

JOURNAL OF THE HOUSE

Fiftieth Legislative Assembly

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SIXTY-FIFTH DAY

Bismarck, April 8, 1987

The House convened at 8:00 a.m., with Speaker Kloubec presiding.

The prayer was offered by Valerie Fuchs, McCabe United Methodist Church, Bismarck, North Dakota.

ROLL CALL

The roll was called and all Representatives were present, except Representatives Dorso, Frey, Kent, Knudson, Lang, C. Nelson, Schneider, and Tomac.

A quorum was declared by the Speaker.

CORRECTION AND REVISION OF THE JOURNAL

MR. SPEAKER: Your Committee on Correction and Revision of the Journal has carefully examined the Journal of the Sixty-fourth Day and finds the same to be correct.

REP. THOMPSON, Chairman

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

REPORT OF CONFERENCE COMMITTEE

REP. LARSON MOVED that the conference committee report on HB 1183 as printed on page 2621 of the House Journal be adopted, which motion prevailed.

MOTION

REP. STRINDEN MOVED that the rules be suspended, that HB 1183 be deemed properly reengrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1183: A BILL for an Act to amend and reenact subsection 1 of section 50-10.1-03, and sections 50-10.1-05 and 50-10.1-06 of the North Dakota Century Code, relating to the duties of long-term care ombudsmen.

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 102 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Aas; Almlie; Anderson; Belter; Berg, G.; Berg, R.; Brokaw; Christman; Cleveland; Dalrymple; DeMers, J.; DeMers, P.; Dotzenrod; Enget; Flaagan; Frey; Gates; Gerntholz; Goetz; Gorman; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hill; Hoffner; Hokana; Kelly; Kent; Kingsbury; Klundt; Knell; Koland; Kolbo; Kretschmar; Kuchera; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; Nelson, J.; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Peterson; Rice; Riehl; Rydell; Scherber; Schindler; Schneider; Shaft; Shaw; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Starke; Stofferahn; Strinden; Thompson; Tokach; Tollefson; Tomac; Trautman; Ulmer; Vander Vorst; Wald; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Kloubec

NAYS: None

ABSENT AND NOT VOTING: Dorso; Knudson; Lang; Nelson, C.

HB 1183 passed and the title was agreed to.

REPORTS OF CONFERENCE COMMITTEES

REP. WHALEN MOVED that the conference committee report on HB 1359 as printed on page 2629 of the House Journal be adopted, which motion prevailed.

REP. LARSON MOVED that the conference committee report on HB 1470 as printed on page 2621 of the House Journal be adopted, which motion prevailed.

MOTION

REP. STRINDEN MOVED that the rules be suspended, that HB 1470 be deemed properly reengrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1470: A BILL for an Act to amend and reenact subdivision e of subsection 1 of section 23-17.3-05 of the North Dakota Century Code, relating to standards of licensure for home health agencies.

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 56 YEAS, 43 NAYS, 7 ABSENT AND NOT VOTING.

YEAS: Anderson; Berg, R.; Christman; Cleveland; Dotzenrod; Enget; Flaagan; Gates; Gerntholz; Gunsch; Hamerlik; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hill; Kelly; Kent; Kingsbury; Knell; Koland; Kretschmar; Kuchera; Larson; Linderman; Martin; Martinson; Melby; Moore; Murphy; Myrdal; Nelson, J.; Nicholas; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Rice; Rydell; Schindler; Shaft; Shide; Shockman; Skjerven; Smette; Sorensen; Strinden; Tokach; Vander Vorst; Watne; Wentz; Williams, A.; Williams, W.; Speaker Kloubec

NAYS: Aas; Almlie; Belter; Berg, G.; Brokaw; Dalrymple; DeMers, J.; DeMers, P.; Frey; Goetz; Gorman; Graba; Halmrast; Hanson, L.; Hoffner; Hokana; Klundt; Kolbo; Lautenschlager; Lindgren; Marks; Mertens; Meyer; Nowatzki; Oban; O'Connell; Payne; Riehl; Scherber; Schneider; Shaw; Solberg; Starke; Stofferahn; Tollefson; Tomac; Trautman; Ulmer; Wald; Whalen; Wilkie; Williams, C.; Winkelman

ABSENT AND NOT VOTING: Dorso; Knudson; Lang; Laughlin; Nelson, C.; Peterson; Thompson

HB 1470 passed and the title was agreed to.

REPORT OF CONFERENCE COMMITTEE

REP. WENTZ MOVED that the conference committee report on SCR 4026 as printed on pages 2635-2636 of the House Journal be adopted, which motion prevailed.

MOTION

REP. STRINDEN MOVED that the rules be suspended, that SCR 4026 be placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4026: A concurrent resolution directing the Legislative Council to study programs for assistance to victims of and witnesses to crime.

Which has been read.

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

SCR 4026 was declared adopted on a voice vote.

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER: Your Conference Committee to which was referred Engrossed SB 2303 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on page 2211 of the House Journal and that engrossed SB 2303 be amended as follows:

On page 1 of the engrossed bill, line 3, delete the words "to create and enact a new subsection to section" and insert in lieu thereof the words "and to provide a penalty"

On page 1 of the engrossed bill, delete lines 4 and 5

On page 1 of the engrossed bill, line 6, delete the words "expiration date"

On page 1 of the engrossed bill, delete lines 9 through 25

On page 1 of the engrossed bill, line 26, after the word "liability" insert the words "- Penalty for false reports"

On page 2 of the engrossed bill, line 2, delete the words "pursuant to section 1 of this Act" and insert in lieu thereof the words "who are unable to protect their own interests"

On page 2 of the engrossed bill, line 4, after the period insert the words "Any person who willfully, as defined in section 12.1-02-02, makes a false report, or causes a false report to be made pursuant to this section is guilty of a class B misdemeanor unless the false report is made to a law enforcement official, in which case the person who causes the false report to be made is guilty of a class A misdemeanor."

On page 2 of the engrossed bill, delete lines 5 and 6

And renumber the lines, sections, and pages accordingly

For the Senate: Sens. Mathern, Heinrich, Nalewaja

For the House: Reps. Larson, Dalrymple, Kolbo

Engrossed SB 2303 was placed on the Seventh order of business on the calendar for the succeeding legislative day.

REPORT OF CONFERENCE COMMITTEE

REP. LARSON MOVED that the conference committee report on Engrossed SB 2303 be adopted, which motion prevailed.

MOTION

REP. STRINDEN MOVED that the rules be suspended, that SB 2303 be placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2303: A BILL for an Act to provide immunity from liability for reporting, assisting, or providing services with respect to abused, neglected, or exploited adults; 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 91 YEAS, 9 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Almlie; Belter; Berg, G.; Berg, R.; Brokaw; Christman; Cleveland; Dalrymple; DeMers, J.; DeMers, P.; Dotzenrod; Enget; Flaagan; Frey; Gates; Gerntholz; Goetz; Gorman; Graba; Halmrast; Hamerlik; Hanson, L.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hill; Hoffner; Hokana; Kelly; Klundt; Koland; Kolbo; Kretschmar; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Meyer; Moore; Myrdal; Nelson, J.; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahll; O'Shea; Payne; Peterson; Rice; Riehl; Rydell; Scherber; Schindler; Schneider; Shaw; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Starke; Stofferahn; Strinden; Thompson; Tokach; Tollefson; Tomac; Trautman; Ulmer; Vander Vorst; Wald; Watne; Wentz; Wilkie; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Kloubec

NAYS: Aas; Anderson; Gunsch; Hanson, O.; Kingsbury; Knell; Kuchera; Murphy; Shaft

ABSENT AND NOT VOTING: Dorso; Kent; Knudson; Lang; Nelson, C.; Whalen

SB 2303 passed and the title was agreed to.

MESSAGES FROM THE SENATE
SENATE CHAMBER

MR. SPEAKER: I have the honor to inform you that the Senate has concurred in the House amendments to SB 2507 and subsequently failed to pass the same.

PERRY GROTEBERG, Secretary

SENATE CHAMBER

MR. SPEAKER: I have the honor to inform you that the Senate has concurred in the House amendments to SB 2006, SB 2024, SB 2028, and SB 2068 and subsequently passed the same but has refused to concur in the House amendments to SB 2016, SB 2029, and SB 2035 and the President Pro Tem has appointed as a conference committee to act with a like committee from the House on:

SB 2016: Sens. Wogsland, Mushik, Streibel
SB 2029: Sens. Waldera, Tallackson, Naaden
SB 2035: Sens. W. Meyer, Kelsh, Streibel

PERRY GROTEBERG, Secretary

APPOINTMENT OF CONFERENCE COMMITTEES

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2035:

Reps. Melby, Myrdal, G. Berg

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2016:

Reps. Kingsbury, Gunsch, Graba

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2029:

Reps. Thompson, R. Hausauer, G. Berg

MOTION

REP. STRINDEN MOVED that the House stand in recess until 10:00 a.m., which motion prevailed.

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

MESSAGES TO THE SENATE
HOUSE CHAMBER

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

SB 2183: Reps. A. Olson, Kretschmar, J. Nelson
SB 2015: Reps. Kuchera, Winkelman, Kelly

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

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

SB 2294

ROY GILBREATH, Chief Clerk

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER: Your Conference Committee to which was referred Engrossed HB 1052 has had the same under consideration and recommends that the HOUSE ACCEDE to the amendments as found on page 2309 of the House Journal and that Engrossed HB 1052 be further amended as follows:

That the House accede to the Senate amendments to reengrossed House Bill No. 1052, as printed on page 2309 of the House Journal and page 1360 of the Senate Journal, and that reengrossed House Bill No. 1052 be further amended as follows:

On page 1 of the reengrossed bill, line 2, after the first semicolon insert the words "to amend and reenact section 11-15-01.1 of the North Dakota Century Code, relating to qualifications of sheriffs;"

On page 1 of the reengrossed bill, after line 5, insert the following new section:

"SECTION 1. AMENDMENT. Section 11-15-01.1 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

11-15-01.1. Sheriff shall be qualified elector and shall receive required training - Exception. Except as otherwise specifically provided by state law, the sheriff shall be a qualified elector in the county in which the sheriff is elected or appointed. Within one year after taking office, the sheriff shall attend the sheriffs' school on civil process for one week, the complete police and sheriff's basic training course, and the police supervision course for two weeks if such schools are available within the state, unless equivalent training has already been attained. The police and sheriff's basic training course requirement does not apply to any sheriff who has at least five years' experience in the law enforcement field and unless already licensed under sections 2 through 15 of this Act, shall begin the training necessary to become so licensed. Within two years after taking office, the sheriff shall complete the procedures required to be licensed under sections 2 through 15 of this Act."

On page 1 of the reengrossed bill, line 6, underscore the words "Definitions. In" and insert immediately thereafter the words "sections 2 through 15 of" and underscore the words "this Act, unless the context or"

On page 1 of the reengrossed bill, underscore lines 7 through 16

On page 1 of the reengrossed bill, line 17, underscore the words "License required. An individual may not perform"

On page 1 of the reengrossed bill, underscore line 18

- On page 1 of the reengrossed bill, line 19, underscore the words "individual is licensed under" and insert immediately thereafter the words "sections 2 through 15 of" and underscore the words "this Act."
- On page 1 of the reengrossed bill, line 20, underscore the words "Persons and practices not affected.", delete the word "This" and insert in lieu thereof the words "Sections 2 through 15 of this", underscore the word "Act", delete the word "does" and insert in lieu thereof the word "do", and underscore the word "not"
- On page 1 of the reengrossed bill, underscore lines 21 through 28
- On page 2 of the reengrossed bill, underscore lines 1 through 10
- On page 2 of the reengrossed bill, line 12, underscore the words "Board - Powers - Duties - Authority. The board shall"
- On page 2 of the reengrossed bill, line 13, underscore the words "administer, coordinate, and enforce" and insert immediately thereafter the words "sections 2 through 15 of" and underscore the words "this Act, evaluate the"
- On page 2 of the reengrossed bill, underscore line 14
- On page 2 of the reengrossed bill, line 15, underscore the words "licensing under" and insert immediately thereafter the words "sections 2 through 15 of" and underscore the words "this Act. The board shall keep records and minutes"
- On page 2 of the reengrossed bill, underscore lines 16 and 17
- On page 2 of the reengrossed bill, line 18, underscore the words "investigate allegations of practices violating" and insert immediately thereafter the words "sections 2 through 15 of" and underscore the words "this Act or"
- On page 2 of the reengrossed bill, underscore lines 19 through 24
- On page 2 of the reengrossed bill, line 25, underscore the words "out the policy of" and insert immediately thereafter the words "sections 2 through 15 of" and underscore the words "this Act, including rules relating to"
- On page 2 of the reengrossed bill, underscore lines 26 through 29
- On page 2 of the reengrossed bill, line 30, underscore the words "Fees. The board shall prescribe by rule the fee"
- On page 2 of the reengrossed bill, underscore lines 31 and 32
- On page 2 of the reengrossed bill, line 33, underscore the words "administer fees received under" and insert immediately

thereafter the words "sections 2 through 15 of" and underscore the words "this Act in accordance with section"

On page 2 of the reengrossed bill, underscore line 34

On page 3 of the reengrossed bill, line 1, underscore the words "Application for license. An applicant for a license as"

On page 3 of the reengrossed bill, underscore lines 2 through 16

On page 3 of the reengrossed bill, line 17, underscore the words "Examination for license."

On page 3 of the reengrossed bill, underscore lines 18 through 31

On page 3 of the reengrossed bill, line 32, underscore the words "Exception from training requirement - Issuance of certain"

On page 3 of the reengrossed bill, underscore lines 33 through 35

On page 4 of the reengrossed bill, underscore lines 1 through 7

On page 4 of the reengrossed bill, line 8, underscore the words "Limited license. Pending successful completion of"

On page 4 of the reengrossed bill, line 9, underscore the words "the written examination required by" and insert immediately thereafter the words "sections 2 through 15 of" and underscore the words "this Act, the board may grant a"

On page 4 of the reengrossed bill, underscore lines 10 through 23

On page 4 of the reengrossed bill, line 24, underscore the words "Issuance of license. The board shall issue a license"

On page 4 of the reengrossed bill, line 25, underscore the words "to any person who meets the requirements of" and insert immediately thereafter the words "sections 2 through 15 of" and underscore the words "this Act and who has"

On page 4 of the reengrossed bill, underscore line 26

On page 4 of the reengrossed bill, line 27, underscore the words "Renewal of license."

On page 4 of the reengrossed bill, underscore lines 28 through 34

On page 5 of the reengrossed bill, underscore lines 1 through 5

On page 5 of the reengrossed bill, line 6, underscore the words "Adverse license action - Appeal."

On page 5 of the reengrossed bill, underscore lines 7 through 24

On page 5 of the reengrossed bill, line 25, underscore the words "e. Has violated" and insert immediately thereafter the words "sections 2 through 15 of" and underscore the words "this Act."

