

JOURNAL OF THE HOUSE

Fiftieth Legislative Assembly

SEVENTY-SECOND DAY

Bismarck, April 17, 1987

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

The prayer was offered by Graef Cannon, Presbyterian Reformed Church, Bismarck, North Dakota.

ROLL CALL

The roll was called and all Representatives were present, except Representatives Knudson, Solberg, 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 Seventy-first Day and finds the same to be correct.

REP. THOMPSON, Chairman

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

MOTIONS

REP. KOLAND MOVED that the conference committee report on HB 1450 be adopted.

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

The question then was on the motion of Rep. Koland that the conference committee report on HB 1450 be adopted, which motion prevailed.

REP. STRINDEN MOVED that the rules be suspended, that HB 1450 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 1450: A BILL for an Act to amend and reenact section 43-23-07 of the North Dakota Century Code, relating to exceptions to real estate licensure; and to declare an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 66 YEAS, 38 NAYS, 2 ABSENT AND NOT VOTING.

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

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

ABSENT AND NOT VOTING: Strinden; Tomac

HB 1450 passed, the title was agreed to, and the emergency clause lost.

MOTIONS

REP. GOETZ MOVED that the House stand in recess until 9:00 a.m., which motion prevailed.

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

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.

MESSAGE TO THE SENATE

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 but the emergency clause failed to pass:

HB 1450

ROY GILBREATH, Chief Clerk

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 FROM THE SENATE

SENATE CHAMBER

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

HCR 3014

PERRY GROTEBERG, Secretary

SENATE CHAMBER

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

SB 2378

PERRY GROTEBERG, Secretary

SIGNING OF BILLS AND RESOLUTIONS

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following:

HB 1015, HB 1016, HB 1446, HB 1548, HB 1596, HCR 3099, HR 4
SB 2378

ROY GILBREATH, Chief Clerk

MESSAGES 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 1015, HB 1016, HB 1446, HB 1548, HB 1596, HCR 3099

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

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

SB 2378

ROY GILBREATH, Chief Clerk

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER: Your Conference Committee to which was referred HB 1010 has had the same under consideration and recommends that

the HOUSE ACCEDE to the amendments as found on pages 2768-2771 of the House Journal:

For the Senate: Sens. Stromme, Redlin, Streibel

For the House: Reps. Kingsbury, Smette, Laughlin

HB 1010 was placed on the Seventh order of business on the calendar.

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 2510

PERRY GROTERBERG, Secretary

SENATE CHAMBER

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

HB 1258

PERRY GROTERBERG, Secretary

SENATE CHAMBER

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

HB 1450

PERRY GROTERBERG, Secretary

MOTION

REP. STRINDEN MOVED that the House stand in recess until 12:30 p.m., which motion prevailed.

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

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER: Your Conference Committee to which was referred Engrossed HB 1064 has had the same under consideration and recommends that the SENATE RECEDE from its amendments as found on pages 2446-2452 of the House Journal and that Engrossed HB 1064 be amended as follows:

That the Senate recede from its amendments and that engrossed House Bill No. 1064 be 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 provide that corporate

income taxpayers may elect to use a water's edge unitary combination approach to apportion income for corporate income tax purposes; and to provide an effective date.

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

SECTION 1. Definitions. As used in this Act unless the context or subject matter otherwise requires:

1. "Affiliated corporation" means a corporation more than fifty percent of the voting stock of which is owned directly or indirectly by another corporate member of the water's edge combined group.
2. "Domestic disclosure spreadsheet" means a spreadsheet that fully discloses the income reported to each state, the state tax liability, the method used for apportioning or allocating income to the various states, and other information provided for by rules as may be necessary to determine the proper amount of tax due to each state and to identify the water's edge corporate group.
3. "Existing corporation" means a corporation that filed a North Dakota income tax return for any year after taxable year 1979 or was a successor to or unitary with a corporation that filed a North Dakota income tax return for any year after taxable year 1979.
4. "Foreign dividends" means any dividend received by a member of the water's edge group from any affiliated corporation incorporated outside the fifty states and District of Columbia, including amounts included in income computed under sections 951 through 954 of the Internal Revenue Code.
5. "Income from 80/20 corporations" means net book income after taxes of a corporation which is incorporated in the United States and eligible to be included in the federal consolidated return and which has less than twenty percent of its property and payroll as determined by factoring under chapter 57-38.1 assigned to locations outside the fifty states and the District of Columbia. For purposes of determining eligibility for inclusion in a federal consolidated return under this subsection, the eighty percent stock ownership requirements of section 1504 of the Internal Revenue Code shall

be reduced to ownership of over fifty percent of the voting stock directly or indirectly owned or controlled by an includable corporation.

6. "New corporation" means a corporation that has not filed an income tax return in North Dakota for any year after the tax year 1979. A new corporation does not include a corporation which is a successor to or which is affiliated with a corporation that filed an income tax return in North Dakota for any year after the tax year 1979. A new corporation does not include a business reorganization or acquisition, except a corporation with no previous activity in North Dakota which acquires an existing corporation and increases and maintains the threshold activity of the existing corporation by twenty-five percent or more shall be treated as a new corporation.
7. "Threshold activity" means the yearly average combined property and payroll in North Dakota of a corporation and its affiliates for the previous three years.
8. "Water's edge group" includes the following entities:
 - a. Any affiliated corporation incorporated in the United States or a possession of the United States, as described in sections 931 through 936 of the Internal Revenue Code. Corporations incorporated in the United States must be eligible to be included in a federal consolidated return and must have more than twenty percent of its property and payroll, as determined by factoring under chapter 57-38.1, assigned to locations inside the fifty states, the District of Columbia, and possessions of the United States. For purposes of determining eligibility for inclusion in a federal consolidated return under this subsection, the eighty percent stock ownership requirements of section 1504 of the Internal Revenue Code shall be reduced to ownership of over fifty percent of the voting stock directly or indirectly owned or controlled by an includable corporation.
 - b. Domestic international sales corporations, as described in sections 991 through 994 of the Internal Revenue Code, and foreign sales corporations, as described in sections 921 through 927 of the Internal Revenue Code.

- c. Export trade corporations, as described in sections 970 through 972 of the Internal Revenue Code.
 - d. Foreign corporations deriving gain or loss from a disposition of a United States real property interest to the extent recognized under section 897 of the Internal Revenue Code.
 - e. Any corporation incorporated outside the United States if over fifty percent of its voting stock is owned directly or indirectly by the taxpayer and if more than twenty percent of the average of its payroll and property is assignable to a location within the United States.
9. "Worldwide combined report" means a combined report with respect to a unitary affiliated group irrespective of the country or countries in which any member of the affiliated group is incorporated or conducts business activity.

SECTION 2. Water's edge election. A corporation required to file a worldwide unitary combined report must continue to do so unless it elects to apportion its income using the water's edge method.

- 1. A corporation electing to file using the water's edge method must comply with the following:
 - a. The election must be made on the return as originally filed.
 - b. The corporation may not reduce taxable income for federal taxes paid or accrued as allowed by subdivision c of subsection 1 of section 57-38-01.3.
 - c. The water's edge election is binding for ten consecutive taxable years after making the election.
 - d. The corporation must file with the tax commissioner a domestic disclosure spreadsheet.
- 2. All corporations electing the water's edge method must include the income and apportionment factors of the water's edge group. Foreign dividends and income from 80/20 corporations must be included as follows:

- a. An existing corporation must include fifty percent of foreign dividends and sixty percent of income from 80/20 corporations. However, an existing corporation that increases and maintains a threshold activity by twenty-five percent or more, but not by business reorganization or acquisition, is only required to include thirty percent of foreign dividends and thirty percent of income from 80/20 corporations.
- b. A new corporation must include thirty percent of foreign dividends and thirty percent of income from 80/20 corporations.
- c. For taxable years beginning after December 31, 1994, all corporations making the water's edge election may reduce the inclusion to include thirty percent of foreign dividends and thirty percent of income from 80/20 corporations.

SECTION 3. Conditions imposed by tax commissioner. The tax commissioner may impose necessary conditions other than the imposition of worldwide combination to prevent tax avoidance or to clearly reflect income in accordance with chapter 57-38.1.

SECTION 4. Presumptions and burden of proof. A taxpayer and its affiliates are presumed to be a part of a unitary business and all income of that business is presumed to be apportionable business income except as otherwise provided in this Act. A taxpayer has the burden of proof regarding the issue of whether or not a corporation is a member of a water's edge combined group.

SECTION 5. EFFECTIVE DATE. This Act is effective for taxable years beginning after December 31, 1988."

And renumber the lines, sections, and pages accordingly

For the Senate: Sens. Satrom, Dotzenrod, Moore

For the House: Reps. Moore, Anderson, Schneider

Engrossed HB 1064 was placed on the Seventh order of business on the calendar.

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.

ANNOUNCEMENT BY SPEAKER

SPEAKER KLOUBEC ANNOUNCED that the House of Representatives had received thank-you notes for flowers sent as memorials to the families of Reps. Christman and Rep. O'Connell.

MESSAGES FROM THE SENATE

SENATE CHAMBER

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

SB 2004

PERRY GROTERBERG, 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 2035, SB 2036, SB 2063, SB 2103, SB 2259

PERRY GROTERBERG, Secretary

SENATE CHAMBER

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

HB 1015, HB 1016, HB 1446, HB 1548, HB 1596, HCR 3099

PERRY GROTERBERG, Secretary

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER: Your Conference Committee to which was referred Engrossed SB 2004 has had the same under consideration and recommends that the SENATE ACCEDE to the amendments as found on pages 2258-2259 of the House Journal:

For the Senate: Sens. Tallackson, Waldera, Nelson

For the House: Reps. R. Hausauer, Thompson, Nowatzki

Engrossed SB 2004 was placed on the Seventh order of business on the calendar.

MOTION

REP. GOETZ MOVED that the House stand in recess until 3:00 p.m., which motion prevailed.

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

DELIVERY OF ENROLLED RESOLUTION

THE SPEAKER ANNOUNCED that the following resolution was delivered to the Secretary of State for his filing at the hour of 1:45 p.m., April 17, 1987:

SIGNING OF BILLS AND RESOLUTIONS

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following:

SB 2035, SB 2036, SB 2063, SB 2103, SB 2259, SB 2510
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 2035, SB 2036, SB 2063, SB 2103, SB 2259, SB 2510
ROY GILBREATH, Chief Clerk

COMMUNICATION FROM GOVERNOR

State of North Dakota
EXECUTIVE OFFICE
Bismarck

April 17, 1987

The Honorable Richard Kloubec
Speaker of the House
House Chamber
State Capitol
Bismarck, North Dakota 58505

Dear Speaker Kloubec:

This is to inform you that on March 20, 1987, I signed HB 1410, and filed it with the Secretary of State on March 23, 1987.

