,  
HCR 3083, HCR 3084, HCR 3085, HCR 3086, HCR 3087, HCR 3089,  
HCR 3090, HCR 3092, HCR 3093

LEO LEIDHOLM, Secretary

**MESSAGE TO THE HOUSE  
SENATE CHAMBER**

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

HCR 3019, HCR 3020, HCR 3022, HCR 3024, HCR 3030, HCR 3034,  
HCR 3035, HCR 3036, HCR 3046, HCR 3050, HCR 3051, HCR 3052,  
HCR 3056, HCR 3058, HCR 3062, HCR 3067, HCR 3069, HCR 3070,  
HCR 3074, HCR 3075, HCR 3077, HCR 3078, HCR 3080, HCR 3082,  
HCR 3083, HCR 3084, HCR 3085, HCR 3086, HCR 3087, HCR 3089,  
HCR 3090, HCR 3092, HCR 3093

LEO LEIDHOLM, Secretary

**REPORT OF PROCEDURAL COMMITTEE**

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

SCR 4077

SEN. BAKEWELL, Chairman

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

**SIGNING OF BILLS AND RESOLUTIONS**

**THE SECRETARY ANNOUNCED** that the President signed the following:

SCR 4077

LEO LEIDHOLM, Secretary

**SIGNING OF BILLS AND RESOLUTIONS**

**THE SECRETARY ANNOUNCED** that the President signed the following:

HB 1094, HB 1098, HB 1104, HB 1123, HB 1128, HB 1135,  
HB 1140, HB 1143, HB 1157, HB 1171, HB 1191, HB 1211,  
HB 1244, HB 1247, HB 1257, HB 1271, HB 1279, HB 1284,  
HB 1339, HB 1352, HB 1372, HB 1382, HB 1383, HB 1384,  
HB 1390, HB 1402, HB 1416, HB 1418, HB 1420, HB 1425,  
HB 1426, HB 1438, HB 1441, HB 1454, HB 1468, HB 1475,  
HB 1480, HB 1483, HB 1484, HB 1496, HB 1503, HB 1509,  
HB 1510, HB 1515, HB 1525, HB 1535, HB 1538, HB 1546,  
HB 1551, HB 1554, HB 1564, HB 1586, HB 1590, HB 1592,  
HB 1595, HB 1607, HB 1610, HB 1618, HB 1621, HB 1639,  
HB 1648, HB 1649, HB 1650, HB 1651, HB 1657

LEO LEIDHOLM, Secretary

**MESSAGE TO THE HOUSE  
SENATE CHAMBER**

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

HB 1094, HB 1098, HB 1104, HB 1123, HB 1128, HB 1135,  
 HB 1140, HB 1143, HB 1157, HB 1171, HB 1191, HB 1211,  
 HB 1244, HB 1247, HB 1257, HB 1271, HB 1279, HB 1284,  
 HB 1339, HB 1352, HB 1372, HB 1382, HB 1383, HB 1384,  
 HB 1390, HB 1402, HB 1416, HB 1418, HB 1420, HB 1425,  
 HB 1426, HB 1438, HB 1441, HB 1454, HB 1468, HB 1475,  
 HB 1480, HB 1483, HB 1484, HB 1496, HB 1503, HB 1509,  
 HB 1510, HB 1515, HB 1525, HB 1535, HB 1538, HB 1546,  
 HB 1551, HB 1554, HB 1564, HB 1586, HB 1590, HB 1592,  
 HB 1595, HB 1607, HB 1610, HB 1618, HB 1621, HB 1639,  
 HB 1648, HB 1649, HB 1650, HB 1651, HB 1657

LEO LEIDHOLM, Secretary

#### REPORT OF PROCEDURAL COMMITTEE

**MADAM PRESIDENT:** Your procedural Committee on Delayed Bills has examined a bill for an act making an appropriation to the state tax commissioner for personal property tax replacement deficiency payments; and declaring an emergency, and recommends the same be introduced.

SEN. TENNEFOS, Chairman

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

#### FIRST READING OF SENATE BILL

Sen. Nothing introduced:

(Approved by the Committee on Delayed Bills)

SB 2511: A BILL for an Act making an appropriation to the state tax commissioner for personal property tax replacement deficiency payments; and declaring an emergency.

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

#### MOTION

SEN. NOTHING MOVED that HB 1522, HB 1523, and HB 1394 be placed at the head of the calendar, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

HB 1522: A BILL for an Act to provide for the discretionary revocation, by executive order of the governor, of the route permit and certificate of corridor compatibility issued for the MANDAN power project; to provide an expiration date; 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 47 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Berube; Christensen; David;  
 Dotzenrod; Freborg; Heigaard; Heinrich; Hilken;  
 Holmberg; Ingstad; Kelly; Kelsh; Krauter; Kusler;

Langley; Lips; Lodoen; Maixner; Matchie; Meyer, W.;  
 Moore; Mushik; Mutch; Naaden; Nelson; Nething; Olson;  
 Parker; Peterson; Redlin; Reiten; Satrom; Shea;  
 Streibel; Stromme; Tennefos; Thane; Todd; Tweten;  
 Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: Lashkowitz; Meyer, D.; Meyer, J.; Stenehjem;  
 Tallackson

ABSENT AND NOT VOTING: Kilander

HB 1522 passed, the title was agreed to, and the emergency clause carried.

\*\*\*\*\*

#### MOTION

SEN. NOTHING MOVED that the vote by which HB 1522 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

HB 1523: A BILL for an Act to create and enact a new section to chapter 49-22 of the North Dakota Century Code, relating to legislative approval prior to construction of hydroelectric transmission facilities which transmit hydroelectric power produced outside the United States.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 46 YEAS, 6 NAYS, 1 ABSENT AND NOT VOTING.

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

NAYS: Kelly; Matchie; Meyer, D.; Meyer, J.; Stenehjem;  
 Tallackson

ABSENT AND NOT VOTING: Kilander

HB 1523 passed and the title was agreed to.

\*\*\*\*\*

## MOTION

SEN. NETHING MOVED that the vote by which HB 1523 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

HB 1394: A BILL for an Act to prohibit the sale of fresh or frozen fish or fish products from Canada in North Dakota, and to create the authority for North Dakota to participate in an international basin fish pathogen and biota study commission; to provide a penalty; to provide an appropriation; and to provide an effective date.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 15 YEAS, 36 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Dotzenrod; Krauter; Langley; Lashkowitz; Moore; Redlin; Reiten; Shea; Streibel; Stromme; Tallackson; Tennefos; Todd; Tweten; Walsh

NAYS: Adams; Bakewell; Berube; Christensen; David; Freborg; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kusler; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Mushik; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Satrom; Stenehjerm; Thane; Vosper; Waldera; Wenstrom; Wogsland; Wright

ABSENT AND NOT VOTING: Heigaard; Kilander

HB 1394 was declared lost.