On page 5 of the reengrossed bill, underscore lines 26 through 35

On page 6 of the reengrossed bill, underscore lines 1 through 4

On page 6 of the reengrossed bill, line 5, underscore the words "Notice and hearing on adverse license action. The board"

On page 6 of the reengrossed bill, underscore lines 6 through 23

On page 6 of the reengrossed bill, line 24, underscore the words "Penalty. Violation of" and insert immediately thereafter the words "sections 2 through 15 of" and underscore the words "this Act is a class B"

On page 6 of the reengrossed bill, underscore line 25

On page 6 of the reengrossed bill, line 27, after the word "implement" insert the words "sections 2 through 15 of"

On page 6 of the reengrossed bill, line 29, delete the word "The" and insert in lieu thereof the words "Section 1, the"

And renumber the lines, sections, and pages accordingly

For the Senate: Sens. Dotzenrod, Holmberg, Reiten

For the House: Reps. A. Hausauer, Shaw, Dotzenrod

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

REPORT OF STANDING COMMITTEE

MR. SPEAKER: Your Committee on Human Services and Veterans Affairs to which was referred Engrossed SB 2548 has had the same under consideration and recommends by a vote of 10 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1 of the engrossed bill, line 2, after the comma insert the words "and section 16 of chapter 313 of the 1983 Session Laws of North Dakota,"

On page 1 of the engrossed bill, after line 28, insert the following new section:

"SECTION 2. AMENDMENT. Section 16 of chapter 313 of the 1983 Session Laws of North Dakota as amended by section 7 of chapter 369 of the 1985 Session Laws of North Dakota is hereby amended and reenacted to read as follows:

SECTION 16. EFFECTIVE DATE. Section 15 shall be effective on July 1, 1987 February 1, 1988."

And renumber the lines, sections, and pages accordingly

REP. HAUGLAND, Chairman

Engrossed SB 2548 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MOTION

REP. STRINDEN MOVED that the rules be suspended, and that after action taken on the Sixth order, that all bills and resolutions be placed on the Eleventh and Fourteenth orders respectively, as amended, for second reading and final passage, which motion prevailed.

FIRST READING OF SENATE BILL

SB 2554: A BILL for an Act to authorize the state board of vocational education to develop and administer a North Dakota new industrial jobs training program; and to provide an appropriation.

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

MESSAGES TO THE SENATE

HOUSE CHAMBER

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

SB 2016: Reps. Kingsbury, Gunsch, Graba
SB 2029: Reps. Thompson, R. Hausauer, G. Berg
SB 2035: Reps. Melby, Myrdal, G. Berg

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

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

SB 2303, SCR 4026

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

MR. PRESIDENT: I have the honor to transmit herewith the following which the House has passed over the Governor's veto:

HB 1621

The vote was 74 YEAS, 29 NAYS, 3 ABSENT AND NOT VOTING, and your favorable consideration is requested.

ROY GILBREATH, Chief Clerk

SIXTH ORDER OF BUSINESS

REP. HAUGLAND MOVED that the amendments to SB 2548 as recommended by the Committee on Human Services and Veterans Affairs be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SB 2548 was placed on the Fourteenth order of business on the calendar.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. MARTIN MOVED that the House do concur in the Senate amendments to HCR 3064 as printed on page 2588 of the House Journal, which motion prevailed.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3064: A concurrent resolution urging the Congress of the United States to enact legislation to terminate all fractional reserve banking practices in the United States and to establish the United States Monetary Commission.

Which has been read.

ROLL CALL

The question being on the adoption of the resolution, as amended, the roll was called and there were 72 YEAS, 4 NAYS, 30 ABSENT AND NOT VOTING.

YEAS: Aas; Almlie; Anderson; Belter; Berg, R.; Brokaw; Christman; Cleveland; DeMers, J.; DeMers, P.; Dotzenrod; Enget; Flaagan; Frey; Gates; Gorman; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugen; Haugland; Hokana; Klundt; Knudson; Kolbo; Kretschmar; Lautenschlager; Linderman; Lindgren; Marks; Martin; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; Nelson, C.; Nelson, J.; Nicholas; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Riehl; Rydell; Schindler; Schneider; Shaft; Shide; Shockman; Skjerven; Sorensen; Starke; Strinden; Tokach; Tollefson; Tomac; Trautman; Ulmer; Vander Vorst; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, C.; Williams, W.; Speaker Kloubec

NAYS: Dorso; Knell; Larson; Shaw

ABSENT AND NOT VOTING: Berg, G.; Dalrymple; Gerntholz; Goetz; Graba; Gunsch; Hausauer, A.; Hausauer, R.; Hill; Hoffner; Kelly; Kent; Kingsbury; Koland; Kuchera; Lang; Laughlin; Martinson; Nowatzki; Opedahl; Payne; Peterson; Rice; Scherber; Smette; Solberg; Stofferahn; Thompson; Wald; Winkelman

HCR 3064 was declared adopted on a roll call vote.

APPOINTMENT OF CONFERENCE COMMITTEE

SPEAKER KLOUBEC ANNOUNCED that Rep. Vander Vorst would replace Rep. Myrdal on the Conference Committee on SB 2035.

THE SPEAKER ANNOUNCED the following appointment to a new Conference Committee on HB 1233:

Reps. Lindgren, Gorman, Linderman

POINT OF PERSONAL PRIVILEGE

REP. KLUNDT: Mr. Speaker: I rise on a point of personal privilege and request that my remarks be printed in the Journal.

Baker Electric Cooperative, Cando, will be celebrating its Fiftieth Anniversary on June 4, 1987. Baker Electric is recognized as the first rural electric cooperative in the state of North Dakota, having energized its first lines in 1937. The cooperative presently provides electric services to a 3900-square-mile area encompassing parts of six counties. Service is provided to 5,300 accounts, for 4,400 members, over 3,200 miles of distribution line.

The June Fourth Anniversary celebration is intended to not only honor the cooperative's 50 years of service to the area, but also honor the local farmers, ranchers, and businessmen. Preceding the business meeting, a beef barbecue supper will be served along with various dishes utilizing products from local distributors. The main address will be given by Orion Samuelson, a nationally known farm broadcaster.

The Board of Directors of Baker Electric Cooperative invites each of you to attend as its special guest for this celebration.

MOTION

REP. STRINDEN MOVED that the House stand in recess until 11:00 a.m., which motion prevailed.

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

MESSAGES TO THE SENATE
HOUSE CHAMBER

MR. PRESIDENT: I have the honor to inform you that the House has adopted the conference committee report on HB 1233 and the Speaker has appointed as a new conference committee to act with a like committee from the Senate on:

HB 1233: Reps. Lindgren, Gorman, Linderman

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

MR. PRESIDENT: I have the honor to inform you that the House has concurred in the Senate amendments to HCR 3064 and subsequently passed the same.

ROY GILBREATH, Chief Clerk

MOTION

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

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

REPORT OF STANDING COMMITTEE

MR. SPEAKER: Your Committee on Industry, Business and Labor to which was referred Engrossed SB 2553 has had the same under consideration and recommends by a vote of 13 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 2 of the engrossed bill, line 28, overstrike the word "five" and insert immediately thereafter the word "ten"

On page 3 of the engrossed bill, after line 5, insert the following section paragraph:

"The department shall waive all or a portion of the license fee for any restaurant, limited restaurant, or boardinghouse that is subject to a license fee by a city or district health unit if the local unit's sanitation, safety, and inspection rules are approved by the department."

And renumber the lines, sections, and pages accordingly
REP. WHALEN, Chairman

Engrossed SB 2553 was placed on the Sixth order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER: Your Conference Committee to which was referred Reengrossed HB 1634 has had the same under consideration and recommends that the HOUSE ACCEDE to the amendments as found on pages 2323-2324 of the House Journal.

For the Senate: Sens. Langley, Krauter, Reiten
For the House: Reps. Dalrymple, Shide, Enget

Reengrossed HB 1634 was placed on the Seventh order of business on the calendar for the succeeding legislative day.

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER: Your Conference Committee to which was referred Engrossed HB 1666 has had the same under consideration and

recommends that the HOUSE ACCEDE to the amendments as found on pages 2324-2325 of the House Journal and that Engrossed HB 1666 be further amended as follows:

On page 1 of the engrossed bill, line 25, delete the words "a limited" and insert in lieu thereof the word "an", after the second word "grant" insert the word "limited", and after the word "to" insert the words "directors, officers, or"

And renumber the lines, sections, and pages accordingly

For the Senate: Sens. Langley, Krauter, Reiten

For the House: Reps. Koland, Dorso, Enget

Engrossed HB 1666 was placed on the Seventh order of business on the calendar for the succeeding legislative day.

MOTION

REP. STRINDEN MOVED that the House stand in recess until 2:00 p.m., which motion prevailed.

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

MESSAGES FROM THE SENATE

SENATE CHAMBER

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

SB 2023, SB 2037, SCR 4070

PERRY GROTEBERG, Secretary

SENATE CHAMBER

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

SENATE AMENDMENTS TO ENGROSSED HB 1018

On page 1 of the engrossed bill, line 1, delete the word "making" and insert in lieu thereof the words "to amend and reenact subdivisions a, b, and c of subsection 2, and subsection 5 of section 39-04-19 of the North Dakota Century Code, relating to vehicle registration fees; to provide"

On page 1 of the engrossed bill, line 2, after the word "Dakota" insert the words "; to provide for application of this Act; to provide an effective date; and to provide an expiration date"

On page 1 of the engrossed bill, after line 4, insert the following sections:

"SECTION 1. AMENDMENT. If Senate Bill No. 2259 is not approved by the fiftieth legislative assembly or is approved but does not otherwise become effective, subdivisions a, b, and c of subsection 2, and subsection 5 of section 39-04-19 of the 1985 Supplement to the North Dakota Century Code are hereby amended and reenacted to read as follows:

- a. Passenger motor vehicles including buses for hire, hearses, and ambulances:

Gross Weights	YEARS REGISTERED			
	1st, 2nd, 3rd, and 4th Years	5th, 6th, and 7th Years	8th, 9th, and 10th Years	11th and Subsequent Years
Less than 3,200	\$ 44.00	\$ 36.00	\$ 28.00	\$20.00
3,200-4,499	64.00	52.00	40.00	28.00
4,500-4,999	82.00	65.00	50.00	34.00
5,000-5,999	113.00	91.00	69.00	47.00
6,000-6,999	146.00	117.00	88.00	60.00
7,000-7,999	179.00	143.00	108.00	73.00
8,000-8,999	212.00	170.00	128.00	86.00
9,000 and over	245.00	196.00	148.00	99.00
Less than 3,200	\$ 45.00	\$ 37.00	\$ 29.00	\$21.00
3,200-4,499	65.00	53.00	41.00	29.00
4,500-4,999	83.00	66.00	51.00	35.00
5,000-5,999	114.00	92.00	70.00	48.00
6,000-6,999	147.00	118.00	89.00	61.00
7,000-7,999	180.00	144.00	109.00	74.00
8,000-8,999	213.00	171.00	129.00	87.00
9,000 and over	246.00	197.00	149.00	100.00

A house car is subject to registration at the rates prescribed for other vehicles under this subdivision modified by using the weight applicable to a vehicle whose weight is forty percent of that of the house car, but not using a weight of less than four thousand pounds [1814.35 kilograms].

- b. Schoolbuses, buses owned and operated by religious, charitable, or nonprofit organizations and used exclusively for religious, charitable, or other public nonprofit purposes, and trucks or combination trucks and trailers, including commercial and noncommercial trucks, except those trucks or combinations of trucks and trailers which qualify for registration under subsection 5:

Gross Weights	YEARS REGISTERED			
	1st, 2nd, 3rd, and 4th Years	5th and 6th Years	7th and 8th Years	9th and Subsequent Years

Net					
over 4,000	\$42.00	\$29.00	\$24.00	\$21.00	
4,001- 6,000	47.00	34.00	28.00	22.00	
6,001- 8,000	52.00	39.00	32.00	23.00	
8,001-10,000	57.00	44.00	36.00	25.00	
10,001-12,000	62.00	49.00	40.00	27.00	
12,001-14,000	67.00	54.00	44.00	30.00	
14,001-16,000	72.00	59.00	48.00	33.00	
16,001-18,000	77.00	64.00	52.00	35.00	
18,001-20,000	80.00	67.00	54.00	36.00	
Not					
over 4,000	\$43.00	\$30.00	\$25.00	\$22.00	
4,001- 6,000	48.00	35.00	29.00	23.00	
6,001- 8,000	53.00	40.00	33.00	24.00	
8,001-10,000	58.00	45.00	37.00	26.00	
10,001-12,000	63.00	50.00	41.00	28.00	
12,001-14,000	68.00	55.00	45.00	31.00	
14,001-16,000	73.00	60.00	49.00	34.00	
16,001-18,000	78.00	65.00	53.00	36.00	
18,001-20,000	81.00	68.00	55.00	37.00	

Gross Weights	YEARS REGISTERED				
	1st, 2nd, 3rd, 4th, and 5th	6th, 7th, 8th, 9th, and 10th	11th and Subsequent		
	Years	Years	Years		
20,001- 22,000	\$ 110.00	\$ 84.00	\$ 71.00		
22,001- 26,000	162.00	132.00	116.00		
26,001- 30,000	223.00	181.00	159.00		
30,001- 34,000	289.00	234.00	206.00		
34,001- 38,000	350.00	283.00	249.00		
38,001- 42,000	411.00	332.00	291.00		
42,001- 46,000	472.00	380.00	334.00		
46,001- 50,000	533.00	429.00	377.00		
50,001- 54,000	603.00	487.00	428.00		
54,001- 58,000	664.00	536.00	471.00		
58,001- 62,000	725.00	585.00	514.00		
62,001- 66,000	786.00	633.00	557.00		
66,001- 70,000	847.00	682.00	599.00		
70,001- 74,000	908.00	731.00	642.00		
74,001- 78,000	969.00	780.00	685.00		
78,001- 82,000	1,030.00	829.00	728.00		
82,001- 86,000	1,153.00	934.00	815.00		
86,001- 90,000	1,275.00	1,038.00	902.00		
90,001- 94,000	1,397.00	1,143.00	989.00		
94,001- 98,000	1,519.00	1,248.00	1,077.00		
98,001-102,000	1,641.00	1,352.00	1,164.00		
102,001-105,500	1,763.00	1,457.00	1,251.00		
20,001- 22,000	\$ 111.00	\$ 85.00	\$ 72.00		
22,001- 26,000	163.00	133.00	117.00		
26,001- 30,000	224.00	182.00	160.00		
30,001- 34,000	290.00	235.00	207.00		
34,001- 38,000	351.00	284.00	250.00		
38,001- 42,000	412.00	333.00	292.00		
42,001- 46,000	473.00	381.00	335.00		

46,001- 50,000	534.00	430.00	378.00
50,001- 54,000	604.00	488.00	429.00
54,001- 58,000	665.00	537.00	472.00
58,001- 62,000	726.00	586.00	515.00
62,001- 66,000	787.00	634.00	558.00
66,001- 70,000	848.00	683.00	600.00
70,001- 74,000	909.00	732.00	643.00
74,001- 78,000	970.00	781.00	686.00
78,001- 82,000	1,031.00	830.00	729.00
82,001- 86,000	1,154.00	935.00	816.00
86,001- 90,000	1,276.00	1,039.00	903.00
90,001- 94,000	1,398.00	1,144.00	990.00
94,001- 98,000	1,520.00	1,249.00	1,078.00
98,001-102,000	1,642.00	1,353.00	1,165.00
102,001-105,500	1,764.00	1,458.00	1,252.00

c. Motorcycles, ten eleven dollars.

