

## JOURNAL OF THE HOUSE

## Fiftieth Legislative Assembly

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## SIXTY-EIGHTH DAY

Bismarck, April 13, 1987

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

The prayer was offered by Hart Edmonds, First Presbyterian Church, Bismarck, North Dakota.

## ROLL CALL

The roll was called and all Representatives were present, except Representatives Almlie, R. Berg, Dorso, Kent, Knudson, O'Connell, Tomac, and W. Williams.

A quorum was declared by the Speaker.

## CORRECTION AND REVISION OF THE JOURNAL

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

REP. THOMPSON, Chairman

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

MESSAGES TO THE SENATE  
HOUSE CHAMBER

MR. PRESIDENT: I have the honor to inform you that the House has reconsidered its action whereby it passed HB 1026 and whereby it did concur in the Senate amendments to HB 1026, and consequently did not concur in the Senate amendments to HB 1026, and the Speaker has appointed as a conference committee to meet with a like committee from the Senate, the following:

HB 1026: Reps. Kingsbury, Gunsch, Solberg

ROY GILBREATH, Chief Clerk

## HOUSE CHAMBER

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

SB 2021: Reps. Kingsbury, Peterson, Graba

SB 2022: Reps. Kingsbury, Peterson, Graba

SB 2339: Reps. Martinson, Gorman, Hokana

ROY GILBREATH, Chief Clerk

## HOUSE CHAMBER

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

SB 2002

ROY GILBREATH, Chief Clerk

## MOTION

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

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

## APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2477:

Reps. Nicholas, Trautman, Starke

## MESSAGES FROM THE SENATE

## SENATE CHAMBER

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

HB 1683

PERRY GROTEBERG, Secretary

## SENATE CHAMBER

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

HCR 3095

PERRY GROTEBERG, Secretary

## SENATE CHAMBER

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

SB 2018, SB 2230, SB 2314, SB 2520

PERRY GROTEBERG, Secretary

## SENATE CHAMBER

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

HB 1002, HB 1028, HB 1038, HB 1062, HB 1121, HB 1131,  
HB 1161, HB 1167, HB 1176, HB 1192, HB 1228, HB 1266,  
HB 1274, HB 1350, HB 1355, HB 1365, HB 1369, HB 1416,  
HB 1535, HB 1561, HB 1643

PERRY GROTEBERG, Secretary

## SENATE CHAMBER

MR. SPEAKER: I have the honor to return herewith HB 1019 which the Senate has amended, and subsequently passed:

In lieu of the amendments to engrossed House Bill No. 1019 adopted by the Senate as printed on pages 1721 and 1722 of the Senate Journal, engrossed House Bill No. 1019 is amended as follows:

On page 1 of the engrossed bill, line 3, delete the words "; and to declare an emergency"

On page 1 of the engrossed bill, line 8, delete the words "out of any moneys in the general fund in the state"

On page 1 of the engrossed bill, line 9, delete the words "treasury, not otherwise appropriated, and"

On page 1 of the engrossed bill, delete line 21

On page 1 of the engrossed bill, line 23, delete the word "all" and insert in lieu thereof the word "special" and delete the numerals "3,207,412" and insert in lieu thereof the numerals "1,428,371"

On page 1 of the engrossed bill, delete lines 24 through 25

On page 2 of the engrossed bill, delete lines 10 through 13

And renumber the lines, sections, and pages accordingly

## STATEMENT OF PURPOSE OF AMENDMENT:

Land Department

This amendment deletes the \$1,779,041 general fund appropriation for special assessments at the old Dickinson Experiment Station; the sum of \$531,435 will be included in House Bill No. 1003 (Board of Higher Education) for this purpose.

PERRY GROTEBERG, Secretary

## SENATE CHAMBER

MR. SPEAKER: I have the honor to return herewith HB 1682 which the Senate has amended, and subsequently failed to pass:

On page 1, line 2, after the word "employees" insert the words "; and to provide an effective date"

On page 1, after line 11, insert the following new section:

"SECTION 2. EFFECTIVE DATE. This Act becomes effective on July 1, 1988."

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

#### SIXTH ORDER OF BUSINESS

REP. PETERSON MOVED that the amendments to SB 2554 as recommended by the Committee on Appropriations as printed on pages 2794-2795 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

#### MOTIONS

REP. STRINDEN MOVED that the rules be suspended and that SB 2554 be placed on the Fourteenth order, as amended, for second reading and final passage, which motion prevailed.

