

TUESDAY, APRIL 2, 1985

2053

JOURNAL OF THE SENATE

Forty-ninth Legislative Assembly

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FIFTY-NINTH DAY

Bismarck, April 2, 1985

The Senate convened at 9:00 a.m., with President Meiers presiding.

The prayer was offered by Senator Adam Krauter.

Heavenly Father, we want to thank You for the wisdom and guidance You have given us thus far. God of creation--we thank Thee for the American farmer, who, more than any other, is faithful to Thy mandate. "Be fruitful and multiply and fill the earth and subdue it." We thank Thee for his essential role in the economy of God. We thank the Lord for faithful tillers of the soil who are dedicated to the fundamental necessity of food production, often at great sacrifice.

Help guide us to narrow the differences and bring them to a productive conclusion.

These closing days of the Forty-ninth Legislative Session, direct this Senate Assembly that their decisions are in unison for the prosperity of North Dakota. Help us preserve our natural resources, the greatest of which are our citizens.

Heavenly Father, we are here because we love this great state called North Dakota. We pray that You will acknowledge our decisions. Amen.

ROLL CALL

The roll was called and all Senators were present.

A quorum was declared by the President.

PRESENTATION OF PETITIONS AND COMMUNICATIONS

State of North Dakota  
EXECUTIVE OFFICE  
Bismarck

April 1, 1985

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

Dear Madam President:

Senate Bill 2300 does accomplish a worthwhile purpose by equalizing the tax on natural gas and other energy taxes. In addition, because of the delayed effective date, it would have no impact on revenues for the 1985-87 biennium.

Nevertheless, it is not wise policy to pass legislation which would tend to limit the options of succeeding legislative sessions. It is also not wise policy to provide tax breaks without regard for future revenue needs.

The good ends sought in this bill can be better determined by the 1987 legislative assembly, when the revenue picture for the 1987-89 biennium will be far more clear.

Therefore, I veto Senate Bill 2300.

Sincerely,

GEORGE A. SINNER  
Governor

#### MOTIONS

SEN. NETHING MOVED that the veto message be placed on the Eleventh order of business, which motion prevailed.

SEN. NETHING MOVED that the Senate override the veto of the Governor on SB 2300.

#### ROLL CALL

The question being on the motion to override the veto of the Governor on SB 2300, the roll was called and there were 31 YEAS, 22 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Christensen; David; Freborg; Holmberg; Ingstad; Kelly; Kilander; Lips; Lodoen; Matchie; Meyer, D.; Meyer, W.; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Reiten; Satrom; Stenehjem; Streibel; Tennefos; Thane; Todd; Vosper; Wenstrom; Wright

NAYS: Berube; Dotzenrod; Heigaard; Heinrich; Hilken; Kelsh; Krauter; Kusler; Langley; Lashkowitz; Maixner; Meyer, J.; Moore; Mushik; Redlin; Shea; Stromme; Tallackson; Tweten; Waldera; Walsh; Wogsland

ABSENT AND NOT VOTING: None

The veto of the Governor on SB 2300 was sustained.

TUESDAY, APRIL 2, 1985

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MESSAGES FROM THE HOUSE  
HOUSE CHAMBER

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

SB 2450, SCR 4005

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 1012, HB 1018, HB 1021, HB 1293, HB 1587, and HCR 3096 and subsequently passed the same.

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 3106

ROY GILBREATH, Chief Clerk

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 2153, SB 2245, SB 2257, SB 2267, SB 2354, SB 2369,  
SB 2374, SB 2411, SB 2489, SCR 4051

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:

SCR 4080

LEO LEIDHOLM, Secretary

SENATE CHAMBER

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

HCR 3003, HCR 3101

LEO LEIDHOLM, Secretary

SENATE CHAMBER

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

HB 1189, HCR 3099, HCR 3100

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:

HB 1081, HB 1168, HB 1318, HB 1614

LEO LEIDHOLM, Secretary

## MOTION

SEN. NETHING MOVED that the Senate stand in recess until 10:30 a.m., which motion prevailed.

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

## MOTIONS

SEN. NETHING MOVED that the conferees on SB 2003 be excused, which motion prevailed.

SEN. NETHING MOVED that SB 2005 be placed at the foot of the Seventh order of business, which motion prevailed.

## MESSAGES FROM THE HOUSE

## HOUSE CHAMBER

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

SCR 4076

ROY GILBREATH, Chief Clerk

## HOUSE CHAMBER

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

SCR 4073, SCR 4079

ROY GILBREATH, Chief Clerk

## HOUSE CHAMBER

Although the House is unable to accept SCR 4072 in accordance with House Rule 407, the House as a whole wishes to congratulate the Fargo North Spartans for their championship victory in the 1985 North Dakota High School Class A Basketball Tournament.

ROY GILBREATH, Chief Clerk

## REPORT OF CONFERENCE COMMITTEE

SEN. NAADEN MOVED that the conference committee report on SB 2011 as printed on page 2036 of the Senate Journal be adopted, which motion prevailed.

## SECOND READING OF SENATE BILL

SB 2011: A BILL for an Act making an appropriation for defraying the expenses of the Indian affairs commission of the state of North Dakota.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 43 YEAS, 4 NAYS, 6 ABSENT AND NOT VOTING.

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

NAYS: David; Kelly; Mutch; Wright

ABSENT AND NOT VOTING: Kusler; Langley; Meyer, W.; Nelson; Stromme; Thane

SB 2011 passed and the title was agreed to.

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#### REPORT OF CONFERENCE COMMITTEE

SEN. NAADEN MOVED that the conference committee report on SB 2012 as printed on page 2036 of the Senate Journal be adopted, which motion prevailed.

#### SECOND READING OF SENATE BILL

SB 2012: A BILL for an Act making an appropriation for defraying the expenses of the state laboratories department of the state of North Dakota; and to amend and reenact section 19-01-07 of the North Dakota Century Code, relating to fees paid the state laboratories department for contract services.

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, 0 NAYS, 5 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Langley; Meyer, W.; Nelson; Stromme; Thane

SB 2012 passed and the title was agreed to.

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REPORT OF CONFERENCE COMMITTEE

SEN. TWETEN MOVED that the conference committee report on SB 2014 as printed on page 2037 of the Senate Journal be adopted, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2014: A BILL for an Act making an appropriation for defraying the expenses of the weather modification 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 38 YEAS, 8 NAYS, 7 ABSENT AND NOT VOTING.

YEAS: Berube; Christensen; Dotzenrod; Heigaard; Heinrich; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Moore; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Tallackson; Tennesfos; Todd; Tweten; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: Adams; Bakewell; David; Freborg; Hilken; Mushik; Mutch; Vosper

ABSENT AND NOT VOTING: Kusler; Langley; Meyer, W.; Naaden; Nelson; Stromme; Thane

SB 2014 passed and the title was agreed to.

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REPORT OF CONFERENCE COMMITTEE

SEN. WENSTROM MOVED that the conference committee report on SB 2021 as printed on page 2037 of the Senate Journal be adopted, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2021: A BILL for an Act making an appropriation for defraying the expenses of the council on the arts 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 39 YEAS, 8 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Berube; Christensen; Dotzenrod; Heigaard; Heinrich; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Moore; Mushik; Naaden; Nething; Olson; Parker; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Tallackson; Tennefos; Todd; Tweten; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: Adams; Bakewell; David; Freborg; Hilken; Mutch; Peterson; Vosper

ABSENT AND NOT VOTING: Kusler; Langley; Meyer, W.; Nelson; Stromme; Thane

SB 2021 passed and the title was agreed to.

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#### REPORT OF CONFERENCE COMMITTEE

SEN. TENNEFOS MOVED that the conference committee report on SB 2028 as printed on page 2037 of the Senate Journal be adopted, which motion prevailed.

#### SECOND READING OF SENATE BILL

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

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 47 YEAS, 0 NAYS, 6 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Kusler; Langley; Meyer, W.;  
Nelson; Stromme; Thane

SB 2028 passed and the title was agreed to.

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#### REPORT OF CONFERENCE COMMITTEE

SEN. PETERSON MOVED that the conference committee report on SB 2065 as printed on pages 2037-2038 of the Senate Journal be adopted, which motion prevailed.

#### SECOND READING OF SENATE BILL

SB 2065: A BILL for an Act to create and enact chapters 15-27.1, 15-27.2, 15-27.3, and 15-27.4 of the North Dakota Century Code, relating to general provisions and school district annexation, reorganization, and dissolution; to amend and reenact sections 15-28-01, 15-34.2-06.1, 15-47-21, and 57-16-04 of the North Dakota Century Code, relating to school board members, schoolbus service fees, tax levies for equalization between school districts, and excess school district levies; to repeal chapter 15-53.1 of the North Dakota Century Code, relating to school district reorganization, annexation, and dissolution; 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, 0 NAYS, 6 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Kusler; Langley; Meyer, W.;  
Nelson; Stromme; Thane

SB 2065 passed, the title was agreed to, and the emergency clause carried.

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## REPORTS OF CONFERENCE COMMITTEES

SEN. PARKER MOVED that the conference committee report on SB 2178 as printed on pages 2038-2039 of the Senate Journal be adopted, which motion lost on a voice vote.