\*\*\*\*\*

MESSAGE TO THE HOUSE  
SENATE CHAMBER

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

HB 1522, HB 1523

LEO LEIDHOLM, Secretary

## CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. LIPS MOVED that the Senate do not concur in the House amendments to SB 2012 as printed on pages 1726-1727 of the Senate Journal and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed.

## APPOINTMENT OF A CONFERENCE COMMITTEE

THE PRESIDENT APPOINTED as a Conference Committee on SB 2012:

Sens. Naaden, Streibel, Walsh

#### CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. CHRISTENSEN MOVED that the Senate do not concur in the House amendments to SB 2301 and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed.

#### APPOINTMENT OF A CONFERENCE COMMITTEE

THE PRESIDENT APPOINTED as a Conference Committee on SB 2301:

Sens. Olson, Holmberg, Lashkowitz

#### MESSAGES TO THE HOUSE

##### SENATE CHAMBER

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

SB 2074, SB 2075, SB 2078, SB 2086, SB 2095, SB 2127,  
 SB 2144, SB 2164, SB 2194, SB 2234, SB 2275, SB 2282,  
 SB 2292, SB 2303, SB 2324, SB 2325, SB 2329, SB 2330,  
 SB 2356, SB 2360, SB 2362, SB 2386, SB 2390, SB 2409,  
 SB 2444, SB 2466, SB 2471, SB 2478, SB 2480, SCR 4007,  
 SCR 4026, SCR 4053

LEO LEIDHOLM, Secretary

##### SENATE CHAMBER

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

SCR 4077

LEO LEIDHOLM, Secretary

#### MOTION

SEN. NETHING MOVED that the Senate stand in recess until 4:00 p.m., which motion prevailed.

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

#### PRESENTATION OF PETITIONS AND COMMUNICATIONS

State of North Dakota  
 EXECUTIVE OFFICE  
 Bismarck

March 25, 1985

The Honorable Ruth Meiers  
 President of the Senate  
 Senate Chambers  
 State Capitol  
 Bismarck, North Dakota 58505



TUESDAY, MARCH 26, 1985

1787

Dear Madam President:

This is to inform you that on March 22, 1985, I signed the following:

SB 2082, SB 2090, SB 2126, SB 2128, SB 2129, SB 2152,  
SB 2154, SB 2158, SB 2191, SB 2210, SB 2211, SB 2221,  
SB 2226, SB 2294, SB 2299, SB 2380, SB 2077, SB 2141,  
SB 2145, SB 2147, SB 2162, SB 2189, SB 2285, SB 2333,  
SB 2347, SB 2372, SB 2376, SB 2378, SB 2382, SB 2384,  
SB 2392, SB 2393, SB 2399, SB 2407, SB 2416, SB 2447,  
SB 2483, SB 2496, SB 2506, SB 2073, SB 2085, SB 2087,  
SB 2088, SB 2099, SB 2102, SB 2110, SB 2117, SB 2118,  
SB 2134, SB 2142, SB 2156, SB 2157, SB 2207, SB 2261,  
SB 2271, SB 2315, SB 2318, SB 2339, SB 2340, SB 2094,  
SB 2112, SB 2132, SB 2185, SB 2192, SB 2195, SB 2199,  
SB 2206, SB 2208, SB 2213, SB 2215, SB 2219, SB 2220,  
SB 2224, SB 2230, SB 2233, SB 2236, SB 2237, SB 2239,  
SB 2241, SB 2252, SB 2254, SB 2258, SB 2264, SB 2268,  
SB 2270, SB 2272, SB 2276, SB 2280, SB 2297, SB 2298,  
SB 2310, SB 2043, SB 2044, SB 2045, SB 2046, SB 2050,  
SB 2058, SB 2084, SB 2106, SB 2121, SB 2122, SB 2123,  
SB 2124, SB 2125, SB 2131, SB 2149, SB 2155, SB 2166,  
SB 2190.

Sincerely,

GEORGE A. SINNER  
Governor

MESSAGE FROM THE HOUSE  
HOUSE CHAMBER

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

SCR 4077

ROY GILBREATH, Chief Clerk

REPORT OF PROCEDURAL COMMITTEE

MADAM PRESIDENT: Your Committee on Enrollment and Engrossment respectfully report that the following bill was delivered to the Secretary of State for his filing:

SCR 4077

SEN. BAKEWELL, Chairman

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

MESSAGES TO THE HOUSE  
SENATE CHAMBER

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

SB 2068, SB 2116, SB 2153, SB 2251, SB 2279, SB 2470

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 2507

LEO LEIDHOLM, Secretary

## SENATE CHAMBER

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

HB 1057

LEO LEIDHOLM, Secretary

## SENATE CHAMBER

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

HB 1008, HB 1016, HB 1022, HB 1024, HB 1026, HB 1033,  
HB 1034, HB 1037, HB 1038, HB 1085, HB 1145, HB 1267,  
HB 1349, HB 1427, HB 1507, HB 1583, HB 1654, HCR 3045,  
HCR 3071, HCR 3076, HCR 3079

LEO LEIDHOLM, Secretary

## SENATE CHAMBER

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

HB 1587

LEO LEIDHOLM, Secretary

## SENATE CHAMBER

MR. SPEAKER: I have the honor to inform you that the Senate does not concur in the House amendments to SB 2012 and SB 2301 and the President has appointed as a conference committee to act with a like committee from the House on:

SB 2012: Sens. Naaden, Streibel, Walsh

SB 2301: Sens. Olson, Holmberg, Lashkowitz

LEO LEIDHOLM, Secretary

## REPORT OF PROCEDURAL COMMITTEE

**MADAM PRESIDENT:** Your procedural Committee on Delayed Bills has examined a concurrent resolution urging the Governor of the state of North Dakota to invite the Premier of the province of Manitoba, Canada, and other leaders of the Manitoba government to meet with North Dakota leaders of the legislative and executive branches of government to discuss issues of mutual concern between the two governments and the people they represent in order to arrive at mutually acceptable and beneficial solutions to those issues; and a concurrent memorial resolution extending sympathy and condolence to the family of Dr. Elwyn B. Robinson, and recommends the same be introduced.

**SEN. TENNEFOS, Chairman**

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

## FIRST READING OF A SENATE CONCURRENT RESOLUTION

Sens. Nething, Heigaard and Reps. Strinden, Mertens introduced:  
(Approved by the Committee on Delayed Bills)

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

Was read the first time.

## MOTION

**SEN. NETHING** MOVED that the rules be suspended, that SCR 4078 not be printed, not be referred to committee, but be read in its entirety, printed in the Journal, and placed on the calendar for second reading and final passage, which motion prevailed.