5. Trucks or combinations of trucks and trailers weighing more than 20,000 but not more than 82,000 pounds [more than 9071.84 but not more than 37194.57 kilograms] which are used as farm vehicles only, are entitled to registration under the following fee schedule and the provisions of this subsection. Farm vehicles are considered, for the purpose of this subsection, as trucks or combinations of trucks and trailers weighing more than 20,000 but not more than 82,000 pounds [more than 9071.84 but not more than 37194.57 kilograms] owned, or leased for at least one year by a bona fide resident farmer who uses the vehicles exclusively for transporting the farmer's own property or other property on a farm work exchange basis with other farmers between farms and the usual local trading places but not in connection with any commercial retail or wholesale business being conducted from those farms, nor otherwise for hire.

Gross Weights	YEARS REGISTERED			
	1st, 2nd, 3rd, and 4th Years	5th and 6th Years	7th and 8th Years	9th and Subsequent Years
20,001-22,000	\$ 83.00	\$ 69.00	\$ 55.00	\$ 37.00
22,001-24,000	88.00	73.00	58.00	39.00
24,001-26,000	96.00	79.00	62.00	41.00
26,001-28,000	106.00	87.00	68.00	45.00
28,001-30,000	116.00	95.00	74.00	49.00
30,001-32,000	131.00	108.00	85.00	58.00
32,001-34,000	141.00	116.00	91.00	62.00
34,001-36,000	151.00	124.00	97.00	66.00
36,001-38,000	161.00	132.00	103.00	70.00
38,001-40,000	171.00	140.00	109.00	74.00
40,001-42,000	181.00	148.00	115.00	78.00

42,001-44,000	191.00	156.00	121.00	82.00
44,001-46,000	201.00	164.00	127.00	86.00
46,001-48,000	211.00	172.00	133.00	90.00
48,001-50,000	221.00	180.00	139.00	94.00
50,001-52,000	241.00	190.00	155.00	100.00
52,001-54,000	251.00	206.00	161.00	112.00
54,001-56,000	261.00	214.00	167.00	116.00
56,001-58,000	271.00	222.00	173.00	120.00
58,001-60,000	281.00	230.00	179.00	124.00
60,001-62,000	291.00	238.00	185.00	128.00
62,001-64,000	301.00	246.00	191.00	132.00
64,001-66,000	311.00	254.00	197.00	136.00
66,001-68,000	321.00	262.00	203.00	140.00
68,001-70,000	331.00	270.00	209.00	144.00
70,001-72,000	341.00	278.00	215.00	148.00
72,001-74,000	351.00	286.00	221.00	152.00
74,001-76,000	361.00	294.00	227.00	156.00
76,001-78,000	371.00	302.00	233.00	160.00
78,001-80,000	381.00	310.00	239.00	164.00
80,001-82,000	391.00	318.00	245.00	168.00
20,001-22,000	\$ 84.00	\$ 70.00	\$ 56.00	\$ 38.00
22,001-24,000	89.00	74.00	59.00	40.00
24,001-26,000	97.00	80.00	63.00	42.00
26,001-28,000	107.00	88.00	69.00	46.00
28,001-30,000	117.00	96.00	75.00	50.00
30,001-32,000	132.00	109.00	86.00	59.00
32,001-34,000	142.00	117.00	92.00	63.00
34,001-36,000	152.00	125.00	98.00	67.00
36,001-38,000	162.00	133.00	104.00	71.00
38,001-40,000	172.00	141.00	110.00	75.00
40,001-42,000	182.00	149.00	116.00	79.00
42,001-44,000	192.00	157.00	122.00	83.00
44,001-46,000	202.00	165.00	128.00	87.00
46,001-48,000	212.00	173.00	134.00	91.00
48,001-50,000	222.00	181.00	140.00	95.00
50,001-52,000	242.00	199.00	156.00	109.00
52,001-54,000	252.00	207.00	162.00	113.00
54,001-56,000	262.00	215.00	168.00	117.00
56,001-58,000	272.00	223.00	174.00	121.00
58,001-60,000	282.00	231.00	180.00	125.00
60,001-62,000	292.00	239.00	186.00	129.00
62,001-64,000	302.00	247.00	192.00	133.00
64,001-66,000	312.00	255.00	198.00	137.00
66,001-68,000	322.00	263.00	204.00	141.00
68,001-70,000	332.00	271.00	210.00	145.00
70,001-72,000	342.00	279.00	216.00	149.00
72,001-74,000	352.00	287.00	222.00	153.00
74,001-76,000	362.00	295.00	228.00	157.00
76,001-78,000	372.00	303.00	234.00	161.00
78,001-80,000	382.00	311.00	240.00	165.00
80,001-82,000	392.00	319.00	246.00	169.00

SECTION 2. AMENDMENT. If Senate Bill No. 2259 becomes effective subdivisions a, b, and c of subsection 2,

and subsection 5 of section 39-04-19 of the 1985 Supplement to the North Dakota Century Code, as amended by section 1 of Senate Bill No. 2259, as approved by the fiftieth legislative assembly, are hereby amended and reenacted to read as follows:

a. Passenger motor vehicles:

Gross Weights	YEARS REGISTERED				
	1st, 2nd, 3rd, 4th, and 5th Years	6th, 7th, and 8th Years	9th, 10th, and 11th Years	12th and Subsequent Years	
Less than 3,200	\$ 49.00	\$ 41.00	\$ 33.00	\$25.00	
3,200-4,499	69.00	57.00	45.00	33.00	
4,500-4,999	87.00	70.00	55.00	39.00	
5,000-5,999	118.00	96.00	74.00	52.00	
6,000-6,999	151.00	122.00	93.00	65.00	
7,000-7,999	184.00	148.00	113.00	78.00	
8,000-8,999	217.00	175.00	133.00	91.00	
9,000 and over	250.00	201.00	153.00	104.00	
Less than 3,200	\$ 50.00	\$ 42.00	\$ 34.00	\$26.00	
3,200-4,499	70.00	58.00	46.00	34.00	
4,500-4,999	88.00	71.00	56.00	40.00	
5,000-5,999	119.00	97.00	75.00	53.00	
6,000-6,999	152.00	123.00	94.00	66.00	
7,000-7,999	185.00	149.00	114.00	79.00	
8,000-8,999	218.00	176.00	134.00	92.00	
9,000 and over	251.00	202.00	154.00	105.00	

A house car is subject to registration at the rates prescribed for other vehicles under this subdivision modified by using the weight applicable to a vehicle whose weight is forty percent of that of the house car, but not using a weight of less than four thousand pounds [1814.35 kilograms].

b. Schoolbuses, buses for hire, buses owned and operated by religious, charitable, or nonprofit organizations and used exclusively for religious, charitable, or other public nonprofit purposes, and trucks or combination trucks and trailers, including commercial and noncommercial trucks, except those trucks or combinations of trucks and trailers which qualify for registration under subsection 5:

Gross Weights Net over	YEARS REGISTERED			
	1st, 2nd, 3rd, 4th, and 5th Years	6th and 7th Years	8th and 9th Years	10th and Subsequent Years
4,000	\$47.00	\$34.00	\$29.00	\$26.00
4,001- 6,000	52.00	39.00	33.00	27.00

6,001- 8,000	57.00	44.00	37.00	28.00
8,001-10,000	62.00	49.00	41.00	30.00
10,001-12,000	67.00	54.00	45.00	32.00
12,001-14,000	72.00	59.00	49.00	35.00
14,001-16,000	77.00	64.00	53.00	38.00
16,001-18,000	82.00	69.00	57.00	40.00
18,001-20,000	85.00	72.00	59.00	41.00
Not				
over 4,000	\$48.00	\$35.00	\$30.00	\$27.00
4,001- 6,000	53.00	40.00	34.00	28.00
6,001- 8,000	58.00	45.00	38.00	29.00
8,001-10,000	63.00	50.00	42.00	31.00
10,001-12,000	68.00	55.00	46.00	33.00
12,001-14,000	73.00	60.00	50.00	36.00
14,001-16,000	78.00	65.00	54.00	39.00
16,001-18,000	83.00	70.00	58.00	41.00
18,001-20,000	86.00	73.00	60.00	42.00

Gross Weights	YEARS REGISTERED			
	1st, 2nd, 3rd, 4th, 5th, and 6th Years	7th, 8th, 9th, 10th, and 11th Years	12th and Subsequent Years	
20,001- 22,000	\$ 115.00	\$ 89.00	\$ 76.00	
22,001- 26,000	167.00	137.00	121.00	
26,001- 30,000	228.00	186.00	164.00	
30,001- 34,000	294.00	239.00	211.00	
34,001- 38,000	355.00	288.00	254.00	
38,001- 42,000	416.00	337.00	296.00	
42,001- 46,000	477.00	385.00	339.00	
46,001- 50,000	538.00	434.00	382.00	
50,001- 54,000	608.00	492.00	433.00	
54,001- 58,000	669.00	541.00	476.00	
58,001- 62,000	730.00	590.00	519.00	
62,001- 66,000	791.00	638.00	562.00	
66,001- 70,000	852.00	687.00	604.00	
70,001- 74,000	913.00	736.00	647.00	
74,001- 78,000	974.00	785.00	690.00	
78,001- 82,000	1,035.00	834.00	733.00	
82,001- 86,000	1,158.00	939.00	820.00	
86,001- 90,000	1,280.00	1,043.00	907.00	
90,001- 94,000	1,402.00	1,148.00	994.00	
94,001- 98,000	1,524.00	1,253.00	1,082.00	
98,001-102,000	1,646.00	1,357.00	1,169.00	
102,001-105,500	1,768.00	1,462.00	1,256.00	
20,001- 22,000	\$ 116.00	\$ 90.00	\$ 77.00	
22,001- 26,000	168.00	138.00	122.00	
26,001- 30,000	229.00	187.00	165.00	
30,001- 34,000	295.00	240.00	212.00	
34,001- 38,000	356.00	289.00	255.00	
38,001- 42,000	417.00	338.00	297.00	
42,001- 46,000	478.00	386.00	340.00	
46,001- 50,000	539.00	435.00	383.00	
50,001- 54,000	609.00	493.00	434.00	
54,001- 58,000	670.00	542.00	477.00	

58,001- 62,000	731.00	591.00	520.00
62,001- 66,000	792.00	639.00	563.00
66,001- 70,000	853.00	688.00	605.00
70,001- 74,000	914.00	737.00	648.00
74,001- 78,000	975.00	786.00	691.00
78,001- 82,000	1,036.00	835.00	734.00
82,001- 86,000	1,159.00	940.00	821.00
86,001- 90,000	1,281.00	1,044.00	908.00
90,001- 94,000	1,403.00	1,149.00	995.00
94,001- 98,000	1,525.00	1,254.00	1,083.00
98,001-102,000	1,647.00	1,358.00	1,170.00
102,001-105,500	1,769.00	1,463.00	1,257.00

c. Motorcycles, ~~fifteen~~ sixteen dollars.

5. Trucks or combinations of trucks and trailers weighing more than 20,000 but not more than 82,000 pounds [more than 9071.84 but not more than 37194.57 kilograms] which are used as farm vehicles only, are entitled to registration under the following fee schedule and the provisions of this subsection. Farm vehicles are considered, for the purpose of this subsection, as trucks or combinations of trucks and trailers weighing more than 20,000 but not more than 82,000 pounds [more than 9071.84 but not more than 37194.57 kilograms] owned, or leased for at least one year by a bona fide resident farmer who uses the vehicles exclusively for transporting the farmer's own property or other property on a farm work exchange basis with other farmers between farms and the usual local trading places but not in connection with any commercial retail or wholesale business being conducted from those farms, nor otherwise for hire.

Gross Weights	YEARS REGISTERED			
	1st, 2nd, 3rd, 4th, and 5th Years	6th and 7th Years	8th and 9th Years	10th and Subsequent Years
20,001-22,000	\$ 88.00	\$ 74.00	\$ 60.00	\$ 42.00
22,001-24,000	93.00	78.00	63.00	44.00
24,001-26,000	101.00	84.00	67.00	46.00
26,001-28,000	111.00	92.00	73.00	50.00
28,001-30,000	121.00	100.00	79.00	54.00
30,001-32,000	136.00	113.00	90.00	63.00
32,001-34,000	146.00	121.00	96.00	67.00
34,001-36,000	156.00	129.00	102.00	71.00
36,001-38,000	166.00	137.00	108.00	75.00
38,001-40,000	176.00	145.00	114.00	79.00
40,001-42,000	186.00	153.00	120.00	83.00
42,001-44,000	196.00	161.00	126.00	87.00
44,001-46,000	206.00	169.00	132.00	91.00
46,001-48,000	216.00	177.00	138.00	95.00

48,001-50,000	226.00	185.00	144.00	99.00
50,001-52,000	246.00	203.00	160.00	113.00
52,001-54,000	256.00	211.00	166.00	117.00
54,001-56,000	266.00	219.00	172.00	121.00
56,001-58,000	276.00	227.00	178.00	125.00
58,001-60,000	286.00	235.00	184.00	129.00
60,001-62,000	296.00	243.00	190.00	133.00
62,001-64,000	306.00	251.00	196.00	137.00
64,001-66,000	316.00	259.00	202.00	141.00
66,001-68,000	326.00	267.00	208.00	145.00
68,001-70,000	336.00	275.00	214.00	149.00
70,001-72,000	346.00	283.00	220.00	153.00
72,001-74,000	356.00	291.00	226.00	157.00
74,001-76,000	366.00	299.00	232.00	161.00
76,001-78,000	376.00	307.00	238.00	165.00
78,001-80,000	386.00	315.00	244.00	169.00
80,001-82,000	396.00	323.00	250.00	173.00
20,001-22,000	\$ 89.00	\$ 75.00	\$ 61.00	\$ 43.00
22,001-24,000	94.00	79.00	64.00	45.00
24,001-26,000	102.00	85.00	68.00	47.00
26,001-28,000	112.00	93.00	74.00	51.00
28,001-30,000	122.00	101.00	80.00	55.00
30,001-32,000	137.00	114.00	91.00	64.00
32,001-34,000	147.00	122.00	97.00	68.00
34,001-36,000	157.00	130.00	103.00	72.00
36,001-38,000	167.00	138.00	109.00	76.00
38,001-40,000	177.00	146.00	115.00	80.00
40,001-42,000	187.00	154.00	121.00	84.00
42,001-44,000	197.00	162.00	127.00	88.00
44,001-46,000	207.00	170.00	133.00	92.00
46,001-48,000	217.00	178.00	139.00	96.00
48,001-50,000	227.00	186.00	145.00	100.00
50,001-52,000	247.00	204.00	161.00	114.00
52,001-54,000	257.00	212.00	167.00	118.00
54,001-56,000	267.00	220.00	173.00	122.00
56,001-58,000	277.00	228.00	179.00	126.00
58,001-60,000	287.00	236.00	185.00	130.00
60,001-62,000	297.00	244.00	191.00	134.00
62,001-64,000	307.00	252.00	197.00	138.00
64,001-66,000	317.00	260.00	203.00	142.00
66,001-68,000	327.00	268.00	209.00	146.00
68,001-70,000	337.00	276.00	215.00	150.00
70,001-72,000	347.00	284.00	221.00	154.00
72,001-74,000	357.00	292.00	227.00	158.00
74,001-76,000	367.00	300.00	233.00	162.00
76,001-78,000	377.00	308.00	239.00	166.00
78,001-80,000	387.00	316.00	245.00	170.00
80,001-82,000	397.00	324.00	251.00	174.00"

On page 1 of the engrossed bill, line 14, delete the numerals "1,254,593" and insert in lieu thereof the numerals "1,512,594"

On page 1 of the engrossed bill, line 16, delete the numerals "565,000" and insert in lieu thereof the numerals "2,402,481"

On page 1 of the engrossed bill, line 20, delete the numerals "4,692,608" and insert in lieu thereof the numerals "6,788,090"

On page 1 of the engrossed bill, after line 28, insert the following sections:

"SECTION 5. APPLICATION OF ACT. Sections 1 and 2 of this Act apply to motor vehicle registration periods beginning after June 30, 1987, and before July 1, 1989.