On April 17, 1987, I signed the following:

HB 1021, HB 1023, HB 1634, HB 1674.

Sincerely,

GEORGE A. SINNER
Governor

MOTION

REP. GOETZ MOVED that the House request the return of SB 2079 from the Senate, which motion prevailed.

MESSAGE TO THE SENATE
HOUSE CHAMBER

MR. PRESIDENT: The House respectfully requests the return of SB 2079.

ROY GILBREATH, Chief Clerk

ANNOUNCEMENT BY SPEAKER

SPEAKER KLOUBEC ANNOUNCED that Rep. Oban would replace Rep. Frey on the Conference Committee on HB 1359.

MOTIONS

REP. KINGSBURY MOVED that the House reconsider its action whereby the House did not concur in the Senate amendments to HB 1026, which motion prevailed.

REP. KINGSBURY MOVED that the House do concur in the Senate amendments to HB 1026, which motion prevailed.

REP. STRINDEN MOVED that the rules be suspended, that HB 1026 be deemed properly engrossed and placed on the Eleventh order of business, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILL

HB 1026: A BILL for an Act making an appropriation for defraying the expenses of the workmen's compensation bureau and the divisions thereof of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 84 YEAS, 16 NAYS, 6 ABSENT AND NOT VOTING.

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

NAYS: Belter; Dorso; Gorman; Gunsch; Koland; Melby; Murphy; Myrdal; Olsen, D.; Olson, A.; Payne; Shide; Sorensen; Thompson; Whalen; Winkelman

ABSENT AND NOT VOTING: Frey; Gates; Hausauer, R.; Kretschmar; Kuchera; Williams, C.

HB 1026 passed and the title was agreed to.

REPORT OF CONFERENCE COMMITTEE

REP. GUNSCH MOVED that the conference committee report on SB 2013 be adopted, which motion prevailed.

MOTION

REP. STRINDEN MOVED that the rules be suspended, that SB 2013 be placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2013: A BILL for an Act making an appropriation for defraying the expenses of the adjutant general of the state of North Dakota; and to provide for an appropriation and transfer of funds from the national guard tuition trust fund; to amend and reenact section 37-07.1-06.1 of the North Dakota Century Code, relating to the North Dakota national guard tuition trust fund; and to declare an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 99 YEAS, 1 NAY, 6 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; Gerntholz; Goetz; Gorman; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hill; Hoffner; Hokana; Kelly; Kent; Kingsbury; Knell; Knudson; Koland; Kolbo; 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; 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, W.; Winkelman; Speaker Kloubec

NAYS: Klundt

ABSENT AND NOT VOTING: Frey; Gates; Hausauer, R.; Kretschmar; Kuchera; Williams, C.

SB 2013 passed, the title was agreed to, and the emergency clause was declared carried.

REPORT OF CONFERENCE COMMITTEE

REP. MARTINSON MOVED that the conference committee report on SB 2339 be adopted, which motion prevailed.

MOTION

REP. STRINDEN MOVED that the rules be suspended, that SB 2339 be placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2339: A BILL for an Act to amend and reenact sections 12-48-03.1 and 12-48-06.1 of the North Dakota Century Code, relating to the operation of prison industries, the sale of prison-made products, and the prison industry advisory committee.

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, 16 NAYS, 6 ABSENT AND NOT VOTING.

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

NAYS: Aas; Dorso; Gunsch; Hanson, O.; Kingsbury; Koland; Larson; Lautenschlager; Lindgren; Olson, A.; Payne; Skjerven; Smette; Tollefson; Whalen; Speaker Kloubec

ABSENT AND NOT VOTING: Frey; Gates; Hausauer, R.; Kretschmar; Thompson; Williams, C.

SB 2339 passed and the title was agreed to.

REPORT OF CONFERENCE COMMITTEE

REP. AAS MOVED that the conference committee report on SB 2468 be adopted, which motion prevailed.

REPORT OF CONFERENCE COMMITTEE

REP. KINGSBURY MOVED that the conference committee report on HB 1010 be adopted, which motion prevailed.

MOTION

REP. STRINDEN MOVED that the rules be suspended, that HB 1010 be deemed properly reengrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILL

HB 1010: A BILL for an Act making an appropriation for defraying the expenses of the department of banking and financial institutions of the state of North Dakota; to amend and reenact sections 6-01-17 and 6-09-29 of the North Dakota Century Code, and subsection 4 of section 6-06-08 of the North Dakota Century Code as amended by section 1 of House Bill No. 1218, as approved by the fiftieth legislative assembly, relating to yearly assessment and examination fees of banks and credit unions; 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 87 YEAS, 13 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Aas; Berg, G.; Berg, R.; Brokaw; Christman; Cleveland; Dalrymple; DeMers, J.; DeMers, P.; Dotzenrod; Enget; Flaagan; Gerntholz; Goetz; Gorman; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hill; Hoffner; Hokana; Kelly; Kent; Kingsbury; Klundt; Knell; Knudson; Kolbo; Kuchera; Lang; Laughlin; Lautenschlager; Linderman; 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; Payne; Peterson; Riehl; Rydell; Scherber; Schindler; Schneider; Shaft; Shaw; Shide; Shockman; Skjerven; Smette; Solberg; Starke; Stofferahn; Strinden; Tokach; Tollefson; Tomac; Trautman; Ulmer; Vander Vorst; Wald; Watne; Wentz; Wilkie; Williams, A.; Williams, W.; Speaker Kloubec

NAYS: Almlie; Anderson; Belter; Dorso; Haugen; Koland; Larson; Lindgren; Murphy; Rice; Sorensen; Whalen; Winkelman

ABSENT AND NOT VOTING: Frey; Gates; Hausauer, R.;
Kretschmar; Thompson; Williams, C.

HB 1010 passed and the title was agreed to.

REPORT OF CONFERENCE COMMITTEE

REP. MOORE MOVED that the conference committee report on HB 1064 be adopted, which motion prevailed.

MOTION

REP. STRINDEN MOVED that the rules be suspended, that HB 1064 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 1064: A BILL for an Act to provide that corporate income taxpayers may elect to use a water's edge unitary combination approach to apportion income for corporate income tax purposes; 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 70 YEAS, 30 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Aas; Almlie; Anderson; Belter; Berg, R.; Christman; Cleveland; Dalrymple; Dorso; Dotzenrod; Gates; Gerntholz; Goetz; Gorman; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hokana; Kent; Kingsbury; Knell; Knudson; Koland; Kolbo; Kuchera; Lang; Larson; Lindgren; Marks; Martin; Melby; Meyer; Moore; Murphy; Myrdal; Nelson, C.; Nelson, J.; Nicholas; Olsen, D.; Olson, A.; Olson, V.; Opedahl; Payne; Peterson; Rice; Rydell; Schindler; Schneider; Shaft; Shaw; Shide; Smette; Solberg; Sorensen; Tokach; Tollefson; Trautman; Vander Vorst; Wald; Wentz; Whalen; Williams, A.; Winkelman; Speaker Kloubec

NAYS: Berg, G.; Brokaw; DeMers, J.; DeMers, P.; Enget; Flaagan; Graba; Hill; Hoffner; Kelly; Klundt; Laughlin; Lautenschlager; Linderman; Mertens; Nowatzki; Oban; O'Connell; O'Shea; Riehl; Scherber; Shockman; Skjerven; Starke; Stofferahn; Tomac; Ulmer; Watne; Wilkie; Williams, W.

ABSENT AND NOT VOTING: Frey; Kretschmar; Martinson; Strinden; Thompson; Williams, C.

HB 1064 passed and the title was agreed to.

REPORT OF CONFERENCE COMMITTEE

REP. R. HAUSAUER MOVED that the conference committee report on SB 2004 be adopted, which motion prevailed.

REPORT OF STANDING COMMITTEE

MR. SPEAKER: Your Committee on Agriculture to which was rereferred SB 2560 has had the same under consideration and recommends by a vote of 15 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

REP. NICHOLAS, Chairman

SB 2560 was placed on the Fourteenth order of business on the calendar.

SECOND READING OF SENATE BILL

SB 2560: A BILL for an Act to amend and reenact section 24-12-02 of the North Dakota Century Code, relating to obstructing public highways.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 89 YEAS, 14 NAYS, 3 ABSENT AND NOT VOTING.

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

NAYS: Brokaw; DeMers, J.; Goetz; Halmrast; Hamerlik; Hanson, L.; Hausauer, A.; Marks; Rydell; Schneider; Sorensen; Ulmer; Williams, W.; Winkelman

ABSENT AND NOT VOTING: Frey; Kretschmar; Thompson

SB 2560 passed and the title was agreed to.

REPORT OF STANDING COMMITTEE

MR. SPEAKER: Your Committee on Appropriations to which was referred SB 2562 has had the same under consideration and recommends by a vote of 14 YEAS, 8 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 1, after the words "A BILL" delete the remainder of the bill and insert in lieu thereof the following: "for an Act for a contingent appropriation for additional compensation to North Dakota state employees."