Sens. Nething, Heigaard and Reps. Strinden, Mertens introduced:

## SENATE CONCURRENT RESOLUTION NO. 4078

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

**WHEREAS**, the people of the state of North Dakota and the province of Manitoba have long enjoyed a continuing friendly and cooperative relationship characterized by common good will; and

**WHEREAS**, leaders of the legislative and executive branches of government of the state of North Dakota and the leaders of the government of the province of Manitoba regularly address many

issues of common concern relating to agriculture, the management of water resources, economic development and tourism, and the environment; and

WHEREAS, it would be in the best interests of both North Dakota and Manitoba citizens if such issues of common concern were cooperatively addressed by leaders of both governments and resolved in a fashion bringing about mutually beneficial results; and

WHEREAS, officials from the legislative and executive branches of government of the state of North Dakota and the officials of the government of the province of Manitoba should avail themselves of the vast technical resources abundant in both jurisdictions to assess and address common issues of concern; and

WHEREAS, the highest officials from the legislative and executive branches of government of the state of North Dakota and the highest officials of the government of the province of Manitoba should meet on a regular basis to discuss items of mutual interest;

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

That the Governor of the state of North Dakota is urged to invite the Premier of the province of Manitoba, Canada, and other leaders of the Manitoba government to meet with North Dakota leaders of the legislative and executive branches of state government to discuss issues of mutual concern between the two governments and the people they represent in order to arrive at mutually acceptable and beneficial solutions to those issues; and

BE IT FURTHER RESOLVED, that such meetings between the leaders of the two governments be held alternately in North Dakota and Manitoba on a regular semiannual basis; and

BE IT FURTHER RESOLVED, that the Secretary of State send copies of this resolution to the Honorable George A. Sinner, Governor of North Dakota, and the Honorable Howard Russell Pawley, Premier of Manitoba, Canada.

#### SECOND READING OF A SENATE CONCURRENT RESOLUTION

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

Was read the second time.

The question being on the final adoption of the resolution.

SCR 4078 was declared adopted on a voice vote.

\*\*\*\*\*

#### FIRST READING OF A SENATE CONCURRENT MEMORIAL RESOLUTION

Sen. Stenehjem and Reps. Hamerlik, Cleveland introduced:

(Approved by the Committee on Delayed Bills)

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

#### MOTION

SEN. STENEHJEM MOVED that the rules be suspended, that SCMR 1 not be printed, not be referred to committee, but be read in its entirety, printed in the Journal, and placed on the calendar for second reading and final passage, which motion prevailed.

Sen. Stenehjem and Reps. Hamerlik, Cleveland introduced:

#### SENATE CONCURRENT MEMORIAL RESOLUTION 1

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

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

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

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

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

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

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

## SECOND READING OF A SENATE CONCURRENT MEMORIAL RESOLUTION

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

Was read the second time.

The question being on the final adoption of the resolution.

SCMR 1 was declared adopted on a voice vote.

MESSAGES FROM THE HOUSE  
HOUSE CHAMBER

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

SB 2374: Reprs. Dalrymple, Gates, DeMers  
 SB 2411: Reprs. Koland, Larson, Dotzenrod  
 SB 2432: Reprs. Lindgren, Murphy, Keller  
 SCR 4051: Reprs. Kent, Gates, Enget

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

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

SB 2178: Reprs. Kloubec, Koland, Stofferahn  
 SB 2369: Reprs. Dalrymple, Gates, DeMers  
 SB 2373: Reprs. Kretschmar, Conmy, Ulmer

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to inform you that the House has concurred in the Senate amendments to HB 1153, HB 1170, HB 1195, HB 1285, HB 1287, HB 1341, HB 1354, HB 1399, HB 1408, HB 1464, HB 1536, HB 1547, HB 1565, HB 1596, HB 1615, and HB 1625 and subsequently passed the same.

ROY GILBREATH, Chief Clerk

MESSAGE TO THE HOUSE  
SENATE CHAMBER

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

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

LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE  
HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to transmit herewith the following on which the House has adopted the conference committee report on HB 1204, HB 1233, HB 1242, and HB 1295 and subsequently passed the same.

ROY GILBREATH, Chief Clerk

MOTION

SEN. NETHING MOVED that HCR 3095, HB 1458, HB 1127, and HB 1189 be moved to the head of the calendar, which motion prevailed.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3095: A concurrent resolution urging Congress not to raise the fee charged for a federal migratory bird hunting stamp.

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

The question being on the final adoption of the resolution.

HCR 3095 was declared lost on a voice vote.

\*\*\*\*\*

SECOND READING OF HOUSE BILLS

HB 1458: A BILL for an Act to amend and reenact subsection 2 of section 63-01.1-06 of the North Dakota Century Code, relating to funding weed control; and to provide an appropriation for leafy spurge control.

Which has been read.

ROLL CALL

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

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

NAYS: Heigaard; Heinrich; Lodoen; Shea

ABSENT AND NOT VOTING: Kilander; Reiten

HB 1458 passed and the title was agreed to.

\*\*\*\*\*

HB 1127: A BILL for an Act to amend and reenact section 54-52-06.1 of the North Dakota Century Code, relating to the employer contribution for the judges' retirement plan.

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, 5 NAYS, 3 ABSENT AND NOT VOTING.

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

NAYS: Dotzenrod; Mutch; Redlin; Streibel; Stromme

ABSENT AND NOT VOTING: Ingstad; Kilander; Reiten

HB 1127 passed and the title was agreed to.

\*\*\*\*\*

#### MOTION

SEN. MUSHIK MOVED that HB 1189 be rereferred to the Committee on Appropriations, which motion prevailed.

#### CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. PARKER MOVED that the Senate do concur in the House amendments to SB 2197 as printed on pages 1690-1692 of the Senate Journal, which motion prevailed.

#### MOTION

SEN. PARKER MOVED that the rules be suspended, that SB 2197 be deemed properly reengrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

#### SECOND READING OF SENATE BILL

SB 2197: A BILL for an Act to amend and reenact subsections 14 and 17 of section 52-01-01, subsection 1 of section 52-03-07, 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, administrative use of Reed Act moneys, 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 50 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Kilander; Meyer, W.; Reiten

SB 2197 passed and the title was agreed to.

\*\*\*\*\*

#### CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. PARKER MOVED that the Senate do concur in the House amendments to SB 2274 as printed on pages 1692-1694 of the Senate Journal, which motion prevailed.