SECTION 6. RETROACTIVE EFFECT OF ACT. This Act is retroactive to July 1, 1987.

SECTION 7. EFFECTIVE DATE - EXPIRATION DATE. Sections 1 and 2 of this Act are effective through June 30, 1989, and after that date are ineffective."

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Motor Vehicle Department

An analysis of the special fund changes is as follows:

<u>Description</u>	<u>Total Motor Vehicle Registration Fund Increase/(Decrease)</u>
<u>Operating expenses</u>	
Relates to the general license plate issue	\$ 258,001
<u>License plates and tabs</u>	
Allows for general license plate issue with a centennial theme beginning in fiscal year 1988	1,837,481
	<hr/>
Total increase/(decrease)	\$2,095,482

Under North Dakota Century Code Section 39-04-39, moneys in excess of the amount required to pay salaries and other necessary expenses, in accordance with the Legislative Assembly's appropriation for such purposes, are placed in the highway tax distribution fund.

- On page 1 of the engrossed bill, line 18, delete the numerals "2,118,159" and insert in lieu thereof the numerals "2,128,159"
- On page 1 of the engrossed bill, line 24, delete the numerals "4,906,624" and insert in lieu thereof the numerals "4,916,624"
- On page 1 of the engrossed bill, line 25, delete the numerals "2,000,000" and insert in lieu thereof the numerals "2,010,000"
- On page 2 of the engrossed bill, line 29, delete the numerals "65,815,667" and insert in lieu thereof the numerals "65,875,667"
- On page 2 of the engrossed bill, line 30, delete the numerals "68,722,291" and insert in lieu thereof the numerals "68,782,291"
- On page 3 of the engrossed bill, after line 9, insert the following new sections:

"SECTION 4. APPROPRIATION. In addition to the amount appropriated to the industrial commission in subdivision 1 of section 1 of this Act, there is hereby appropriated with the approval of the emergency commission, the sum of \$50,000, or so much thereof as may be necessary, which may become available to the commission from bonds issued under chapters 4-36 and 54-17.2 and section 54-17-25 of the North Dakota Century Code, for the biennium beginning July 1, 1987, and ending June 30, 1989.

SECTION 5. APPROPRIATION - TRANSFER. The amount appropriated in subdivision 1 of section 1 of this Act to the industrial commission for the salaries and wages line item includes \$10,000 which shall be transferred from the lands and minerals trust fund for the biennium beginning July 1, 1987, and ending June 30, 1989."

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Industrial Commission

The amendments increase salaries and wages by \$10,000 to restore \$10,000 of the \$20,000 reduction to temporary salaries approved by the House. The \$10,000 increase is funded by the lands and minerals trust fund if sufficient funds are available.

A new section is added which appropriates to the Industrial Commission upon Emergency Commission approval \$50,000 derived

from bonds issued for the Agricultural Development Act, North Dakota Building Authority, and guaranteed student loan program.

PERRY GROTEBERG, Secretary

REPORTS OF STANDING COMMITTEES

MR. SPEAKER: Your Committee on Appropriations to which was referred SB 2021 has had the same under consideration and recommends by a vote of 13 YEAS, 10 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 17, delete the numerals "27,990,000" and insert in lieu thereof the numerals "19,070,000"

On page 1, line 18, delete the numerals "27,990,000" and insert in lieu thereof the numerals "19,070,000"

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Personal Property Tax Replacement

The general fund appropriation for personal preoperty tax replacement is reduced by \$8,920,000 to \$19,070,000.

REP. PETERSON, Chairman

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

MR. SPEAKER: Your Committee on Appropriations to which was referred SB 2022 has had the same under consideration and recommends by a vote of 13 YEAS, 10 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 13, delete the numerals "34,745,900" and insert in lieu thereof the numerals "23,665,900"

On page 1, line 14, delete the numerals "34,745,900" and insert in lieu thereof the numerals "23,665,900"

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

State Revenue Sharing

The general fund appropriation for state revenue sharing is reduced by \$11,080,000 to \$23,665,900.

REP. PETERSON, Chairman

SB 2022 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

SIGNING OF BILLS AND RESOLUTIONS

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following:

HB 1578

ROY GILBREATH, Chief Clerk

MESSAGE TO THE SENATE
HOUSE CHAMBER

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

HB 1578

ROY GILBREATH, Chief Clerk

SIGNING OF BILLS AND RESOLUTIONS

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following:

SB 2023, SB 2037, SCR 4070

ROY GILBREATH, Chief Clerk

MESSAGE TO THE SENATE
HOUSE CHAMBER

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

SB 2023, SB 2037, SCR 4070

ROY GILBREATH, Chief Clerk

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. PETERSON MOVED that the House do not concur in the Senate amendments to HB 1021 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed.

APPOINTMENT OF A CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1021:

Reps. Gunsch, Gerntholz, Laughlin

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. PETERSON MOVED that the House do not concur in the Senate amendments to HB 1018 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed.

APPOINTMENT OF A CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1018:

Reps. Gunsch, Kingsbury, Laughlin

MOTION

REP. STRINDEN MOVED that the House stand in recess until 2:45 p.m., which motion prevailed.

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

MESSAGE TO THE SENATE
HOUSE CHAMBER

MR. PRESIDENT: I have the honor to inform you that the House has refused to concur in the Senate amendments to HB 1018 and HB 1021 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1018: Reps. Gunsch, Kingsbury, Laughlin

HB 1021: Reps. Gunsch, Gerntholz, Laughlin

ROY GILBREATH, Chief Clerk

MESSAGES FROM THE SENATE
SENATE CHAMBER

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

HB 1578

PERRY GROTEBERG, Secretary

SENATE CHAMBER

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

SB 2003, SB 2027, SB 2109, SB 2536, SCR 4066, SCR 4067

PERRY GROTEBERG, Secretary

SENATE CHAMBER

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

HB 1001, HB 1037, HB 1625, HB 1679

PERRY GROTEBERG, Secretary

REPORT OF CONFERENCE COMMITTEE

REP. A. HAUSAUER MOVED that the conference committee report on HB 1052 be adopted, which motion prevailed.

MOTION

REP. STRINDEN MOVED that the rules be suspended, that HB 1052 be deemed properly reengrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1052: A BILL for an Act to provide for peace officer standards, training, and licensing; to amend and reenact

section 11-15-01.1 of the North Dakota Century Code, relating to qualifications of sheriffs; to provide a penalty; to provide for transitional provisions; 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 84 YEAS, 20 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Aas; Almlie; Belter; Berg, G.; Christman; Cleveland; Dalrymple; DeMers, J.; DeMers, P.; Dotzenrod; Enget; Flaagan; Frey; Gates; Goetz; Gorman; Graba; Halmrast; Hamerlik; Hanson, L.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hill; Hoffner; Hokana; Kelly; Kent; Klundt; Knudson; Koland; Kolbo; Kretschmar; Kuchera; Larson; Lautenschlager; Linderman; Lindgren; Marks; Martin; Martinson; Mertens; Meyer; Moore; Myrdal; Nelson, C.; Nelson, J.; Nicholas; Nowatzki; Oban; Olson, V.; Opedahl; O'Shea; Peterson; Rice; Riehl; Rydell; Scherber; Schneider; Shaft; Shaw; Shide; Skjerven; Smette; Solberg; Sorensen; Starke; Stofferahn; Strinden; Tokach; Tollefson; Tomac; Trautman; Ulmer; Vander Vorst; Watne; Wentz; Wilkie; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Kloubec

NAYS: Anderson; Brokaw; Dorso; Gerntholz; Gunsch; Hanson, O.; Kingsbury; Knell; Lang; Laughlin; Melby; Murphy; O'Connell; Olsen, D.; Olson, A.; Payne; Schindler; Shockman; Thompson; Wald

ABSENT AND NOT VOTING: Berg, R.; Whalen

HB 1052 passed and the title was agreed to.

MOTION

REP. RYDELL MOVED that the House reconsider its action whereby SB 2378 failed to pass, which motion prevailed on a verification vote.

SECOND READING OF SENATE BILL

SB 2378: A BILL for an Act to create and enact two new sections to chapter 43-07 of the North Dakota Century Code, relating to display of contractor's license number on certain building permits and a public awareness program of contractors' responsibilities.

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 90 YEAS, 14 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Aas; Almlie; Anderson; Belter; Berg, G.; Berg, R.; Brokaw; Christman; Cleveland; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Dotzenrod; Enget; Frey; Gates; Goetz; Gorman; Graba; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugen; Hausauer, A.; Hausauer, R.; Hill; Hoffner; Hokana; Kelly; Kent; Knell; Knudson; Koland; Kolbo; Kretschmar; Kuchera; Lang; Larson; Lautenschlager; Linderman; Lindgren; Marks; Martin; Martinson; Mertens; Meyer; Moore; Murphy; Myrdal; Nelson, C.; Nelson, J.; Nicholas; Nowatzki; Oban; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Rice; Riehl; Rydell; Scherber; Schindler; Schneider; Shaft; Shide; Shockman; Solberg; Sorensen; Starke; Stofferahn; Strinden; Tokach; Tollefson; Tomac; Trautman; Vander Vorst; Wald; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Kloubec

NAYS: Flaagan; Gerntholz; Gunsch; Haugland; Kingsbury; Klundt; Laughlin; Melby; O'Connell; Olsen, D.; Skjerven; Smette; Thompson; Ulmer

ABSENT AND NOT VOTING: Peterson; Shaw

SB 2378 passed and the title was agreed to.

REPORT OF CONFERENCE COMMITTEE

REP. DALRYMPLE MOVED that the conference committee report on HB 1634 be adopted, which motion prevailed.

MOTION

REP. STRINDEN MOVED that the rules be suspended, that HB 1634 be deemed properly reengrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1634: A BILL for an Act to amend and reenact subsection 1 of section 54-07-01.2, sections 54-34-02, 54-34-03, 54-34-03.1, 54-34-04, 54-34-05.1, and 54-34-06 of the North Dakota Century Code, relating to the membership and duties of the economic development commission.

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 90 YEAS, 15 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Aas; Almlie; Berg, G.; Berg, R.; Christman; Cleveland; Dalrymple; DeMers, J.; DeMers, P.; Dotzenrod; Enget; Frey; Gates; Gerntholz; Goetz; Gorman; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hill; Hoffner; Kelly; Kent; Knell; Knudson; Koland; Kolbo; Kretschmar; Kuchera; Lang; Larson; Lautenschlager; Linderman; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Meyer; Moore; Myrdal; Nelson, C.; Nelson, J.; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Rice; Rydell; Scherber; Schindler; Schneider; Shaft; Shaw; Shide; Smette; Solberg; Sorensen; Stofferahn; Strinden; Thompson; Tokach; Tollefson; Tomac; Trautman; Ulmer; Vander Vorst; Wald; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Kloubec

NAYS: Anderson; Belter; Brokaw; Dorso; Flaagan; Hokana; Kingsbury; Klundt; Laughlin; Murphy; Payne; Riehl; Shockman; Skjerven; Starke

ABSENT AND NOT VOTING: Peterson

HB 1634 passed and the title was agreed to.

MOTION

REP. C. NELSON MOVED that the House reconsider its action whereby HB 1470 passed, which motion prevailed on a verification vote.

SECOND READING OF HOUSE BILL

HB 1470: A BILL for an Act to amend and reenact subdivision e of subsection 1 of section 23-17.3-05 of the North Dakota Century Code, relating to standards of licensure for home health agencies.

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, 68 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Anderson; Belter; Berg, R.; Christman; Cleveland; Gunsch; Hamerlik; Hanson, O.; Haugen; Hausauer, A.; Kingsbury; Knell; Kretschmar; Lang; Larson; Laughlin;

Martin; Martinson; Melby; Murphy; Myrdal; Nelson, J.;
Nowatzki; Olsen, D.; Olson, A.; Opedahl; Rice;
Schindler; Shaft; Shide; Smette; Sorensen; Strinden;
Thompson; Tokach; Vander Vorst; Whalen

NAYS: Aas; Almlie; Berg, G.; Brokaw; Dalrymple;
DeMers, J.; DeMers, P.; Dorso; Dotzenrod; Enget;
Flaagan; Frey; Gates; Gertholz; Goetz; Gorman; Graba;
Halmrast; Hanson, L.; Haugland; Hausauer, R.; Hill;
Hoffner; Hokana; Kelly; Kent; Klundt; Knudson; Koland;
Kolbo; Kuchera; Lautenschlager; Linderman; Lindgren;
Marks; Mertens; Meyer; Moore; Nelson, C.; Nicholas;
Oban; O'Connell; Olson, V.; O'Shea; Payne; Peterson;
Riehl; Rydell; Scherber; Schneider; Shaw; Shockman;
Skjerven; Solberg; Starke; Stofferahn; Tollefson;
Tomac; Trautman; Ulmer; Watne; Wentz; Wilkie;
Williams, A.; Williams, C.; Williams, W.; Winkelman;
Speaker Kloubec

ABSENT AND NOT VOTING: Wald

HB 1470 was declared lost.

MOTION

REP. O'CONNELL MOVED that the House reconsider its action whereby SB 2113 failed to pass, which motion prevailed on a verification vote.

MOTIONS

REP. STRINDEN MOVED that the House reconsider its action whereby the conference committee report was adopted, which motion prevailed.

The question then was on a motion of Rep. Gorman that the House adopt the conference committee report on SB 2113, which motion lost on a voice vote.

REP. STRINDEN MOVED that the conference committee on SB 2113 be dissolved and that a new conference committee be appointed to work with a like committee from the Senate on SB 2113, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

SPEAKER KLOUBEC ANNOUNCED the following appointment to a new Conference Committee on SB 2113:

Reps. Gorman, Tokach, Skjerven

REPORT OF CONFERENCE COMMITTEE

REP. KOLAND MOVED that the conference committee report on HB 1666 be adopted, which motion prevailed.

