

JOURNAL OF THE SENATE

Forty-eighth Legislative Assembly

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SEVENTY-SECOND DAY

Bismarck, April 16, 1983

The Senate convened at 8:00 a.m., with President Sands presiding.

The prayer was offered by Senator Tallackson.

Almighty God, this has been a session to test the patience and strength of all legislators. It once again points out the frailty of man and our need for constant guidance. We know all things are done for a purpose. We thank You today for all the good things in our lives, including health, happiness, freedom, and other fruits of Your blessings which we have enjoyed. We thank You for the nearly one hundred years of statehood and our good lives on the prairie.

We thank You, Heavenly Father, for the privilege of being a part of government. We thank You for the opportunity to be a part of decisionmaking in our state.

We ask for Your continued wisdom, strength, and guidance. Grant each one here today a special blessing and guide us wisely and safely in our undertakings and travels. In Jesus' name. Amen.

ROLL CALL

The roll was called and all members were present, except Senators Miller Heinrich and Naaden.

A quorum was declared by the President.

REVISION AND CORRECTION OF THE JOURNAL

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

SEN. TWETEN, Chairman

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

REPORT OF CONFERENCE COMMITTEE

SEN. LIPS MOVED that the conference committee report on SB 2005 as printed on page 2476 of the Senate Journal be adopted, which motion prevailed.

SEN. NOTHING MOVED that the vote by which SB 2005 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

REPORT OF CONFERENCE COMMITTEE

SEN. LIPS MOVED that the conference committee report on SB 2008 as printed on page 2477 of the Senate Journal be adopted, which motion prevailed.

SEN. LIPS MOVED that the rules be suspended, that SB 2008 be deemed properly reengrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE BILL

SB 2008: A BILL for an Act making an appropriation for defraying the expenses of the school for the deaf and the school for the blind of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended, the roll was called and there were 48 YEAS, 1 NAY, 4 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Berube; Christensen; David; Dotzenrod; Dykshoorn; Erickson; Fritzell; Goodman; Grotberg; Hilken; Holmberg; Kilander; Krauter; Kusler; Lashkowitz; Lee; Leibhan; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Moore; Mutch; Nelson; Nothing; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Stenehjem; Streibel; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: Stromme

ABSENT AND NOT VOTING: Barth; Heigaard; Miller Heinrich; Naaden

SB 2008 passed and the title was agreed to.

SEN. NOTHING MOVED that the vote by which SB 2008 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

REPORT OF CONFERENCE COMMITTEE

SEN. TENNEFOS MOVED that the conference committee report on SB 2015 as printed on pages 2479-2481 of the Senate Journal be adopted, which motion prevailed.

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

SECOND READING OF A SENATE BILL

SB 2015: A BILL for an Act to create and enact a new section to chapter 11-15 of the North Dakota Century Code, relating to expenses incurred to return escapees from a state facility; and making an appropriation for defraying expenses of various commissions, departments, and divisions thereof of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended, the roll was called and there were 46 YEAS, 5 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Barth; Berube; Dotzenrod; Erickson; Fritzell; Goodman; Grotberg; Heigaard; Hilken; Holmberg; Kilander; Krauter; Kusler; Lashkowitz; Lee; Leibhan; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Mutch; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: Christensen; David; Dykshoorn; Moore; Vosper

ABSENT AND NOT VOTING: Miller Heinrich; Naaden

SB 2015 passed and the title was agreed to.

SEN. NOTHING MOVED that the vote by which SB 2015 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

REPORT OF CONFERENCE COMMITTEE

SEN. THANE MOVED that the conference committee report on SB 2021 as printed on pages 2481 and 2482 of the Senate Journal be adopted, which motion prevailed.

SEN. THANE MOVED that the rules be suspended, that SB 2021 be deemed properly reengrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE BILL

SB 2021: 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 49 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Barth; Berube; Christensen; Dotzenrod; Dykshoorn; Erickson; Fritzell; Goodman; Grotberg; Heigaard; Hilken; Holmberg; Kilander; Krauter; Kusler; Lashkowitz; Lee; Leibhan; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Moore; Mutch; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: David; Vosper

ABSENT AND NOT VOTING: Miller Heinrich; Naaden

SB 2021 passed and the title was agreed to.

SEN. NOTHING MOVED that the vote by which SB 2021 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

REPORT OF CONFERENCE COMMITTEE

SEN. NELSON MOVED that the conference committee report on SB 2033 as printed on pages 2482 and 2483 of the Senate Journal be adopted, which motion prevailed.

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

SECOND READING OF A SENATE BILL

SB 2033: A BILL for an Act making an appropriation for defraying the expenses of the parks and recreation department of the state of North Dakota.

Which has been read.

ROLL CALL

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

YEAS: Adams; Bakewell; Barth; Berube; Christensen; David; Dotzenrod; Dykshoorn; Erickson; Fritzell; Goodman; Grotberg; Heigaard; Hilken; Holmberg; Kilander; Krauter; Kusler; Lashkowitz; Lee; Leibhan; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Moore; Mutch; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Miller Heinrich; Naaden

SB 2033 passed and the title was agreed to.

SEN. NETHING MOVED that the vote by which SB 2033 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

REPORT OF CONFERENCE COMMITTEE

SEN. NELSON MOVED that the conference committee report on HB 1031 as printed on pages 2464 and 2465 of the Senate Journal be adopted, which motion prevailed.

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

SECOND READING OF A HOUSE BILL

HB 1031: A BILL for an Act making an appropriation for defraying the expenses of the motor vehicle department of the state of North Dakota.

Which has been read.