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

SECTION 1. APPROPRIATION. The sums hereinafter listed, or so much thereof as may be necessary, are hereby appropriated, subject to the availability of state general fund revenues as provided for in section 2 of this Act, out of the general fund and from special funds or moneys derived from federal funds or income in the state treasury as indicated to the agencies and institutions of state government named for the purpose of providing additional compensation to employees for the various agencies and institutions for the period beginning July 1, 1988, and ending June 30, 1989:

AGENCY OR INSTITUTION	GENERAL FUND	SPECIAL FUND	TOTAL
Governor	\$ 15,364	\$	15,364
Lieutenant governor	1,070		1,070
Secretary of state	20,950	\$ 5,572	26,522
Office of management and budget	77,523	12,620	90,143
Central data processing		147,024	147,024
State auditor	52,223	12,063	64,286
Central duplicating		18,198	18,198
State treasurer	9,221		9,221
Attorney general	96,090	26,393	122,483
Tax commissioner	180,150		180,150
Director of institutions	80,249		80,249
Motor vehicle department		56,842	56,842
Legislative council	43,901		43,901
Supreme court	55,256		55,256
Judicial qualifications	3,782		3,782
District courts	150,928		150,928
Public employees retirement board		17,218	17,218
Superintendent of public instruction	38,506	60,276	98,782
Division of independent study	30,002		30,002
Board of higher education	16,690		16,690

State industrial school	94,075	3,278	97,353
Commissioner of university and school lands		19,459	19,459
Bismarck state college	191,389		191,389
NDCS-Devils Lake	54,165		54,165
UND-Williston	65,998		65,998
University of North Dakota	1,260,943		1,260,943
Medical center		287,649	287,649
rehabilitation hospital			
University of North Dakota medical center	461,792	273,545	735,337
State toxicologist	9,183		9,183
North Dakota	1,085,163		1,085,163
state university			
North Dakota state college of science	409,911		409,911
SUND-Dickinson	168,740		168,740
SUND-Mayville	107,910		107,910
SUND-Minot	338,081		338,081
SUND-Valley City	153,057		153,057
NDSU-Bottineau	65,016		65,016
North Dakota forest service	20,877		20,877
State library	25,756		25,756
School for the deaf	64,524		64,524
School for the blind	47,003		47,003
Teachers' fund for retirement		10,803	10,803
Board of vocational education	18,447	25,038	43,485
Department of health and consolidated laboratories	199,002	132,668	331,670
Grafton state school	205,214	893,950	1,099,164
State hospital	872,707		872,707
Veterans' home		35,839	35,839
Indian affairs commission	3,646		3,646
Department of veterans' affairs (veterans' postwar trust fund)		5,584	5,584
Department of human services	859,358	214,839	1,074,197
Governor's council on human resources	2,590	1,344	3,934
Protection advocacy project	27,787	4,735	32,522
Insurance commissioner (Insurance regulatory trust fund)		30,306	30,306
Industrial commission	42,346		42,346
Labor commissioner	6,539		6,539
Public service commission	53,964	16,866	70,830
Weather modification board	2,700	1,267	3,967
Aeronautics commission		10,167	10,167
Department of banking and financial institutions	29,295		29,295
Securities commissioner	7,278		7,278
Bonding fund		664	664
Fire and tornado fund		4,205	4,205
Bank of North Dakota		185,835	185,835

Housing finance agency		39,674	39,674
Mill and elevator association		76,900	76,900
OASIS and social security		3,909	3,909
Workmen's compensation bureau		79,937	79,937
Job service		584,002	584,002
Parole and probation office	38,874		38,874
Highway patrol		257,299	257,299
Radio communications		33,138	33,138
Division of emergency management	5,685	18,892	24,577
Civil air patrol	780		780
State penitentiary	182,049		182,049
Penitentiary industries		22,350	22,350
Adjutant general	21,770		21,770
Economic development commission	17,796	17,546	35,342
Commissioner of agriculture	32,661	5,632	38,293
Milk stabilization board		6,667	6,667
Sunflower council		1,061	1,061
Agricultural products utilization commission		2,477	2,477
Seed department		38,600	38,600
Livestock sanitary board	6,846		6,846
Wheat commission		9,233	9,233
Upper Great Plains transportation institute	3,920	3,080	7,000
Extension division	129,158	157,860	287,018
Cooperative extension service - nutrition		12,656	12,656
Northern crops institute	6,603	1,352	7,955
Main experiment station	245,819	201,124	446,943
Branch experiment stations	48,521	490	49,011
Agronomy seed farm		3,966	3,966
Land reclamation research center		26,494	26,494
Historical society	55,446	3,248	58,694
Council on the arts	4,752	1,205	5,957
Soil conservation committee	6,677		6,677
Geological survey	24,627		24,627
Game and fish department		132,721	132,721
Parks and recreation department	42,173	1,642	43,815
Water commission	88,107	2,240	90,347
Southwest water pipeline		4,623	4,623
Highway department		1,191,989	1,191,989
Total	\$8,788,625	\$5,456,254	\$14,244,879

SECTION 2. CONTINGENT APPROPRIATION. One-half of the amounts appropriated in section 1 of this Act shall be

made available on January 1, 1989, only upon determination by the director of the office of management and budget that estimated general fund revenues for the biennium ended June 30, 1989, are greater than estimated at the close of the fiftieth legislative assembly by \$4,400,000.

SECTION 3. CONTINGENT APPROPRIATION. On January 1, 1989, the remaining one-half of the amounts appropriated in section 1 of this Act shall be made available retroactively to July 1, 1988, only upon determination by the director of the office of management and budget that estimated general fund revenues for the biennium ended June 30, 1989, are greater than estimated at the close of the fiftieth legislative assembly by \$8,800,000.

SECTION 4. LEGISLATIVE INTENT. The amounts appropriated pursuant to the provisions of this Act shall only be available to state agencies and institutions for employee compensation increases on January 1, 1989, to be paid on February 1, or later, that do not exceed two percent plus \$50 per month for each employee."

And renumber the lines, sections, and pages accordingly

REP. PETERSON, Chairman

SB 2562 was placed on the Sixth order of business on the calendar.

SECOND READING OF HOUSE BILLS

HB 1022: A BILL for an Act making an appropriation for defraying the expenses of the state historical board of the state of North Dakota; and to authorize the industrial commission to obtain financing from the Bank of North Dakota for international peace garden projects.

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, 11 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Aas; Almlie; Belter; Berg, G.; Berg, R.; Brokaw; Christman; Cleveland; Dalrymple; DeMers, J.; DeMers, P.; Dotzenrod; Enget; Flaagan; Gates; Gerntholz; Goetz; Gorman; Graba; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hausauer, R.; Hoffner; Hokana; Kelly; Kent; Kingsbury; Klundt; Knudsen; Koland; Kolbo; Lang; Larson; Laughlin; Linderman; Lindgren; Marks; Martin; Martinson; Mertens; Meyer; Moore; Myrdal; Nelson, C.; Nelson, J.; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; 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; Watne;
 Wentz; Wilkie; Williams, A.; Williams, C.;
 Williams, W.; Speaker Kloubec

NAYS: Anderson; Dorso; Gunsch; Haugen; Hill; Knell;
 Melby; Murphy; O'Shea; Whalen; Winkelman

ABSENT AND NOT VOTING: Frey; Kretschmar; Kuchera;
 Lautenschlager; Wald

HB 1022 passed and the title was agreed to.

HB 1295: A BILL 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.

Which has been read.

ROLL CALL

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

YEAS: Aas; Almlie; Anderson; Belter; Berg, G.; Brokaw;
 Christman; Cleveland; Dalrymple; DeMers, J.;
 DeMers, P.; Dorso; Dotzenrod; Enget; Flaagan; 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; Lang; Larson; Laughlin; 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; 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; Watne; Wentz; Whalen; Wilkie;
 Williams, A.; Williams, C.; Williams, W.; Winkelman;
 Speaker Kloubec

NAYS: None

ABSENT AND NOT VOTING: Berg, R.; Frey; Kretschmar;
Kuchera; Lautenschlager; Wald

HB 1295 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. HAUGLAND MOVED that the House do concur in the Senate amendments to HB 1033, which motion prevailed.

MOTION

REP. STRINDEN MOVED that the rules be suspended, that HB 1033 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 1033: A BILL for an Act to create and enact a new section to chapter 50-06 and a new subdivision to subsection 1 of section 54-07-01.2 of the North Dakota Century Code, relating to the creation of a human services board and the power of the governor to appoint a majority of members of certain boards and commissions; to amend and reenact sections 50-06-01, 50-06-01.1, 50-06-01.3, 50-06-01.4, 50-06-05.1, 50-06-16, and 50-06-17 of the North Dakota Century Code, relating to the authority of the human services board and the structure of the department of human services; 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 59 YEAS, 45 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Aas; Almlie; Anderson; Belter; Berg, G.; Brokaw; Cleveland; Dalrymple; DeMers, J.; Dotzenrod; Enget; Flaagan; Gerntholz; Goetz; Gorman; Graba; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hill; Kingsbury; Klundt; Laughlin; Lautenschlager; Martin; Melby; Mertens; Meyer; Moore; Myrdal; Nelson, C.; Nelson, J.; Nicholas; Nowatzki; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Peterson; Rice; Riehl; Schindler; Schneider; Shaft; Shide; Skjerven; Smette; Solberg; Sorensen; Starke; Strinden; Thompson; Vander Vorst; Wald; Wentz; Winkelman

NAYS: Berg, R.; Christman; DeMers, P.; Dorso; Gates; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hoffner; Hokana; Kelly; Kent; Knell; Knudson; Koland; Kolbo; Kuchera; Lang; Larson; Linderman; Lindgren; Marks; Martinson; Murphy; Oban; O'Connell; Opedahl; Rydell;

Scherber; Shaw; Shockman; Stofferahn; Tokach;
Tollefson; Tomac; Trautman; Ulmer; Watne; Whalen;
Wilkie; Williams, A.; Williams, C.; Williams, W.;
Speaker Kloubec

ABSENT AND NOT VOTING: Frey; Kretschmar

HB 1033 passed and the title was agreed to.

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER: Your Conference Committee to which was referred Engrossed HB 1008 has had the same under consideration and recommends that the SENATE RECEDE from its amendments as found on page 2942 of the House Journal and that Engrossed HB 1008 be amended as follows:

That the Senate recede from its amendments, as printed on pages 2495-2496 of the Senate Journal and page 2942 of the House Journal, and that engrossed House Bill No. 1008 be amended as follows:

On page 1 of the engrossed bill, line 18, delete the numerals "2,057,090" and insert in lieu thereof the numerals "2,157,090"

On page 1 of the engrossed bill, line 19, delete the numerals "3,074,826" and insert in lieu thereof the numerals "3,174,826"

On page 1 of the engrossed bill, line 21, delete the numerals "450,000" and insert in lieu thereof the numerals "550,000"

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Aeronautics Commission

This amendment appropriates an additional \$100,000 from the general fund for grants to political subdivisions or airport authorities with scheduled airline service.

For the Senate: Sens. Yockim, Stromme, Thane

For the House: Reps. Gerntholz, Gunsch, Laughlin

Engrossed HB 1008 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

REP. GERNTHOLZ MOVED that the conference committee report on HB 1008 be adopted, which motion prevailed.