SEN. OLSON MOVED that the conference committee report on SB 2301 as printed on pages 2039-2040 of the Senate Journal be adopted, which motion prevailed.

## SECOND READING OF SENATE BILL

SB 2301: A BILL for an Act to amend and reenact sections 5-03-01 and 39-08-18 of the North Dakota Century Code, relating to the penalties for illegal distribution of alcoholic beverages and for consuming alcoholic beverages in motor vehicles on public highways.

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, 0 NAYS, 6 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Langley; Meyer, W.; Nelson; Shea; Stromme; Thane

SB 2301 passed and the title was agreed to.

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## REPORT OF CONFERENCE COMMITTEE

SEN. LODOEN MOVED that the conference committee report on SB 2352 as printed on pages 2040-2041 of the Senate Journal be adopted, which motion prevailed.

## SECOND READING OF SENATE BILL

SB 2352: A BILL for an Act to provide a State and Political Subdivision Employees Relations Act; and to provide a penalty.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 47 YEAS, 1 NAY, 5 ABSENT AND NOT VOTING.

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

NAYS: Freborg

ABSENT AND NOT VOTING: Langley; Meyer, W.; Nelson; Stromme; Thane

SB 2352 passed and the title was agreed to.

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## MOTION

SEN. NETHING MOVED that the members of the confirmation committee for the Board of Higher Education be excused, which motion prevailed.

## REPORTS OF CONFERENCE COMMITTEES

SEN. STENEHJEM MOVED that the conference committee report on SB 2432 as printed on page 2041 of the Senate Journal be adopted, which motion prevailed.

SEN. CHRISTENSEN MOVED that the conference committee report on HB 1446 as printed on pages 2041-2042 of the Senate Journal be adopted, which motion prevailed.

## SECOND READING OF HOUSE BILL

HB 1446: A BILL for an Act to amend and reenact subsections 6, 7, and 9 of section 25-03.1-02 of the North Dakota Century Code, relating to independent expert examiners and mental health professionals for commitment proceedings.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 36 YEAS, 5 NAYS, 12 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Christensen; Dotzenrod; Freborg; Heigaard; Heinrich; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Lashkowitz; Lips; Lodoen;

Maixner; Matchie; Meyer, D.; Meyer, J.; Moore; Nething; Olson; Parker; Redlin; Reiten; Satrom; Shea; Stenehjem; Tallackson; Todd; Vosper; Walsh; Wenstrom; Wogsland

NAYS: David; Hilken; Streibel; Tennefos; Tweten

ABSENT AND NOT VOTING: Berube; Langley; Meyer, W.; Mushik; Mutch; Naaden; Nelson; Peterson; Stromme; Thane; Waldera; Wright

HB 1446 passed and the title was agreed to.

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CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. LIPS MOVED that the Senate do concur in the House amendments to SB 2023 as printed on page 1845 of the Senate Journal, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2023: A BILL for an Act making an appropriation for defraying the expenses of the highway patrol of the state of North Dakota; and providing for a transfer of funds from the state highway fund.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 40 YEAS, 0 NAYS, 13 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Christensen; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Moore; Nething; Olson; Parker; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Tallackson; Tennefos; Todd; Tweten; Vosper; Walsh; Wenstrom; Wogsland

NAYS: None

ABSENT AND NOT VOTING: Berube; Langley; Meyer, J.; Meyer, W.; Mushik; Mutch; Naaden; Nelson; Peterson; Stromme; Thane; Waldera; Wright

SB 2023 passed and the title was agreed to.

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## CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. LIPS MOVED that the Senate do concur in the House amendments to SB 2027 as printed on pages 1888-1889 of the Senate Journal, which motion prevailed.

## SECOND READING OF SENATE BILL

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

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 41 YEAS, 0 NAYS, 12 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Christensen; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Moore; Nething; Olson; Parker; Redlin; Reiten; Satrom; Shea; Stenehjerm; Streibel; Tallackson; Tennefos; Todd; Tweten; Vosper; Walsh; Wenstrom; Wogsland

NAYS: None

ABSENT AND NOT VOTING: Berube; Langley; Meyer, W.; Mushik; Mutch; Naaden; Nelson; Peterson; Stromme; Thane; Waldera; Wright

SB 2027 passed and the title was agreed to.

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## CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. LIPS MOVED that the Senate do concur in the House amendments to SB 2030 as printed on pages 1901-1902 of the Senate Journal, which motion prevailed.

## SECOND READING OF SENATE BILL

SB 2030: A BILL for an Act making an appropriation for defraying the administrative costs of the teachers' fund for retirement 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 39 YEAS, 0 NAYS, 14 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Christensen; David; Dotzenrod; Freborg; Heinrich; Hilken; Holmberg; Ingstad; Kelly;

Kelsh; Kilander; Krauter; Kusler; Lashkowitz; Lips;  
Lodoen; Matchie; Meyer, D.; Meyer, J.; Moore; Nething;  
Olson; Parker; Redlin; Reiten; Satrom; Shea; Stenehjem;  
Streibel; Tallackson; Tennefos; Todd; Tweten; Vosper;  
Walsh; Wenstrom; Wogsland

NAYS: None

ABSENT AND NOT VOTING: Berube; Heigaard; Langley;  
Maixner; Meyer, W.; Mushik; Mutch; Naaden; Nelson;  
Peterson; Stromme; Thane; Waldera; Wright

SB 2030 passed and the title was agreed to.

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#### CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. LIPS MOVED that the Senate do concur in the House amendments to SB 2031 as printed on pages 1777-1778 of the Senate Journal, which motion prevailed.

#### SECOND READING OF SENATE BILL

SB 2031: A BILL for an Act making an appropriation for defraying the expenses of job service North Dakota and divisions thereof 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 40 YEAS, 0 NAYS, 13 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Christensen; David; Dotzenrod;  
Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad;  
Kelly; Kelsh; Kilander; Krauter; Kusler; Lashkowitz;  
Lips; Lodoen; Matchie; Meyer, D.; Meyer, J.; Moore;  
Nething; Olson; Parker; Redlin; Reiten; Satrom; Shea;  
Stenehjem; Streibel; Tallackson; Tennefos; Todd;  
Tweten; Vosper; Walsh; Wenstrom; Wogsland

NAYS: None

ABSENT AND NOT VOTING: Berube; Langley; Maixner;  
Meyer, W.; Mushik; Mutch; Naaden; Nelson; Peterson;  
Stromme; Thane; Waldera; Wright

SB 2031 passed and the title was agreed to.

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## CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. LIPS MOVED that the Senate do concur in the House amendments to SB 2033 as printed on pages 1889-1890 of the Senate Journal, which motion prevailed.

## SECOND READING OF SENATE BILL

SB 2033: A BILL for an Act making an appropriation for defraying the expenses of the school for the deaf and the school for the blind of the state of North Dakota.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 41 YEAS, 0 NAYS, 12 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Christensen; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Lashkowitz; Lips; Lodoen; Matchie; Meyer, D.; Meyer, J.; Moore; Nelson; Nething; Olson; Parker; Redlin; Reiten; Satrom; Shea; Stenehjøm; Streibel; Tallackson; Tennefos; Todd; Tweten; Vosper; Walsh; Wenstrom; Wogsland

NAYS: None

ABSENT AND NOT VOTING: Berube; Langley; Maixner; Meyer, W.; Mushik; Mutch; Naaden; Peterson; Stromme; Thane; Waldera; Wright

SB 2033 passed and the title was agreed to.

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## CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. ADAMS MOVED that the Senate do concur in the House amendments to SB 2100 as printed on page 1890 of the Senate Journal, which motion prevailed.

## SECOND READING OF SENATE BILL

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

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 41 YEAS, 0 NAYS, 12 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Christensen; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Lashkowitz; Lips; Lodoen; Matchie; Meyer, D.; Meyer, J.; Moore; Nelson; Nething; Olson; Parker; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Tallackson; Tennefos; Todd; Tweten; Vosper; Walsh; Wenstrom; Wogsland

NAYS: None

ABSENT AND NOT VOTING: Berube; Langley; Maixner; Meyer, W.; Mushik; Mutch; Naaden; Peterson; Stromme; Thane; Waldera; Wright

SB 2100 passed and the title was agreed to.

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CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. LODOEN MOVED that the Senate do concur in the House amendments to SB 2114 as printed on page 1848 of the Senate Journal, which motion prevailed.

SECOND READING OF SENATE BILL

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

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 38 YEAS, 3 NAYS, 12 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Christensen; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Lashkowitz; Lips; Lodoen; Meyer, D.; Meyer, J.; Moore; Nelson; Nething; Olson; Parker; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Tallackson; Todd; Tweten; Vosper; Walsh; Wenstrom; Wogsland

NAYS: Kusler; Matchie; Tennefos

ABSENT AND NOT VOTING: Berube; Langley; Maixner;  
Meyer, W.; Mushik; Mutch; Naaden; Peterson; Stromme;  
Thane; Waldera; Wright

SB 2114 passed and the title was agreed to.