ROLL CALL

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

YEAS: Adams; Bakewell; Barth; Christensen; David; Dotzenrod; Dykshoorn; Erickson; Fritzell; Goodman; Grotberg; Heigaard; Hilken; Holmberg; Kilander; Krauter; Kusler; Lashkowitz; Lee; Leibhan; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Moore; Mutch; Nelson; Nething; Olson; Parker; Peterson;

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

NAYS: None

ABSENT AND NOT VOTING: Berube; Miller Heinrich; Naaden

HB 1031 passed and the title was agreed to.

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

REPORT OF CONFERENCE COMMITTEE

SEN. STENEHJEM MOVED that the Conference Committee report on HB 1386 as printed on page 2459 of the Senate Journal be adopted, which motion lost.

APPOINTMENT OF CONFERENCE COMMITTEE

SEN. NOTHING MOVED that the President appoint a committee of three to act with a like committee from the House as a new Conference Committee on HB 1386, which motion prevailed.

THE PRESIDENT APPOINTED as a new Conference Committee on HB 1386:

Sens. Stenehjem, Holmberg, J. Meyer

MOTION

SEN. NOTHING MOVED that the Senate stand in recess until 9:30 a.m., which motion prevailed.

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

MESSAGES TO THE HOUSE

SENATE CHAMBER

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

HB 1737

Very respectfully,
LEO LEIDHOLM, Secretary

SENATE CHAMBER

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

HB 1687, HB 1732

Very respectfully,
LEO LEIDHOLM, Secretary

SENATE CHAMBER

MADAM SPEAKER: I have the honor to inform you that the Senate has not adopted the conference committee report on HB 1386, and the President has appointed as a new conference committee to act with a like committee from the House on:

HB 1386: Sens. Stenehjem, Holmberg, J. Meyer

Very respectfully,
LEO LEIDHOLM, Secretary

SENATE CHAMBER

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

SB 2005, SB 2008, SB 2015, SB 2021, SB 2033

Very respectfully,
LEO LEIDHOLM, Secretary

SENATE CHAMBER

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

HB 1009, HB 1728

Very respectfully,
LEO LEIDHOLM, Secretary

MOTION

SEN. NELSON MOVED that the Senate stand in recess until 11:00 a.m., which motion prevailed.

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

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT: Your Conference Committee to which was referred SB 2012 has had the same under consideration and recommends that your conference committee, having been unable to agree, recommends that the conference committee be discharged and a new conference committee be appointed.

For the Senate: Sens. Tennefos, Tweten, Walsh

For the House: Reps. G. Martin, Boyle, Unhjem

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

APPOINTMENT OF CONFERENCE COMMITTEE

SEN. LIPS MOVED that the President appoint a committee of three to act with a like committee from the House as a new Conference Committee on SB 2012, which motion prevailed.

THE PRESIDENT APPOINTED as a new Conference Committee on SB 2012:

Sens. Tennefos, Tweten, Walsh

REPORT OF PROCEDURAL COMMITTEE

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

SB 2003, SB 2006, SB 2014, SB 2023, SB 2024, SB 2030,
SB 2040, SB 2106, SB 2227, SB 2313, SB 2322

SEN. FRITZELL, Chairman

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

SIGNING OF BILLS AND RESOLUTIONS

THE SECRETARY ANNOUNCED that the President signed the following:

SB 2003, SB 2006, SB 2014, SB 2023, SB 2024, SB 2030,
SB 2040, SB 2106, SB 2227, SB 2313, SB 2322

LEO LEIDHOLM, Secretary

REPORT OF PROCEDURAL COMMITTEE

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

SB 2007, SB 2010, SB 2025, SB 2034, SB 2035, SB 2036,
SB 2122, SB 2277

SEN. FRITZELL, Chairman

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

SIGNING OF BILLS AND RESOLUTIONS

THE SECRETARY ANNOUNCED that the President signed the following:

SB 2007, SB 2010, SB 2025, SB 2034, SB 2035, SB 2036,
SB 2122, SB 2277

LEO LEIDHOLM, Secretary

REPORT OF PROCEDURAL COMMITTEE

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

SB 2011, SB 2013, SB 2502

SEN. FRITZELL, Chairman

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

SIGNING OF BILLS AND RESOLUTIONS

THE SECRETARY ANNOUNCED that the President signed the following:

SB 2011, SB 2013, SB 2502

LEO LEIDHOLM, Secretary

MOTION

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

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

MESSAGES TO THE HOUSE
SENATE CHAMBER

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

SB 2011, SB 2013, SB 2502

Very respectfully,
LEO LEIDHOLM, Secretary

SENATE CHAMBER

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

SB 2007, SB 2010, SB 2025, SB 2034, SB 2035, SB 2036,
SB 2122, SB 2277

Very respectfully,
LEO LEIDHOLM, Secretary

SENATE CHAMBER

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

SB 2003, SB 2006, SB 2014, SB 2023, SB 2024, SB 2030,
SB 2040, SB 2106, SB 2227, SB 2313, SB 2322

Very respectfully,
LEO LEIDHOLM, Secretary

SENATE CHAMBER

MADAM SPEAKER: I have the honor to inform you that the Senate has adopted the conference committee report on SB 2012, and the President has appointed as a new conference committee to act with a like committee from the House on:

SB 2012: Sens. Tennesfos, Tweten, Walsh

Very respectfully,
LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE
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 1034, HB 1035, HB 1037, HB 1429, HB 1528, HCR 3097,
HCR 3099

Very respectfully,
CHARLES FLEMING, Chief Clerk

SIGNING OF BILLS AND RESOLUTIONS

THE SECRETARY ANNOUNCED that the President signed the following:

HB 1034, HB 1035, HB 1037, HB 1429, HB 1528, HCR 3097,
HCR 3099

LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE
HOUSE CHAMBER

MR. PRESIDENT: I have the honor to inform you that the House has reconsidered its action whereby it failed to pass HB 1025, and consequently did not adopt the conference committee report to HB 1025, and the Speaker has appointed as a new conference committee to meet with a like committee from the Senate, the following Representatives:

HB 1025: Reps. Erdman, Sanstead, Hausauer

Very respectfully,
CHARLES FLEMING, Chief Clerk

APPOINTMENT OF CONFERENCE COMMITTEE

SEN. LIPS MOVED that the President appoint a committee of three to act with a like committee from the House as a new Conference Committee on HB 1025, which motion prevailed.