MOTION

REP. STRINDEN MOVED that the rules be suspended, that HB 1008 be deemed properly reengrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILL

HB 1008: A BILL for an Act making an appropriation for defraying the expenses of the aeronautics commission of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 99 YEAS, 4 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Aas; Almlie; Anderson; Belter; Berg, G.; Berg, R.; Brokaw; Christman; Cleveland; Dalrymple; 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; Kingsbury; Klundt; Knell; Knudson; Koland; Kolbo; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Marks; Martin; Martinson; Mertens; Meyer; Moore; Myrdal; Nelson, C.; Nelson, J.; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Peterson; Rice; Riehl; Rydell; Scherber; Schindler; 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: DeMers, J.; Graba; Melby; Murphy

ABSENT AND NOT VOTING: Frey; Kretschmar; Schneider

HB 1008 passed and the title was agreed to.

MOTION

REP. STRINDEN MOVED that SB 2554 be placed at the bottom of the calendar, which motion prevailed.

**MESSAGE FROM THE SENATE
SENATE CHAMBER**

MR. SPEAKER: The Senate accedes to the House request and respectfully returns SB 2079.

PERRY GROTEBERG, Secretary

DELIVERY OF ENROLLED BILLS

THE SPEAKER ANNOUNCED that the following bills were delivered to the Governor for his approval at the hour of 4:08 p.m., April 17, 1987:

HB 1015, HB 1016, HB 1231, HB 1446, HB 1548, HB 1596,
HB 1677, HB 1685

MOTIONS

REP. GOETZ MOVED that the House reconsider its action whereby SB 2079 passed, which motion prevailed.

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

The question then was on the motion of Rep. Goetz that the report of the conference committee be adopted, which motion failed.

The conference committee report on SB 2079 was not adopted.

REP. GOETZ MOVED that a new conference committee be appointed to meet with a like committee from the Senate on SB 2079, which motion prevailed.

ANNOUNCEMENT BY SPEAKER

SPEAKER KLOUBEC APPOINTED Reps. Goetz, A. Hausauer, Schneider to a new Conference Committee on SB 2079.

MOTION

REP. STRINDEN MOVED that the House stand in recess until 5:00 p.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 concurred in the Senate amendments to HB 1022, HB 1295, and HB 1033 and subsequently passed the same.

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

MR. PRESIDENT: I have the honor to inform you that the House has reconsidered its action whereby it did not concur with the Senate amendments to HB 1026, and wishes to inform you that it does now concur in the Senate amendments to HB 1026, and

subsequently passed the same. Also, the House has dissolved the House Conference Committee on HB 1026.

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

MR. PRESIDENT: I have the honor to inform you that Rep. Oban will replace Rep. Frey on the Conference Committee on HB 1359.

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

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

SB 2560

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

MR. PRESIDENT: I have the honor to inform you that the House has reconsidered its action whereby it adopted the conference committee report on SB 2079 and subsequently passed the same, and now wishes to inform you that it has not adopted the conference committee report on SB 2079 and the Speaker has appointed as a new conference committee to meet with a like committee from the Senate, the following:

SB 2079: Reps. Goetz, A. Hausauer, Schneider

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 2004, SB 2468

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 2013, SB 2339

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 1008, HB 1010, HB 1064

ROY GILBREATH, Chief Clerk

MESSAGE FROM THE SENATE
SENATE CHAMBER

MR. SPEAKER: I have the honor to inform you that the President Pro Tem has replaced Sen. Shea with Sen. Tallackson on the Conference Committee on HB 1009.

PERRY GROTEBERG, Secretary

MOTION

REP. STRINDEN MOVED that the House stand in recess until 6:30 p.m., which motion prevailed.

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

MESSAGES FROM THE SENATE
SENATE CHAMBER

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

SB 2079: Sens. Maixner, Richard, Wright

PERRY GROTEBERG, Secretary

SENATE CHAMBER

MR. SPEAKER: I have the honor to inform you that the Senate has not adopted the conference committee report on HB 1544 and the President Pro Tem has appointed as a new conference committee to act with a like committee from the House on:

HB 1544: Sens. Waldera, Yockim, Naaden

PERRY GROTEBERG, Secretary

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER: Your Conference Committee to which was referred Engrossed HB 1009 has had the same under consideration and recommends that the SENATE RECEDE from its amendments as found on page 2308 of the House Journal and that Engrossed HB 1009 be amended as follows:

That the Senate recede from its amendments as printed on page 1688 of the Senate Journal and page 2308 of the House Journal, and that engrossed House Bill No. 1009 be amended as follows:

On page 2 of the engrossed bill, line 30, delete the words "unobligated balance in" and insert in lieu thereof the words and numerals "sum of \$2,000,000 from"

On page 2 of the engrossed bill, line 31, delete the word and numerals "on July 1, 1987,"

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

That the Senate recede from its amendments and that engrossed House Bill No. 1009 be amended as follows:

The conference committee amendments transfer \$2,000,000 of the estimated \$2,264,412 unobligated July 1, 1987, balance from the veterans' postwar trust fund to the general fund on July 1, 1987.

For the Senate: Sens. Tallackson, Redlin, Lips

For the House: Reps. Winkelman, Wald, Stofferahn (refused to sign)

Engrossed HB 1009 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER: Your Conference Committee to which was referred Engrossed HB 1019 has had the same under consideration and recommends that the SENATE RECEDE from its amendments as found on page 2799 of the House Journal and that Engrossed HB 1019 be amended as follows:

That the Senate recede from its amendments, as printed on page 2332 of the Senate Journal and 2799 of the House Journal, and that engrossed House Bill No. 1019 be amended as follows:

On page 1 of the engrossed bill, line 3, after the semicolon insert the words "to provide a contingent appropriation for payment of the special assessments on the old Dickinson experiment station;" and delete the words "declare an emergency" and insert in lieu thereof the words "provide for a transfer from the lignite research fund"

On page 1 of the engrossed bill, line 21, delete the numerals "1,779,041" and insert in lieu thereof the numerals "840,881"

On page 1 of the engrossed bill, line 23, delete the numerals "3,207,412" and insert in lieu thereof the numerals "2,269,252"

On page 1 of the engrossed bill, line 25, delete the numerals "1,779,041" and insert in lieu thereof the numerals "840,881"

On page 2 of the engrossed bill, delete lines 10 through 13 and insert in lieu thereof the following new sections:

"SECTION 4. CONTINGENT APPROPRIATION - DICKINSON EXPERIMENT STATION. There is hereby appropriated to the commissioner of university and school lands, the sum of \$1,140,228, or so much thereof as may be necessary, out of any moneys in the general fund in the state treasury, not otherwise appropriated, for the period beginning July 1, 1988, and ending June 30, 1989, for payment of the special

assessments on the old Dickinson experiment station. This appropriation shall be effective only upon determination by the director of the office of management and budget that the unobligated general fund balance on June 30, 1988, is in excess of \$20,000,000.

SECTION 5. LIGNITE DEVELOPMENT RESEARCH - APPROPRIATION - TRANSFER. There is hereby appropriated and transferred by the industrial commission, at the direction of the office of management and budget, from the lignite research fund as created by the fiftieth legislative assembly, to the university of North Dakota, the sum of \$250,000, or so much thereof as may be necessary, for lignite development research projects for the biennium beginning July 1, 1987, and ending June 30, 1989.

SECTION 6. LEGISLATIVE INTENT REGARDING SALE OF OLD DICKINSON EXPERIMENT STATION PROPERTY. The legislative assembly urges the board of university and school lands to sell the old Dickinson experiment station property at public auction to the highest bidder or bidders."

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Land Department

This amendment reduces the \$1,779,041 general fund appropriation for special assessments at the old Dickinson Experiment Station to \$840,881, which is the amount due for the 1985-87 and 1987-89 bienniums.

A section is added which appropriates \$1,140,228 from the general fund for the complete payoff of those special assessments if the unobligated general fund balance at June 30, 1988, is in excess of \$20 million.

A section is added which appropriates \$250,000 from the lignite research fund for lignite development research projects at the University of North Dakota.

A section is added to reflect legislative intent that the Board of University and School Lands sell the old Dickinson Experiment Station property at public auction to the highest bidder or bidders.

For the Senate: Sens. Waldera, Wogsland, Nelson

For the House: Reps. Wald, Kuchera, Opedahl

Engrossed HB 1019 was placed on the Seventh order of business on the calendar.

APPOINTMENT OF A CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a new Conference Committee on HB 1544:

Reps. Gunsch, Wald, Hill

REPORT OF CONFERENCE COMMITTEE

REP. WALD MOVED that the conference committee report on HB 1009 be adopted, which motion prevailed.

MOTION

REP. STRINDEN MOVED that the rules be suspended, that HB 1009 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 1009: A BILL for an Act making an appropriation for defraying the expenses of the veterans' home and the department of veterans' affairs of the state of North Dakota; to provide for a transfer of principal and earnings from the veterans' postwar trust fund; and to repeal section 37-14-14 of the North Dakota Century Code, relating to the veterans' postwar trust fund.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 67 YEAS, 26 NAYS, 13 ABSENT AND NOT VOTING.

YEAS: Aas; Almlie; Anderson; Belter; Berg, R.; Christman; Cleveland; Dalrymple; Dorso; Dotzenrod; Gerntholz; Goetz; Graba; Gunsch; Hamerlik; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hokana; Kelly; Kent; Klundt; Knell; Koland; Kolbo; Kretschmar; Kuchera; Larson; Lautenschlager; Linderman; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Meyer; Moore; Myrdal; Nicholas; Nowatzki; Olsen, D.; Olson, A.; Payne; Rice; Riehl; Rydell; Scherber; Shaft; Shide; Skjerven; Smette; Solberg; Starke; Stofferahn; Strinden; Tokach; Tollefson; Trautman; Wald; Wentz; Whalen; Williams, A.; Williams, W.; Speaker Kloubec

NAYS: Berg, G.; Brokaw; DeMers, J.; DeMers, P.; Enget; Flaagan; Gorman; Halmrast; Laughlin; Nelson, C.; Nelson, J.; Oban; O'Connell; Olson, V.; Opedahl; O'Shea; Schindler; Schneider; Shaw; Shockman; Tomac; Ulmer; Vander Vorst; Watne; Wilkie; Williams, C.

ABSENT AND NOT VOTING: Frey; Gates; Hausauer, R.; Hill; Hoffner; Kingsbury; Knudson; Lang; Murphy; Peterson; Sorensen; Thompson; Winkelman

HB 1009 passed and the title was agreed to.