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#### CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. LIPS MOVED that the Senate do concur in the House amendments to SB 2115 as printed on page 1848 of the Senate Journal, which motion prevailed.

#### SECOND READING OF SENATE BILL

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

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 36 YEAS, 5 NAYS, 12 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Christensen; David; Dotzenrod;  
Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad;  
Kelsh; Kilander; Krauter; Lashkowitz; Lips; Lodoen;  
Meyer, D.; Meyer, J.; Moore; Nelson; Nething; Olson;  
Parker; Redlin; Reiten; Satrom; Shea; Stenehjem;  
Streibel; Tallackson; Todd; Vosper; Walsh; Wenstrom;  
Wogsland

NAYS: Kelly; Kusler; Matchie; Tennefos; Tweten

ABSENT AND NOT VOTING: Berube; Langley; Maixner;  
Meyer, W.; Mushik; Mutch; Naaden; Peterson; Stromme;  
Thane; Waldera; Wright

SB 2115 passed and the title was agreed to.

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#### CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. LIPS MOVED that the Senate do concur in the House amendments to SB 2135 as printed on pages 1890-1891 of the Senate Journal, which motion prevailed.

#### SECOND READING OF SENATE BILL

SB 2135: A BILL for an Act to authorize the state board of higher education to issue and sell self-liquidating, tax-exempt bonds for the construction of revenue-producing



student housing at the university of North Dakota, a revenue-producing parking lot at the university of North Dakota, a revenue-producing student housing facility at North Dakota state university, a revenue-producing addition to the student center at Mayville state college, a revenue-producing student housing at Minot state college, a revenue-producing addition to the student center at North Dakota state university, and a revenue-producing addition to the auxiliary services building at North Dakota state university; to provide a statement of legislative intent governing issuance of bonds under this Act; to provide an appropriation; and to declare an emergency.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 36 YEAS, 5 NAYS, 12 ABSENT AND NOT VOTING.

**YEAS:** Adams; Christensen; Dotzenrod; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelsh; Kilander; Krauter; Kusler; Lashkowitz; Lips; Lodoen; Matchie; Meyer, D.; Meyer, J.; Nelson; Nething; Olson; Parker; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Tallackson; Tennefos; Todd; Tweten; Vosper; Walsh; Wenstrom; Wogsland

**NAYS:** Bakewell; David; Freborg; Kelly; Moore

**ABSENT AND NOT VOTING:** Berube; Langley; Maixner; Meyer, W.; Mushik; Mutch; Naaden; Peterson; Stromme; Thane; Waldera; Wright

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

\*\*\*\*\*

#### CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. LIPS MOVED that the Senate do concur in the House amendments to SB 2307 as printed on page 1850 of the Senate Journal, which motion prevailed.

#### SECOND READING OF SENATE BILL

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

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 31 YEAS, 11 NAYS, 11 ABSENT AND NOT VOTING.

YEAS: Christensen; Dotzenrod; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelsh; Kilander; Krauter; Kusler; Lashkowitz; Lips; Lodoen; Matchie; Meyer, D.; Meyer, J.; Moore; Nething; Olson; Parker; Redlin; Reiten; Satrom; Shea; Stenehjem; Tallackson; Thane; Walsh; Wenstrom; Wogsland

NAYS: Adams; Bakewell; David; Freborg; Kelly; Nelson; Streibel; Tennefos; Todd; Tweten; Vosper

ABSENT AND NOT VOTING: Berube; Langley; Maixner; Meyer, W.; Mushik; Mutch; Naaden; Peterson; Stromme; Waldera; Wright

SB 2307 passed and the title was agreed to.

\*\*\*\*\*

## MOTION

SEN. NETHING MOVED that SB 2491 be placed at the foot of the Twelfth order of business, which motion prevailed.

## CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. STENEHJEM MOVED that the Senate do concur in the House amendments to SCR 4002 as printed on page 1905 of the Senate Journal, which motion prevailed.

## SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4002: A concurrent resolution urging the Department of Human Services to revise its long-term care facility Medicaid reimbursement system.

Which has been read.

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

SCR 4002 was declared adopted on a voice vote.

\*\*\*\*\*

## CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. STENEHJEM MOVED that the Senate do concur in the House amendments to SCR 4056 as printed on page 1954 of the Senate Journal, which motion prevailed.

## SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4056: A concurrent resolution directing the Legislative Council to study the investigation and prosecution

procedures for child abuse and neglect cases and to determine whether state law protects the interests of justice and of all parties involved in such cases.

Which has been read.

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

SCR 4056 was declared adopted on a voice vote.

\*\*\*\*\*

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. HOLMBERG MOVED that the Senate do concur in the House amendments to SCR 4066 as printed on page 1954 of the Senate Journal, which motion prevailed.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4066: A concurrent resolution directing the Legislative Council to study the status and impact of charitable gambling in this state.

Which has been read.

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

SCR 4066 was declared adopted on a voice vote.

\*\*\*\*\*

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. VOSPER MOVED that the Senate do concur in the House amendments to SCR 4071 as printed on page 1729 of the Senate Journal, which motion prevailed.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4071: A concurrent resolution urging the Congress of the United States, the Secretary of Agriculture, and the board of directors of the Commodity Credit Corporation to consider allowing rotation of commodities held as collateral on Commodity Credit Corporation loans at earlier dates.

Which has been read.

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

SCR 4071 was declared adopted on a voice vote.

\*\*\*\*\*

## CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. ADAMS MOVED that the Senate do concur in the House amendments to SB 2491 as printed on page 1780 of the Senate Journal, which motion prevailed.

## SECOND READING OF SENATE BILL

SB 2491: A BILL for an Act to amend and reenact subsection 9 of section 57-02-08 of the North Dakota Century Code, relating to the exemption from taxation of property of religious corporations or organizations; 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 42 YEAS, 0 NAYS, 11 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Christensen; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Lashkowitz; Lips; Lodoen; Matchie; Meyer, D.; Meyer, J.; Moore; Nelson; Nething; Olson; Parker; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Walsh; Wenstrom; Wogsland

NAYS: None

ABSENT AND NOT VOTING: Berube; Langley; Maixner; Meyer, W.; Mushik; Mutch; Naaden; Peterson; Stromme; Waldera; Wright

SB 2491 passed and the title was agreed to.

\*\*\*\*\*

## REPORT OF CONFERENCE COMMITTEE

SEN. THANE MOVED that the conference committee report on SB 2005 as printed on page 2035 of the Senate Journal be adopted, which motion prevailed.

## SECOND READING OF SENATE BILL

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

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 42 YEAS, 0 NAYS, 11 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Christensen; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Lashkowitz; Lips; Lodoen; Matchie; Meyer, D.; Meyer, J.; Moore; Nelson; Nething; Olson; Parker; Redlin; Reiten; Satrom; Shea; Stenehjerm; Streibel; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Walsh; Wenstrom; Wogsland

NAYS: None

ABSENT AND NOT VOTING: Berube; Langley; Maixner; Meyer, W.; Mushik; Mutch; Naaden; Peterson; Stromme; Waldera; Wright

SB 2005 passed and the title was agreed to.

\*\*\*\*\*

MESSAGES FROM THE HOUSE  
HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to return herewith SB 2455 which the House has amended:

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2455

On page 1 of the engrossed bill, line 1, after the words "A BILL" delete the remainder of the bill and insert in lieu thereof the following: "for an Act to create and enact a new section to chapter 38-08 and a new section to chapter 64-02 of the North Dakota Century Code, relating to commingling of production from two or more oil or gas wells in a storage facility, metering of oil and gas production, and testing of oil and gas production meters; and to provide an appropriation.

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

SECTION 1. A new section to chapter 38-08 of the North Dakota Century Code is hereby created and enacted to read as follows:

Commingling of production - Central production facility - Metering of production - Testing of meters. A producer may not commingle production from two or more oil or gas wells with diverse ownership in a storage facility without prior approval of the commission after notice and opportunity for hearing. If the commingling of production is for the express purpose of separating, metering, holding, and marketing of production, the owner of the wells shall apply to the commission for approval of the proposed commingling of production at a storage facility. If wells producing into a centralized storage facility have diverse ownership, the production from each well must be measured by meters approved by the commission and tested by the department of

weights and measures as provided in section 2 of this Act or production must be measured by some other method the commission has approved after notice and opportunity for hearing. If wells producing into a centralized storage facility have common ownership, including the common ownership of the working interest, the common ownership of the royalty ownership, and the common ownership of any overriding royalty owners, the production from each well need not be measured on meters approved by the commission if the owner of the wells demonstrates to the commission that the production from each well can be accurately determined at reasonable intervals by other means.

**SECTION 2.** A new section to chapter 64-02 of the North Dakota Century Code is hereby created and enacted to read as follows:

**Duty of department to test accuracy of oil and gas production meters.** The department shall randomly test and certify the accuracy of meters used to measure oil and gas production under section 1 of this Act. The owner of the well shall contract for the testing of all meters with an independent contractor or may employ a qualified meter specialist approved by the department. The owner of the well shall repair or replace any meter that has a variance in excess of department standards. The department shall, in accordance with chapter 28-32, determine the fee to be charged by the department for testing meters. All fees collected under this section must be paid to the general fund in the state treasury.