MOTION

REP. STRINDEN MOVED that the rules be suspended, that HB 1666 be deemed properly reengrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1666: A BILL for an Act to create and enact a new subsection to section 10-04-06 of the North Dakota Century Code, relating to securities transactions exempt from registration requirements; and to amend and reenact subsection 5 of section 10-04-02 and subsections 5 and 9 of section 10-04-06 of the North Dakota Century Code, relating to the issuance and sale of securities.

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 104 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Aas; Almlie; Anderson; Belter; Berg, G.; Berg, R.; Brokaw; Christman; Cleveland; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Dotzenrod; Enget; Flaagan; Frey; Gates; Gerntholz; Goetz; Gorman; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hill; Hoffner; Hokana; Kelly; Kent; Kingsbury; Klundt; Knell; Knudson; Koland; Kolbo; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; Nelson, C.; Nelson, J.; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Peterson; Rice; Riehl; Rydell; Scherber; Schindler; Schneider; Shaft; Shaw; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Starke; Stofferahn; Strinden; Thompson; Tokach; Tollefson; Tomac; Trautman; Ulmer; Vander Vorst; Wald; Watne; Whalen; Wilkie; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Kloubec

NAYS: None

ABSENT AND NOT VOTING: Nicholas; Wentz

HB 1666 passed and the title was agreed to.

SIXTH ORDER OF BUSINESS

REP. PETERSON MOVED that the amendments to SB 2021 as recommended by the Committee on Appropriation be adopted, and when so adopted, recommends the same DO PASS.

REQUEST

REP. HOFFNER REQUESTED a recorded roll call vote on the motion to adopt the proposed amendments to SB 2021, which request was granted.

ROLL CALL

The question being on the motion to adopt the amendments to SB 2021, the roll was called and there were 59 YEAS, 47 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Aas; Almlie; Anderson; Belter; Berg, R.; Christman; Cleveland; Dalrymple; Dorso; Dotzenrod; Gates; Gerntholz; Goetz; Gorman; Gunsch; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Kent; Kingsbury; Knell; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Lindgren; Martin; Martinson; Moore; Murphy; Myrdal; Nicholas; Olsen, D.; Olson, A.; Olson, V.; Payne; Peterson; Rice; Rydell; Schindler; Shaft; Shaw; Shide; Smette; Strinden; Thompson; Tokach; Tollefson; Trautman; Vander Vorst; Wald; Wentz; Whalen; Winkelman; Speaker Kloubec

NAYS: Berg, G.; Brokaw; DeMers, J.; DeMers, P.; Enget; Flaagan; Frey; Graba; Halmrast; Hamerlik; Hanson, L.; Hill; Hoffner; Hokana; Kelly; Klundt; Kolbo; Laughlin; Lautenschlager; Linderman; Marks; Melby; Mertens; Meyer; Nelson, C.; Nelson, J.; Nowatzki; Oban; O'Connell; Opedahl; O'Shea; Riehl; Scherber; Schneider; Shockman; Skjerven; Solberg; Sorensen; Starke; Stofferahn; Tomac; Ulmer; Watne; Wilkie; Williams, A.; Williams, C.; Williams, W.

ABSENT AND NOT VOTING: None

The motion to adopt the amendments to SB 2021 passed.

SECOND READING OF SENATE BILL

SB 2021: A BILL for an Act to provide an appropriation for the distribution of funds for the replacement of personal property tax revenue; to amend and reenact section 57-58-01 of the North Dakota Century Code as it will exist on July 1, 1987, pursuant to section 5 of chapter 45 of the 1985 Session Laws, relating to distribution of personal property tax replacement revenues to counties and local subdivisions.

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 66 YEAS, 40 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Aas; Almlie; Anderson; Belter; Berg, R.; Christman; Cleveland; Dalrymple; Dorso; Dotzenrod; Gates; Gerntholz; Goetz; Gorman; Gunsch; Hamerlik; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Kent; Kingsbury; Knell; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Linderman; Lindgren; Martin; Martinson; Melby; Moore; Murphy; Myrdal; Nicholas; Nowatzki; Olsen, D.; Olson, A.; Olson, V.; Opedahl; Payne; Peterson; Rice; Rydell; Schindler; Shaft; Shaw; Shide; Smette; Stofferahn; Strinden; Thompson; Tokach; Tollefson; Trautman; Vander Vorst; Wald; Wentz; Whalen; Wilkie; Winkelman; Speaker Kloubec

NAYS: Berg, G.; Brokaw; DeMers, J.; DeMers, P.; Enget; Flaagan; Frey; Graba; Halmrast; Hanson, L.; Hill; Hoffner; Hokana; Kelly; Klundt; Kolbo; Laughlin; Lautenschlager; Marks; Mertens; Meyer; Nelson, C.; Nelson, J.; Oban; O'Connell; O'Shea; Riehl; Scherber; Schneider; Shockman; Skjerven; Solberg; Sorensen; Starke; Tomac; Ulmer; Watne; Williams, A.; Williams, C.; Williams, W.

ABSENT AND NOT VOTING: None

SB 2021 passed and the title was agreed to.

SIXTH ORDER OF BUSINESS

REP. PETERSON MOVED that the amendments to SB 2022 as recommended by the **Committee on Appropriations** be adopted, and when so adopted, recommends the same DO PASS.

REQUEST

REP. HOFFNER REQUESTED a recorded roll call vote on the motion to adopt the proposed amendments to SB 2022, which request was granted.

ROLL CALL

The question being on the motion to adopt the amendments to SB 2022, the roll was called and there were 60 YEAS, 45 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Aas; Almlie; Anderson; Belter; Berg, R.; Christman; Cleveland; Dalrymple; Dorso; Dotzenrod; Gates; Gerntholz; Goetz; Gorman; Gunsch; Hamerlik; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Kent; Kingsbury; Knell; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Lindgren; Martin; Martinson; Melby; Moore; Murphy; Myrdal; Nicholas; Olsen, D.; Olson, A.; Olson, V.; Payne; Rice; Rydell; Schindler; Shaft; Shaw; Shide; Smette; Strinden; Thompson; Tokach; Tollefson; Trautman; Vander Vorst; Wald; Wentz; Whalen; Winkelman; Speaker Kloubec

NAYS: Berg, G.; Brokaw; DeMers, J.; DeMers, P.; Enget; Flaagan; Frey; Graba; Halmrast; Hanson, L.; Hill; Hoffner; Hokana; Kelly; Klundt; Kolbo; Laughlin; Lautenschlager; Linderman; Marks; Mertens; Meyer; Nelson, C.; Nelson, J.; Nowatzki; Oban; O'Connell; Opedahl; O'Shea; Riehl; Scherber; Schneider; Shockman; Skjerven; Solberg; Sorensen; Starke; Stofferahn; Tomac; Ulmer; Watne; Wilkie; Williams, A.; Williams, C.; Williams, W.

ABSENT AND NOT VOTING: Peterson

The motion to adopt the amendments to SB 2022 passed.

SECOND READING OF SENATE BILL

SB 2022: A BILL for an Act making an appropriation for the distribution of state general fund revenue to local political subdivisions of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 62 YEAS, 43 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Aas; Almlie; Anderson; Belter; Berg, R.; Christman; Cleveland; Dalrymple; Dorso; Dotzenrod; Gates; Gertholz; Goetz; Gorman; Gunsch; Hamerlik; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Kent; Kingsbury; Knell; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Linderman; Lindgren; Martin; Martinson; Melby; Moore; Murphy; Myrdal; Nicholas; Olsen, D.; Olson, A.; Olson, V.; Payne; Rice; Rydell; Schindler; Shaft; Shaw; Shide; Smette; Stofferahn; Strinden; Thompson; Tokach; Tollefson; Trautman; Vander Vorst; Wald; Wentz; Whalen; Winkelman; Speaker Kloubec

NAYS: Berg, G.; Brokaw; DeMers, J.; DeMers, P.; Enget; Flaagan; Frey; Graba; Halmrast; Hanson, L.; Hill; Hoffner; Hokana; Kelly; Klundt; Kolbo; Laughlin; Lautenschlager; Marks; Mertens; Meyer; Nelson, C.; Nelson, J.; Nowatzki; Oban; O'Connell; Opedahl; O'Shea; Riehl; Scherber; Schneider; Shockman; Skjerven; Solberg; Sorensen; Starke; Tomac; Ulmer; Watne; Wilkie; Williams, A.; Williams, C.; Williams, W.

ABSENT AND NOT VOTING: Peterson

SB 2022 passed and the title was agreed to.

SIXTH ORDER OF BUSINESS

REP. WHALEN MOVED that the amendments to SB 2553 as recommended by the Committee on Industry, Business and Labor be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2553: A BILL for an Act to amend and reenact sections 23-09-01, 23-09-16, and 23-09-17 of the North Dakota Century Code, relating to hotels, lodginghouses, restaurants, and boardinghouses and to limited restaurant licenses.

Which has been read.

ROLL CALL

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

YEAS: Aas; Almlie; Anderson; Belter; Berg, G.; Berg, R.; Brokaw; Christman; Cleveland; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Dotzenrod; Enget; Flaagan; Gates; Gerntholz; Goetz; Gorman; Gunsch; Halmrast; Hamerlik; Hanson, L.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hill; Hoffner; Hokana; Kelly; Kent; Kingsbury; Klundt; Knell; Knudson; Koland; Kolbo; Kretschmar; Kuchera; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Marks; Martin; Martinson; Mertens; Meyer; Moore; Murphy; Myrdal; Nelson, C.; Nelson, J.; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Rice; Riehl; Rydell; Scherber; Shaft; Shaw; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Starke; Stofferahn; Strinden; Thompson; Tokach; Tollefson; Tomac; Trautman; Ulmer; Wald; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Kloubec

NAYS: Hanson, O.; Melby; Schindler; Vander Vorst

ABSENT AND NOT VOTING: Frey; Graba; Lang; Peterson; Schneider

SB 2553 passed and the title was agreed to.

SIGNING OF BILLS AND RESOLUTIONS

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following:

SB 2003, SB 2027, SB 2109, SB 2536, SCR 4066, SCR 4067
ROY GILBREATH, Chief Clerk

**MESSAGES TO THE SENATE
HOUSE CHAMBER**

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

SB 2003, SB 2027, SB 2109, SB 2536, SCR 4066, SCR 4067
ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

MR. PRESIDENT: I have the honor to inform you that the House has not adopted the conference committee report on SB 2113 and the Speaker has appointed as a new conference committee to act with a like committee from the Senate on:

SB 2113: Reps. Gorman, Tokach, Skjerven
ROY GILBREATH, Chief Clerk

SECOND READING OF SENATE BILLS

SB 2286: A BILL for an Act to provide limitations on the determination of personal property tax replacement revenue; and to amend and reenact section 57-58-01 of the North Dakota Century Code, relating to personal property tax replacement.

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 18 YEAS, 81 NAYS, 7 ABSENT AND NOT VOTING.

YEAS: Anderson; Brokaw; Flaagan; Hokana; Laughlin; Lautenschlager; Linderman; Mertens; Nelson, C.; Oban; Riehl; Scherber; Shockman; Skjerven; Starke; Wilkie; Williams, A.; Williams, C.

NAYS: Aas; Almlie; Belter; Berg, G.; Berg, R.; Christman; Cleveland; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Dotzenrod; Enget; Gates; Gerntholz; Goetz; Gorman; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hill; Hoffner; Kelly; Kent; Kingsbury; Klundt; Knell; Knudson; Koland; Kolbo; Kretschmar; Kuchera; Larson; Lindgren; Marks; Martinson; Melby; Meyer; Moore; Murphy; Myrdal; Nelson, J.; Nicholas; Nowatzki; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; Payne; Rice; Rydell; Schindler; Shaft; Shaw; Shide; Smette; Solberg; Sorensen; Stofferahn; Strinden; Thompson; Tokach; Tollefson; Tomac; Trautman; Ulmer; Vander Vorst; Wald; Watne; Wentz; Whalen; Williams, W.; Winkelman; Speaker Kloubec

ABSENT AND NOT VOTING: Frey; Graba; Lang; Martin; O'Shea; Peterson; Schneider

SB 2286 was declared lost.

SB 2018: A BILL for an Act making an appropriation for defraying expenses of various commissions, departments, and divisions of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 90 YEAS, 3 NAYS, 13 ABSENT AND NOT VOTING.

YEAS: Aas; Almlie; Anderson; Belter; Berg, G.; Berg, R.; Brokaw; Christman; Cleveland; DeMers, P.; Dorso; Dotzenrod; Enget; Flaagan; Gates; Gerntholz; Goetz; Gorman; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hill; Hoffner; Hokana; Kelly; Kent; Klundt; Knell; Knudson; Koland; Kolbo; Kretschmar; Kuchera; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Marks; Martinson; Melby; Mertens; Meyer; Moore; Myrdal; Nelson, C.; Nelson, J.; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; Payne; Rice; Riehl; Scherber; Schindler; Shaft; Shaw; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Starke; Stofferahn; Thompson; Tollefson; Tomac; Trautman; Vander Vorst; Wald; Watne; Whalen; Wilkie; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Kloubec

NAYS: Dalrymple; Murphy; Tokach

ABSENT AND NOT VOTING: DeMers, J.; Frey; Graba; Kingsbury; Lang; Martin; O'Shea; Peterson; Rydell; Schneider; Strinden; Ulmer; Wentz

SB 2018 passed and the title was agreed to.

SB 2036: A BILL for an Act to create and enact a new section to chapter 50-06 of the North Dakota Century Code, relating to development of a plan for a continuum of services for chronically mentally ill individuals.

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 66 YEAS, 30 NAYS, 10 ABSENT AND NOT VOTING.

YEAS: Almlie; Belter; Berg, G.; Brokaw; Christman; Dalrymple; DeMers, J.; DeMers, P.; Dotzenrod; Flaagan; Gates; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hill; Hoffner; Hokana; Kelly; Kent; Klundt; Kolbo; Kretschmar; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Marks; Martinson; Mertens; Meyer; Moore; Myrdal; Nelson, C.; Nelson, J.; Nicholas; Nowatzki; Oban; O'Connell; Olson, V.; Opedahl; Rice; Riehl; Rydell; Scherber; Schindler; Schneider; Shaw; Shockman; Starke; Stofferahn; Strinden; Tollefson; Tomac; Ulmer; Watne; Wentz; Wilkie; Williams, A.; Williams, C.; Williams, W.; Speaker Kloubec

NAYS: Aas; Anderson; Berg, R.; Cleveland; Dorso; Enget; Gerntholz; Goetz; Gorman; Gunsch; Kingsbury; Knell; Knudson; Koland; Kuchera; Melby; Murphy; Olson, A.; Payne; Shaft; Shide; Skjerven; Smette; Solberg; Sorensen; Thompson; Tokach; Trautman; Vander Vorst; Winkelman

ABSENT AND NOT VOTING: Frey; Graba; Haugen; Hausauer, R.; Martin; Olsen, D.; O'Shea; Peterson; Wald; Whalen

SB 2036 passed and the title was agreed to.

SB 2038: A BILL for an Act to create and enact a new subsection to section 50-06.2-02 of the North Dakota Century Code, relating to the definition of family home care; to amend and reenact subsection 3 of section 50-06.2-01, subsection 5 of section 50-06.2-03, and subsection 3 of section 50-06.2-04 of the North Dakota Century Code, relating to the purposes of the chapter and the powers and duties of the department of human services and county social service boards; and to repeal chapter 50-24.2 of the North Dakota Century Code, relating to family home care.