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER: Your Conference Committee to which was referred Engrossed HB 1018 has had the same under consideration and recommends that the SENATE RECEDE from its amendments as found on pages 2651-2660 of the House Journal and that Engrossed HB 1018 be amended as follows:

That the Senate recede from its amendments as printed on pages 2130-2140 of the Senate Journal and pages 2651-2660 of the House Journal and that engrossed House Bill No. 1018 be amended as follows:

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 does not 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	620.00	
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 Not	YEARS REGISTERED				
	1st, 2nd, 3rd, and 4th Years	5th and 6th Years	7th and 8th Years	9th and Subsequent Years	
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 Years	6th, 7th, 8th, 9th, and 10th Years	11th and Subsequent 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	50.00
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	198.00	155.00	108.00
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:

Cross 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	\$ 47.75	\$ 39.75	\$ 31.75	\$23.75
3,200-4,499	67.75	55.75	43.75	31.75
4,500-4,999	85.75	68.75	53.75	37.75
5,000-5,999	116.75	94.75	72.75	50.75
6,000-6,999	149.75	120.75	91.75	63.75
7,000-7,999	182.75	146.75	111.75	76.75
8,000-8,999	215.75	173.75	131.75	89.75
9,000 and over	248.75	199.75	151.75	102.75
Less than 3,200	\$ 48.75	\$ 40.75	\$ 32.75	\$24.75
3,200-4,499	68.75	56.75	44.75	32.75
4,500-4,999	86.75	69.75	54.75	38.75
5,000-5,999	117.75	95.75	73.75	51.75
6,000-6,999	150.75	121.75	92.75	64.75
7,000-7,999	183.75	147.75	112.75	77.75
8,000-8,999	216.75	174.75	132.75	90.75

9,000 and over	249.75	200.75	152.75	103.75
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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 Not over	YEARS REGISTERED				
	1st, 2nd, 3rd, 4th, and 5th Years	6th and 7th Years	8th and 9th Years	10th and Subsequent Years	
over 4,000	\$45.75	\$32.75	\$27.75	\$24.75	
4,001- 6,000	50.75	37.75	31.75	25.75	
6,001- 8,000	55.75	42.75	35.75	26.75	
8,001-10,000	60.75	47.75	39.75	28.75	
10,001-12,000	65.75	52.75	43.75	30.75	
12,001-14,000	70.75	57.75	47.75	33.75	
14,001-16,000	75.75	62.75	51.75	36.75	
16,001-18,000	80.75	67.75	55.75	38.75	
18,001-20,000	83.75	70.75	57.75	39.75	
Not over 4,000	\$46.75	\$33.75	\$28.75	\$25.75	
4,001- 6,000	51.75	38.75	32.75	26.75	
6,001- 8,000	56.75	43.75	36.75	27.75	
8,001-10,000	61.75	48.75	40.75	29.75	
10,001-12,000	66.75	53.75	44.75	31.75	
12,001-14,000	71.75	58.75	48.75	34.75	
14,001-16,000	76.75	63.75	52.75	37.75	
16,001-18,000	81.75	68.75	56.75	39.75	
18,001-20,000	84.75	71.75	58.75	40.75	

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	\$ 113.75	\$ 87.75	\$ 74.75	
22,001- 26,000	165.75	135.75	119.75	
26,001- 30,000	226.75	184.75	162.75	
30,001- 34,000	292.75	237.75	209.75	
34,001- 38,000	352.75	286.75	252.75	
38,001- 42,000	414.75	335.75	294.75	

42,001- 46,000	475.75	383.75	337.75
46,001- 50,000	536.75	432.75	380.75
50,001- 54,000	606.75	490.75	431.75
54,001- 58,000	667.75	539.75	474.75
58,001- 62,000	728.75	588.75	517.75
62,001- 66,000	789.75	636.75	560.75
66,001- 70,000	850.75	685.75	602.75
70,001- 74,000	911.75	734.75	645.75
74,001- 78,000	972.75	783.75	688.75
78,001- 82,000	1,033.75	832.75	731.75
82,001- 86,000	1,156.75	937.75	818.75
86,001- 90,000	1,278.75	1,041.75	905.75
90,001- 94,000	1,400.75	1,146.75	992.75
94,001- 98,000	1,522.75	1,251.75	1,080.75
98,001-102,000	1,644.75	1,355.75	1,167.75
102,001-105,500	1,766.75	1,460.75	1,254.75
20,001- 22,000	\$ 114.75	\$ 88.75	\$ 75.75
22,001- 26,000	166.75	136.75	120.75
26,001- 30,000	227.75	185.75	163.75
30,001- 34,000	293.75	238.75	210.75
34,001- 38,000	354.75	287.75	253.75
38,001- 42,000	415.75	336.75	295.75
42,001- 46,000	476.75	384.75	338.75
46,001- 50,000	537.75	433.75	381.75
50,001- 54,000	607.75	491.75	432.75
54,001- 58,000	668.75	540.75	475.75
58,001- 62,000	729.75	589.75	518.75
62,001- 66,000	790.75	637.75	561.75
66,001- 70,000	851.75	686.75	603.75
70,001- 74,000	912.75	735.75	646.75
74,001- 78,000	973.75	784.75	689.75
78,001- 82,000	1,034.75	833.75	732.75
82,001- 86,000	1,157.75	938.75	819.75
86,001- 90,000	1,279.75	1,042.75	906.75
90,001- 94,000	1,401.75	1,147.75	993.75
94,001- 98,000	1,523.75	1,252.75	1,081.75
98,001-102,000	1,645.75	1,356.75	1,168.75
102,001-105,500	1,767.75	1,461.75	1,255.75

c. Motorcycles, thirteen fourteen dollars and seventy-five cents.

- 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	\$ 86.75	\$ 72.75	\$ 58.75	\$ 40.75
22,001-24,000	91.75	76.75	61.75	42.75
24,001-26,000	99.75	82.75	65.75	44.75
26,001-28,000	109.75	90.75	71.75	48.75
28,001-30,000	119.75	98.75	77.75	52.75
30,001-32,000	134.75	111.75	88.75	61.75
32,001-34,000	144.75	119.75	94.75	65.75
34,001-36,000	154.75	127.75	100.75	69.75
36,001-38,000	164.75	135.75	106.75	73.75
38,001-40,000	174.75	143.75	112.75	77.75
40,001-42,000	184.75	151.75	118.75	81.75
42,001-44,000	194.75	159.75	124.75	85.75
44,001-46,000	204.75	167.75	130.75	89.75
46,001-48,000	214.75	175.75	136.75	93.75
48,001-50,000	224.75	183.75	142.75	97.75
50,001-52,000	244.75	201.75	158.75	111.75
52,001-54,000	254.75	209.75	164.75	115.75
54,001-56,000	264.75	217.75	170.75	119.75
56,001-58,000	274.75	225.75	176.75	123.75
58,001-60,000	284.75	233.75	182.75	127.75
60,001-62,000	294.75	241.75	188.75	131.75
62,001-64,000	304.75	249.75	194.75	135.75
64,001-66,000	314.75	257.75	200.75	139.75
66,001-68,000	324.75	265.75	206.75	143.75
68,001-70,000	334.75	273.75	212.75	147.75
70,001-72,000	344.75	281.75	218.75	151.75
72,001-74,000	354.75	289.75	224.75	155.75
74,001-76,000	364.75	297.75	230.75	159.75
76,001-78,000	374.75	305.75	236.75	163.75
78,001-80,000	384.75	313.75	242.75	167.75
80,001-82,000	394.75	321.75	248.75	171.75
20,001-22,000	\$ 87.75	\$ 73.75	\$ 59.75	\$ 41.75
22,001-24,000	92.75	77.75	62.75	43.75
24,001-26,000	100.75	83.75	66.75	45.75
26,001-28,000	110.75	91.75	72.75	49.75
28,001-30,000	120.75	99.75	78.75	53.75
30,001-32,000	135.75	112.75	89.75	62.75
32,001-34,000	145.75	120.75	95.75	66.75
34,001-36,000	155.75	128.75	101.75	70.75
36,001-38,000	165.75	136.75	107.75	74.75
38,001-40,000	175.75	144.75	113.75	78.75
40,001-42,000	185.75	152.75	119.75	82.75
42,001-44,000	195.75	160.75	125.75	86.75

44,001-46,000	205.75	168.75	131.75	90.75
46,001-48,000	215.75	176.75	137.75	94.75
48,001-50,000	225.75	184.75	143.75	98.75
50,001-52,000	245.75	202.75	159.75	112.75
52,001-54,000	255.75	210.75	165.75	116.75
54,001-56,000	265.75	218.75	171.75	120.75
56,001-58,000	275.75	226.75	177.75	124.75
58,001-60,000	285.75	234.75	183.75	128.75
60,001-62,000	295.75	242.75	189.75	132.75
62,001-64,000	305.75	250.75	195.75	136.75
64,001-66,000	315.75	258.75	201.75	140.75
66,001-68,000	325.75	266.75	207.75	144.75
68,001-70,000	335.75	274.75	213.75	148.75
70,001-72,000	345.75	282.75	219.75	152.75
72,001-74,000	355.75	290.75	225.75	156.75
74,001-76,000	365.75	298.75	231.75	160.75
76,001-78,000	375.75	306.75	237.75	164.75
78,001-80,000	385.75	314.75	243.75	168.75
80,001-82,000	395.75	322.75	249.75	172.75

SECTION 3. 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 2 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	YEARS REGISTERED				10th and Subsequent Years
	1st, 2nd, 3rd, 4th, and 5th Years	6th and 7th Years	8th and 9th Years		
over 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				12th and Subsequent Years
	1st, 2nd, 3rd, 4th, 5th, and 6th Years	7th, 8th, 9th, 10th, and 11th 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 6. APPLICATION OF ACT. If Senate Bill No. 2259 does not become effective, section 1 of this Act applies to vehicle registration periods beginning after December 31, 1987, and before January 1, 1990. If Senate Bill No. 2259 becomes effective, section 2 of this Act applies to vehicle registration periods beginning after December 31, 1987, and before January 1, 1989, and section 3 of this Act applies to vehicle registration periods beginning after December 31, 1988, and before January 1, 1990.

SECTION 7. EFFECTIVE DATE - EXPIRATION DATE. Sections 1, 2, and 3 of this Act are effective as provided in section 6 and are ineffective after December 31, 1989."

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.

For the Senate: Sens. Tallackson, Stromme, Thane
For the House: Reps. Gunsch, Gerntholz, Laughlin

Engrossed HB 1018 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

REP. GUNSCH MOVED that the conference committee report on HB 1018 be adopted, which motion prevailed on a verification vote.