THE PRESIDENT APPOINTED as a new Conference Committee on HB 1025:

Sens. Lips, Fritzell, Tallackson

MOTION

SEN. NOTHING MOVED that the Senate stand in recess until 2:30 p.m., which motion prevailed.

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

MESSAGE FROM THE HOUSE
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 1386: Reps. Nowatzki, Linderman, Kretschmar

Very respectfully,

CHARLES FLEMING, Chief Clerk

REPORT OF PROCEDURAL COMMITTEE

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

SB 2068, SB 2144

SEN. FRITZELL, Chairman

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

SIGNING OF BILLS AND RESOLUTIONS

THE SECRETARY ANNOUNCED that the President signed the following:

SB 2068, SB 2144

LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE
HOUSE CHAMBER

MR. PRESIDENT: I have the honor to inform you that the Speaker has appointed Representative Unhjem to replace Representative Eagles on the conference committee on SB 2009.

Very respectfully,

CHARLES FLEMING, Chief Clerk

MESSAGES TO THE HOUSE
SENATE CHAMBER

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

SB 2068, SB 2144

Very respectfully,

LEO LEIDHOLM, Secretary

SENATE CHAMBER

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

HB 1034, HB 1035, HB 1037, HB 1429, HB 1528, HCR 3097,
HCR 3099

Very respectfully,
LEO LEIDHOLM, Secretary

REPORT OF CONFERENCE COMMITTEE

SEN. TENNEFOS MOVED that the conference committee report on HB 1030 as printed on pages 2490 and 2491 of the Senate Journal be adopted, which motion prevailed.

SEN. TENNEFOS MOVED that the rules be suspended, that HB 1030 be placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF A HOUSE BILL

HB 1030: A BILL for an Act making an appropriation for defraying the expenses of the upper great plains transportation institute of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended, the roll was called and there were 44 YEAS, 3 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Barth; Berube; Christensen; Dykshoorn; Erickson; Fritzell; Grotberg; Heigaard; Miller Heinrich; Hilken; Holmberg; Krauter; Kusler; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Moore; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Satrom; Stenehjsem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: David; Mutch; Vosper

ABSENT AND NOT VOTING: Dotzenrod; Goodman; Kilander; Lee; Leibhan; Reiten

HB 1030 passed and the title was agreed to.

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT: Your Conference Committee to which was referred SB 2031 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on pages 1931 and 1932 of the Senate Journal and that SB 2031 be amended as follows:

- On page 1 of the engrossed bill, line 14, delete the numerals "3,797,969" and insert in lieu thereof the numerals "3,882,441"
- On page 1 of the engrossed bill, line 19, delete the words "all funds", and delete the numerals "7,380,689" and insert in lieu thereof the numerals "7,465,161"
- On page 1 of the engrossed bill, after line 19, insert the following new line:
- "Less budget adjustment 102,983"
- On page 1 of the engrossed bill, line 20, delete the numerals "911,900" and insert in lieu thereof the numerals "1,409,982"
- On page 1 of the engrossed bill, line 21, delete the numerals "6,468,789" and insert in lieu thereof the numerals "5,952,196"
- On page 1 of the engrossed bill, line 24, delete the numerals "500,000" and insert in lieu thereof the numerals "1,000,000", and delete the comma
- On page 1 of the engrossed bill, delete line 25
- On page 1 of the engrossed bill, line 26, delete the words "the forty-eighth legislative assembly,"
- And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:State Water Commission

The salaries and wages line item is increased by \$84,472 from the general fund. This will allow funds for the state to provide a two percent contribution to retirement on wages earned after July 1, 1983, and an additional two percent contribution amounting to a full four percent on wages earned after July 1, 1984. It also provides \$21,965 over the executive budget for health insurance premiums.

The general fund appropriation is decreased by \$500,000 with a corresponding increase to the estimated income line item to reflect a \$500,000 increase in funding from the resources trust fund. This provides for a total of \$1 million to be transferred from the resources trust fund to the Water Commission operating fund to be used for the Contracts line item.

The total appropriation is reduced by a budget adjustment of \$102,983 (two percent), of which \$101,065 is from the

general fund and \$1,918 from other funds. The Water Commission shall take such administrative action as may be necessary to spend less than the total of the line items in the appropriation to achieve the \$102,983 budget reduction. Line items other than salaries and wages, operating expenses, data processing, and equipment are not to be affected by the budget reduction.

For the Senate: Sens. Tweten, Thane, Tallackson (refused to sign)
 For the House: Reps. Rayl, G. Martin, Peterson (refused to sign)

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

SEN. TWETEN MOVED that the rules be suspended, that SB 2031 be deemed properly reengrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE BILL

SB 2031: A BILL for an Act making an appropriation for defraying the expenses of the water commission of the state of North Dakota; and providing for a transfer from the resources 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 40 YEAS, 7 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Barth; Berube; Christensen; Dykshoorn; Erickson; Fritzell; Grotberg; Heigaard; Miller Heinrich; Hilken; Holmberg; Krauter; Kusler; Lashkowitz; Lips; Lodoen; Matchie; Moore; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Satrom; Stenehjem; Streibel; Stromme; Tallackson; Thane; Todd; Tweten; Vosper; Walsh; Wenstrom; Wright

NAYS: David; Maixner; Meyer, D.; Meyer, J.; Tennefos; Waldera; Wogsland

ABSENT AND NOT VOTING: Dotzenrod; Goodman; Kilander; Lee; Leibhan; Reiten

SB 2031 passed and the title was agreed to.