#### MOTION

SEN. PARKER MOVED that the rules be suspended, that SB 2274 be deemed properly reengrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

#### SECOND READING OF SENATE BILL

SB 2274: A BILL for an Act to create and enact nine new sections to chapter 26-17.1 of the North Dakota Century Code, or in the alternative to create and enact nine new sections to chapter 26.1-26 of the North Dakota Century Code as created in Senate Bill No. 2078, as approved by the forty-ninth legislative assembly, relating to prelicensure and continuing education for insurance agents; 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 43 YEAS, 6 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Berube; Christensen; David; Freborg; Heigaard; Hilken; Ingstad; Kelly; Kelsh; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, J.; Meyer, W.; Moore; Mushik; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Satrom; Shea; Stenehjøm; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Waldera; Walsh; Wogsland; Wright

NAYS: Dotzenrod; Heinrich; Meyer, D.; Mutch; Streibel; Vosper

ABSENT AND NOT VOTING: Holmberg; Kilander; Reiten; Wenstrom

SB 2274 passed and the title was agreed to.

\*\*\*\*\*

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. LODOEN MOVED that the Senate do concur in the House amendments to SB 2436 as printed on pages 1695-1696 of the Senate Journal, which motion prevailed.

MOTION

SEN. DAVID MOVED that the rules be suspended, that SB 2436 be deemed properly reengrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2436: A BILL for an Act to amend and reenact sections 46-02-04 and 46-02-09 of the North Dakota Century Code, relating to the classes and definitions of printing and duplicating public documents.

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, 1 NAY, 3 ABSENT AND NOT VOTING.

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

NAYS: Matchie

ABSENT AND NOT VOTING: Holmberg; Kilander; Reiten

SB 2436 passed and the title was agreed to.

\*\*\*\*\*

#### CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. PARKER MOVED that the Senate do concur in the House amendments to SB 2468 as printed on page 1696 of the Senate Journal, which motion prevailed.

#### MOTION

SEN. PARKER MOVED that the rules be suspended, that SB 2468 be deemed properly reengrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

#### SECOND READING OF SENATE BILL

SB 2468: A BILL for an Act to amend and reenact subsection 4 of section 26.1-08-01 and section 26.1-08-12 of the North Dakota Century Code, relating to eligibility qualifications and eligibility requirements for applicants for insurance coverage from the comprehensive health association 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; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Satrom; Shea; Stenehjerm; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Kilander; Reiten

SB 2468 passed and the title was agreed to.

\*\*\*\*\*

#### CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. LIPS MOVED that the Senate do concur in the House amendments to SB 2015 as printed on page 1727 of the Senate Journal, which motion prevailed.

## MOTION

SEN. LIPS MOVED that the rules be suspended, that SB 2015 be deemed properly reengrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

## SECOND READING OF SENATE BILL

SB 2015: A BILL for an Act making an appropriation for defraying the expenses of the department of banking and financial institutions of the state of North Dakota.

Which has been read.

## ROLL CALL

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

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

NAYS: None

ABSENT AND NOT VOTING: Heigaard; Kilander; Reiten

SB 2015 passed and the title was agreed to.

\*\*\*\*\*

## CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. LIPS MOVED that the Senate do concur in the House amendments to SB 2018 as printed on pages 1727-1728 of the Senate Journal, which motion prevailed.

## MOTION

SEN. LIPS MOVED that the rules be suspended, that SB 2018 be deemed properly engrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

## SECOND READING OF SENATE BILL

SB 2018: A BILL for an Act making an appropriation for defraying the expenses of the milk stabilization board of the state of North Dakota.

Which has been read.

## ROLL CALL

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

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

NAYS: None

ABSENT AND NOT VOTING: Kilander; Reiten

SB 2018 passed and the title was agreed to.

\*\*\*\*\*

## CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. LIPS MOVED that the Senate do concur in the House amendments to SB 2024 as printed on page 1724 of the Senate Journal, which motion prevailed.

## MOTION

SEN. LIPS MOVED that the rules be suspended, that SB 2024 be deemed properly reengrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

## SECOND READING OF SENATE BILL

SB 2024: A BILL for an Act making an appropriation for defraying the expenses of the highway department 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; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Satrom; Shea; Stenehjem; Streibel; Stromme;

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

NAYS: None

ABSENT AND NOT VOTING: Kilander; Reiten

SB 2024 passed and the title was agreed to.

\*\*\*\*\*

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. LIPS MOVED that the Senate do concur in the House amendments to SB 2026 as printed on pages 1728-1729 of the Senate Journal, which motion prevailed.

MOTION

SEN. LIPS MOVED that the rules be suspended, that SB 2026 be deemed properly reengrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2026: A BILL for an Act making an appropriation for defraying the expenses of the motor vehicle department 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; Heigaard; Heinrich; Hilken;  
Holmberg; Ingstad; Kelly; Kelsh; Krauter; Kusler;  
Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie;  
Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch;  
Naaden; Nelson; Nething; Olson; Parker; Peterson;  
Redlin; Satrom; Shea; Stenehjem; Streibel; Stromme;  
Tallackson; Tennefos; Thane; Todd; Tweten; Vosper;  
Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Kilander; Reiten

SB 2026 passed and the title was agreed to.

\*\*\*\*\*

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. PARKER MOVED that the Senate do concur in the House amendments to SB 2159 as printed on page 1753 of the Senate Journal, which motion prevailed.

MOTION

SEN. PARKER MOVED that the rules be suspended, that SB 2159 be deemed properly reengrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2159: A BILL for an Act to amend and reenact subsection 1 of section 52-06-04 and section 52-06-05 of the North Dakota Century Code, relating to unemployment compensation weekly benefit amount and benefit duration.

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, 8 NAYS, 2 ABSENT AND NOT VOTING.

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

NAYS: Heigaard; Heinrich; Hilken; Kelsh; Kusler; Mushik; Satrom; Shea

ABSENT AND NOT VOTING: Kilander; Reiten

SB 2159 passed and the title was agreed to.

\*\*\*\*\*

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. PARKER MOVED that the Senate do concur in the House amendments to SB 2160 as printed on page 1753 of the Senate Journal, which motion prevailed.

MOTION

SEN. PARKER MOVED that the rules be suspended, that SB 2160 be deemed properly engrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

## SECOND READING OF SENATE BILL

SB 2160: A BILL for an Act to amend and reenact subsection 16 of section 52-06-02 of the North Dakota Century Code, relating to reduction of unemployment compensation benefits due to receipt of pensions.

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 38 YEAS, 12 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Adams; Berube; Christensen; Dotzenrod; Heigaard; Heinrich; Hilken; Holmberg; Kelsh; Krauter; Langley; Lashkowitz; Lips; Lodoen; Maixner; Meyer, D.; Meyer, W.; Moore; Mushik; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Satrom; Stenehjem; Stromme; Tallackson; Tennefos; Thane; Todd; Vosper; Waldera; Walsh; Wenstrom; Wogsland

NAYS: Bakewell; David; Freborg; Ingstad; Kelly; Matchie; Meyer, J.; Mutch; Shea; Streibel; Tweten; Wright

ABSENT AND NOT VOTING: Kilander; Kusler; Reiten

SB 2160 passed and the title was agreed to.