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

#### REPORT OF STANDING COMMITTEE

MR. SPEAKER: Your Committee on Appropriations to which was rereferred SB 2013 has had the same under consideration and recommends by a vote of 20 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

In lieu of the amendments to engrossed Senate Bill No. 2013 adopted by the House as printed on pages 2259-2261 of the House Journal, Senate Bill No. 2013 is amended as follows:

On page 1 of the engrossed bill, line 2, delete the word "providing" and insert in lieu thereof the words "to provide"

On page 1 of the engrossed bill, line 4, delete the words "to provide for a transfer of the proceeds from"

On page 1 of the engrossed bill, delete line 5

On page 1 of the engrossed bill, line 6, delete the word "and"

On page 1 of the engrossed bill, line 8, after the word "fund" insert the words "; and to declare an emergency"

On page 1 of the engrossed bill, line 18, delete the numerals "1,029,455" and insert in lieu thereof the numerals "952,455"

On page 1 of the engrossed bill, line 20, delete the numerals "43,300" and insert in lieu thereof the numerals "38,300"

- On page 1 of the engrossed bill, line 21, delete the numerals "540,712" and insert in lieu thereof the numerals "600,712"
- On page 1 of the engrossed bill, line 22, delete the numerals "3,400" and insert in lieu thereof the numerals "1,750"
- On page 1 of the engrossed bill, line 23, delete the numerals "61,500" and insert in lieu thereof the numerals "30,000"
- On page 1 of the engrossed bill, line 27, delete the numerals "9,566,956" and insert in lieu thereof the numerals "9,511,806"
- On page 2 of the engrossed bill, line 1, delete the numerals "3,131,856" and insert in lieu thereof the numerals "3,076,706"
- On page 3 of the engrossed bill, delete lines 10 through 15 and insert in lieu thereof the following new sections:

"SECTION 7. LEGISLATIVE INTENT - NATIONAL GUARD ARMORIES. It is the intent of the legislative assembly that the adjutant general not relocate any units prior to July 1, 1987, and that the adjutant general receive the approval of the budget section of the legislative council prior to relocating any units during the period beginning July 1, 1987, and ending June 30, 1989.

SECTION 8. EMERGENCY - LEGISLATIVE INTENT. Section 7 of this Act is declared to be an emergency measure and is in effect upon its filing with the secretary of state."

And renumber the lines, sections, and pages accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

##### Adjutant General

An analysis of \$55,150 general fund decrease is as follows:

General Fund  
Increase (Decrease)

##### Salaries and wages

The intent of this amendment is to decrease \$ (77,000)  
salaries and wages and not to decrease FTE positions permanently, but to allow the Adjutant General to employ the number of employees deemed necessary within the limits of legislative appropriations

Equipment

Reduces equipment purchases for the new armory or limits replacement of state equipment (5,000)

Grants

Restores grants to local armories at a level \$40,000 less than the requested amount; thereby allowing most armories to remain open 60,000

Inauguration

Reduces inauguration funding (1,650)

Recruiting and retention

Reduces recruiting and retention programs (31,500)

Total increase (decrease) \$ (55,150)

Section 7 pertaining to the sale of the Bismarck National Guard Armory to Bismarck State Community College is deleted.

A new Section 7 is added stating the intent of the Legislative Assembly that the Adjutant General not relocate any units prior to July 1, 1987, and that the Adjutant General receive the approval of the Budget Section prior to relocating any units during the 1987-89 biennium.

Section 8 is added. This section is an emergency measure, necessary to prevent the relocation of units prior to July 1, 1987.

REP. PETERSON, Chairman

SB 2013 was placed on the Sixth order of business on the calendar.

**MOTION**

REP. STRINDEN MOVED that the rules be suspended and that after action taken on the Sixth order, that SB 2013 be placed on the Fourteenth order, as amended, for second reading and final passage, which motion prevailed.

**SIXTH ORDER OF BUSINESS**

REP. PETERSON MOVED that the amendments to SB 2013 as recommended by the Committee on Appropriations be adopted, and when so adopted, recommends the same DO PASS, 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 89 YEAS, 7 NAYS, 10 ABSENT AND NOT VOTING.