EXPLANATION OF VOTE

SEN. MAIXNER: Mr. President: I want to explain why I was against Senate Bill No. 2031 because of the money that was removed from the resources trust fund and put into the water

commission budget even though there wasn't sufficient funds available for the southwest pipeline.

SECOND READING OF A HOUSE CONCURRENT RESOLUTION

HCR 3101: A concurrent resolution directing the Legislative Council to study funding to offset coal development impact.

Which has been read.

The question being on the final adoption of the resolution.

HCR 3101 was declared adopted on a voice vote.

REPORTS OF CONFERENCE COMMITTEES

MR. PRESIDENT: Your Conference Committee to which was referred SB 2001 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on pages 2233-2244 of the Senate Journal and that SB 2001 be amended as follows:

On page 1 of the engrossed bill, line 3, after the word "Dakota" and before the semicolon insert the words "and for the state waterbank program"

On page 1 of the engrossed bill, line 3, delete the words "providing for a transfer of funds from the coal development"

On page 1 of the engrossed bill, line 4, delete the words "impact fund;"

On page 2 of the engrossed bill, line 3, delete the numerals "845,840" and insert in lieu thereof the numerals "862,847"

On page 2 of the engrossed bill, line 9, delete the words "general fund appropriation", and delete the numerals "1,135,809" and insert in lieu thereof the numerals "1,152,816"

On page 2 of the engrossed bill, after line 9, insert the following new lines:

"Less budget adjustment	<u>21,060</u>
Total general fund appropriation	\$1,131,756"

On page 2 of the engrossed bill, line 24, delete the numerals "58,881" and insert in lieu thereof the numerals "62,260"

On page 2 of the engrossed bill, line 27, delete the words "general fund appropriation", and delete the numerals "66,681" and insert in lieu thereof the numerals "70,060"

On page 2 of the engrossed bill, after line 27, insert the following new lines:

"Less budget adjustment	<u>1,349</u>
Total general fund appropriation	\$68,711"

On page 2 of the engrossed bill, line 30, delete the numerals "660,153" and insert in lieu thereof the numerals "699,749"

On page 2 of the engrossed bill, line 31, delete the numerals "79,600" and insert in lieu thereof the numerals "97,500"

On page 2 of the engrossed bill, line 35, delete the numerals "3,000" and insert in lieu thereof the numerals "5,000"

On page 3 of the engrossed bill, line 1, delete the words "general fund appropriation", and delete the numerals "953,101" and insert in lieu thereof the numerals "1,012,597"

On page 3 of the engrossed bill, after line 1, insert the following new lines:

"Less budget adjustment	<u>19,052</u>
Total general fund appropriation	\$993,545"

On page 3 of the engrossed bill, line 5, delete the words "general fund appropriation"

On page 3 of the engrossed bill, after line 5, insert the following new lines:

"Less budget adjustment	<u>4,362</u>
Total general fund appropriation	\$213,738"

On page 3 of the engrossed bill, delete lines 6 through 12

On page 3 of the engrossed bill, line 15, delete the numerals "3,824,885" and insert in lieu thereof the numerals "3,885,547"

- On page 3 of the engrossed bill, line 20, delete the numerals "200,000" and insert in lieu thereof the numerals "500,000"
- On page 3 of the engrossed bill, line 22, delete the words "all funds", and delete the numerals "5,930,445" and insert in lieu thereof the numerals "6,291,107"
- On page 3 of the engrossed bill, after line 22, insert the following new line:
- | | |
|-------------------------|----------|
| "Less budget adjustment | 114,742" |
|-------------------------|----------|
- On page 3 of the engrossed bill, line 24, delete the numerals "5,730,445" and insert in lieu thereof the numerals "5,976,365"
- On page 3 of the engrossed bill, line 27, delete the numerals "2,282,082" and insert in lieu thereof the numerals "2,328,322"
- On page 3 of the engrossed bill, line 28, delete the numerals "340,660" and insert in lieu thereof the numerals "388,960"
- On page 3 of the engrossed bill, line 29, delete the numerals "21,774" and insert in lieu thereof the numerals "31,550"
- On page 3 of the engrossed bill, line 31, delete the words "general fund appropriation", and delete the numerals "2,648,126" and insert in lieu thereof the numerals "2,752,442"
- On page 3 of the engrossed bill, after line 31, insert the following new lines:
- | | |
|----------------------------------|---------------|
| "Less budget adjustment | <u>55,049</u> |
| Total general fund appropriation | \$2,697,393" |
- On page 3 of the engrossed bill, line 34, delete the numerals "476,086" and insert in lieu thereof the numerals "485,221"
- On page 4 of the engrossed bill, line 3, delete the words "general fund appropriation", and delete the numerals "554,217" and insert in lieu thereof the numerals "563,352"
- On page 4 of the engrossed bill, after line 3, insert the following new lines:
- | | |
|-------------------------|---------------|
| "Less budget adjustment | <u>11,267</u> |
|-------------------------|---------------|

Total general fund appropriation \$552,085"