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 94 YEAS, 5 NAYS, 7 ABSENT AND NOT VOTING.

YEAS: Aas; Almlie; Anderson; Belter; Berg, G.; Berg, R.; Brokaw; Christman; Cleveland; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Dotzenrod; Enget; Flaagan; Frey; Gates; Gerntholz; Goetz; Gorman; Graba; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hill; Hoffner; Hokana; Kelly; Kent; Klundt; Knell; Knudson; Koland; Kolbo; Kretschmar;

Kuchera; Lang; Larson; Laughlin; Lautenschlager;
 Linderman; Lindgren; Marks; Martinson; Mertens; Meyer;
 Moore; Murphy; Myrdal; Nelson, C.; Nelson, J.;
 Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.;
 Olson, A.; Olson, V.; Opedahl; Payne; Rice; Rydell;
 Scherber; Schindler; Schneider; Shaw; Shockman; Smette;
 Solberg; Sorensen; Starke; Stofferahn; Strinden;
 Tokach; Tollefson; Tomac; Trautman; Ulmer;
 Vander Vorst; Wald; Watne; Wentz; Whalen; Wilkie;
 Williams, A.; Williams, C.; Williams, W.; Winkelman;
 Speaker Kloubec

NAYS: Gunsch; Kingsbury; Melby; Shaft; Shide

ABSENT AND NOT VOTING: Hausauer, R.; Martin; O'Shea;
 Peterson; Riehl; Skjerven; Thompson

SB 2038 passed and the title was agreed to.

SB 2063: A BILL for an Act to amend and reenact section 53-06.1-12.1 of the North Dakota Century Code, relating to taxation of charitable gambling activities and the use of tax proceeds; and to provide an appropriation.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 95 YEAS, 3 NAYS, 8 ABSENT AND NOT VOTING.

YEAS: Aas; Almlie; Belter; Berg, G.; Berg, R.; Brokaw;
 Christman; Cleveland; Dalrymple; DeMers, J.;
 DeMers, P.; Dorso; Dotzenrod; Enget; Flaagan; Frey;
 Gates; Gerntholz; Goetz; Gorman; Graba; Gunsch;
 Halmrast; Hamerlik; Hanson, L.; Haugen; Haugland;
 Hausauer, A.; Hill; Hoffner; Hokana; Kelly; Kent;
 Kingsbury; Klundt; Knell; Knudson; Koland; Kolbo;
 Kretschmar; Lang; Larson; Laughlin; Lautenschlager;
 Linderman; Lindgren; Marks; Martin; Martinson; Melby;
 Mertens; Meyer; Moore; Murphy; Myrdal; Nelson, C.;
 Nelson, J.; Nicholas; Nowatzki; Oban; O'Connell;
 Olsen, D.; Olson, A.; Olson, V.; Opedahl; Payne; Rice;
 Rydell; Scherber; Schindler; Schneider; Shaft; Shaw;
 Shide; Shockman; Skjerven; Smette; Solberg; Starke;
 Stofferahn; Strinden; Tokach; Tollefson; Trautman;
 Ulmer; Vander Vorst; Wald; Watne; Wentz; Whalen;
 Wilkie; Williams, A.; Williams, W.; Winkelman;
 Speaker Kloubec

NAYS: Hanson, O.; O'Shea; Sorensen

ABSENT AND NOT VOTING: Anderson; Hausauer, R.; Kuchera;
Peterson; Riehl; Thompson; Tomac; Williams, C.

SB 2063 passed and the title was agreed to.

MOTION

REP. GOETZ MOVED that SB 2477 be placed at the top of the calendar, which motion prevailed.

SECOND READING OF SENATE BILLS

SB 2477: A BILL for an Act to create and enact six new sections to chapter 6-09.10 of the North Dakota Century Code, relating to a legal and tax assistance program for financially distressed farmers and small business persons; 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 73 YEAS, 29 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Almlie; Anderson; Berg, G.; Brokaw; Christman; DeMers, J.; DeMers, P.; Enget; Flaagan; Frey; Gates; Gerntholz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hausauer, R.; Hill; Hoffner; Hokana; Kelly; Klundt; Knell; Knudson; Kolbo; Kretschmar; Lang; Laughlin; Lautenschlager; Linderman; Marks; Martin; Martinson; Melby; Mertens; Meyer; Murphy; Myrdal; Nelson, C.; Nelson, J.; Nicholas; Nowatzki; Oban; O'Connell; Olson, V.; Opedahl; O'Shea; Riehl; Scherber; Schindler; Schneider; Shaft; Shide; Shockman; Skjerven; Solberg; Sorensen; Starke; Stofferahn; Tomac; Trautman; Ulmer; Vander Vorst; Watne; Wilkie; Williams, A.; Williams, C.; Williams, W.; Winkelman

NAYS: Aas; Belter; Berg, R.; Cleveland; Dorso; Dotzenrod; Goetz; Gorman; Haugen; Kent; Kingsbury; Koland; Kuchera; Larson; Lindgren; Moore; Olsen, D.; Olson, A.; Payne; Rice; Rydell; Shaw; Smette; Thompson; Tokach; Tollefson; Wentz; Whalen; Speaker Kloubec

ABSENT AND NOT VOTING: Dalrymple; Peterson; Strinden; Wald

SB 2477 passed and the title was agreed to.

SB 2548: A BILL for an Act to amend and reenact subsection 1 of section 25-04-13.1 of the North Dakota Century Code, and section 16 of chapter 313 of the 1983 Session Laws of North Dakota, relating to the superintendent of the Grafton state school acting as guardian of any resident. Which has been read.

MOTION

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

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 65 YEAS, 39 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Almlie; Anderson; Belter; Berg, G.; Berg, R.; Christman; Dalrymple; Dorso; Dotzenrod; Gates; Gerntholz; Goetz; Gorman; Gunsch; Halmrast; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hoffner; Kent; Kingsbury; Knell; Knudson; Kretschmar; Kuchera; Lang; Larson; Lautenschlager; Linderman; Lindgren; Martin; Martinson; Melby; Mertens; Moore; Myrdal; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; Olson, V.; Payne; Rice; Riehl; Rydell; Schindler; Shaft; Shaw; Shide; Skjerven; Smette; Strinden; Thompson; Tokach; Trautman; Vander Vorst; Wald; Whalen; Wilkie; Williams, A.; Winkelman; Speaker Kloubec

NAYS: Aas; Brokaw; Cleveland; DeMers, J.; DeMers, P.; Enget; Flaagan; Frey; Graba; Hamerlik; Hanson, L.; Hill; Hokana; Kelly; Klundt; Kolbo; Laughlin; Marks; Meyer; Murphy; Nelson, C.; Nelson, J.; O'Connell; Opedahl; O'Shea; Scherber; Schneider; Shockman; Solberg; Sorensen; Starke; Stofferahn; Tollefson; Tomac; Ulmer; Watne; Wentz; Williams, C.; Williams, W.

ABSENT AND NOT VOTING: Koland; Peterson

SB 2548 passed and the title was agreed to.

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER: Your Conference Committee to which was referred Engrossed HB 1633 has had the same under consideration and recommends that the SENATE RECEDE from its amendments as found on pages 2313-2323 of the House Journal and that Engrossed HB 1633 be amended as follows:

On page 1 of the engrossed bill, line 1, delete the words "relating to North Dakota Venture Capital," and insert in lieu thereof the words "to provide for the establishment of a North Dakota venture capital corporation"

On page 1 of the engrossed bill, line 2, delete the word "Incorporated"

On page 1 of the engrossed bill, line 9, delete the first word "and" and after the numeral "6-03-38" insert the words and numerals "and 6-09.2-01, subsection 1 of section 6-09.2-03, sections 6-09.2-04, 6-09.2-05, 6-09.2-07, 6-09.2-08, 6-09.2-09, 6-09.2-10, 6-09.2-11, and", delete the first comma, and after the second comma insert the words and numerals "subsection 14 of section 15-03-04 as amended by section 1 of House Bill No. 1031, as approved by the fiftieth legislative assembly,"

On page 1 of the engrossed bill, line 11, after the word "to" insert the words "the industrial development revenue bond guarantee program,"

On page 1 of the engrossed bill, line 12, after the word "corporations" insert a comma and after the comma insert the words "the board of university and school lands,"

On page 1 of the engrossed bill, line 13, after the word "companies" insert the words "; and to repeal section 6-09.2-06 of the North Dakota Century Code, relating to the industrial development revenue bond fund"

On page 1 of the engrossed bill, delete lines 16 through 28 and insert in lieu thereof the following new sections:

"SECTION 1. Definitions. As used in this Act, unless the context otherwise requires, the term:

1. "Board of directors" means the board of directors of the corporation.
2. "Corporation" means the corporation established by section 2 of this Act.
3. "North Dakota business" means a business owned by a North Dakota resident, a partnership, association, or corporation domiciled in North Dakota, or a corporation, including a wholly owned subsidiary of a foreign corporation, that does business primarily in North Dakota or does substantially all of its production in North Dakota.
4. "Professional investor" means any bank, bank holding company, savings institution, trust company, credit union, insurance company, or any person, partnership, or other entity whose principal business is making venture capital investments.

5. "Shareholder" means a registered owner of shares in the corporation.

SECTION 2. Public corporation established - Corporate purpose. A committee comprised of three representatives of the business sector appointed by the industrial commission and three members of the economic development commission shall establish under the Business Corporation Act a public corporation known as the "Myron G. Nelson Fund, Incorporated" and file articles of incorporation for the corporation with the secretary of state. The committee shall also adopt the initial bylaws of the corporation. The purpose of the corporation is to organize and manage an investment fund capitalized through the sale of shares of the corporation to the Bank of North Dakota and other public and private investors to provide a source of investment capital for the establishment, expansion, and rehabilitation of North Dakota businesses.

SECTION 3. Powers of corporation. The corporation shall have the powers and privileges conferred upon domestic corporations under the Business Corporation Act, to the extent not limited by this Act, including the power to:

1. Make contracts and execute all instruments necessary for the exercise of its powers and functions.
2. Coordinate and cooperate with state agencies and the state's political subdivisions, colleges, universities, and other academic and research sources, both private and public, agencies and organizations of the federal government, and all public or private entities.
3. Receive appropriations from the legislative assembly and other public moneys, as well as contributions from other public agencies, private individuals, companies, and other contributors.
4. Review cooperative funding agreements with federal and state loan and grant programs and commercially funded projects.
5. Administer an industrial development revenue bond guarantee program as provided in chapter 6-09.2.

SECTION 4. Capitalization - Payment of dividends. The funds deposited in the industrial development revenue bond fund pursuant to former section 6-09.2-06 and all accumulated earnings from the investment of the fund shall be used by the Bank of North Dakota to purchase shares of the corporation upon the issuance of the certificate of

incorporation. Beginning on July 1, 1987, the Bank of North Dakota may purchase annually shares of the corporation in an amount to be determined by the industrial commission. In determining the annual investment to be made in the corporation by the Bank of North Dakota, the industrial commission shall consider the level of private investment in the corporation and attempt to match the private investment on a dollar-for-dollar basis. The corporation may issue shares to other public and private entities or persons when authorized by the board of directors.

SECTION 5. Board of directors. A board of directors, elected by the shareholders pursuant to initial bylaws adopted by the incorporators pursuant to section 2 of this Act, shall direct the business and affairs of the corporation. There must be representation on the board of directors from the economic development commission, investors, and the business sectors of the North Dakota economy. The business sector and investors must constitute a majority of the board.

SECTION 6. Professional investor to manage corporate funds - Investment policy. The board of directors shall contract with a professional investor, determined by the board of directors to be experienced in making successful venture capital investments, for the purpose of managing the corporation's investment fund. The management contract may provide that the professional investor take an active role in the management of any entity in which an equity interest is purchased. The board of directors shall annually review the investment performance of the professional investor. It shall be the policy of the corporation to invest primarily in North Dakota businesses. The corporation's investment in any one entity may not exceed a maximum of forty percent of the entity's capital. This percentage limitation does not apply to co-venture investments made on behalf of the corporation in conjunction with one or more additional professional investors. The board of directors may prescribe in the management contract that a percentage of the corporation's investment fund be made available for investment outside the state.

SECTION 7. Confidentiality of corporation records. The following records of the corporation are confidential:

1. Commercial or financial information, whether obtained by the corporation directly or indirectly, of any entity in which an equity interest is purchased or considered for purchase pursuant to this Act.

2. Internal or interagency memorandums or letters which would not be available by law to a party other than in litigation with the corporation.

SECTION 8. Guarantee of industrial revenue bonds. The board of directors may authorize that a portion of the corporation's investment fund be made available to guarantee industrial revenue bonds pursuant to chapter 6-09.2.

SECTION 9. Annual audit. The board of directors shall contract with a certified public accounting firm to audit annually the financial statements of the corporation in accordance with generally accepted auditing standards. The cost of the audit must be borne by the corporation.

- On page 2 of the engrossed bill, delete lines 1 through 34
- On page 3 of the engrossed bill, delete lines 1 through 35
- On page 4 of the engrossed bill, line 1, delete the words "North Dakota Venture Capital," and insert in lieu thereof the words "The corporation"
- On page 4 of the engrossed bill, line 2, delete the word "Incorporated,"
- On page 4 of the engrossed bill, line 4, after the word "which" insert the words "must include audited financial statements of the corporation for the fiscal year covered by the report and"
- On page 4 of the engrossed bill, line 5, delete the words "North Dakota Venture" and insert in lieu thereof the words "the corporation"
- On page 4 of the engrossed bill, line 6, delete the words "Capital, Incorporated," and delete the word and numeral "sections 1" and insert in lieu thereof the word and numeral "section 2"
- On page 4 of the engrossed bill, line 7, delete the word and numeral "through 8"
- On page 4 of the engrossed bill, line 8, delete the words "North Dakota" and insert in lieu thereof the words "the corporation"
- On page 4 of the engrossed bill, line 9, delete the words "Venture Capital, Incorporated,"
- On page 4 of the engrossed bill, line 11, delete the words "North Dakota Venture Capital, Incorporated," and insert in lieu thereof the words "the corporation"

On page 4 of the engrossed bill, line 14, delete the words "North Dakota Venture Capital," and insert in lieu thereof the words "the corporation"

On page 4 of the engrossed bill, line 15, delete the word "Incorporated,"

On page 4 of the engrossed bill, line 16, delete the word "North" and insert in lieu thereof the words "the corporation"

On page 4 of the engrossed bill, line 17, delete the words "Dakota Venture Capital, Incorporated,"

On page 4 of the engrossed bill, line 20, delete the word "North" and insert in lieu thereof the word "corporation"

On page 4 of the engrossed bill, line 21, delete the words "Dakota Venture Capital, Incorporated,"

On page 4 of the engrossed bill, line 24, delete the words "North Dakota Venture Capital, Incorporated," and insert in lieu thereof the words "the corporation"

On page 4 of the engrossed bill, line 28, after the first underscored comma insert the numerals "57-35-02,"

On page 5 of the engrossed bill, line 6, delete the words "North Dakota Venture Capital, Incorporated" and insert in lieu thereof the word "corporation"

On page 5 of the engrossed bill, line 7, delete the words "North Dakota Venture Capital, Incorporated," and insert in lieu thereof the words "the corporation"

On page 5 of the engrossed bill, line 27, delete the words "North Dakota Venture Capital," and insert in lieu thereof the words "the corporation"

On page 5 of the engrossed bill, line 28, delete the word "Incorporated"

On page 5 of the engrossed bill, line 30, delete the word "North" and insert in lieu thereof the words "the corporation"

On page 5 of the engrossed bill, line 31, delete the words "Dakota Venture Capital, Incorporated"

On page 5 of the engrossed bill, delete lines 32 through 35

On page 6 of the engrossed bill, delete lines 1 through 3

On page 6 of the engrossed bill, line 14, delete the words "North Dakota" and insert in lieu thereof the words "Myron G. Nelson Fund"

On page 6 of the engrossed bill, line 15, delete the words "Venture Capital" and after the second underscored comma insert the words "pursuant to section 4 of this Act,"

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

"SECTION 16. AMENDMENT. Section 6-09.2-01 of the 1985 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

6-09.2-01. Industrial development revenue bond guarantee program - Administration. The ~~economic development commission~~ corporation shall administer an industrial development revenue bond guarantee program as provided in this chapter.