\*\*\*\*\*

## MOTION

SEN. PARKER MOVED that the conference committee on HB 1287 be dissolved, which motion prevailed.

MESSAGE FROM THE HOUSE  
HOUSE CHAMBER

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

SB 2037, SB 2051, SB 2069, SB 2070, SB 2072, SB 2089,  
SB 2172, SB 2173, SB 2174, SB 2179, SB 2183, SB 2196,  
SB 2198, SB 2259, SB 2262, SB 2293, SB 2308, SB 2311,  
SB 2349, SB 2359, SB 2395, SB 2403, SB 2406, SB 2443,  
SB 2446, SB 2449, SB 2452, SB 2463, SB 2486, SB 2488,  
SB 2494, SB 2499, SCR 4004, SCR 4006, SCR 4008, SCR 4009,  
SCR 4013, SCR 4017, SCR 4024, SCR 4030, SCR 4031, SCR 4034,  
SCR 4035, SCR 4036, SCR 4038, SCR 4042, SCR 4046, SCR 4047,  
SCR 4050, SCR 4052, SCR 4054, SCR 4055, SCR 4058, SCR 4062,  
SCR 4064, SCR 4065, SCR 4068

ROY GILBREATH, Chief Clerk



## REPORT OF PROCEDURAL COMMITTEE

MADAM PRESIDENT: Your Committee on Enrollment and Engrossment respectfully report that the following bills were delivered to the Governor for his approval:

SB 2051, SB 2069, SB 2070, SB 2072, SB 2089, SB 2198,  
SB 2259, SB 2293, SB 2308, SB 2403, SB 2449, SB 2452,  
SB 2486, SB 2494

SEN. BAKEWELL, Chairman

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

## REPORT OF PROCEDURAL COMMITTEE

MADAM PRESIDENT: Your Committee on Enrollment and Engrossment respectfully report that the following bills were delivered to the Governor for his approval:

SB 2037, SB 2173, SB 2183, SB 2196, SB 2262, SB 2311,  
SB 2359, SB 2395, SB 2406, SB 2446, SB 2463, SB 2488,  
SB 2499

SEN. BAKEWELL, Chairman

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

## REPORT OF PROCEDURAL COMMITTEE

MADAM PRESIDENT: Your Committee on Enrollment and Engrossment respectfully report that the following bills were delivered to the Governor for his approval:

SB 2172, SB 2174, SB 2179, SB 2349

SEN. BAKEWELL, Chairman

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

## REPORT OF PROCEDURAL COMMITTEE

MADAM PRESIDENT: Your Committee on Enrollment and Engrossment respectfully report that the following bill was delivered to the Governor for his approval:

SB 2443

SEN. BAKEWELL, Chairman

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

## REPORT OF PROCEDURAL COMMITTEE

MADAM PRESIDENT: Your Committee on Enrollment and Engrossment respectfully report that the following bills were delivered to the Secretary of State for his filing:

SCR 4004, SCR 4006, SCR 4008, SCR 4009, SCR 4013, SCR 4017,  
 SCR 4024, SCR 4030, SCR 4031, SCR 4034, SCR 4035, SCR 4036,  
 SCR 4038, SCR 4042, SCR 4046, SCR 4047, SCR 4050, SCR 4052,  
 SCR 4054, SCR 4055, SCR 4058, SCR 4062, SCR 4064, SCR 4065,  
 SCR 4068

SEN. BAKEWELL, Chairman

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

MESSAGE FROM THE HOUSE  
 HOUSE CHAMBER

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

SB 2074, SB 2075, SB 2078, SB 2086, SB 2095, SB 2127,  
 SB 2144, SB 2164, SB 2194, SB 2234, SB 2275, SB 2282,  
 SB 2292, SB 2303, SB 2324, SB 2325, SB 2329, SB 2330,  
 SB 2356, SB 2360, SB 2362, SB 2386, SB 2390, SB 2409,  
 SB 2444, SB 2466, SB 2471, SB 2478, SB 2480, SCR 4007,  
 SCR 4026, SCR 4053

ROY GILBREATH, Chief Clerk

REPORT OF PROCEDURAL COMMITTEE

MADAM PRESIDENT: Your Committee on Enrollment and Engrossment respectfully report that the following bills were delivered to the Governor for his approval:

SB 2074, SB 2075, SB 2078, SB 2086, SB 2095, SB 2127,  
 SB 2144, SB 2164, SB 2194, SB 2234, SB 2275, SB 2282,  
 SB 2292, SB 2303, SB 2324, SB 2325, SB 2329, SB 2330,  
 SB 2356, SB 2360, SB 2362, SB 2386, SB 2390, SB 2409,  
 SB 2444, SB 2466, SB 2471, SB 2478, SB 2480

SEN. BAKEWELL, Chairman

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

REPORT OF PROCEDURAL COMMITTEE

MADAM PRESIDENT: Your Committee on Enrollment and Engrossment respectfully report that the following bills were delivered to the Secretary of State for his filing:

SCR 4007, SCR 4026, SCR 4053

SEN. BAKEWELL, Chairman

SEN. TWETEN 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:

HCR 3102

ROY GILBREATH, Chief Clerk

## HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to inform you that the House does not concur in the Senate amendments to HB 1522 and HB 1523 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1522: Reps. Strinden, Martinson, Mertens

HB 1523: Reps. Strinden, Martinson, Mertens

ROY GILBREATH, Chief Clerk

## HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to inform you that the House does not concur in the Senate amendments to HB 1048 and HB 1049 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1048: Reps. Schindler, Shaw, Hoffner

HB 1049: Reps. Schindler, Shaw, Hoffner

ROY GILBREATH, Chief Clerk

## REPORTS OF CONFERENCE COMMITTEES

MADAM PRESIDENT: Your Conference Committee to which was referred SB 2186 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on pages 1660-1661 of the Senate Journal and that SB 2186 be amended as follows:

That the House recede from its amendments as found on pages 2040-2041 of the House Journal and pages 1660-1661 of the Senate Journal and that Senate Bill No. 2186 be amended as follows:

On page 1, line 1, after the word "reenact" insert the words and numerals "section 57-38-01.15 and"

On page 1, line 2, delete the words "to require" and insert in lieu thereof the words "relating to"

On page 1, line 3, delete the words "to use the same form"

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

"SECTION 1. AMENDMENT. Section 57-38-01.15 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

57-38-01.15. Itemization Proration and itemization of deductions and exemptions.