- On page 4 of the engrossed bill, line 6, delete the numerals "5,827,522" and insert in lieu thereof the numerals "6,775,974"
- On page 4 of the engrossed bill, line 7, delete the numerals "1,511,439" and insert in lieu thereof the numerals "1,900,429"
- On page 4 of the engrossed bill, line 8, delete the numerals "1,210,300" and insert in lieu thereof the numerals "1,399,567"
- On page 4 of the engrossed bill, line 9, delete the numerals "25,876" and insert in lieu thereof the numerals "60,011"
- On page 4 of the engrossed bill, line 10, delete the words "general fund appropriation", and delete the numerals "8,575,137" and insert in lieu thereof the numerals "10,135,981"
- On page 4 of the engrossed bill, after line 10, insert the following new lines:
- | | |
|----------------------------------|--------------|
| "Less budget adjustment | 202,720 |
| Total general fund appropriation | \$9,933,261" |
- On page 4 of the engrossed bill, line 13, delete the numerals "933,022" and insert in lieu thereof the numerals "1,024,030"
- On page 4 of the engrossed bill, line 14, delete the numerals "118,238" and insert in lieu thereof the numerals "161,038"
- On page 4 of the engrossed bill, line 16, delete the numerals "6,583" and insert in lieu thereof the numerals "7,383"
- On page 4 of the engrossed bill, line 17, delete the words "appropriation from state bonding fund", and delete the numerals "1,097,892" and insert in lieu thereof the numerals "1,232,500"
- On page 4 of the engrossed bill, after line 17, insert the following new lines:
- | | |
|--------------------------------|--------------|
| "Less budget adjustment | 24,650 |
| Total appropriation from state | \$1,207,850" |

bonding fund

- On page 4 of the engrossed bill, line 20, delete the numerals "339,105" and insert in lieu thereof the numerals "345,021"
- On page 4 of the engrossed bill, line 21, delete the numerals "151,550" and insert in lieu thereof the numerals "165,775"
- On page 4 of the engrossed bill, line 22, delete the words "all funds" and delete the numerals "490,655" and insert in lieu thereof the numerals "510,796"
- On page 4 of the engrossed bill, after line 22, insert the following new line:
- "Less budget adjustment 10,216"
- On page 4 of the engrossed bill, line 23, delete the numerals "92,000" and insert in lieu thereof the numerals "90,160"
- On page 4 of the engrossed bill, line 24, delete the numerals "398,655" and insert in lieu thereof the numerals "410,420"
- On page 4 of the engrossed bill, line 27, delete the numerals "3,323,565" and insert in lieu thereof the numerals "3,393,732"
- On page 4 of the engrossed bill, line 28, delete the numerals "3,687,178" and insert in lieu thereof the numerals "3,724,590"
- On page 4 of the engrossed bill, line 29, delete the numerals "956,315" and insert in lieu thereof the numerals "969,833"
- On page 4 of the engrossed bill, line 31, delete the words "all funds", and delete the numerals "8,082,493" and insert in lieu thereof the numerals "8,203,590"
- On page 4 of the engrossed bill, after line 31, insert the following new line:
- "Less budget adjustment 164,072"
- On page 4 of the engrossed bill, line 32, delete the numerals "4,008,319" and insert in lieu thereof the numerals "3,958,591"

- On page 4 of the engrossed bill, line 33, delete the numerals "4,074,174" and insert in lieu thereof the numerals "4,080,927"
- On page 5 of the engrossed bill, line 2, delete the numerals "1,466,984" and insert in lieu thereof the numerals "1,498,043"
- On page 5 of the engrossed bill, line 3, delete the numerals "686,267" and insert in lieu thereof the numerals "702,556"
- On page 5 of the engrossed bill, line 4, delete the numerals "100,000" and insert in lieu thereof the numerals "50,000"
- On page 5 of the engrossed bill, line 7, delete the numerals "2,572,597" and insert in lieu thereof the numerals "2,569,945"
- On page 5 of the engrossed bill, after line 7, insert the following new line:
- "Less budget adjustment 45,399"
- On page 5 of the engrossed bill, line 8, delete the numerals "193,896" and insert in lieu thereof the numerals "191,638"
- On page 5 of the engrossed bill, line 9, delete the numerals "2,378,701" and insert in lieu thereof the numerals "2,332,908"
- On page 5 of the engrossed bill, line 10, delete the numerals "27,000,635" and insert in lieu thereof the numerals "28,484,809"
- On page 5 of the engrossed bill, line 11, delete the numerals "6,092,107" and insert in lieu thereof the numerals "6,648,239"
- On page 5 of the engrossed bill, line 12, delete the numerals "33,092,742" and insert in lieu thereof the numerals "35,133,048"
- On page 5 of the engrossed bill, after line 26, insert the following new section:

"SECTION 4. APPROPRIATION. There is hereby appropriated out of any moneys, public or private, received by the commissioner of agriculture for the state waterbank program, not exceeding \$1,000,000 in aggregate total, and not otherwise appropriated, or so much thereof as may be necessary, to the

commissioner of agriculture for the purpose of implementing and administering the provisions of the state waterbank program for the biennium beginning July 1, 1983, and ending June 30, 1985. No contract shall be entered into by the commissioner unless there are moneys on hand and appropriated to pay for all of the lease payments for the duration of the contract."

- On page 7 of the engrossed bill, line 24, delete the word "five-member" and insert in lieu thereof the word "three-member"
- On page 7 of the engrossed bill, line 26, delete the words "university of North" and insert in lieu thereof the words "coal-producing counties"
- On page 7 of the engrossed bill, line 27, delete the first word "Dakota", after the word "from" insert the word "the", delete the words "state university" and insert in lieu thereof the words "lignite council", and after the second comma insert the word "and"
- On page 7 of the engrossed bill, line 28, after the first word "the" insert the words "reclamation staff of the", and delete the words ", and two representatives from the"
- On page 7 of the engrossed bill, line 29, delete the words "lignite industry who are involved in the reclamation process"
- On page 7 of the engrossed bill, line 31, delete the words "and a technical four-year degree in the earth"
- On page 7 of the engrossed bill, line 32, delete the words "or natural sciences"
- On page 8 of the engrossed bill, line 13, after the word "all" insert the words "past and current", and delete the words "to prevent" and insert in lieu thereof the word "projects"
- On page 8 of the engrossed bill, line 14, delete the word "duplication,"
- On page 8 of the engrossed bill, line 15, after the comma insert the words "to prevent duplication,", and delete the words "prioritize all" and insert in lieu thereof the words "establish priorities for"
- On page 8 of the engrossed bill, line 16, delete the word "criteria" and insert in lieu thereof the word "objectives"