**SECTION 3. APPROPRIATION.** There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$163,800, or so much thereof as may be necessary, to the public service commission for the purpose of implementing section 2 of this Act for the biennium beginning July 1, 1985, and ending June 30, 1987."

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 and subsequently passed the same:

HB 1522, HB 1523

ROY GILBREATH, Chief Clerk

#### MOTIONS

SEN. VOSPER MOVED that Senator W. Meyer replace Senator Kelsh on the conference committee on HB 1404, which motion prevailed.

SEN. VOSPER MOVED that Senator Kelsh replace Senator W. Meyer on the conference committee on HB 1494, 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 2011, SB 2012, SB 2014, SB 2021, SB 2028, SB 2065,  
SB 2301, SB 2352, SB 2432

LEO LEIDHOLM, Secretary

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 2005

LEO LEIDHOLM, Secretary

SENATE CHAMBER

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

HB 1404: Sen. W. Meyer to replace Sen. Kelsh

HB 1494: Sen. Kelsh to replace Sen. W. Meyer

LEO LEIDHOLM, Secretary

MESSAGES FROM THE HOUSE  
HOUSE CHAMBER

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

SB 2354, SB 2369, SCR 4051

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

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

HB 1011, HB 1049, HB 1067, HB 1243, HB 1638

ROY GILBREATH, Chief Clerk

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-eighth day and finds the same to be correct.

SEN. DAVID, Chairman

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

MESSAGES FROM THE HOUSE  
HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to inform you that the House has adopted the conference committee report on HB 1588 and the Speaker has appointed as a new conference committee to act with a like committee from the Senate on:

HB 1588: Reprs. Conmy, Kloubec, R. Solberg

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 2048

ROY GILBREATH, Chief Clerk

## HOUSE CHAMBER

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

HB 1069, HB 1574

ROY GILBREATH, Chief Clerk

## HOUSE CHAMBER

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

SB 2186

ROY GILBREATH, Chief Clerk

## CONSIDERATION OF AMENDMENTS

SEN. LIPS MOVED that the amendments to HB 1009 as recommended by the Committee on Appropriations as printed on pages 2042-2047 of the Senate Journal be adopted, and when so adopted, recommends that HB 1009 DO PASS, which motion prevailed on a verification vote.

## MOTION

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



## SECOND READING OF HOUSE BILL

HB 1009: A BILL for an Act making an appropriation for defraying the expenses of the department of human services, state hospital, and the governor's council on human resources; providing for an appropriation and transfer from the land and minerals trust fund to the common schools trust fund; providing legislative intent regarding medical assistance payment determinations and low income home energy assistance payments; and providing the emergency commission with appropriation transfer authority.

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 42 YEAS, 10 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Berube; Christensen; Dotzenrod; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelsh; Kilander; Krauter; Kusler; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Mushik; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjelm; Stromme; Tallackson; Thane; Todd; Tweten; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: Adams; Bakewell; David; Freborg; Kelly; Moore; Mutch; Streibel; Tennefos; Vosper

ABSENT AND NOT VOTING: Langley

HB 1009 passed and the title was agreed to.

\*\*\*\*\*

## MOTION

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

MESSAGES TO THE HOUSE  
SENATE CHAMBER

MR. SPEAKER: I have the honor to inform you that the Senate has concurred in the House amendments to SB 2023, SB 2027, SB 2030, SB 2031, SB 2033, SB 2100, SB 2114, SB 2115, SB 2135, SB 2307, SB 2491, SCR 4002, SCR 4056, SCR 4066, and SCR 4071 and subsequently passed the same.

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 1446

LEO LEIDHOLM, Secretary

SENATE CHAMBER

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

HB 1009

LEO LEIDHOLM, Secretary

MOTION

SEN. NETHING MOVED that the Senate stand in recess until 2:30 p.m., which motion prevailed.

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

MOTION

SEN. LIPS MOVED that HB 1196 be placed at the head of the Sixth order of business on the calendar, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SEN. LIPS MOVED that the amendments to HB 1196 as recommended by the Committee on Appropriations as printed on pages 2049-2050 of the Senate Journal be adopted, and when so adopted, recommends that HB 1196 DO PASS, which motion prevailed.

MOTIONS

SEN. LIPS MOVED that the rules be suspended, that HB 1196 be placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SEN. KUSLER MOVED that HB 1196 be further amended as follows:

On page 1, line 1, after the words "A BILL" delete the remainder of the bill and insert in lieu thereof the following: "for an Act to amend and reenact section 50-01-09.2 of the North Dakota Century Code, relating to increased state reimbursements to counties for optional supplementation of supplemental security income benefits; and to repeal chapter 522 of the 1983 Session Laws.

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

SECTION 1. AMENDMENT. Section 50-01-09.2 of the Parent Volume for title 50 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

50-01-09.2. Reimbursement to counties by state for general assistance provided. Within the limits of legislative appropriations, the department of human services shall reimburse each county upon claim being made by the county, for one-half of the amounts expended on behalf of persons unable to provide themselves with a reasonable subsistence compatible with decency and health and who are not otherwise provided for under the laws of this state. Claim for reimbursement along with a certification of amounts paid shall be presented quarterly by the board of county commissioners to the department of human services. An amount not to exceed one-half of the sums so certified shall be paid to the county by the department of human services, except that beginning July 1, 1986, the department shall reimburse the county for sixty-five percent, and beginning July 1, 1987, the department shall reimburse the county for eighty percent of the cost of supplementary payments to or on behalf of those individuals residing in adult family care homes and custodial care homes who are in receipt of supplemental security income benefits under title XVI of the Social Security Act [42 U.S.C. 1381 et seq.] and who are determined by the department to need assistance to enable them to meet the reasonable costs of custodial care in those homes, upon the audit and approval of the claim in the manner provided by law.

SECTION 2. REPEAL. Chapter 522 of the 1983 Session Laws is hereby repealed."

And renumber the lines and pages accordingly

#### MOTIONS

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

SEN. LIPS MOVED that the rules be suspended, that HB 1196 be placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

#### SECOND READING OF HOUSE BILL

HB 1196: A BILL for an Act to amend and reenact section 50-01-09.2 of the North Dakota Century Code, relating to increased state reimbursements to counties for optional supplementation of supplemental security income benefits; and to repeal Chapter 522 of the 1983 Session Laws.

Which has been read.

#### ROLL CALL

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

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

**NAYS:** Adams; David; Freborg; Peterson; Streibel

**ABSENT AND NOT VOTING:** Bakewell; Langley; Meyer, W.; Redlin

HB 1196 passed and the title was agreed to.

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#### MOTION

SEN. NOTHING MOVED that the vote by which HB 1196 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 1031 as recommended by the Committee on Appropriations as printed on pages 2047-2049 of the Senate Journal be adopted, and when so adopted, recommends that HB 1031 DO PASS, which motion prevailed.

#### MOTION

SEN. THANE MOVED that the rules be suspended, that HB 1031 be placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

#### SECOND READING OF HOUSE BILL

HB 1031: A BILL for an Act making an appropriation for defraying the expenses of the state penitentiary and various divisions thereof 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:** Adams; Berube; Christensen; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Lashkowitz; Lips; Lodoen; Matchie; Meyer, D.; Meyer, J.; 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: David; Maixner

ABSENT AND NOT VOTING: Bakewell; Langley; Meyer, W.

HB 1031 passed and the title was agreed to.

\*\*\*\*\*

MOTIONS

SEN. NOTHING MOVED that the vote by which HB 1031 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

SEN. NOTHING MOVED that the Senate stand in recess until 4:00 p.m., which motion prevailed.

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

SEN. NOTHING MOVED that the following communication be printed in the Journal, which prevailed.

COMMUNICATION

Senate Chamber  
NORTH DAKOTA LEGISLATIVE ASSEMBLY  
Bismarck

April 1, 1985

Lieutenant Governor Ruth Meiers  
President of the Senate  
North Dakota Senate  
State Capitol Building  
Bismarck, North Dakota 58505

Dear Madam President:

A joint hearing was held on March 25, 1985 at 10 a.m. in the Dakota Room to review the State Plan for Vocational Education in North Dakota for the years 1986-1988. The committees in attendance were the Senate Education, Senate Industry, Business and Labor, House Education, and the House Industry, Business and Labor.

Expert testimony was given by Carrol Burchinal, Executive Director, and Ernest Breznay, Assistant State Director, of the State Board for Vocational Education.

There was much discussion on the "Designated Economically Depressed Areas" in North Dakota and concern with the carryover

dollars and how they are spent. The State Plan for Vocational Education is now involved with three committees: The State Board for Vocational Education--7 members; State Council on Vocational Education, which started March 1, 1985--13 members; and the State Job Training Coordinating Council--25 members. In addition to the previous stated committees, the North Dakota State Legislature is now also involved with the State Plan.

The Legislative Committees approve the State Plan; however, with the stipulation that the Legislative Council study the administrative structures for the delivery of Vocational Education services and to review the Federal requirements as stated in House Concurrent Resolution 3067.