1. Any individual taxpayer Individual taxpayers filing a North Dakota income tax return returns pursuant to the provisions of this chapter, other

than section 57-38-30.3, may itemize deductions in lieu of taking a standard the zero bracket amount deduction even though a standard the zero bracket amount deduction was used in determining federal taxable income; provided, that married persons filing separately for state income tax purposes must both either itemize or take the standard zero bracket amount deduction. This provision of law is effective for taxable years beginning on or after January 1, 1979. Itemized deductions must be apportioned between spouses in the proportion that the adjusted gross income of each bears to their combined gross income. Exemptions for themselves or their dependents are to be reported in the same way that they would have been reported in separate federal returns if separate federal returns had been filed.

2. If married persons file separate North Dakota income tax returns and one spouse elects to file pursuant to the provisions of section 57-38-30.3 and the other does not, the spouse that elects not to file pursuant to section 57-38-30.3 may either itemize or use the zero bracket amount deduction. Itemized deductions must be apportioned between spouses in the proportion that the adjusted gross income of each bears to their combined gross income. The spouse not electing to file pursuant to section 57-38-30.3 is entitled to claim only those exemptions which pertain to that spouse."

On page 1, line 16, overstrike the word "and"

On page 1, overstrike line 17

On page 1, line 18, overstrike the words "dependents are" and insert immediately thereafter the word "is"

On page 1, line 19, overstrike the word "them" and insert immediately thereafter the word "it"

On page 2, delete lines 6 through 10

And renumber the lines, sections, and pages accordingly

For the Senate: Sens. Adams, Moore, Waldera

For the House: Reps. Moore, Martin, Sauter

SB 2186 was placed on the Seventh order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Conference Committee to which was referred Engrossed SB 2204 has had the same under consideration

and recommends that the HOUSE RECEDE from its amendments as found on page 1407 of the Senate Journal and that Engrossed SB 2204 be amended as follows:

On page 2 of the engrossed bill, line 29, delete the words "may be"

On page 2 of the engrossed bill, line 30, delete the word "eligible" and insert in lieu thereof the comma and words ", due to income and resource considerations, reasonably anticipate the necessity to apply"

And renumber the lines and pages accordingly

For the Senate: Sens. Stenehjem, Christensen, Heinrich  
For the House: Reps. Hamerlik, Nalewaja, DeMers

Engrossed SB 2204 was placed on the Seventh order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Conference Committee to which was referred Engrossed SB 2405 has had the same under consideration and recommends that the SENATE ACCEDE to the amendments as found on page 1980 of the House Journal:

For the Senate: Sens. Kilander, Parker, Langley  
For the House: Reps. Dorso, C. Williams, Goetz

Engrossed SB 2405 was placed on the Seventh order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Conference Committee to which was referred Engrossed SB 2410 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on page 1611 of the Senate Journal.

For the Senate: Sens. Kelly, Stenehjem, J. Meyer  
For the House: Reps. Nalewaja, Hamerlik, Oban

Engrossed SB 2410 was placed on the Seventh order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Conference Committee to which was referred SB 2438 has had the same under consideration and recommends that the SENATE ACCEDE to the amendments as found on page 1403 of the Senate Journal and that SB 2438 be further amended as follows:

On page 1, line 11, after the word "action" insert the words "entry of the decree"

On page 1, line 18, after the word "action" insert the words "entry of the", and after the word "decree" insert the words "of separation"

And renumber the lines accordingly

**For the Senate:** Sens. Stenehjem, Olson, Lashkowitz

**For the House:** Reps. Murphy, Eckroth, Ulmer

SB 2438 was placed on the Seventh order of business on the calendar for the succeeding legislative day.

**MADAM PRESIDENT:** Your Conference Committee to which was referred Engrossed SB 2464 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on pages 1569-1571 of the Senate Journal and that Engrossed SB 2464 be amended as follows:

On page 1 of the engrossed bill, line 1, delete the word "section" and insert in lieu thereof the word "sections", and after the numerals "44-11-02" insert the numerals "44-11-10, and 44-11-13"

On page 1 of the engrossed bill, line 3, after the word "official" insert the words ", the fees of the special commissioner and payment of stenographer's expenses, and payment of costs upon dismissal and the filing of an indemnity bond with regard to gubernatorial removal of public officials"

On page 1 of the engrossed bill, line 13, after the comma insert the following: "or upon the relation of ten percent of the qualified electors voting at the preceding general election for the office of governor in that political subdivision or district in which the person charged is an officer, whichever is least,"

On page 1 of the engrossed bill, after line 21, insert the following new sections:

"SECTION 2. AMENDMENT. Section 44-11-10 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

44-11-10. Fees of special commissioner - Stenographer - Witnesses. The fees of the special commissioner provided for by this chapter shall be ~~six~~ one hundred dollars per day, and in addition thereto, he shall receive his mileage from his residence to the place of trial the same as is allowed by law to sheriffs. He ~~shall have power to~~ may employ a stenographer, who shall be paid fifteen cents per folio for the original transcript of testimony and five cents per folio for copies required and pay the expenses of the stenographer. Such expenses shall be itemized by the commissioner and filed with his report and findings and audited and allowed by the governor. Witnesses giving testimony before such commissioner, the number to be limited by the commissioner, shall be allowed the same fees

as witnesses in district court. In proceedings to remove a county officer, such fees shall be paid by the county upon allowance by the board of county commissioners in the same manner as other claims against the county, and if a municipal or township officer, then by the city council, board of city commissioners, or board of township supervisors, in the same manner as other claims against the municipality are paid.

**SECTION 3. AMENDMENT.** Section 44-11-13 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

**44-11-13. Costs on dismissal of charges - Bond.** When charges are preferred against any of the officers mentioned in section 44-11-01 by qualified voters electors other than the state's attorney or attorney general, as provided in section 44-11-02, and upon such hearing it shall appear that such charges were not preferred in good faith, then all of the costs of the proceedings under this chapter, not exceeding the sum of three five hundred dollars, in the discretion of the governor, may be taxed to the persons making such charges. When such charges are made by such relators there shall be filed, together with such charges, a good and sufficient indemnity bond in the sum of three five hundred dollars, to be approved by the governor, binding such relators to the payment of such costs upon the failure to maintain such charges as herein provided."

And renumber the lines and pages accordingly

**For the Senate:** Sens. Holmberg, Olson, Lashkowitz

**For the House:** Reps. Dalrymple, Schmidt, Keller

Engrossed SB 2464 was placed on the Seventh order of business on the calendar for the succeeding legislative day.