- On page 8 of the engrossed bill, line 17, delete the numeral "13" and insert in lieu thereof the numeral "14"
- On page 8 of the engrossed bill, line 18, delete the word "future" and insert in lieu thereof the word "proposed", and after the word "projects" insert the words "administered by the commission"
- On page 8 of the engrossed bill, line 22, after the word "budgets" insert the words "administered by the commission", and delete the word "for"
- On page 8 of the engrossed bill, line 23, delete the words "inclusion in the commission's budget"
- On page 8 of the engrossed bill, line 25, delete the word "any" and insert in lieu thereof the word "all"
- On page 8 of the engrossed bill, line 30, delete the words "Advisory committee reclamation" and insert in lieu thereof the word "Reclamation", and delete the word "criteria" and insert in lieu thereof the word "objectives"
- On page 8 of the engrossed bill, line 32, delete the words "and final decisions"
- On page 8 of the engrossed bill, line 33, delete the words "the coal development" and insert in lieu thereof the words "moneys administered by the commission"
- On page 8 of the engrossed bill, line 34, delete the words "impact fund"
- On page 8 of the engrossed bill, line 35, delete the word "and" and insert in lieu thereof the words "relating to the proposed reclamation research project"
- On page 9 of the engrossed bill, line 1, delete the words "abide by its decisions for funding reclamation research"
- On page 9 of the engrossed bill, line 3, delete the words "reclamation research advisory committee" and insert in lieu thereof the word "commission"
- On page 9 of the engrossed bill, line 4, delete the words "all of"
- On page 9 of the engrossed bill, line 9, delete the words "after mining"

- On page 9 of the engrossed bill, line 10, delete the word "or" and insert in lieu thereof the word "unnecessary"
- On page 9 of the engrossed bill, line 11, delete the word "eliminate", and delete the words "which are not necessary" and insert in lieu thereof the words "and assist"
- On page 9 of the engrossed bill, line 12, delete the words "order to", and delete the word "reclaim" and insert in lieu thereof the word "reclaiming"
- On page 11 of the engrossed bill, line 20, delete the numeral "6" and insert in lieu thereof the numeral "7", and delete the numeral "10" and insert in lieu thereof the numeral "11"
- On page 11 of the engrossed bill, line 21, delete the words "14 through 20, and sections 22 and 23" and insert in lieu thereof the words "15 through 21, and sections 23 and 24"
- On page 11 of the engrossed bill, delete lines 26 through 32 and insert in lieu thereof the following new section:

"SECTION 26. EXEMPTION. The appropriation in subdivision 7 of section 1 of chapter 1 of the 1981 Session Laws for records management and microfilming shall not be subject to the provisions of section 54-44.1-11 of the North Dakota Century Code and shall be available for transfer to the office of management and budget for defraying expenses of the records management and microfilming functions during the biennium beginning July 1, 1983, and ending June 30, 1985."

- On page 11 of the engrossed bill, line 35, delete the words "6 through 10, sections 14 through 20, and sections 22" and insert in lieu thereof the words "7 through 11, sections 15 through 21, and sections 23"
- On page 12 of the engrossed bill, line 1, delete the words "and 23" and insert in lieu thereof the words "through 26"
- On page 12 of the engrossed bill, after line 2, insert the following new section:

"SECTION 28. STATE TAX COMMISSIONER - AUDITING ENHANCEMENT PROGRAM - LEGISLATIVE COUNCIL REVIEW. The state tax commissioner, while establishing the auditing enhancement program for which funds are

provided in subdivision 11 of this bill, shall report quarterly on the progress made in collecting additional tax revenues to the Legislative Council or such persons or committees as the council may designate.

And renumber the lines, subdivisions, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Governor's Office

The salaries and wages line item has an increase of \$17,007 from the general fund. This will allow funds for the state to provide a two percent contribution to retirement on wages earned after July 1, 1983, and an additional two percent contribution amounting to a full four percent on wages earned after July 1, 1984. It also provides \$5,508 over the executive budget for health insurance premiums.

The appropriation is reduced by a budget adjustment of \$21,060 (two percent). The Governor's office shall take such administrative action as may be necessary to spend less than the total of the line items in the appropriation to achieve the \$21,060 budget reduction. Line items other than salaries and wages, operating expenses, data processing, and equipment are not to be affected by the budget reduction.

Lieutenant Governor's Office

The salaries and wages line item has a net increase of \$3,379 from the general fund. This will allow funds for the state to provide a two percent contribution to retirement on wages earned after July 1, 1983, and an additional two percent contribution amounting to a full four percent on wages earned after July 1, 1984. It also provides \$1,050 over the executive budget for health insurance premiums.

The appropriation is reduced by a budget adjustment of \$1,349 (two percent) from the general fund. The Lieutenant Governor shall take such administrative action as may be necessary to spend less than the total of the line items in the appropriation to achieve the \$1,349 budget reduction. Line items other than salaries and wages, operating expenses, data processing, and equipment are not to be affected by the budget reduction.

Secretary of State

The salaries and wages line item has a net increase of \$39,596 from the general fund. This will allow funds for

the state to provide a two percent contribution to retirement on wages earned after July 1, 1983, and an additional two percent contribution amounting to a full four percent on wages earned after July 1, 1984. It also provides \$9,035 over the executive budget for health insurance premiums. The increase to salaries and wages also includes a \$23,364 general fund increase for one clerk-typist position approved by the Emergency Commission.

The operating expenses line item is increased by \$17,900 from the general fund to provide additional operating funds needed for the 1983-85 biennium.