Sincerely yours,

Senator Curtis N. Peterson, Chairman  
Senate Education Committee

Senator Chester Reiten  
Senate Industry, Business and Labor Committee

Representative Kenneth Knudson  
House Education Committee

Representative Richard W. Kloubec  
House Industry, Business and Labor Committee

#### PRESENTATION OF PETITIONS AND COMMUNICATIONS

State of North Dakota  
EXECUTIVE OFFICE  
Bismarck

April 1, 1985

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

Dear Madam President:

Pursuant to North Dakota Century Code 54-21-06, this is to advise you that I have appointed Erwin Geigle, Director of Institutions. Effective upon North Dakota Senate confirmation, Mr. Geigle will start July 1, 1985.

TUESDAY, APRIL 2, 1985

2083

This appointment is submitted for consideration of Senate confirmation.

Sincerely,

GEORGE A. SINNER  
Governor

**REPORT OF PROCEDURAL COMMITTEE**

MADAM PRESIDENT: Your procedural Committee on Committees respectfully submit the following committee to consider the nomination for Director of Institutions:

Sen. Lodoen, Chairman  
Sen. Lips  
Sen. Streibel  
Sen. Olson  
Sen. Kusler  
Sen. Hilken  
Sen. Redlin

SEN. NETHING, Chairman

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

**APPOINTMENT REFERRAL**

THE PRESIDENT REFERRED the appointment of Erwin Geigle as Director of Institutions to the Committee for Director of Institutions.

**MOTION**

SEN. NETHING MOVED that the following communication be printed in the Journal, which motion prevailed.

**COMMUNICATION**

State of North Dakota  
DEPARTMENT OF UNIVERSITY AND SCHOOL LANDS  
Capitol Building  
Bismarck

March 28, 1985

Senator David E. Nething  
Majority Leader  
Forty-ninth Legislative Assembly  
Capitol Building

Dear Dave:

In response to your inquiry dated March 27th, relative to Senate Confirmation of the Energy Impact Director according to Section 57-62-04. I am pleased to inform you that the Board of University and School Lands took action at their March 28th

meeting, requesting that Mr. Warren Vrana's name be submitted for Senate Confirmation to the office of Energy Impact Director.

Sincerely,

R.E. Lommen  
Land Commissioner

#### REPORT OF PROCEDURAL COMMITTEE

MADAM PRESIDENT: Your procedural Committee on Committees respectfully submit the following committee to consider the nomination for Director of the Energy Development Impact Office:

Sen. Moore, Chairman  
Sen. Vosper  
Sen. Freborg  
Sen. David  
Sen. Maixner  
Sen. D. Meyer  
Sen. Waldera

SEN. NETHING, Chairman

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

#### APPOINTMENT REFERRAL

THE PRESIDENT REFERRED the appointment of Mr. Warren Vrana as Energy Impact Director to the Committee for Director of the Energy Development Impact Office.

#### MESSAGES FROM THE HOUSE

##### HOUSE CHAMBER

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

SB 2062

ROY GILBREATH, Chief Clerk

##### HOUSE CHAMBER

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

SB 2012, SB 2028, SB 2432

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:

HB 1019

ROY GILBREATH, Chief Clerk



## CONSIDERATION OF AMENDMENTS

SEN. VOSPER MOVED that the amendments to HB 1636 as recommended by the Committee on Agriculture as printed on page 2050 of the Senate Journal be adopted, and when so adopted, recommends that HB 1636 DO PASS, which motion prevailed.

## MOTIONS

SEN. KELSH MOVED that the rules be suspended, that HB 1636 be placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SEN. MOORE MOVED that HB 1636 be amended as follows:

In lieu of the amendments to page 2 of the engrossed bill, line 16, as reported back by the Committee on Agriculture, that that line of the engrossed bill be amended by removing the overstrike over the words "~~three years~~", and deleting the words "one year"

And renumber the lines accordingly

SEN. MOORE MOVED that the proposed amendments be adopted.

## REQUEST

SEN. ADAMS REQUESTED a recorded roll call vote on the motion to adopt the proposed amendments to HB 1636, which request was granted.

## ROLL CALL

The question being on the motion to adopt the proposed amendments to HB 1636, the roll was called and there were 32 YEAS, 20 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Berube; Christensen; David; Freborg; Holmberg; Ingstad; Kelly; Kilander; Lips; Lodoen; Moore; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Stenehjem; Streibel; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Wenstrom; Wright

NAYS: Dotzenrod; Heigaard; Heinrich; Hilken; Kelsh; Krauter; Kusler; Lashkowitz; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Mushik; Satrom; Shea; Stromme; Waldera; Walsh; Wogsland

ABSENT AND NOT VOTING: Langley

The proposed amendments to HB 1636 were adopted.

## MOTION

SEN. MOORE MOVED that the rules be suspended, that HB 1636 be placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

## SECOND READING OF HOUSE BILL

HB 1636: A BILL for an Act to amend and reenact section 10-06-13 of the North Dakota Century Code, relating to divestiture of farmland or ranchland.

Which has been read.

## ROLL CALL

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

YEAS: Berube; Christensen; Dotzenrod; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelsh; Kilander; Krauter; Kusler; Lashkowitz; Lodoen; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Nething; Olson; Redlin; Reiten; Shea; Stenehjem; Stromme; Tallackson; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: Adams; Bakewell; David; Kelly; Lips; Maixner; Mutch; Naaden; Nelson; Parker; Peterson; Satrom; Streibel; Tennefos

ABSENT AND NOT VOTING: Freborg; Langley

HB 1636 passed and the title was agreed to.

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## MOTION

SEN. NOTHING MOVED that the vote by which HB 1636 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

## REPORT OF PROCEDURAL COMMITTEE

MADAM PRESIDENT: Your procedural Committee on Delayed Bills has examined A BILL for an Act to create and enact two new subsections to section 57-51.1-01 of the North Dakota Century Code, relating to the definition of wildcat well and enhanced recovery operations under the oil extraction tax; to amend and reenact subsection 4 of section 38-08-04 and section 57-51.1-03 of the North Dakota Century Code, relating to the duties of the industrial commission and exemptions from the oil extraction tax; and to declare an emergency; and a Senate Concurrent Resolution expressing the thanks and appreciation of the Forty-ninth Legislative Assembly to the North Dakota Medical Association's Doctor of the Day program, and recommends the same be introduced.  
SEN. TENNEFOS, Chairman

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

FIRST READING OF SENATE BILL

Sen. Wenstrom introduced:

(Approved by the Committee on Delayed Bills)

SB 2513: A BILL for an Act to create and enact two new subsections to section 57-51.1-01 of the North Dakota Century Code, relating to the definition of wildcat well and enhanced recovery operations under the oil extraction tax; to amend and reenact subsection 4 of section 38-08-04 and section 57-51.1-03 of the North Dakota Century Code, relating to the duties of the industrial commission and exemptions from the oil extraction tax; and to declare an emergency.

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

FIRST READING OF SENATE CONCURRENT RESOLUTION

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

(Approved by the Committee on Delayed Bills)

SCR 4082: A concurrent resolution expressing the thanks and appreciation of the Forty-ninth Legislative Assembly to the North Dakota Medical Association's Doctor of the Day Program.

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

REPORT OF CONFERENCE COMMITTEE

MADAM PRESIDENT: Your Conference Committee to which was referred SB 2019 has had the same under consideration and recommends that your conference committee, having been unable to agree, recommends that the conference committee be discharged and a new conference committee be appointed.

For the Senate: Sens. Tweten, Nelson, Walsh

For the House: Reps. Winkelman, Unhjem, Graba

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

APPOINTMENT OF CONFERENCE COMMITTEE

SEN. LIPS MOVED that the President appoint a committee of three to act with a like committee from the House as a new Conference Committee on SB 2019, which motion prevailed.

THE PRESIDENT APPOINTED as a Conference Committee on SB 2019:

Sens. Tweten, Nelson, Walsh

REPORT OF CONFERENCE COMMITTEE

MADAM PRESIDENT: Your Conference Committee to which was referred Engrossed HB 1588 has had the same under consideration and recommends that your conference committee, having been unable to agree, recommends that the conference committee be discharged and a new conference committee be appointed.

For the Senate: Sens. Olson, Stenehjem, Maixner  
 For the House: Reps. Kretschmar, Wentz, R. Solberg

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

#### APPOINTMENTS OF CONFERENCE COMMITTEES

SEN. CHRISTENSEN MOVED that the President appoint a committee of three to act with a like committee from the House as a new Conference Committee on HB 1588, which motion prevailed.

THE PRESIDENT APPOINTED as a Conference Committee on HB 1588:

Sens. Olson, Stenehjem, Maixner

SEN. PARKER MOVED that the President appoint a committee of three to act with a like committee from the House as a new Conference Committee on SB 2178, which motion prevailed.