**MADAM PRESIDENT:** Your Conference Committee to which was referred Engrossed HB 1204 has had the same under consideration and recommends that the SENATE RECEDE from its amendments as found on page 949 of the Senate Journal and that Engrossed HB 1204 be amended as follows:

On page 1 of the engrossed bill, line 18, delete the words "fifty percent" and insert in lieu thereof the words "six thousand dollars excluding any interest charged by the body levying the special assessment"

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

For the Senate: Sens. Wright, Kilander, Dotzenrod (refused to sign)

For the House: Reps. Moore, Hughes, Schneider

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

MADAM PRESIDENT: Your Conference Committee to which was referred HB 1233 has had the same under consideration and recommends that the HOUSE ACCEDE to the amendments as found on page 1333 of the Senate Journal.

For the Senate: Sens. Ingstad, Olson, Dotzenrod

For the House: Reps. Lang, Shaw, Dotzenrod

HB 1233 was placed on the Seventh order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Conference Committee to which was referred HB 1242 has had the same under consideration and recommends that the SENATE RECEDE from its amendments as found on pages 1275-1276 of the Senate Journal and that HB 1242 be amended as follows:

On page 2, line 2, overstrike the word "such" and insert immediately thereafter the words "a retired or terminated"

On page 2, line 10, after the period insert the following sentence: "A member or former member of the legislative assembly may elect to continue membership in the uniform group within the applicable time limitations after either termination of eligible employment as a member of the legislative assembly or termination of other eligible employment."

And renumber the lines and pages accordingly

For the Senate: Sens. Mutch, Parker, Kelsh

For the House: Reps. Retzer, Whalen, Lloyd

HB 1242 was placed on the Seventh order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Conference Committee to which was referred HB 1295 has had the same under consideration and recommends that the HOUSE ACCEDE to the amendments as found on page 1426 of the Senate Journal.

For the Senate: Sens. Holmberg, Olson, Maixner

For the House: Reps. Cleveland, Oban (refused to sign), A. Williams

HB 1295 was placed on the Seventh order of business on the calendar for the succeeding legislative day.



MADAM PRESIDENT: Your Conference Committee to which was referred HB 1493 has had the same under consideration and recommends that the SENATE RECEDE from its amendments as found on page 1484 of the Senate Journal.

For the Senate: Sens. Kilander, Moore, Waldera (refused to sign)  
For the House: Reps. Gates, Kent, Riehl

HB 1493 was placed on the Seventh order of business on the calendar for the succeeding legislative day.

#### REPORTS OF STANDING COMMITTEES

MADAM PRESIDENT: Your Committee on State and Federal Government to which was referred SCR 4074 has had the same under consideration and recommends that the same DO PASS.

SEN. LODOEN, Chairman

SCR 4074 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 SCR 4075 has had the same under consideration and recommends that the same DO PASS.

SEN. CHRISTENSEN, Chairman

SCR 4075 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Agriculture to which was referred SCR 4076 has had the same under consideration and recommends that the same DO PASS.

SEN. VOSPER, Chairman

SCR 4076 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 HB 1018 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 7, delete the numerals "4,500,000" and insert in lieu thereof the numerals "5,200,000"

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Payments of Insurance Premium Taxes

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

SEN. LIPS, Chairman

HB 1018 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 HB 1021 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 16, delete the numerals "927,887" and insert in lieu thereof the numerals "979,029"

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

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

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

And renumber the lines and pages accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

##### State Water Commission

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

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

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

SEN. LIPS, Chairman

HB 1021 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 HB 1293 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 "certificate and"

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

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

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

On page 2 of the engrossed bill, line 11, remove the overstrike over the numeral "2-"

On page 2 of the engrossed bill, line 17, delete the numeral "4."

On page 2 of the engrossed bill, line 19, delete the numeral "5." and insert in lieu thereof the numeral "3."

On page 2 of the engrossed bill, line 20, delete the numeral "6." and insert in lieu thereof the numeral "4."

On page 2 of the engrossed bill, line 27, remove the overstrike over the numeral "5-" and delete the numeral "7."

On page 2 of the engrossed bill, line 32, delete the second word "two" and insert in lieu thereof the word "three"

On page 3 of the engrossed bill, after line 28, insert the following new subdivision:

"i. Headstart programs that are federally funded and meet federal headstart standards."

On page 3 of the engrossed bill, line 29, delete the numeral "8." and insert in lieu thereof the numeral "6."

On page 3 of the engrossed bill, line 31, remove the overstrike over the word "he" and delete the words "three or"

- On page 3 of the engrossed bill, line 32, remove the overstrike over the words "~~than seven~~" and overstrike the words "from more than one family"
- On page 3 of the engrossed bill, line 33, delete the words "and the children are"
- On page 3 of the engrossed bill, delete line 34
- On page 3 of the engrossed bill, line 35, delete the words "children are cared for" and after the word "any" insert the word "one"
- On page 4 of the engrossed bill, line 1, delete the numeral "9." and insert in lieu thereof the numeral "7."
- On page 4 of the engrossed bill, line 7, delete the numeral "10." and insert in lieu thereof the numeral "8."
- On page 4 of the engrossed bill, line 10, delete the numeral "11." and insert in lieu thereof the numeral "9."
- On page 4 of the engrossed bill, line 11, after the word "a" insert the words "family child care home,"
- On page 4 of the engrossed bill, line 16, delete the numeral "12." and insert in lieu thereof the numeral "10."
- On page 4 of the engrossed bill, line 19, delete the numeral "13." and insert in lieu thereof the numeral "11."
- On page 4 of the engrossed bill, line 25, delete the numeral "14." and insert in lieu thereof the numeral "12."
- On page 4 of the engrossed bill, line 28, delete the numeral "15." and insert in lieu thereof the numeral "13."
- On page 4 of the engrossed bill, line 33, delete the numeral "16." and insert in lieu thereof the numeral "14."
- On page 6 of the engrossed bill, delete lines 15 through 19
- On page 6 of the engrossed bill, line 34, delete the words "or certificate"
- On page 6 of the engrossed bill, after line 34, insert the following new subsection:

"1. A license for a family child care home is required if early childhood services are provided for four or more children ages twenty-four months and under or six or more children at any one time. Those persons not required by this subsection to hold a family child care license

may voluntarily apply for and receive such a license."