The equipment line item is increased by \$2,000 from the general fund to provide funds for the purchase of equipment including the replacement of typewriters.

The appropriation is reduced by a budget adjustment of \$19,052 (two percent after the above adjustments) from the general fund. The Secretary of State shall take such administrative action as may be necessary to spend less than the total of the line items in the appropriation to achieve the \$19,052 budget reduction. Line items other than salaries and wages, operating expenses, data processing, and equipment are not to be affected by the budget reduction.

Secretary of State - Public Printing

The appropriation is reduced by a budget adjustment of \$4,362 (two percent). The Secretary of State shall take such administrative action as may be necessary to spend less than the total of the line items in the appropriation to achieve the \$4,362 budget reduction. Line items other than salaries and wages, operating expenses, data processing, and equipment are not to be affected by the budget reduction.

Records Management/Central Microfilm

The appropriation for the Records Management/Central Microfilm Division is deleted and a new section is added which allows the Office of Management and Budget to carryover to the 1983-85 biennium and transfer funds unspent from the 1981-83 appropriation for the records management and microfilming functions in the Secretary of State's office to OMB to defray expenses of these functions during the 1983-85 biennium. The amendment is consistent with section 22 of the bill which authorizes the transfer of the records management function to OMB.

Attorney General

The salaries and wages line item has a net increase of \$60,662 from the general fund. This will allow funds for the state to provide a two percent contribution to retirement on wages earned after July 1, 1983, and an additional two percent contribution amounting to a full four percent on wages earned after July 1, 1984. It also provides \$22,769 over the executive budget for health insurance premiums.

The gaming enforcement line item is increased by \$300,000 to provide total enhancements of \$500,000 for gaming enforcement.

The appropriation is reduced by a budget adjustment of \$114,742 (two percent). The Attorney General shall take such administrative action as may be necessary to spend less than the total of the line items in the appropriation to achieve the \$114,742 budget reduction. Line items other than salaries and wages, operating expenses, data processing, and equipment are not to be affected by the budget reduction.

State Auditor

The salaries and wages line item has a net increase of \$46,240 from the general fund. This will allow funds for the state to provide a two percent contribution to retirement on wages earned after July 1, 1983, and an additional two percent contribution amounting to a full four percent on wages earned after July 1, 1984. It also provides \$13,699 over the executive budget for health insurance premiums.

The operating expenses line item is increased by \$48,300 to provide additional travel funds for the joint mineral lease audit program.

The data processing line item is increased by \$9,776 to restore data processing to requested level.

The appropriation is reduced by a budget adjustment of \$55,049 (two percent). The State Auditor shall take such administrative action as may be necessary to spend less than the total of the line items in the appropriation to achieve the \$55,049 budget reduction. Line items other than salaries and wages, operating expenses, data processing, and equipment are not to be affected by the budget reduction.

State Treasurer

The salaries and wages line item has a net increase of \$9,135 from the general fund. This will allow funds for the state to provide a two percent contribution to

retirement on wages earned after July 1, 1983, and an additional two percent contribution amounting to a full four percent on wages earned after July 1, 1984. It also provides \$2,488 over the executive budget for health insurance premiums.

The appropriation is reduced by a budget adjustment of \$11,267 (two percent after the above adjustment) from the general fund. The State Treasurer shall take such administrative action as may be necessary to spend less than the total of the line items in the appropriation to achieve the \$11,267 budget reduction. Line items other than salaries and wages, operating expenses, data processing, and equipment are not to be affected by the budget reduction.

State Tax Commissioner

The salaries and wages line item has a net increase of \$948,452 from the general fund. An increase of \$65,981 will allow funds for the state to provide a two percent contribution to retirement on wages earned after July 1, 1983, and an additional two percent contribution amounting to a full four percent on wages earned after July 1, 1984. It also provides \$37,612 over the executive budget for health insurance premiums. An increase of \$563,159 relates to 16 new positions for the "Auditing Enhancement" program. The new positions are expected to bring in \$10,106,870 of additional revenue during the 1983-85 biennium. An increase of \$168,300 relates to reclassifications of Tax Department audit positions. An additional increase of \$113,400 for one compliance officer, two clerk III, and one data entry operator relates to the administration of House Bill No. 1727 which provides for monthly collections of sales taxes and oil and gas taxes.

The operating expenses line item is increased by \$388,990, which includes \$378,190 for expenses related to the "Auditing Enhancement" program and \$10,800 for expenses related to the administration of House Bill No. 1727.

The data processing line item is increased by \$189,267 for expenses related to the administration of House Bill No. 1727.

The equipment line item is increased by \$34,135, which includes \$19,655 for expenses related to the "Auditing Enhancement" program and \$14,480 for expenses related to the administration of House Bill No. 1727.

The new positions for the "Auditing Enhancement" program and their related costs and projected revenue are as follows:

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<u>Priority</u>	<u>Positions</u>	<u>Total Position Cost</u>	<u>Position Projected Revenue</u>
Level One			
1	Corporate Income Tax Auditor III	\$ 92,590	\$ 1,900,000
2	Attorney I	48,380	0
3	Oil and Gas Tax Auditor I	34,991	400,000
4	Sales Tax Auditor II	85,850	880,000
5	Sales Tax Auditor II	85,850	880,000
6	Individual Income Tax Auditor II	44,995	290,000
7	Sales Tax Field Inspector	60,067	325,000
8	Tax Collections Officer I	31,610	581,870
	Total - Level One	<u>\$484,333</u>	<u>\$ 5,256,870</u>
Level Two			
9	Corporate Income Tax Auditor II	87,595	1,700,000
10	Corporate Income Tax Clerk III	25,109	0
11	Sales Tax Auditor II	85,850	880,000
12	Sales Tax Auditor II	85,850	880,000
13	Individual Income Tax Auditor II	44,085	290,000
14	Individual Income Tax (Withholding) Clerk III	26,014	0
15	Sales Tax Clerk II	22,787	0
16	Oil & Gas Tax Auditor IV	<u>99,381</u>	<u>1,100,000</u>
	Total - Level Two	<u>\$476,671</u>	<u>\$ 4,850,000</u>
	Total Program	<u>\$961,004</u>	<u>\$10,106,870</u>

The appropriation is reduced by a budget adjustment of \$202,720 (two percent after the above adjustment) from the general fund. The State Tax Commissioner shall take such administrative action as may be necessary to spend less than the total of the line items in the appropriation to achieve the \$202,720 budget reduction. Line items other than salaries and wages, operating expenses, data processing, and equipment are not to be affected by the budget reduction.