MOTION

REP. STRINDEN MOVED that the rules be suspended, that HB 1018 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 1018: A BILL for an Act 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 an appropriation for defraying the expenses of the motor vehicle department of the state of North Dakota; to provide for application of this Act; to provide an effective date; and to provide an expiration date.

Which has been read.

MOTION

REP. LINDGREN 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 55 YEAS, 41 NAYS, 10 ABSENT AND NOT VOTING.

YEAS: Almlie; Berg, G.; Brokaw; DeMers, J.; DeMers, P.; Dotzenrod; Flaagan; Gerntholz; Goetz; Gorman; Graba; Halmrast; Hamerlik; Hanson, L.; Haugen; Haugland; Hokana; Kelly; Klundt; Kolbo; Kretschmar; Kuchera; Laughlin; Lautenschlager; Linderman; Martin; Martinson; Mertens; Moore; Myrdal; Nelson, C.; Nelson, J.; Nowatzki; Oban; O'Connell; Opedahl; Payne; Rice; Scherber; Schneider; Shaw; Shide; Shockman; Skjerven; Starke; Stofferahn; Tollefson; Ulmer; Vander Vorst; Watne; Wentz; Wilkie; Williams, A.; Williams, C.; Williams, W.

NAYS: Aas; Anderson; Belter; Berg, R.; Christman; Cleveland; Dalrymple; Dorso; Enget; Gunsch; Hanson, O.; Hausauer, A.; Hill; Kent; Knell; Koland; Larson; Lindgren; Marks; Melby; Meyer; Nicholas; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Riehl; Rydell; Schindler; Shaft; Smette; Solberg; Sorensen; Strinden; Thompson; Tokach; Tomac; Trautman; Wald; Whalen; Speaker Kloubec

ABSENT AND NOT VOTING: Frey; Gates; Hausauer, R.; Hoffner; Kingsbury; Knudson; Lang; Murphy; Peterson; Winkelman

HB 1018 passed and the title was agreed to.

MESSAGES FROM THE SENATE
SENATE CHAMBER

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

HB 1008, HB 1064

PERRY GROTEBERG, Secretary

SENATE CHAMBER

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

HB 1010

PERRY GROTEBERG, Secretary

REPORT OF CONFERENCE COMMITTEE

REP. WALD MOVED that the conference committee report on HB 1019 be adopted, which motion prevailed.

MOTION

REP. STRINDEN MOVED that the rules be suspended, that HB 1019 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 1019: A BILL for an Act making an appropriation for defraying the expenses of the commissioner of university and school lands of the state of North Dakota; to provide a contingent appropriation for payment of the special assessments on the old Dickinson experiment station; and to provide for a transfer from the lignite research fund.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 91 YEAS, 0 NAYS, 15 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; Gerntholz; Goetz; Gorman; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hill; Hokana; Kelly; Klundt; Knell; Koland; Kolbo; Kretschmar; Kuchera; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Marks; Martin; Martinson; Melby; Meyer; Moore; Myrdal; Nelson, C.; Nelson, J.; Nicholas; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Rice; Riehl; Rydell; Scherber; Schindler; Shaft; Shaw; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Starke; Stofferahn; Strinden; Tokach; Tollefson; Tomac; Trautman; Ulmer; Vander Vorst; Wald; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, C.; Williams, W.; Speaker Kloubec

NAYS: None

ABSENT AND NOT VOTING: Frey; Gates; Hausauer, R.; Hoffner; Kent; Kingsbury; Knudson; Lang; Mertens; Murphy; Nowatzki; Peterson; Schneider; Thompson; Winkelman

HB 1019 passed and the title was agreed to.

SECOND READING OF SENATE BILLS

SB 2190: A BILL for an Act to amend and reenact sections 54-40.1-01, 54-40.1-02, subsection 1 of section 54-40.1-03,

and section 54-40.1-05 of the North Dakota Century Code, relating to regional planning and development councils.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 53 YEAS, 40 NAYS, 13 ABSENT AND NOT VOTING.

YEAS: Almlie; Berg, G.; Brokaw; Christman; DeMers, J.; DeMers, P.; Enget; Flaagan; Gerntholz; Graba; Halmrast; Hamerlik; Hanson, L.; Haugen; Haugland; Hill; Hokana; Kelly; Klundt; Kolbo; Kretschmar; Laughlin; Lautenschlager; Linderman; Marks; Mertens; Meyer; Myrdal; Nelson, C.; Nelson, J.; Nicholas; Oban; O'Connell; Olson, A.; Olson, V.; Opedahl; O'Shea; Riehl; Scherber; Schneider; Shockman; Skjerven; Solberg; Starke; Stofferahn; Trautman; Vander Vorst; Watne; Wentz; Wilkie; Williams, A.; Williams, C.; Williams, W.

NAYS: Aas; Anderson; Belter; Berg, R.; Dalrymple; Dorso; Dotzenrod; Goetz; Gorman; Gunsch; Hanson, O.; Hausauer, A.; Kingsbury; Knell; Koland; Kuchera; Larson; Lindgren; Martin; Martinson; Melby; Moore; Payne; Rice; Rydell; Schindler; Shaft; Shaw; Shide; Smette; Sorensen; Strinden; Thompson; Tokach; Tollefson; Tomac; Ulmer; Wald; Whalen; Speaker Kloubec

ABSENT AND NOT VOTING: Cleveland; Frey; Gates; Hausauer, R.; Hoffner; Kent; Knudson; Lang; Murphy; Nowatzki; Olsen, D.; Peterson; Winkelman

SB 2190 was declared lost for want of a Constitutional majority.

SB 2198: A BILL for an Act to create a commission on governmental reorganization under the legislative council to study existing state boards and commissions; to provide an appropriation; and to provide an effective date and an expiration date.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 40 YEAS, 55 NAYS, 11 ABSENT AND NOT VOTING.

YEAS: Berg, G.; Berg, R.; Brokaw; DeMers, P.; Dotzenrod; Enget; Flaagan; Graba; Halmrast; Hamerlik; Hill; Hokana; Klundt; Kolbo; Laughlin; Lautenschlager; Linderman; Marks; Mertens; Meyer; Myrdal; Nelson, C.; Nelson, J.; Oban; O'Connell; Opedahl; O'Shea; Riehl;

Schindler; Shockman; Skjerven; Solberg; Starke;
Stofferahn; Ulmer; Watne; Wilkie; Williams, A.;
Williams, C.; Williams, W.

NAYS: Aas; Almlie; Anderson; Belter; Christman;
Cleveland; Dalrymple; DeMers, J.; Dorso; Gerntholz;
Goetz; Gorman; Gunsch; Hanson, L.; Hanson, O.; Haugen;
Haugland; Hausauer, A.; Hausauer, R.; Kingsbury; Knell;
Koland; Kretschmar; Kuchera; Larson; Lindgren; Martin;
Melby; Moore; Nicholas; Olsen, D.; Olson, A.;
Olson, V.; Payne; Peterson; Rice; Rydell; Scherber;
Schneider; Shaft; Shaw; Shide; Smette; Sorensen;
Strinden; Thompson; Tokach; Tollefson; Tomac; Trautman;
Vander Vorst; Wald; Wentz; Whalen; Speaker Kloubec

ABSENT AND NOT VOTING: Frey; Gates; Hoffner; Kelly;
Kent; Knudson; Lang; Martinson; Murphy; Nowatzki;
Winkelman

SB 2198 was declared lost.

SB 2555: A BILL for an Act to amend and reenact subsection 7 of section 57-40.2-01 of the North Dakota Century Code, relating to imposition of use taxes on the gross receipts from sales in this state by a person who engages in regular or systematic solicitation of sales of tangible personal property in this state.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 95 YEAS, 0 NAYS, 11 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; Graba; Halmrast; Hamerlik;
Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.;
Hausauer, R.; Hoffner; Hokana; Kelly; Kingsbury;
Klundt; Knell; Koland; Kolbo; Kretschmar; Kuchera;
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; O'Shea; Payne; Peterson; Rice;
Riehl; Rydell; Scherber; Schindler; Schneider; Shaft;
Shaw; Shide; Shockman; Skjerven; Smette; Solberg;
Sorensen; Starke; Stofferahn; Strinden; Tokach;
Tollefson; Trautman; Ulmer; Vander Vorst; Watne; Wentz;
Whalen; Wilkie; Williams, A.; Williams, C.;
Speaker Kloubec

NAYS: None

ABSENT AND NOT VOTING: Frey; Gunsch; Hill; Kent;
Knudson; Lang; Thompson; Tomac; Wald; Williams, W.;
Winkelman

SB 2555 passed and the title was agreed to.

MOTIONS

REP. PAYNE MOVED that the House reconsider its action whereby HB 1018 passed, which motion was withdrawn.

REP. STRINDEN MOVED that the House stand in recess until 9:00 p.m., which motion prevailed.

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

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER: Your Conference Committee to which was referred Engrossed HB 1004 has had the same under consideration and recommends that the SENATE RECEDE from its amendments as found on page 2446 of the House Journal and that Engrossed HB 1004 be amended as follows:

That the Senate recede from its amendments, as printed on page 1720 of the Senate Journal and page 2446 of the House Journal, and that engrossed House Bill No. 1004 be amended as follows:

On page 1 of the engrossed bill, line 19, delete the numerals "14,549,720" and insert in lieu thereof the numerals "14,749,720"

On page 1 of the engrossed bill, line 23, delete the numerals "21,131,459" and insert in lieu thereof the numerals "21,331,459"

On page 1 of the engrossed bill, line 25, delete the numerals "13,330,262" and insert in lieu thereof the numerals "13,530,262"

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Board of Vocational Education

That the Senate recede from its amendments and that engrossed House Bill No. 1004 be amended as follows:

The conference committee restores \$200,000 from the general fund to the grants line item, a portion of which is to provide for a vocational industrial jobs training program.

For the Senate: Sens. Shea, Redlin, Streibel

For the House: Reps. Thompson, R. Hausauer, Hill

Engrossed HB 1004 was placed on the Seventh order of business on the calendar.

**MESSAGE FROM THE SENATE
SENATE CHAMBER**

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

SB 2008, SB 2009, SB 2079

PERRY GROTEBERG, Secretary

MOTION

REP. STRINDEN MOVED that the House request the return of SB 2004, which motion prevailed.

REPORT OF CONFERENCE COMMITTEE

REP. THOMPSON MOVED that the conference committee report on HB 1004 be adopted, which motion prevailed.