- On page 7 of the engrossed bill, line 1, delete the numeral "1." and insert in lieu thereof the numeral "2."
- On page 7 of the engrossed bill, line 3, delete the words "family child care home,"
- On page 7 of the engrossed bill, line 5, delete the words "or certificated"
- On page 7 of the engrossed bill, line 7, delete the words "family child care home,"
- On page 7 of the engrossed bill, line 11, delete the words "family child care homes,"
- On page 7 of the engrossed bill, line 14, delete the numeral "2." and insert in lieu thereof the numeral "3." and delete the words "or certificate"
- On page 7 of the engrossed bill, line 17, delete the first word "certificate" and insert in lieu thereof the word "license" and delete the second word "certificate" and insert in lieu thereof the word "license"
- On page 7 of the engrossed bill, line 18, delete the word "fifteen" and insert in lieu thereof the word "twenty", and delete the word "certificate" and insert in lieu thereof the word "license"
- On page 7 of the engrossed bill, line 19, delete the word "thirty" and insert in lieu thereof the word "thirty-five"
- On page 7 of the engrossed bill, line 21, delete the word "twenty" and insert in lieu thereof the word "twenty-five"
- On page 7 of the engrossed bill, line 23, delete the word "forty" and insert in lieu thereof the word "forty-five"
- On page 7 of the engrossed bill, line 26, delete the word "twenty-five" and insert in lieu thereof the word "thirty"
- On page 7 of the engrossed bill, line 27, delete the word "fifty" and insert in lieu thereof the word "fifty-five"
- On page 7 of the engrossed bill, line 29, delete the word "thirty-five" and insert in lieu thereof the word "forty"
- On page 7 of the engrossed bill, line 31, delete the word "seventy" and insert in lieu thereof the word "seventy-five"

- On page 7 of the engrossed bill, line 32, delete the words "or certified"
- On page 7 of the engrossed bill, line 34, delete the words "or certification" and delete the word "forty-five" and insert the word "fifty"
- On page 8 of the engrossed bill, line 1, delete the words "or certificate"
- On page 8 of the engrossed bill, line 2, delete the word "ninety" and insert in lieu thereof the word "ninety-five"
- On page 8 of the engrossed bill, line 3, delete the numeral "3." and insert in lieu thereof the numeral "4."
- On page 8 of the engrossed bill, line 8, delete the words "or certificate"
- On page 8 of the engrossed bill, line 17, delete the words "or certificate"
- On page 8 of the engrossed bill, line 18, delete the words "or certificate"
- On page 8 of the engrossed bill, line 19, delete the words "and certificates"
- On page 8 of the engrossed bill, line 24, delete the words "or certificate"
- On page 8 of the engrossed bill, line 25, delete the word "certificate" and insert in lieu thereof the word "license"
- On page 8 of the engrossed bill, line 31, delete the words "or certificate"
- On page 9 of the engrossed bill, line 12, delete the words "or certificate"
- On page 9 of the engrossed bill, line 15, delete the words "or certificate"
- On page 9 of the engrossed bill, line 18, delete the words "or certificate"
- On page 9 of the engrossed bill, line 25, delete the words "or certification"
- On page 9 of the engrossed bill, line 27, delete the words "or certification"
- On page 10 of the engrossed bill, line 1, delete the word "certificate"

- On page 10 of the engrossed bill, line 2, delete the word "holders,"
- On page 10 of the engrossed bill, line 8, delete the underscored comma
- On page 10 of the engrossed bill, line 9, delete the word "certificate,"
- On page 10 of the engrossed bill, line 13, delete the words "or certificate"
- On page 10 of the engrossed bill, line 16, delete the words ", certificate holders,"
- On page 13 of the engrossed bill, line 29, delete the word "or"
- On page 13 of the engrossed bill, line 30, delete the word "certificate"
- On page 14 of the engrossed bill, line 4, delete the word ", certificate,"
- On page 14 of the engrossed bill, line 5, delete the word "or"
- On page 14 of the engrossed bill, line 6, delete the word "certificate"
- On page 14 of the engrossed bill, line 12, delete the words ", certificate holder,"
- On page 14 of the engrossed bill, line 15, delete the word ", certificate,"
- On page 14 of the engrossed bill, line 18, delete the words ", certificate holder,"
- On page 14 of the engrossed bill, line 20, delete the words ", certificate holder,"
- On page 14 of the engrossed bill, line 23, delete the words ", certificate holder,"
- On page 14 of the engrossed bill, line 24, delete the words "or certificate holder"
- On page 15 of the engrossed bill, line 2, delete the words "certified, or"
- On page 15 of the engrossed bill, line 26, delete the words "or certificates"

And renumber the lines and pages accordingly

SEN. STENEHJEM, Chairman

HB 1293 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 HB 1653 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 2, delete the words "for the period" and insert in lieu thereof the words "; to provide"

On page 1 of the engrossed bill, delete line 3

On page 1 of the engrossed bill, line 5, after the word "plan" insert the following: "; and to declare an emergency"

On page 6 of the engrossed bill, line 7, after the word "provide" insert the word "average"

On page 6 of the engrossed bill, line 10, delete the words "\$50 per month or" and insert in lieu thereof the words "average compensation increases of", and after the word "percent" delete the comma and insert in lieu thereof the word "to"

On page 6 of the engrossed bill, line 11, delete the words "whichever is greater, for"

On page 6 of the engrossed bill, line 12, after the period insert the following new sentence: "It is intended that employees receive minimum increases of fifty dollars per month."

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

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

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

On page 7 of the engrossed bill, after line 3, insert the following new section:



"SECTION 3. EMERGENCY. This Act is hereby declared to be an emergency measure and is in effect from and after its passage and approval."

And renumber the lines, sections, and pages accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

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

SEN. LIPS, Chairman

HB 1653 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 1656 has had the same under consideration and recommends that the same DO PASS.

SEN. LODOEN, Chairman

HB 1656 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 HCR 3094 has had the same under consideration and recommends that the same DO PASS.

SEN. PETERSON, Chairman

HCR 3094 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 HCR 3097 has had the same under consideration and recommends that the same DO PASS.

SEN. CHRISTENSEN, Chairman

HCR 3097 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 HCR 3098 has had the same under consideration and recommends that the same DO PASS.

SEN. CHRISTENSEN, Chairman

HCR 3098 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

**FIRST READING OF HOUSE CONCURRENT RESOLUTIONS**

HCR 3099: A concurrent resolution directing the Legislative Council to study state funds, and specifically profits of the Bank of North Dakota, which may be available for providing financial aid to students attending postsecondary educational institutions and to determine the feasibility

of initiating new state programs to provide financial aid to those students.

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

**HCR 3100:** A concurrent resolution directing the Legislative Council to study the feasibility and desirability of combining the North Dakota Council on the Arts and the North Dakota Council on Humanities, and using the Tourism Division of the Economic Development Commission to help promote the continued development of arts and humanities in the state.

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

**HCR 3101:** A concurrent resolution directing the Legislative Council to study alternative organizational and administrative structures for the Workmen's Compensation Bureau.

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

#### MOTION

SEN. NOTHING MOVED that at the conclusion of the Fifth, Seventh, and Fourteenth orders of business and after the reading of SCR 4074, SCR 4075, SCR 4076, HB 1656, HCR 3094, HCR 3097, and HCR 3098, the Senate adjourn and convene at 9:00 a.m., Wednesday, March 27, 1985, which motion prevailed.

LEO LEIDHOLM, Secretary