A new section is added which requires the Tax Commissioner to report quarterly to the Legislative Council on the status of the "Auditing Enhancement" program.

Insurance Commissioner

The salaries and wages line item has a net increase of \$91,008 from other funds. This will allow funds for the state to provide a two percent contribution to retirement on wages earned after July 1, 1983, and an additional two percent contribution amounting to a full four percent on wages earned after July 1, 1984. It also provides \$7,688 over the executive budget for health insurance premiums and \$74,000 for an accountant and clerk for assistance in administering the quarterly collection of the insurance premium tax as required by Senate Bill No. 2493.

In addition, \$42,800 is added to operating expenses and \$800 to equipment relating to administration of the quarterly collections. The increase of \$42,800 to operating expenses includes \$40,000 to be used to microfilm or microfiche records in the least expensive alternative.

The appropriation is reduced by a budget adjustment of \$24,650 (two percent after the above adjustment) from other funds. The Insurance Commissioner shall take such administrative action as may be necessary to spend less than the total of the line items in the appropriation to achieve the \$24,650 budget reduction. Line items other than salaries and wages, operating expenses, data processing, and equipment are not to be affected by the budget reduction.

Labor Commissioner

The salaries and wages line item has a net increase of \$5,916 from the general fund. This will allow funds for the state to provide a two percent contribution to retirement on wages earned after July 1, 1983, and an additional two percent contribution amounting to a full four percent on wages earned after July 1, 1984. It also provides \$784 over the executive budget for health insurance premiums.

The operating expenses line item is increased by \$14,225 from the general fund to provide additional in-state travel funds for the department.

The appropriation is reduced by a budget adjustment of \$10,216; \$8,376 from the general fund (two percent). The Labor Commissioner shall take such administrative action as may be necessary to spend less than the total of the line items in the appropriation to achieve the \$10,216 budget reduction. Line items other than salaries and wages, operating expenses, data processing, and equipment are not to be affected by the budget reduction.

Public Service Commission

The salaries and wages line item has a net increase of \$70,167, of which \$58,245 is from the general fund and \$11,922 is from other funds. This will allow funds for the state to provide a two percent contribution to retirement on wages earned after July 1, 1983, and an additional two percent contribution amounting to a full four percent on wages earned after July 1, 1984. It also provides \$34,694 over the executive budget for health insurance premiums.

The operating expenses line item is increased by \$37,412, of which \$31,792 is from the general fund and \$5,620 is from other funds. This increase is to provide additional funding for travel and vehicle maintenance and operations for several divisions of the commission.

The data processing line item is increased by \$13,518 from other funds for the Abandoned Mine Lands Division of the commission.

The appropriation is reduced by a budget adjustment of \$164,072 (two percent after the above adjustments), of which \$83,284 is from the general fund and \$80,788 is from other funds. The Public Service Commission shall take such administrative action as may be necessary to spend less than the total of the line items in the appropriation to achieve the \$164,072 budget reduction. Line items other than salaries and wages, operating expenses, data processing, and equipment are not to be affected by the budget reduction.

The amendments also revise the composition of the Reclamation Research Advisory Committee which was established in the Senate. The objectives and responsibilities of the committee are also revised.

The amendments also remove a \$500,000 appropriation for coal reclamation research grants from the coal development impact fund which was added by the Senate.

Agriculture Commissioner

The salaries and wages line item of the Agriculture Commissioner has a net increase of \$31,059, of which \$29,406 is from the general fund and \$1,653 is from other funds. This will allow funds for the state to provide a two percent contribution to retirement on wages earned after July 1, 1983, and an additional two percent contribution amounting to a full four percent on wages earned after July 1, 1984. It also provides \$9,776 over the executive budget for health insurance premiums.

The operating expenses line item is increased by \$16,289 from the general fund for additional funding for laboratory costs for the dairy division.

The amendments also remove \$50,000 from the general fund for marketing activities which was added by the Senate.

The appropriation is reduced by a budget adjustment of \$45,399, of which \$41,488 is from the general fund and \$3,911 is from other funds (two percent). The commissioner shall take such administrative action as may be necessary to spend less than the total of the line items in the appropriation to achieve the \$45,399 budget reduction. Line items other than salaries and wages, operating expenses, data processing, and equipment are not to be affected by the budget reduction.

The amendments also provide for a new section which appropriates \$1 million from public or private sources for the state waterbank program if funds become available during the biennium.

For the Senate: Sens. Streibel, Tennesfos, Heigaard

For the House: Reps. Boyle, Sanstead, Unhjem

SB 2001 was placed on the Seventh order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Conference Committee to which was referred SB 2018 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on page 1974 of the Senate Journal.

For the Senate: Sens. Lips, Nelson, Tallackson

For the House: Reps. Mertens, Solberg, Peterson

SB 2018 was placed on the Seventh order of business on the calendar for the succeeding legislative day.

MOTIONS

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

SEN. NETHING MOVED that the Senate adjourn and convene at 8:00 a.m., Monday, April 18, 1983, which motion prevailed.

LEO LEIDHOLM, Secretary