MOTION

REP. STRINDEN MOVED that the rules be suspended, that HB 1004 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 1004: A BILL for an Act making an appropriation for defraying the expenses of the state board of vocational education of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 95 YEAS, 0 NAYS, 11 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; Graba; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hill; Hoffner; Hokana; Kent; Kingsbury; Klundt; Knell; 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.;
O'Shea; Payne; Rice; Riehl; Rydell; Scherber;
Schindler; Schneider; Shaft; Shaw; Shide; Shockman;
Skjerven; Smette; Solberg; Sorensen; Starke; Strinden;
Thompson; Tokach; Tollefson; Tomac; Trautman; Ulmer;
Vander Vorst; Wald; Watne; Wentz; Wilkie; Williams, A.;
Williams, C.; Williams, W.; Speaker Kloubec

NAYS: None

ABSENT AND NOT VOTING: Frey; Gunsch; Hausauer, R.;
Kelly; Knudson; Kuchera; Opedahl; Peterson; Stofferahn;
Whalen; Winkelman

HB 1004 passed and the title was agreed to.

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER: Your Conference Committee to which was referred Engrossed SB 2008 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on pages 2037-2038 of the House Journal and that Engrossed SB 2008 be amended as follows:

That the House recede from its amendments as printed on pages 2037-2038 of the House Journal and page 1753 of the Senate Journal, and that engrossed Senate Bill No. 2008 be amended as follows:

On page 1 of the engrossed bill, line 15, delete the numerals "804,868" and insert in lieu thereof the numerals "787,462"

On page 1 of the engrossed bill, line 19, delete the numerals "2,997,849" and insert in lieu thereof the numerals "2,980,443"

On page 1 of the engrossed bill, line 21, delete the numerals "2,191,545" and insert in lieu thereof the numerals "2,174,139"

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

State Library

The operating expenses line item is reduced by \$17,406 from the general fund and the reduction relates to resource and reference materials.

For the Senate: Sens. Waldera, Stromme, Lips

For the House: Reps. Gunsch, Gerntholz, Solberg

Engrossed SB 2008 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER: Your Conference Committee to which was referred Reengrossed SB 2009 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on pages 2098-2099 of the Senate Journal and that Reengrossed SB 2009 be amended as follows:

That the House recede from its amendments as found on page 2559 of the House Journal and pages 2098 and 2099 of the Senate Journal and that reengrossed Senate Bill No. 2009 be amended as follows:

On page 1 of the reengrossed bill, line 22, delete the numerals "2,144,214" and insert in lieu thereof the numerals "2,132,214"

On page 1 of the reengrossed bill, line 23, delete the numerals "14,882,785" and insert in lieu thereof the numerals "14,870,785"

On page 1 of the reengrossed bill, line 25, delete the numerals "13,252,929" and insert in lieu thereof the numerals "13,240,929"

On page 2 of the reengrossed bill, line 3, delete the numerals "1,071,798" and insert in lieu thereof the numerals "1,266,798"

On page 2 of the reengrossed bill, line 4, delete the numerals "3,784,390" and insert in lieu thereof the numerals "4,944,390"

On page 2 of the reengrossed bill, line 5, delete the numerals "209,000" and insert in lieu thereof the numerals "754,000"

On page 2 of the reengrossed bill, line 7, delete the numerals "5,765,188" and insert in lieu thereof the numerals "7,665,188"

On page 2 of the reengrossed bill, line 8, delete the numerals "13,252,929" and insert in lieu thereof the numerals "13,240,929"

On page 2 of the reengrossed bill, line 9, delete the numerals "7,395,044" and insert in lieu thereof the numerals "9,295,044"

On page 2 of the reengrossed bill, line 10, delete the numerals "20,647,973" and insert in lieu thereof the numerals "22,535,973"

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

"SECTION 7. CONTINGENT APPROPRIATION. Subdivision 2 of section 1 of this Act includes \$1,900,000, including \$195,000 in salaries and wages, \$1,160,000 in operating expenses, and \$545,000 in equipment, which is appropriated for the 1987-89 biennium for a license plate manufacturing program only if the one dollar motor vehicle license fee increase for distribution of a license plate issue included in House Bill No. 1018 is approved by the 1987 legislative assembly."

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

State Penitentiary

The capital improvements line item is reduced by \$12,000 from the general fund. The \$12,000 reduction consists of \$8,000 for the drainage project and a \$4,000 reduction in the food service renovation project. The House reduced capital improvements by \$24,000.

Roughrider Industries

The appropriation for Roughrider Industries is increased by \$1,900,000 from other funds to provide funding for a license plate manufacturing program. The appropriation is contingent upon the 1987 Legislative Assembly's approval of a \$1 license fee increase for a general license plate issue.

The Senate had removed \$1,450,888 relating to the license plate program from the bill as introduced. The revised cost estimates for the project have been increased to \$1,900,000.

For the Senate: Sens. Tallackson, Shea, Lips

For the House: Reps. Gerntholz, Smette (refused to sign), Laughlin

Reengrossed SB 2009 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER: Your Conference Committee to which was referred Engrossed SB 2079 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on pages 2336-2337 of the House Journal and that Engrossed SB 2079 be amended as follows:

That the House recede from its amendments and that engrossed Senate Bill No. 2079 be 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 subsections 4 and 5 of section 38-08-04, and sections 57-51.1-01, 57-51.1-02, and 57-51.1-03 of the North Dakota Century Code, relating to the duties of the industrial commission, the definitions of stripper well property, qualifying secondary recovery project, and qualifying tertiary recovery project for oil extraction purposes, the definition of average price, the rate of the oil extraction tax, and exemption from the oil extraction tax; and to declare an emergency.

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

SECTION 1. AMENDMENT. Subsections 4 and 5 of section 38-08-04 of the 1985 Supplement to the North Dakota Century Code are hereby amended and reenacted to read as follows:

4. To classify wells as oil or gas wells for purposes material to the interpretation or enforcement of this chapter, ~~and~~ to classify and determine the status and depth of wells that are stripper well property as defined in subsection 5 8 of section 57-51.1-01, to certify to the tax commissioner which wells are stripper wells and the depth of those wells, and to certify to the tax commissioner which wells involve secondary or tertiary recovery operations under section 2 of this Act, and the date of qualification for the reduced rate of oil extraction tax for secondary and tertiary recovery operations.
5. To adopt and to enforce rules and orders to effectuate the purposes and the intent of this chapter and of subsections 1 and, 4, 5, 6, and 8 of section 57-51.1-01.

SECTION 2. AMENDMENT. Section 57-51.1-01 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

57-51.1-01. Definitions for oil extraction tax. For the purposes of the oil extraction tax law, the following words and terms shall have the meaning ascribed to them in this section:

1. "Average daily production" of a well means the qualified maximum total production of oil from the well during a calendar month period divided by the number of calendar days in that period; and "qualified maximum total production" of a

well means that the well must have been maintained at the maximum efficient rate of production as defined and determined by rule adopted by the industrial commission in furtherance of its authority under chapter 38-08.

2. "Average price" of a barrel of crude oil means the average daily price for a barrel of west Texas intermediate cushing crude oil, as those prices appear in the wall street journal, midwest edition, for the period June first through October thirty-first of any year.
3. "Oil" means petroleum, crude oil, mineral oil, casinghead gasoline, and all liquid hydrocarbons that are recovered from gas on the lease incidental to the production of the gas.
- 3- 4. "Property" means the right which arises from a lease or fee interest, as a whole or any designated portion thereof, to produce oil. A producer shall treat as a separate property each separate and distinct producing reservoir subject to the same right to produce crude oil; provided, that such reservoir is recognized by the appropriate governmental regulatory authority industrial commission as a producing formation that is separate and distinct from, and not in communication with, any other producing formation.
5. "Qualifying secondary recovery project" means a project employing water flooding. To be eligible for the tax reduction provided under section 57-51.1-02, a secondary recovery project must be certified as qualifying by the industrial commission, the project must have been unitized after the effective date of this Act, and the project operator must have achieved for six consecutive months an average production level of at least twenty-five percent above the level that would have been recovered under normal recovery operations.
6. "Qualifying tertiary recovery project" means a project for enhancing recovery of oil which meets the requirements of section 4993(c), Internal Revenue Code of 1954, as amended through December 31, 1986, and includes the following methods for recovery:
 - a. Miscible fluid displacement.
 - b. Steam drive injection.

- c. Microemulsion.
- d. In situs combustion.
- e. Polymer augmented water flooding.
- f. Cyclic steam injection.
- g. Alkaline flooding.
- h. Carbonated water flooding.
- i. Immiscible carbon dioxide displacement.
- j. New tertiary recovery methods certified by the industrial commission.

It does not include water flooding, unless the water flooding is used as an element of one of the qualifying tertiary recovery techniques described in this subsection, or immiscible natural gas injection. To be eligible for the tax reduction provided under section 57-51.1-02, a tertiary recovery project must be certified as qualifying by the industrial commission, the project operator must continue to operate the unit as a qualifying tertiary recovery project, and the project operator must have achieved for at least one month a production level of at least fifteen percent above the level that would have been recovered under normal recovery operations.

- 4- 7. "Royalty owner" means an owner of what is commonly known as the royalty interest and shall not include the owner of any overriding royalty or other payment carved out of the working interest.
- 5- 8. "Stripper well property" means a "property" whose average daily production of oil, excluding condensate recovered in nonassociated production, per well did not exceed ten barrels per day for wells of a depth of six thousand feet or less, fifteen barrels per day for wells of a depth of more than six thousand feet but not more than ten thousand feet, and twenty barrels per day for wells of a depth of more than ten thousand feet during any preceding consecutive twelve-month period beginning after December 31, 1972. Wells which did not actually yield or produce oil during the qualifying twelve-month period, including disposal wells, dry wells, spent wells, and shut-in wells, are not production wells for

the purpose of determining whether the stripper well property exemption applies.

SECTION 3. AMENDMENT. Section 57-51.1-02 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

57-51.1-02. Imposition of oil extraction tax. There is hereby imposed an excise tax, to be known as the "oil extraction tax", upon the activity in this state of extracting oil from the earth, and every owner, including any royalty owner, of any part of the oil extracted shall be deemed for the purposes of this chapter to be engaged in the activity of extracting that oil. The rate of tax shall be six and one-half percent of the gross value at the well of the oil extracted, except that for wells drilled and completed after the effective date of this Act, and not otherwise exempt under section 57-51.1-03, and for a qualifying secondary recovery project or for a qualifying tertiary recovery project, the rate of tax shall be four percent of the gross value at the well of the oil extracted. However, if the average price of a barrel of crude oil between June first and October thirty-first of any year is thirty-three dollars or more then the rate of tax for the following calendar year on all taxable wells is six and one-half percent of the gross value at the well of the oil extracted.