THE PRESIDENT APPOINTED as a Conference Committee on SB 2178:

Sens. Parker, Mutch, Kelsh

#### REPORTS OF STANDING COMMITTEES

MADAM PRESIDENT: Your Committee on Appropriations to which was referred HB 1027 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 2 of the engrossed bill, line 9, delete the numerals "101,304" and insert in lieu thereof the numerals "111,304"

On page 2 of the engrossed bill, line 11, delete the numerals "243,405" and insert in lieu thereof the numerals "253,405"

On page 2 of the engrossed bill, line 12, delete the numerals "60,000" and insert in lieu thereof the numerals "70,000"

On page 2 of the engrossed bill, line 15, delete the numerals "80,000" and insert in lieu thereof the numerals "90,000"

On page 2 of the engrossed bill, line 16, delete the numerals "20,325,031" and insert in lieu thereof the numerals "20,335,031"

On page 2 of the engrossed bill, line 29, delete the words "fifty-eight thousand two" and insert in lieu thereof the words "fifty-six thousand eight hundred sixty-five"

On page 2 of the engrossed bill, line 31, remove the overstrike over the words "~~five hundred~~", and delete the words "six hundred fourteen" and insert in lieu thereof the word "eighty-two"

On page 2 of the engrossed bill, line 32, after the word "annum" insert the words "and commencing on July 1, 1986, each judge of the supreme court shall receive an annual salary of fifty-nine thousand one hundred forty dollars except that the chief justice of the supreme court shall receive an additional one thousand six hundred forty-five dollars per annum."

On page 3 of the engrossed bill, line 3, delete the words "fifty-four thousand" and insert in lieu thereof the words "fifty-three thousand three hundred eighty-three dollars and commencing July 1, 1986, an annual salary of fifty-five thousand five hundred nineteen"

On page 3 of the engrossed bill, line 4, delete the words "four hundred fifty-one"

On page 3 of the engrossed bill, line 11, delete the word "ninety-one" and insert in lieu thereof the word "sixty-six", and after the word "annum" insert the words "commencing July 1, 1985, and one thousand three hundred sixteen dollars per annum commencing July 1, 1986"

And renumber the lines and pages accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

##### Judicial Qualifications Commission and Disciplinary Board

The operating expenses line item is increased by \$10,000 from other funds for a grant received from the American Law Institute/ABA for continuance of the attorney assistance program.

##### Supreme Court

Salaries of the Supreme Court judges are set at a level reflecting a 5.5 percent increase for the first year of the biennium and a four percent increase for the second year of the biennium.

##### District Courts

Salaries of the district judges are set at a level reflecting a 5.5 percent increase for the first year of the biennium and a four percent increase for the second year of the biennium.

SEN. LIPS, Chairman

HB 1027 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

#### MOTION

SEN. LIPS MOVED that the rules be suspended, that HB 1027 be placed on the Sixth order of business for consideration of amendments at this time, which motion prevailed.

## CONSIDERATION OF AMENDMENTS

SEN. LIPS MOVED that the amendments to HB 1027 as recommended by the Committee on Appropriations be adopted and when so adopted, recommends that HB 1027 DO PASS, which motion prevailed.

## MOTION

SEN. LIPS MOVED that the rules be suspended, that HB 1027 be placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

## SECOND READING OF HOUSE BILL

HB 1027: A BILL for an Act making an appropriation for defraying the expenses of the judicial branch of the government of the state of North Dakota; and to amend and reenact sections 27-02-02 and 27-05-03 of the North Dakota Century Code, relating to the salaries of the judges of the supreme and district 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 47 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Adams; Berube; Christensen; Dotzenrod; Freborg; Heigaard; Heinrich; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Lashkowitz; Lips; Loden; Maixner; Matchie; Meyer, J.; Meyer, W.; Moore; Mushik; 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: Bakewell; David; Hilken; Meyer, D.; Mutch

ABSENT AND NOT VOTING: Langley

HB 1027 passed and the title was agreed to.

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## MOTION

SEN. NOTHING MOVED that the vote by which HB 1027 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 1027, HB 1031, HB 1196, HB 1636

LEO LEIDHOLM, Secretary

MESSAGE TO THE HOUSE  
SENATE CHAMBER

MR. SPEAKER: I have the honor to inform you that the Senate has adopted the conference committee report on SB 2019 and the President has appointed as a new conference committee to act with a like committee from the House on:

SB 2019: Sens. Tweten, Nelson, Walsh

LEO LEIDHOLM, Secretary

MESSAGES FROM THE HOUSE  
HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to return herewith the following on which the House has adopted the conference committee report and subsequently failed to pass:

SB 2413

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

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

SB 2021

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

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

SB 2204, SB 2260, SB 2273, SB 2355, SB 2410, SB 2438,  
SB 2464

ROY GILBREATH, Chief Clerk

REPORTS OF CONFERENCE COMMITTEES

MADAM PRESIDENT: Your Conference Committee to which was referred Engrossed SB 2025 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on pages 1887-1888 of the Senate Journal and that Engrossed SB 2025 be amended as follows:

That the House recede from its amendments as found on pages 2388-2389 of the House Journal and on pages 1887-1888 of the Senate Journal and that engrossed Senate Bill No. 2025 be amended as follows:

On page 2 of the engrossed bill, line 3, delete the numerals "252,490" and insert in lieu thereof the numerals "222,490"

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

"Total general fund appropriation \$277,000"

On page 2 of the engrossed bill, line 4, delete the numerals "247,000" and insert in lieu thereof the numerals "277,000"

On page 2 of the engrossed bill, line 5, delete the numerals "2,230,932" and insert in lieu thereof the numerals "2,200,932"

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

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

And renumber the lines and pages accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

##### Geological Survey

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

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

##### Upper Great Plains Transportation Institute

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

The estimated income line item is reduced by \$30,000, with a corresponding increase to the general fund to provide additional general fund support. The \$30,000 general fund amount is



decreased \$23,000 from the \$63,000 increase in the amendments adopted by the House.

**For the Senate:** Sens. Tennefos, Lips, Walsh

**For the House:** Reps. Wald, Kuchera, G. Berg

Engrossed SB 2025 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 2029 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on pages 1899-1901 of the Senate Journal and that Engrossed SB 2029 be amended as follows:

That the House recede from its amendments as printed on pages 2429, 2430, and 2431 of the House Journal and on pages 1899, 1900, and 1901 of the Senate Journal and that engrossed Senate Bill No. 2029 be amended as follows:

On page 1 of the engrossed bill, line 16, delete the numerals "766,611" and insert in lieu thereof the numerals "704,504"

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

On page 1 of the engrossed bill, line 18, delete the numerals "673,800" and insert in lieu thereof the numerals "610,163"

On page 1 of the engrossed bill, line 19, delete the numerals "18,800" and insert in lieu thereof the numerals "11,639"

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

On page 1 of the engrossed bill, line 21, delete the numerals "2,210,541" and insert in lieu thereof the numerals "1,669,460"

On page 2 of the engrossed bill, line 4, delete the numerals "2,282,140" and insert in lieu thereof the numerals "1,741,059"

And renumber the lines and pages accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

##### Public Employees Retirement Board

The salaries and wages line item is reduced by \$62,107 from other funds. The reduction deletes \$27,107 for one FTE account clerk position and \$35,000 for a .5 FTE Programmer I/Analyst III position. This provides \$44,732 for one FTE Administrator Officer II position which the House had deleted.

The operating expenses line item is reduced by \$308,176 from other funds. These reductions were made by the House and include:

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

The data processing line item is reduced by \$63,637 from other funds rather than by the \$213,637 in the amendments adopted by the House.

The equipment line item is reduced by \$7,161 from other funds rather than by \$8,800 as provided in the House amendments. The conference committee provided \$1,639 from other funds for office equipment for the one FTE position added by the conference committee.

The contingency line item is reduced by \$100,000 from other funds to concur with the House action.

For the Senate: Sens. Thane, Lips, Shea  
 For the House: Reps. Kingsbury, Winkleman, Opedahl

Engrossed SB 2029 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 Reengrossed SB 2249 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on pages 1849-1850 of the Senate Journal and that Reengrossed SB 2249 be amended as follows:

That the House recede from its amendments as found on pages 2350-2351 of the House Journal and pages 1849-1850 of the Senate Journal and that reengrossed Senate Bill No. 2249 be amended as follows:

On page 1 of the reengrossed bill, line 24, delete the numerals "5,400,000" and insert in lieu thereof the numerals "4,951,145"

On page 2 of the reengrossed bill, delete lines 5 through 13 and insert in lieu thereof the following:

"SECTION 2. Loan authority. The board of university and school lands is hereby authorized to invest in an amount not to exceed \$4,951,145 from the common school trust fund in the developmentally disabled facility loan fund program No. 3. The term of this investment may not exceed twenty-five years and the rate of interest may not exceed twelve percent. The common school trust fund shall have a security interest in the properties of the lands and minerals trust fund in the amount of the loan."

On page 2 of the reengrossed bill, line 25, after the word "percent" insert the words "for loans relating to facilities for developmentally disabled persons and five percent for loans relating to facilities for physically disabled persons and chronically mentally ill persons"

On page 3 of the reengrossed bill, line 34, delete the word "or" and insert in lieu thereof the words "but not"

On page 4 of the reengrossed bill, line 7, delete the word "may" and insert in lieu thereof the word "shall"

On page 4 of the reengrossed bill, line 8, delete the word "or" and insert in lieu thereof the words "not employed by this state or its political subdivisions, or a"

On page 4 of the reengrossed bill, line 12, after the period insert the following: "The receiver may not liquidate the assets of the treatment or care center."