SECTION 17. AMENDMENT. Subsection 1 of section 6-09.2-03 of the 1985 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

1. "~~Commission~~" "Corporation" means the ~~economic development commission~~ corporation established by section 2 of this Act.

SECTION 18. AMENDMENT. Section 6-09.2-04 of the 1985 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

6-09.2-04. Powers. In carrying out the provisions of this chapter, the ~~commission~~ corporation is authorized and empowered:

1. To guarantee the payment of debt service on evidence of indebtedness secured by security interests in an industrial development project consistent with the terms and limitations expressed in this chapter.
2. To accept from a federal agency or North Dakota, its agencies and instrumentalities, loans or grants for use in carrying out its purposes, and to enter into agreements with such agency or North Dakota, its agencies and instrumentalities, respecting any such loans or grants.
3. To enter into agreements with prospective bondholders and issuers for the purpose of financing industrial development projects and require as a condition of guarantee that the Bank of North Dakota be the designated trustee, paying agency, and depository of all funds and accounts of all guaranteed evidence of indebtedness of the program.

4. To acquire, purchase, manage and operate, and hold and dispose of, real and personal property, to take assignments of rentals and leases, and make and enter into all contracts, leases, agreements, and arrangements necessary or incidental to the performance of its duties.
5. When in the opinion of the commission corporation it is necessary or advisable, in order to further the purposes of this chapter or to safeguard the bond guarantee fund, to purchase, acquire, attach, seize, accept, or take title to any industrial development project, by conveyance or, when any guaranteed evidence of indebtedness has been redeemed in whole or in part exercise with the consent of the bondholder any of the bondholder's rights under any of the covenants of issuance including but not limited to foreclosure, sale, lease, or rent an industrial development project for a use specified in subsection 4 of section 6-09.2-03, or for any other use.

SECTION 19. AMENDMENT. Section 6-09.2-05 of the 1985 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

6-09.2-05. Default by issuer. When an issuer's project lessee does not make debt service payments guaranteed by the commission's bond guarantee fund corporation, the commission corporation for the purpose of maintaining income from industrial development projects on which bonds have been guaranteed by the commission and for the purpose of safeguarding the bond guarantee fund corporation, may grant the issuer permission to lease or rent the property to a tenant for a use other than that specified in subsection 4 of section 6-09.2-03, such lease or rental to be temporary in nature and subject to such conditions as the commission corporation may prescribe; provided, however, no lease shall in any manner conflict with the provisions of chapter 40-57 or in the opinion of bond counsel issuing the opinion on the evidence of indebtedness in any way jeopardize the income tax exempt status of the interest on the bonds.

SECTION 20. AMENDMENT. Section 6-09.2-07 of the 1985 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

6-09.2-07. Guarantee of bonds. The commission, as the administrator of the fund created in this chapter, corporation is authorized, upon application of the proposed issuer, to guarantee debt service payments required by evidence of indebtedness on any industrial development

project, or part thereof, upon such terms and conditions as the commission corporation may prescribe, and subject to the limitations of this chapter, provided the aggregate amount of the unpaid principal balance of all obligations of all evidence of indebtedness so guaranteed outstanding at any one time shall not exceed twenty times the unencumbered balance in the fund debt service guarantee account of the fund made available by the corporation. To be eligible for guarantee under the provisions of this chapter bonds shall:

1. Be issued by a municipality as defined in chapter 40-57.
2. Involve a principal obligation, including initial service charges and appraisal, inspection, and other fees approved by the commission corporation.
3. Have a maturity date satisfactory to the commission corporation, but in no case later than forty years from the date of issuance for any project.
4. Contain complete amortization provisions satisfactory to the commission corporation requiring periodic payments, costs of local property taxes and assessments, land lease rentals, if any, and hazard insurance on the property and such bond guarantee fees as are required under section 6-09.2-08, all as the commission corporation shall from time to time prescribe or approve.
5. Be in such form and contain such terms and provisions, with respect to property, insurance, repairs, alterations, payment of taxes and assessments, restrictions as to location of machinery and equipment, default reserves, delinquency charges, default remedies, anticipation of maturity, additional and secondary liens, and other matters as the commission corporation may prescribe.

SECTION 21. AMENDMENT. Section 6-09.2-08 of the 1985 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

6-09.2-08. Bond guarantee fees. The commission corporation shall charge three two percent of the principal obligation of the evidence of indebtedness as a fee for guarantee of debt service payments on evidence of indebtedness guaranteed by the fund debt service guarantee account corporation. The commission shall deposit the fee

in the fund debt service guarantee account. The commission corporation shall charge an annual administrative fee of three-eighths of one percent of the outstanding principal obligation of all evidence of indebtedness guaranteed by the fund debt service guarantee account corporation. The issuer's project lessee shall pay the fee in the manner the commission corporation prescribes. Earnings on bond-funded reserve accounts and debt service accounts must be deposited in that bond's debt service account for the payment of principal and interest on the bonds. Other earnings on the investment of any accounts held by the fund must be first deposited in the fund administration account. Any moneys declared by the commission to be surplus and not essential to the administration of this chapter may be transferred on order of the commission to the fund debt service guarantee account.

SECTION 22. AMENDMENT. Section 6-09.2-09 of the 1985 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

6-09.2-09. Expenses. The commission corporation may expend out of the fund administration account such moneys as may be necessary for any expenses of the commission corporation in carrying out the provisions of this chapter.

SECTION 23. AMENDMENT. Section 6-09.2-10 of the 1985 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

6-09.2-10. Bonds eligible for investment. Evidence of indebtedness bonds guaranteed by the commission corporation under this chapter are legal investments for all trust companies, banks, investment companies, savings banks, credit unions, savings and loan associations, executors, administrators, guardians, conservators, trustees and other fiduciaries, pension, profit-sharing, and retirement funds to the extent limited by law.

SECTION 24. AMENDMENT. Section 6-09.2-11 of the 1985 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

6-09.2-11. Limitation - Credit of commission and state not pledged. Nothing in this chapter shall be construed to authorize or permit the commission corporation or any officer thereof to create any indebtedness of the commission corporation or of North Dakota, or to incur any obligation of any kind or nature, except such as shall be payable solely from the fund created in made available by the corporation pursuant to this chapter and the revenues appropriated and accumulated therein."

- On page 7 of the engrossed bill, line 11, delete the words "North Dakota Venture Capital" and insert in lieu thereof the words "Myron G. Nelson Fund"
- On page 7 of the engrossed bill, line 12, after the word "Incorporated" insert the words and numeral ", purchased pursuant to section 4 of this Act"
- On page 7 of the engrossed bill, line 16, delete the words "North Dakota Venture Capital" and insert in lieu thereof the words "Myron G. Nelson Fund"
- On page 7 of the engrossed bill, line 17, after the underscored comma, insert the word "pursuant", delete the words "meet the provisions of" and delete the numeral "2" and insert in lieu thereof the numeral "4"
- On page 7 of the engrossed bill, line 22, delete the words "North Dakota" and insert in lieu thereof the words "Myron G. Nelson Fund"
- On page 7 of the engrossed bill, line 23, delete the words "Venture Capital", after the second underscored comma insert the word "pursuant", and delete the words "meet the provisions of"
- On page 7 of the engrossed bill, line 24, delete the numeral "2" and insert in lieu thereof the numeral "4"
- On page 7 of the engrossed bill, line 34, delete the word "North" and insert in lieu thereof the words "Myron G. Nelson Fund"
- On page 7 of the engrossed bill, line 35, delete the words "Dakota Venture Capital"
- On page 8 of the engrossed bill, after line 9, insert the following new section:
- "SECTION 29. AMENDMENT. If House Bill No. 1031 of the fiftieth legislative assembly becomes effective, subsection 14 of section 15-03-04 of the North Dakota Century Code, as amended by House Bill No. 1031, is hereby amended and reenacted to read as follows:
14. Common or preferred stocks of any corporation organized under the laws of any state, including nonvoting preferred stock of Myron G. Nelson Fund, Incorporated, issued pursuant to section 4 of this Act but not more than twenty percent of the assets of each fund may be invested in common and preferred stocks."
- On page 8 of the engrossed bill, line 10, delete the word "Subsection" and insert in lieu thereof the words "If House"

Bill No. 1031 of the fiftieth legislative assembly does not become effective, subsection"

On page 8 of the engrossed bill, line 15, delete the words "North Dakota Venture Capital" and insert in lieu thereof the words "Myron G. Nelson Fund" and after the second underscored comma insert the words "issued pursuant to section 4 of this Act"

On page 8 of the engrossed bill, line 23, delete the words "North Dakota Venture Capital" and insert in lieu thereof the words "Myron G. Nelson Fund" and after the second underscored comma insert the words "issued pursuant to section 4 of this Act"

On page 9 of the engrossed bill, line 2, delete the words "North Dakota Venture Capital" and insert in lieu thereof the words "Myron G. Nelson Fund" and after the second underscored comma insert the words "pursuant to section 4 of this Act"

On page 9 of the engrossed bill, line 8, delete the words "North Dakota Venture Capital" and insert in lieu thereof the words "Myron G. Nelson Fund" and after the second underscored comma insert the words "pursuant to section 4 of this Act"

On page 9 of the engrossed bill, after line 9, insert the following new section:

"SECTION 34. REPEAL. Section 6-09.2-06 of the 1985 Supplement to the North Dakota Century Code is hereby repealed."

And renumber the lines, sections, and pages accordingly

For the Senate: Sens. Langley, Krauter, Reiten

For the House: Reps. Dorso, Shide, Dotzenrod

Engrossed HB 1633 was placed on the Seventh order of business on the calendar for the succeeding legislative day.

MESSAGES TO THE SENATE HOUSE CHAMBER

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

SB 2018

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

MR. PRESIDENT: I have the honor to inform you that the Speaker has appointed Rep. Vander Vorst to replace Rep. Myrdal on the Conference Committee on SB 2035.

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

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

HB 1052, HB 1183, HB 1634, HB 1666

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

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

SB 2378

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

MR. PRESIDENT: I have the honor to return herewith the following which the House has amended, and subsequently passed:

SB 2021, SB 2022, SB 2553

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

MR. PRESIDENT: I have the honor to return herewith the following which the House has amended, and subsequently failed to pass:

SB 2286

ROY GILBREATH, Chief Clerk

MESSAGE FROM THE SENATE

SENATE CHAMBER

MR. SPEAKER: I have the honor to return herewith HB 1016, HB 1022, HB 1023, HB 1026, HB 1027, HB 1028, HB 1258, HB 1295, HB 1446, HB 1544, and HB 1674 which the Senate has amended, and subsequently passed:

SENATE AMENDMENTS TO ENGROSSED HB 1016

On page 1 of the engrossed bill, line 15, delete the numerals "12,371,424" and insert in lieu thereof the numerals "12,448,424"

On page 1 of the engrossed bill, line 16, delete the numerals "3,665,467" and insert in lieu thereof the numerals "3,691,467"

On page 1 of the engrossed bill, line 20, delete the numerals "16,393,925" and insert in lieu thereof the numerals "16,496,925"

On page 2 of the engrossed bill, line 12, delete the numerals "16,393,925" and insert in lieu thereof the numerals "16,496,925"

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Highway Patrol

An analysis of the special funds change is as follows:

<u>Description</u>	<u>Total Special Funds Increase/(Decrease)</u>
<u>Salaries and Wages</u>	
Restore one field training position	\$ 77,000
<u>Operating expenses</u>	
Partially restore the reduction made by the House	<u>26,000</u>
Total increase/(decrease)	\$103,000

SENATE AMENDMENTS TO ENGROSSED HB 1022

On page 1 of the engrossed bill, line 2, after the word "Dakota" insert the words "; and to authorize the industrial commission to obtain financing from the Bank of North Dakota for international peace garden projects"

On page 1 of the engrossed bill, line 16, delete the numerals "680,184" and insert in lieu thereof the numerals "864,784"

On page 1 of the engrossed bill, line 21, delete the numerals "3,968,382" and insert in lieu thereof the numerals "4,152,982"

On page 1 of the engrossed bill, line 23, delete the numerals "3,028,030" and insert in lieu thereof the numerals "3,212,630"

On page 1 of the engrossed bill, line 26, delete the numerals "371,592" and insert in lieu thereof the numerals "628,592"

On page 1 of the engrossed bill, line 27, delete the numerals "371,592" and insert in lieu thereof the numerals "628,592"

On page 1 of the engrossed bill, line 28, delete the numerals "3,339,622" and insert in lieu thereof the numerals "3,841,222"

On page 2 of the engrossed bill, line 2, delete the numerals "4,339,974" and insert in lieu thereof the numerals "4,781,574"

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

"SECTION 4. PROJECT AUTHORIZATION - BANK OF NORTH DAKOTA PURCHASE OF EVIDENCES OF INDEBTEDNESS - APPROPRIATION. The industrial commission, acting as the state building authority, shall arrange for the funding of the projects authorized by this section, hereby declared to be in the public interest, including utilization of \$257,000 in general fund appropriations contained in subdivision 2 of section 1 of this Act, any federal or other funds made available for the construction of the projects, and issuance of evidences of indebtedness under North Dakota Century Code chapter 54-17.2, during the biennium beginning July 1, 1987, and ending June 30, 1989. The industrial commission may offer evidences of indebtedness issued under this section for sale only to the Bank of North Dakota at a price that is as representative as possible of the current market interest rates for comparable securities purchased by the Bank of North Dakota, taking into consideration in the determination of price the costs of issuance including future administrative and other costs associated with credit enhancements. The proceeds of the evidences of indebtedness and other available funds are hereby appropriated during the biennium beginning July 1, 1987, and ending June 30, 1989, for the following projects:

AGENCY	TYPE OF FACILITY	ACQUISITION FUNDS
State historical society	International peace garden - renovation of food service facility	\$430,000
State historical society	International peace garden - wastewater disposal system	185,000
Total capital improvements		\$615,000"

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

State Historical Society

The operating expenses line item is increased by \$184,600 from the general fund to provide funding for Museum Division exhibition development deleted by the House.