SECTION 4. AMENDMENT. Section 57-51.1-03 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

57-51.1-03. Exemptions from oil extraction tax. The following activities are specifically exempted from the oil extraction tax:

1. The activity of extracting from the earth any oil that is exempt from the gross production tax imposed by chapter 57-51.
2. The activity of extracting from the earth any oil from a stripper well property.
3. The activity not otherwise exempt of extracting from the earth the oil that is owned by a royalty owner or royalty owners in the first one hundred barrels, or any lesser amount, of the average daily production of oil that is produced during each calendar day from any well. For a well drilled and completed after the effective date of this Act, the initial production of oil from the well is exempt from any taxes imposed under this chapter for a period of fifteen months. Oil recovered during testing prior to well completion

is exempt from the oil extraction tax. The exemption under this subsection becomes ineffective if the average price of a barrel of crude oil between June first and October thirty-first of any year is thirty-three dollars or more.

SECTION 5. EMERGENCY. This Act is declared to be an emergency measure and is in effect upon its filing with the secretary of state, except the portion of the amendment to subsection 3 of section 57-51.1-03 relating to removal of the oil extraction tax exemption for oil owned by a royalty owner becomes effective July 1, 1987."

And renumber the lines, sections, and pages accordingly

For the Senate: Sens. Maixner, Richard, Wright

For the House: Reps. Goetz, A. Hausauer, Schneider

Engrossed SB 2079 was placed on the Seventh order of business on the calendar.

MOTION

REP. STRINDEN MOVED that SB 2554 be placed at the top of the calendar, which motion prevailed.

SECOND 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.

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 2 YEAS, 93 NAYS, 11 ABSENT AND NOT VOTING.

YEAS: Hoffner; Tomac

NAYS: Aas; Almlie; Anderson; Belter; Berg, G.; Berg, R.; Brokaw; Christman; Cleveland; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Dotzenrod; Enget; Flaagan; Gates; Gerntholz; Goetz; Gorman; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hill; Hokana; Kent; Kingsbury; Klundt; Knell; Koland; Kolbo; Kretschmar; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Marks; Martin; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; Nelson, C.; Nelson, J.; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Rice; Riehl; Rydell; Scherber; Schindler; Schneider; Shaft; Shaw; Shide; Shockman; Skjerven;

Smette; Solberg; Sorensen; Starke; Strinden; Thompson;
Tokach; Tollefson; Trautman; Ulmer; Vander Vorst; Wald;
Watne; Wentz; Wilkie; Williams, A.; Williams, C.;
Williams, W.; Speaker Kloubec

ABSENT AND NOT VOTING: Frey; Hausauer, R.; Kelly;
Knudson; Kuchera; Martinson; Opedahl; Peterson;
Stofferahn; Whalen; Winkelman

SB 2554 was declared lost.

MOTIONS

REP. PAYNE MOVED that the House reconsider its action whereby HB 1018 passed, which motion was withdrawn.

REP. STRINDEN MOVED that the rules be suspended, that HB 1018 and SB 2190 be held at the desk for purposes of reconsideration by a simple majority on tomorrow's calendar, which motion prevailed.

REP. STRINDEN MOVED that SB 2012 be placed at the top of the calendar, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2012: A BILL for an Act making an appropriation for defraying the expenses of the pardon board and the parole and probation office of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 95 YEAS, 0 NAYS, 11 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; Gertholz; Goetz; Gorman; Graba; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hill; Hoffner; Hokana; Kent; Kingsbury; Klundt; Knell; Koland; Kolbo; Kretschmar; Lang; Larson; Laughlin; Lautenschlager; Linderman; 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; O'Shea; Payne; Peterson; Rice; Riehl; Rydell; Scherber; Schindler; Schneider; Shaft; Shaw; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Starke; Strinden; Thompson; Tokach; Tollefson; Tomac; Trautman; Ulmer; Vander Vorst; Wald; Watne; Wentz; Wilkie; Williams, A.; Williams, W.; Speaker Kloubec

NAYS: None

ABSENT AND NOT VOTING: Frey; Gunsch; Hausauer, R.;
Kelly; Knudson; Kuchera; Lindgren; Stofferahn; Whalen;
Williams, C.; Winkelman

SB 2012 passed and the title was agreed to.

**MESSAGE TO THE SENATE
HOUSE CHAMBER**

MR. PRESIDENT: The House respectfully requests the return of
SB 2004.

ROY GILBREATH, Chief Clerk

REPORT OF CONFERENCE COMMITTEE

REP. GUNSCH MOVED that the conference committee report on
SB 2008 be adopted, which motion prevailed.

MOTION

REP. STRINDEN MOVED that the rules be suspended, that SB 2008 be
placed on the calendar, as amended, for second reading and final
passage, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2008: A BILL for an Act making an appropriation for defraying
the expenses of the state library of the state of North
Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended,
the roll was called and there were 91 YEAS, 7 NAYS, 8 ABSENT AND
NOT VOTING.

YEAS: Aas; Almlie; Anderson; Belter; Berg, G.; Berg, R.;
Brokaw; Christman; Cleveland; Dalrymple; DeMers, J.;
DeMers, P.; Dotzenrod; Enget; Flaagan; Gates;
Gerntholz; Goetz; Gorman; Graba; Gunsch; Halmarst;
Hamerlik; Hanson, L.; Hanson, O.; Haugen; Haugland;
Hausauer, A.; Hill; Hoffner; Hokana; Kelly; Kent;
Klundt; Knell; Kolbo; Kretschmar; Lang; Larson;
Laughlin; Lautenschlager; Linderman; Lindgren; Marks;
Martin; Martinson; Mertens; Meyer; Moore; Myrdal;
Nelson, C.; 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; Skjerven;
Smette; Solberg; Sorensen; Starke; Strinden; Thompson;
Tokach; Tollefson; Tomac; Trautman; Vander Vorst; Wald;
Watne; Wentz; Wilkie; Williams, A.; Williams, W.;
Speaker Kloubec

NAYS: Dorso; Kingsbury; Koland; Melby; Murphy; Shockman;
Ulmer

ABSENT AND NOT VOTING: Frey; Hausauer, R.; Knudson;
Kuchera; Stofferahn; Whalen; Williams, C.; Winkelman

SB 2008 passed and the title was agreed to.

MOTION

REP. GOETZ MOVED that the House be on the Twelfth order of business on the calendar, which motion prevailed.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. A. HAUSAUER MOVED that the House do concur in the Senate amendments to HB 1065, which motion prevailed.

MOTION

REP. STRINDEN MOVED that the rules be suspended, that HB 1065 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 1065: A BILL for an Act to create and enact a new subsection to section 57-60-01 and a new section to chapter 57-61 of the North Dakota Century Code, relating to definition of the term installed capacity for coal conversion facilities privilege tax purposes, a reduction in the rate of the coal severance tax for coal mined for use in coal conversion facilities, and a separate and additional coal severance tax and allocation of revenue from the tax; to amend and reenact subsection 2 of section 57-60-02, sections 57-61-01, 57-61-10, and 57-62-02 of the North Dakota Century Code, relating to the rate of the coal conversion facilities privilege tax and coal severance tax and the allocation of moneys in the coal development fund; to provide an appropriation; and to provide an expiration date.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 89 YEAS, 13 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Aas; Almlie; Belter; Berg, G.; Berg, R.; Christman;
Cleveland; Dalrymple; DeMers, J.; Dorso; Dotzenrod;
Enget; Gates; Gerntholz; Goetz; Gorman; Graba; Gunsch;
Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugen;
Haugland; Hill; Hoffner; Kelly; Kent; Kingsbury; Knell;
Koland; Kolbo; Kretschmar; Kuchera; Lang; 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;
O'Shea; Payne; Peterson; Rice; Riehl; Rydell;
Schindler; Schneider; Shaft; Shaw; Shide; Skjerven;
Smette; Solberg; Sorensen; Stofferahn; Strinden;
Thompson; Tokach; Tollefson; Trautman; Ulmer;
Vander Vorst; Wald; Watne; Wentz; Wilkie; Williams, A.;
Williams, C.; Williams, W.; Winkelman; Speaker Kloubec

NAYS: Anderson; Brokaw; DeMers, P.; Flaagan;
Hausauer, A.; Hokana; Klundt; Martin; Murphy; Scherber;
Shockman; Starke; Tomac

ABSENT AND NOT VOTING: Frey; Hausauer, R.; Knudson;
Whalen

HB 1065 passed and the title was agreed to.

MESSAGE FROM THE SENATE
SENATE CHAMBER

MR. SPEAKER: The Senate accedes to the House request and respectfully returns SB 2004.

PERRY GROTEBERG, Secretary

MESSAGES TO THE SENATE
HOUSE CHAMBER

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

HB 1544: Reps. Gunsch, Wald, Hill

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 1009, HB 1019

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

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

SB 2555

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 1004

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:

SB 2554

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 HB 1065 and subsequently passed the same.

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 2008, SB 2012

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

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

SB 2198

ROY GILBREATH, Chief Clerk

MOTIONS

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

REP. GOETZ MOVED that the House be on the Twelfth order of business, and at the conclusion of the Twelfth order, the House be on the Thirteenth order of business, and at the conclusion of the Thirteenth order, the House stand adjourned until 8:00 a.m., Saturday, April 18, 1987, which motion prevailed.

MESSAGE FROM THE SENATE

SENATE CHAMBER

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

SB 2556, SB 2558

PERRY GROTEBERG, Secretary

FIRST READING OF SENATE BILLS

SB 2556: A BILL for an Act to amend and reenact section 57-40.2-03.2 of the North Dakota Century Code, relating to the rate of use tax on alcoholic beverages.

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

SB 2558: A BILL for an Act to amend and reenact section 57-38-29 and subsection 2 of section 57-38-30.3 of the North Dakota Century Code as contained in sections 1 and 2 of House Bill No. 1901, as approved by the fiftieth legislative assembly, relating to the rate of income tax for individuals, estates, and trusts; and to provide an effective date and an expiration date.

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

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

ROY GILBREATH, Chief Clerk