On page 4 of the reengrossed bill, line 17, delete the words "a discontinuance of" and insert in lieu thereof the words "an election by the owner or owners to discontinue"

On page 4 of the reengrossed bill, line 18, delete the following: " , whichever occurs"

On page 4 of the reengrossed bill, line 19, delete the word "first"

And renumber the lines and pages accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

These amendments change the amount which the DD loan fund No. 3 may borrow from the common school trust fund from \$5,400,000 to \$4,951,145 to reflect revised facility needs and funds available in DD loan fund No. 1.

Also language is added to allow facilities for the chronically mentally ill and the physically disabled to obtain loans at five percent interest.

**For the Senate:** Sens. Streibel, Tweten, Mushik

**For the House:** Reps. Winkelman, Unhjem, Kelly

Reengrossed SB 2249 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 2338 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on pages 1566-1567 of the Senate Journal and that Engrossed SB 2338 be amended as follows:

That the House recede from its amendments as found on page 1941 of the House Journal and pages 1566 and 1567 of the Senate Journal and that engrossed Senate Bill No. 2338 be amended as follows:

On page 1 of the engrossed bill, line 2, delete the numerals "20.1-03" and insert in lieu thereof the numerals "20.1-08"

On page 1 of the engrossed bill, line 4, after the word "elk" insert the words "; and to provide an expiration date"

On page 1 of the engrossed bill, line 11, delete the word "one-half" and insert in lieu thereof the word "one-quarter", and delete the numerals "129.50" and insert in lieu thereof the numerals "64.75"

On page 1 of the engrossed bill, line 18, after the period insert the following: "The governor's proclamation may restrict the districts or units for which preferential licenses may be issued under this section. However, the governor shall give primary consideration to allowing preferential licenses under this section to be issued to persons owning or leasing land in the following areas: township one hundred forty-seven north, range ninety-six west; township one hundred forty-eight north, range ninety-six west; township one hundred forty-seven north, range ninety-seven west; township one hundred forty-eight north, range ninety-seven west of the fifth principal meridian, in Dunn County; and the west one-half of township one hundred forty-nine north, range ninety-five west; township one hundred forty-nine north, range ninety-six west, and the east one-half of township one hundred forty-nine north, range ninety-seven west of the fifth principal meridian, in McKenzie County."

On page 2 of the engrossed bill, line 11, after the period insert the following: "A person who has applied for a preferential license under this section may not, during the

elk hunting season in the year the license is applied for, post as not being open for hunting land owned or leased by the person in the district or unit in which the land described in the affidavit is located."

On page 2 of the engrossed bill, after line 22, insert the following new section:

"SECTION 3. EXPIRATION DATE. This Act is effective through June 30, 1987, and after that date is ineffective."

And renumber the lines and pages accordingly

For the Senate: Sens. Freborg, David, Krauter  
For the House: Reps. Riley, Murphy, L. Hanson

Engrossed SB 2338 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 2345 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on pages 1567-1568 of the Senate Journal and that Engrossed SB 2345 be amended as follows:

That the House recede from its amendments as printed on pages 1944-1946 of the House Journal and pages 1567-1568 of the Senate Journal and that engrossed Senate Bill No. 2345 be amended as follows:

On page 1 of the engrossed bill, line 1, after the word "enact" insert the words and numerals "a new subsection to section 57-02-08 and"

On page 1 of the engrossed bill, line 2, after the word "to" insert the words "an exemption from ad valorem taxes for certain athletic and recreational facilities and"

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

"SECTION 1. A new subsection to section 57-02-08 of the North Dakota Century Code is hereby created and enacted to read as follows:

Property used for athletic or recreational activities when owned by a political subdivision and leased to a nonprofit corporation organized for the purpose of promoting public athletic or recreational activities."

On page 1 of the engrossed bill, line 7, delete the word "Two" and insert in lieu thereof the word "A", and delete the

- word "sections" and insert in lieu thereof the word "section"
- On page 1 of the engrossed bill, line 8, delete the word "are" and insert in lieu thereof the word "is"
- On page 1 of the engrossed bill, line 11, after the word "levy" insert the words "the lesser of"
- On page 1 of the engrossed bill, line 12, after the comma insert the word "or", and after the word "the" insert the words "amount in dollars"
- On page 1 of the engrossed bill, line 13, delete the words "percentage increase", and delete the words "more than the" and insert in lieu thereof the word and numeral "or 3"
- On page 1 of the engrossed bill, delete lines 14 through 19
- On page 1 of the engrossed bill, line 20, delete the word "less"
- On page 1 of the engrossed bill, line 23, delete the word "four" and insert in lieu thereof the word "three"
- On page 1 of the engrossed bill, line 25, delete the word "four" and insert in lieu thereof the word "three"
- On page 3 of the engrossed bill, line 1, delete the words "after the effective date of this Act, but" and insert in lieu thereof a period
- On page 3 of the engrossed bill, delete lines 2 through 4
- On page 3 of the engrossed bill, line 5, delete the word "The" and insert in lieu thereof the words "Under the", and after the word "section" insert the words "a taxing district may"
- On page 3 of the engrossed bill, line 6, after the comma insert the words "or a taxing district may levy up to the mill levy limitations otherwise provided by law without reference to this section,"
- On page 3 of the engrossed bill, after line 20, insert the following new section:
- "SECTION 3. A new section to chapter 57-15 of the North Dakota Century Code is hereby created and enacted to read as follows:"
- On page 3 of the engrossed bill, line 22, delete the numerals "57-15-14" and insert in lieu thereof the numerals "57-15-14.3", and delete the words "least four" and insert in lieu thereof the words "most three"

On page 3 of the engrossed bill, line 23, delete the word "four" and insert in lieu thereof the word "three"

On page 3 of the engrossed bill, line 31, delete the word "This" and insert in lieu thereof the words "Section 1 of this Act is effective for taxable years beginning after December 31, 1984, and sections 2 and 3 of this", and delete the word "is" and insert in lieu thereof the word "are"

And renumber the lines, sections, and pages accordingly

**For the Senate:** Sens. Wright, Kilander, Dotzenrod

**For the House:** Reps. A. Hausauer, Hughes, Watne (refused to sign)

Engrossed SB 2345 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 2373 has had the same under consideration and recommends that the SENATE ACCEDE to the amendments as found on pages 1694-1695 of the Senate Journal and that Engrossed SB 2373 be further amended as follows:

On page 7 of the engrossed bill, line 5, after the word "program" insert the words "and has complied with the attendance rules"

On page 15 of the engrossed bill, line 23, after the comma insert the words "either proceed in accordance with subdivision 1 during that person's reappearance within the officer's jurisdiction or"

And renumber the lines and pages accordingly

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

**For the House:** Reps. Kretschmar, Conmy, Ulmer

Engrossed SB 2373 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 1011 has had the same under consideration and recommends that the HOUSE ACCEDE to the amendments as found on pages 1938-1939 of the Senate Journal.

**For the Senate:** Sens. Nelson, Tweten, Stromme

**For the House:** Reps. Kingsbury, Gunsch, Graba

Engrossed HB 1011 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 1019 has had the same under consideration

and recommends that the SENATE RECEDE from its amendments as found on pages 1654-1655 of the Senate Journal.

**For the Senate:** Sens. Wenstrom, Tweten, Mushik  
**For the House:** Reps. Kuchera, Haugland, O. Solberg

Engrossed HB 1019 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 Reengrossed HB 1049 has had the same under consideration and recommends that the HOUSE ACCEDE to the amendments as found on pages 1706-1707 of the Senate Journal.

**For the Senate:** Sens. Peterson, Freborg, Heinrich  
**For the House:** Reps. Schindler, Shaw, Hoffner

Reengrossed HB 1049 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 1067 has had the same under consideration and recommends that the HOUSE ACCEDE to the amendments as found on page 1551 of the Senate Journal and that Engrossed HB 1067 as engrossed by the House be further amended as follows:

That the House accede to the Senate amendments as found on page 1551 of the Senate Journal and page 2164 of the House Journal, and engrossed House Bill No. 1067 be further amended as follows:

On page 6 of the engrossed bill, line 17, delete the words "Before January 1, 1985" and insert in lieu thereof the following: "Unless it is permitted to own farmland or ranchland under section 10-06-04.1", and after the word "must" insert the words ", before January 1, 1985,"

On page 7 of the engrossed bill, line 24, delete the words "A corporation that" and insert in lieu thereof the following: "In addition to the divestiture requirements of section 7 of this Act and section 10-06-13, a nonprofit corporation that acquires land by gift or devise after December 31, 1984, the ownership of which is not permitted under this chapter, shall divest itself of the land acquired after December 31, 1984, within ten years after the acquisition"

On page 7 of the engrossed bill, delete lines 25 and 26

On page 7 of the engrossed bill, line 27, delete the words "within ten years of the initial violation"