International Peace Garden

The grants line item is increased by \$257,000 from the general fund to provide a portion of the funds necessary for a wastewater disposal system and renovation of the food services facility at the International Peace Garden. The State Industrial Commission is authorized to issue evidences of indebtedness for sale to the Bank of North Dakota up to \$615,000 of which \$185,000 is for a wastewater disposal system and \$430,000 is for renovation of the food service facility. Such amounts are to be reduced by the \$257,000 in the grants line item and by any federal funds that may become available. It is intended that funding for the payments related to these projects will be included in the executive budget recommendation and be favorably considered by the succeeding sessions of the Legislative Assembly.

SENATE AMENDMENTS TO ENGROSSED HB 1023

- On page 1 of the engrossed bill, line 3, after the word "Dakota" insert the words "; to create and enact a new section to chapter 54-52.1 of the North Dakota Century Code, relating to the uniform group health insurance program; to amend and reenact subsection 4 of section 54-52-03 of the North Dakota Century Code, relating to the public employees' retirement board; and to declare an emergency"
- On page 1 of the engrossed bill, line 14, delete the numerals "851,723" and insert in lieu thereof the numerals "885,644"
- On page 1 of the engrossed bill, line 15, delete the numerals "309,044" and insert in lieu thereof the numerals "319,444"
- On page 1 of the engrossed bill, line 16, delete the numerals "341,022" and insert in lieu thereof the numerals "416,022"
- On page 1 of the engrossed bill, line 19, delete the numerals "1,557,789" and insert in lieu thereof the numerals "1,677,110"
- On page 2 of the engrossed bill, delete lines 1 through 8 and insert in lieu thereof the following sections:

"SECTION 3. AMENDMENT. Subsection 4 of section 54-52-03 of the 1985 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

4. The chairman of the board ~~shall receive fifty is entitled to receive an honorarium, as determined by the governor, which may not exceed five hundred dollars per day month for the actual time devoted by him the chairman devotes~~ to the duties

of his the office and each. Each of the other members of the board shall receive is entitled to an honorarium of fifty dollars for each month during which the board has been in session. This shall be These payments are in addition to any other pay or allowance due the chairman or a member, plus an allowance for expenses they may incur through service on the board.

SECTION 4. A new section to chapter 54-52.1 of the North Dakota Century Code is hereby created and enacted to read as follows:

Ownership and confidentiality of the uniform group health insurance medical records of employees, retirees, and dependents. The medical records and related data of the employees, retirees, and dependents, obtained as the result of enrollment in the uniform group insurance program, are the property of the public employees retirement system. The records and data are confidential and are not public records. However, the board may allow administrators of administrative services only contracts or third-party administrators contracts access to the records and data where it is required in the performance of the administrator's duties pursuant to the contract. No administrator may be held liable for furnishing to the board information with respect to any patient, or any physician, hospital, or other health care provider.

SECTION 5. EMERGENCY. Section 4 of this Act is declared to be an emergency measure and is in effect upon its filing with the secretary of state or on a date specified in this Act."

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Public Employees Retirement System

The amendments increase the amount appropriated by \$119,321. An analysis of the \$119,321 increase is as follows:

	<u>Increase</u>
<u>Salaries and wages</u>	
Reclassify one FTE position to administer cost management programs and reclassify one FTE position to manage all claim paying activities	\$ 33,921
	<hr/>
<u>Operating expenses</u>	
Allow for travel expenses for monitoring investment counselors and for expenses	\$ 5,000

related to the reclassification of cost management people	
PERS Board honorarium increase (included in Section 4 of amendments)	5,400
	<hr/>
Total operating expenses	\$ 10,400
<u>Data processing</u>	
Funding provided for programming costs of the medical cost containment programs and the health insurance program	\$ 75,000
	<hr/>
Total	\$119,321

In addition to the above amounts, the House included \$12,532 for the reclassification of the cost management programs position.

The amendments delete a section which required Budget Section approval before the funds could be spent to reclassify the cost management program position. This section was added by the House.

The amendments create a new section stating that the group health insurance medical records are property of PERS. This section is an emergency measure.

Also, the amendments change the amount that the Public Employees Retirement System Board chairman receives. The chairman's maximum reimbursement is changed from \$50 per day to \$500 per month.

SENATE AMENDMENTS TO ENGROSSED HB 1026

On page 1 of the engrossed bill, line 18, delete the numerals "1,381,901" and insert in lieu thereof the numerals "1,535,501"

On page 1 of the engrossed bill, line 22, delete the numerals "5,571,548" and insert in lieu thereof the numerals "5,725,148"

On page 2 of the engrossed bill, line 3, delete the numerals "5,661,548" and insert in lieu thereof the numerals "5,815,148"

On page 2 of the engrossed bill, line 4, delete the numerals "5,885,708" and insert in lieu thereof the numerals "6,039,308"

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Workmen's Compensation Bureau

The Senate increases the operating expenses line item by \$153,600 from the workmen's compensation fund to allow the health care cost review program eliminated by the House.

SENATE AMENDMENTS TO ENGROSSED HB 1027

On page 1 of the engrossed bill, line 18, delete the numerals "186,123" and insert in lieu thereof the numerals "665,810"

On page 1 of the engrossed bill, line 19, delete the numerals "762,468" and insert in lieu thereof the numerals "1,242,155"

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Soil Conservation Committee

The Senate increases the grants line item by \$479,687 from the general fund for the soil conservation technician grants program. This increase restores the appropriation for the committee to 90 percent of the 1985-87 appropriation after the four percent general fund reduction.

SENATE AMENDMENTS TO ENGROSSED HB 1028

On page 1 of the engrossed bill, line 3, after the second semicolon insert the words "to provide legislative intent regarding deinstitutionalization court monitor expenses;"

On page 2 of the engrossed bill, after line 21, insert the following new section:

"SECTION 3. LEGISLATIVE INTENT - COURT MONITOR EXPENSES. It is the intent of the legislative assembly that any additional payments required for the expenses of the deinstitutionalization court monitor for the period January 1, 1987, to June 30, 1987, be paid from funds on deposit with the university of North Dakota medical center accumulated from previous state payments made for the deinstitutionalization court monitor."

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment adds a section of legislative intent that any payments required for the expenses of the deinstitutionalization court monitor through June 30, 1987, be paid from funds on deposit with the UND Medical Center accumulated from previous payments made from the state general fund to the court monitor.

SENATE AMENDMENTS TO ENGROSSED HB 1258

On page 1 of the engrossed bill, line 1, after the word "Act" insert the words "to create and enact a new subsection to

section 57-38-01 of the North Dakota Century Code, relating to the definition of alternative minimum taxable income;"

On page 1 of the engrossed bill, line 2, delete the word "and" and insert in lieu thereof a comma and after the numerals "57-38-01.4" insert the words and numerals ", and section 57-38-30"

On page 1 of the engrossed bill, line 4, delete the word "and" and insert in lieu thereof a comma

On page 1 of the engrossed bill, line 5, after the word "income" insert the words ", and the imposition and rate of tax on corporations"

On page 1 of the engrossed bill, after line 7, insert the following section:

"SECTION 1. A new subsection to section 57-38-01 of the 1985 Supplement to the North Dakota Century Code is hereby created and enacted to read as follows:

"North Dakota alternative minimum taxable income" in the case of corporations means alternative minimum taxable income as computed pursuant to the Internal Revenue Code of 1986 as amended, but reduced by any interest received from obligations of the United States that is included in alternative minimum taxable income or in the computation thereof on the federal return and reduced by the federal income tax deduction computed under subdivision c of subsection 1 of section 57-38-01.3, with the remaining amount apportioned to North Dakota by the same fraction computed under provisions of chapters 57-38, 57-38.1, or 57-59."

On page 4 of the engrossed bill, after line 10, insert the following section:

"SECTION 4. AMENDMENT. Section 57-38-30 of the 1985 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

57-38-30. Imposition and rate of tax on corporations. A tax is hereby imposed upon the taxable income or the North Dakota alternative minimum taxable income of every domestic and foreign corporation received from the sources described in sections 57-38-12, 57-38-13, and 58-38-14, which shall be levied, collected, and paid annually as in this chapter provided, and which shall be computed at the following rates greater of the following two calculations:

1. For the first three thousand dollars of taxable income, at the rate of three percent.
2. On all taxable income above three thousand dollars and not in excess of eight thousand dollars, at the rate of four and one-half percent.
3. On all taxable income above eight thousand dollars and not in excess of twenty thousand dollars, at the rate of six percent.
4. On all taxable income above twenty thousand dollars, and not in excess of thirty thousand dollars, at the rate of seven and one-half percent.
5. On all taxable income above thirty thousand dollars, and not in excess of fifty thousand dollars, at the rate of nine percent.
6. On all taxable income above fifty thousand dollars, at the rate of ten and one-half percent.

North Dakota alternative minimum taxable income is subject to tax under this section at a rate of five percent but this rate shall apply only if the corporation's federal alternative minimum tax liability exceeds regular tax liability."

And renumber the lines, sections, and pages accordingly

SENATE AMENDMENTS TO ENGROSSED HB 1295

In lieu of the amendments to engrossed House Bill No. 1295 adopted by the Senate as printed on pages 1670-1671 of the Senate Journal, engrossed House Bill No. 1295 is amended as follows:

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 amend and reenact subsection 4 of section 63-01.1-06.2 of the North Dakota Century Code, relating to the use of funds appropriated for the leafy spurge control program; and to provide an appropriation."

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

SECTION 1. AMENDMENT. Subsection 4 of section 63-01.1-06.2 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

4. Any legislative appropriation for the leafy spurge control program of sections 63-01.1-06.1

through 63-01.1-06.3 shall be expended only for reimbursement of the cost of leafy spurge control according to this section to private landowners, including lessees, tenants, renters, or operators of private land, county weed boards, or cities, and for other leafy spurge programs as the commissioner determines to be necessary."

SECTION 2. APPROPRIATION. There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$540,000, or so much thereof as may be necessary, to the commissioner of agriculture for the purpose of defraying the expenses of the leafy spurge control program, for the biennium beginning July 1, 1987, and ending June 30, 1989."

And renumber the lines, sections, and pages accordingly

SENATE AMENDMENTS TO HB 1446

In lieu of the amendments to House Bill No. 1446 adopted by the Senate as printed on page 1331 of the Senate Journal, House Bill No. 1446 is amended as follows:

On page 1, line 5, delete the first word "and"

On page 1, line 8, after the word "insurance" insert the words "; and to provide an appropriation"

On page 1, line 16, after the word "amounts" insert the words ", not exceeding a total of four hundred fifty thousand dollars,""

On page 4, after line 22, insert the following new section:

"SECTION 4. APPROPRIATION - EMERGENCY COMMISSION.

There is hereby appropriated to the attorney general out of the state bonding fund the sum of \$450,000, or so much thereof as may be necessary, for the purpose of providing the defense services as may be required under section 1 of this Act. The emergency commission, notwithstanding section 54-16-04, is authorized during the biennium beginning July 1, 1987, and ending June 30, 1989, to approve the transfer of funds hereby appropriated from the state bonding fund to the extent necessary and based upon applications therefor by the attorney general. Funds appropriated hereby and authorized to be transferred to the attorney general must be reimbursed to the state bonding fund through deficiency appropriation and the attorney general shall report to the budget section of the legislative council the amount of any deficiency appropriation that may be introduced to the fifty-first legislative assembly."

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment appropriates \$450,000 from the state bonding fund to the Attorney General for defending state employees. The funds appropriated from the state bonding fund are to be reimbursed to the fund through a deficiency appropriation.

SENATE AMENDMENTS TO ENGROSSED HB 1544

On page 1 of the engrossed bill, line 3, after the comma insert the words "providing legislative intent regarding energy development impact grants,"

On page 1 of the engrossed bill, line 9, delete the words "coal development impact" and insert in lieu thereof the word "general"

On page 1 of the engrossed bill, line 10, delete the words "and the oil and gas development impact fund,"

On page 2 of the engrossed bill, after line 13, insert the following new section:

"SECTION 5. LEGISLATIVE INTENT - GRANTS ALLOCATION.

The grants line item in section 1 of this Act totaling \$3,500,000 from the general fund includes \$1,000,000 for coal development impact grants and \$2,500,000 for oil development impact grants."

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Energy Development Impact Office

This amendment adds a section of legislative intent that the grants line item of \$3,500,000 from the general fund includes \$1,000,000 for coal development impact grants and \$2,500,000 from oil development impact grants.

SENATE AMENDMENTS TO HB 1674

On page 1, line 10, delete the second word "the" and insert in lieu thereof the word "building" and delete the word "and"

On page 1, line 13, after the word "assembly" insert the words "; and to provide an appropriation"

On page 1, line 20, delete the word "industrial"

On page 1, line 24, delete the word "industrial"

On page 2, line 5, overstrike the words "and the state agencies and institutions"

On page 2, line 6, overstrike the first comma and insert immediately thereafter the word "and" and after the word "and" insert the words "moneys received by the industrial commission or the state agencies and institutions"

On page 2, line 35, after the word "or" insert the word "through"

On page 3, delete lines 3 through 12

On page 3, after line 14, insert the following new section:

"SECTION 5. APPROPRIATION. There is hereby appropriated to the industrial commission and the state board of higher education any additional moneys that may become available from federal or private sources to acquire, construct, rehabilitate, improve, expand, alter, or repair the project authorized by section 3 of this Act for the biennium beginning July 1, 1987, and ending June 30, 1989."

And renumber the lines, sections, and pages accordingly
PERRY GROTEBERG, Secretary

MESSAGE TO THE SENATE HOUSE CHAMBER

MR. PRESIDENT: I have the honor to return herewith the following which the House has amended, and subsequently passed:

SB 2036, SB 2038, SB 2063, SB 2477, SB 2548
ROY GILBREATH, Chief Clerk

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. MARTINSON MOVED that the House do not concur in the Senate amendments to HB 1446 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed.

APPOINTMENT OF A CONFERENCE COMMITTEE
THE SPEAKER APPOINTED as a Conference Committee on HB 1446:

Reps. Martinson, Melby, Skjerven

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. A. HAUSAUER MOVED that the House do not concur in the Senate amendments to HB 1258 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed.

APPOINTMENT OF A CONFERENCE COMMITTEE
THE SPEAKER APPOINTED as a Conference Committee on HB 1258:

Reps. Moore, Belter, Linderman

MESSAGE TO THE SENATE
HOUSE CHAMBER

MR. PRESIDENT: I have the honor to inform you that the House has refused to concur in the Senate amendments to HB 1258 and HB 1446 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1258: Reps. Moore, Belter, Linderman

HB 1446: Reps. Martinson, Melby, Skjerven

ROY GILBREATH, Chief Clerk

MOTIONS

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

REP. GOETZ MOVED that the House stand adjourned until 8:00 a.m., Thursday, April 9, 1987, which motion prevailed.

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

ROY GILBREATH, Chief Clerk