And renumber the lines and pages accordingly

**For the Senate:** Sens. Olson, Holmberg, Redlin  
**For the House:** Reps. Conmy, Riley, Brokaw



Engrossed HB 1067 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 1069 has had the same under consideration and recommends that the SENATE RECEDE from its amendments as found on pages 1551-1552 of the Senate Journal and that Engrossed HB 1069 be amended as follows:

- On page 5 of the engrossed bill, line 33, after the word "been" insert the following words "diagnosed and"
- On page 5 of the engrossed bill, line 35, after the word "elsewhere" insert the following words "by a court of competent jurisdiction,"
- On page 6 of the engrossed bill, line 2, delete the word "owning" and insert in lieu thereof the word "purchasing"
- On page 7 of the engrossed bill, line 22, after the word "parks" insert the words "where hunting is not allowed by proclamation"
- On page 8 of the engrossed bill, line 2, after the period insert the words "Such an ordinance supersedes this section within the jurisdiction of the political subdivision."
- On page 8 of the engrossed bill, line 16, delete the word "who"
- On page 8 of the engrossed bill, line 17, delete the words "is over eighteen years of age and"
- On page 8 of the engrossed bill, line 26, delete the numerals "62.1-01-01" and insert in lieu thereof the numerals "62.1-02-01"
- On page 10 of the engrossed bill, line 22, delete the numerals "62.1-02-11" and insert in lieu thereof the numerals "62.1-02-10"
- On page 11 of the engrossed bill, line 4, delete the words "on a target range" and insert in lieu thereof the words "lawfully engaged in target shooting"
- On page 13 of the engrossed bill, line 22, delete the words "An unloaded rifle or shotgun while carried in a motor" and insert in lieu thereof the words "A bow and arrow, an unloaded rifle or shotgun, or an unloaded weapon that will expel, or is readily capable of expelling, a projectile by the action of a spring, compressed air, or compressed gas including any such weapon commonly referred to as a BB gun, air rifle, or CO<sub>2</sub> gun, while carried in a motor vehicle"

On page 13 of the engrossed bill, line 23, delete the word "vehicle"

And renumber the lines and pages accordingly

For the Senate: Sens. Holmberg, Olson, Redlin (refused to sign)

For the House: Reps. Lindgren, Dalrymple, R. Solberg

Engrossed HB 1069 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 1243 has had the same under consideration and recommends that the SENATE RECEDE from its amendments as found on pages 1553-1554 of the Senate Journal and that Engrossed HB 1243 be amended as follows:

That the Senate recede from its amendments as found on pages 1553 and 1554 of the Senate Journal, and that engrossed House Bill No. 1243 be amended as follows:

On page 2 of the engrossed bill, line 16, after the word "assembly" insert the words "who receive reimbursement for lodging"

On page 2 of the engrossed bill, line 20, after the period insert the following new sentence: "Members of the legislative assembly who do not receive reimbursement for lodging and who do not live in a legislative district completely or partially within the city of Bismarck are entitled to reimbursement at the rate provided for state employees for necessary travel for not to exceed one round trip per day between their residences and the place of meeting of the legislative assembly when it is in session, provided that this reimbursement may not exceed six hundred dollars per month."

On page 3 of the engrossed bill, line 27, overstrike the word "three" and insert immediately thereafter the word "five"

And renumber the lines and pages accordingly

For the Senate: Sens. Thane, Tennefos, Mushik

For the House: Reps. Kingsbury, Unhjem, Kelly

Engrossed HB 1243 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 1522 has had the same under consideration and recommends that the SENATE RECEDE from its amendments as found on page 1557-1558 of the Senate Journal and that HB 1522 be amended as follows:

That the Senate recede from its amendments to House Bill No. 1522 as found on pages 1557-1558 of the Senate Journal and page 2326 of the House Journal and that House Bill No. 1522 be amended as follows:

- On page 1, line 1, after the first word "the" insert the word "discretionary", and after the word "revocation" insert the words ", and subsequent discretionary reinstatement, by executive order of the governor,"
- On page 1, line 3, after the semicolon insert the words "to provide an expiration date;"
- On page 1, line 7, after the word "The" insert the words "governor may, by executive order, revoke the"
- On page 1, line 12, delete the words "are hereby revoked", and after the period insert the words "Revocation of the permit and certificate pursuant to this Act by the governor must be based upon relevant statutory guidelines, including the factors considered in the issuance of a certificate of public convenience and necessity and the factors to be considered in evaluating applications and designations of sites, corridors, and routes as provided in section 49-22-09, and upon the governor's determination that the MANDAN project is not consistent with the public convenience and necessity of this state, or is not consistent with the general health and welfare of the citizens of this state, or the utility has abandoned the project. If the permit and certificate are revoked pursuant to this Act, the governor may, by executive order, reinstate the permit and certificate based upon the guidelines provided for revocation and upon the governor's determination that the MANDAN project is consistent with the public convenience and necessity of this state, and is consistent with the general health and welfare of the citizens of this state."

On page 1, after line 12, insert the following new section:

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

And renumber the lines, sections, and pages accordingly

For the Senate: Sens. Lodoen, Vosper, D. Meyer  
For the House: Reps. Strinden, Martinson, Mertens

HB 1522 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 1523 has had the same under consideration

and recommends that the HOUSE ACCEDE to the amendments as found on page 1558 of the Senate Journal.

For the Senate: Sens. Lodoen, Vosper, D. Meyer

For the House: Reps. Strinden, Martinson, Mertens

Engrossed HB 1523 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 1574 has had the same under consideration and recommends that the SENATE RECEDE from its amendments as found on page 1393 of the Senate Journal and that engrossed HB 1574 be amended as follows:

That the Senate recede from its amendments as found on page 1393 of the Senate Journal and page 2037 of the House Journal, and that engrossed House Bill No. 1574 be amended as follows:

On page 1 of the engrossed bill, line 1, delete the word "a" and insert in lieu thereof the word "two" and delete the word "subsection" and insert in lieu thereof the word "subsections"

On page 1 of the engrossed bill, line 3, delete the word "from" and insert in lieu thereof the words "and a temporary partial exemption and county optional temporary exemption from the tax for"

On page 1 of the engrossed bill, line 7, delete the word "A" and insert in lieu thereof the word "Two" and delete the word "subsection" and insert in lieu thereof the word "subsections"

On page 1 of the engrossed bill, line 8, delete the word "is" and insert in lieu thereof the word "are"

On page 1 of the engrossed bill, delete lines 10 through 19 and insert in lieu thereof the following new subsections:

"For coal gasification plants constructed after July 1, 1985, the tax shall be either the amount provided in subsection 1 or ten cents on each one thousand cubic feet [28,316.85 liters] of synthetic natural gas produced for the purpose of sale, whichever is greater.

- a. For all coal conversion facilities, other than electrical generating plants, which commence construction after July 1, 1985, the production from the facilities shall be exempt from sixty-five percent of the tax imposed by this section for a period of five years

from the date of first production from the facility. The operator of each facility shall certify to the tax commissioner the date of first production of the facility.

- b. The board of county commissioners may, by resolution, grant to the operator of a coal conversion facility, other than an electrical generating plant, located within the county a partial or complete exemption from the remaining thirty-five percent of tax imposed by this section for a period not exceeding five years from the date of the first production from the facility. Notwithstanding the provisions of section 57-60-14, any tax collected which is based upon the production of a facility subject to the exemption provided by this subsection shall be allocated entirely to the county for allocation as provided in section 57-60-15."

And renumber the lines and pages accordingly

For the Senate: Sens. Wright, Moore, Waldera  
For the House: Reps. Goetz, R. Anderson, Richard

Engrossed HB 1574 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 1638 has had the same under consideration and recommends that the HOUSE ACCEDE to the amendments as found on pages 1869-1871 of the Senate Journal.

For the Senate: Sens. Wright, Adams, Satrom  
For the House: Reps. A. Hausauer, Timm, Richard (refused to sign)

Engrossed HB 1638 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 Natural Resources to which was referred SCR 4081 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 2, line 18, delete the word "from" and insert in lieu thereof the word "between" and delete the word "to" and insert in lieu thereof the word "and"

On page 2, line 28, delete the words "Corps of" and insert in lieu thereof the words "Bureau of Reclamation"

On page 2, line 29, delete the word "Engineers"

And renumber the lines and pages accordingly

SEN. MOORE, Chairman

SCR 4081 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 HCR 3102 has had the same under consideration and recommends that the same DO PASS.

SEN. STENEHJEM, Chairman

HCR 3102 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on State and Federal Government to which was referred HCR 3103 has had the same under consideration and recommends that the same DO NOT PASS.

SEN. LODOEN, Chairman

HCR 3103 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 3104 has had the same under consideration and recommends that the same DO PASS.

SEN. CHRISTENSEN, Chairman

HCR 3104 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Natural Resources to which was referred HCR 3105 has had the same under consideration and recommends that the same DO PASS.

SEN. MOORE, Chairman

HCR 3105 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

#### MOTION

SEN. NOTHING MOVED that at the conclusion of the Fifth order of business, the Seventh order of business, and after the reading of HCR 3102, HCR 3103, HCR 3104, and HCR 3105, the Senate adjourn and convene at 9:00 a.m., Wednesday, April 3, 1985, which motion prevailed.

LEO LEIDHOLM, Secretary