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

NAYS: Graba; Halmrast; Haugen; Hoffner; Mertens; Schneider; Whalen

ABSENT AND NOT VOTING: Brokaw; DeMers, P.; Dorso; Hokana; Kent; Klundt; Marks; O'Connell; Riehl; Watne

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

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#### REPORT OF STANDING COMMITTEE

MR. SPEAKER: Your Committee on Appropriations to which was referred SB 2523 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 of the engrossed bill, line 3, delete the words "to create and enact a new section to"

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

On page 1 of the engrossed bill, line 6, delete the words "the department of human services and;" and delete the word

"section" and insert in lieu thereof the word and numerals "sections 49-05-05, 49-18-32,"

- On page 1 of the engrossed bill, line 7, after the numerals "49-18-41.1" insert the numerals and word "54-03-10, 60-02-07, and 64-02-10" and after the comma insert the words and numerals "and section 51-05.1-01.1 of the North Dakota Century Code as created by section 3 of House Bill No. 1223 and section 54-03-20 of the North Dakota Century Code as contained in House Bill No. 1575, as approved by the fiftieth legislative assembly"
- On page 1 of the engrossed bill, line 8, after the word "commission" insert the words "and to compensation of certain subcommittee chairmen and to reimbursement for expenses for members of the legislative assembly; and to declare an emergency"
- On page 1 of the engrossed bill, line 22, delete the numerals "950,749" and insert in lieu thereof the numerals "873,749"
- On page 1 of the engrossed bill, line 23, delete the numerals "310,253" and insert in lieu thereof the numerals "285,253"
- On page 1 of the engrossed bill, delete line 24
- On page 1 of the engrossed bill, line 25, delete the numerals "6,720" and insert in lieu thereof the numerals "5,720"
- On page 1 of the engrossed bill, line 27, delete the numerals "15,000" and insert in lieu thereof the numerals "13,000"
- On page 1 of the engrossed bill, line 28, delete the numerals "10,000" and insert in lieu thereof the numerals "8,000"
- On page 2 of the engrossed bill, line 2, delete the numerals "1,300,722" and insert in lieu thereof the numerals "1,191,322"
- On page 2 of the engrossed bill, line 6, delete the numerals "11,878" and insert in lieu thereof the numerals "7,042"
- On page 2 of the engrossed bill, delete line 7
- On page 2 of the engrossed bill, line 8, delete the numerals "6,893" and insert in lieu thereof the numerals "3,000"
- On page 2 of the engrossed bill, line 9, delete the numerals "181,424" and insert in lieu thereof the numerals "171,695"
- On page 2 of the engrossed bill, line 13, delete the numerals "332,133" and insert in lieu thereof the numerals "300,133"



- On page 2 of the engrossed bill, line 15, delete the numerals "404,114" and insert in lieu thereof the numerals "379,114"
- On page 2 of the engrossed bill, line 17, delete the numerals "1,904,183" and insert in lieu thereof the numerals "1,847,183"
- On page 2 of the engrossed bill, line 18, delete the numerals "722,880" and insert in lieu thereof the numerals "717,308"
- On page 2 of the engrossed bill, line 19, delete the numerals "1,181,303" and insert in lieu thereof the numerals "1,129,875"
- On page 2 of the engrossed bill, line 26, delete the numerals "7,109,959" and insert in lieu thereof the numerals "6,804,571"
- On page 2 of the engrossed bill, line 27, delete the numerals "1,542,861" and insert in lieu thereof the numerals "1,421,359"
- On page 2 of the engrossed bill, delete line 29
- On page 2 of the engrossed bill, line 30, delete the numerals "191,380" and insert in lieu thereof the numerals "126,518"
- On page 2 of the engrossed bill, delete line 31
- On page 2 of the engrossed bill, line 33, delete the numerals "107,000" and insert in lieu thereof the numerals "50,000"
- On page 2 of the engrossed bill, line 35, delete the numerals "10,279,769" and insert in lieu thereof the numerals "9,657,097"
- On page 3 of the engrossed bill, line 1, delete the numerals "3,531,342" and insert in lieu thereof the numerals "3,449,312"
- On page 3 of the engrossed bill, line 2, delete the numerals "6,784,427" and insert in lieu thereof the numerals "6,207,785"
- On page 3 of the engrossed bill, line 5, delete the numerals "3,271,649" and insert in lieu thereof the numerals "3,150,141"
- On page 3 of the engrossed bill, line 6, delete the numerals "433,074" and insert in lieu thereof the numerals "416,505"
- On page 3 of the engrossed bill, line 9, delete the numerals "3,760,723" and insert in lieu thereof the numerals "3,622,646"

- On page 3 of the engrossed bill, line 11, delete the numerals "3,399,707" and insert in lieu thereof the numerals "3,261,630"
- On page 3 of the engrossed bill, line 14, delete the numerals "504,655" and insert in lieu thereof the numerals "490,758"
- On page 3 of the engrossed bill, line 15, delete the numerals "71,393" and insert in lieu thereof the numerals "67,393"
- On page 3 of the engrossed bill, line 18, delete the numerals "603,856" and insert in lieu thereof the numerals "585,959"
- On page 3 of the engrossed bill, line 21, delete the numerals "8,371,243" and insert in lieu thereof the numerals "7,750,965"
- On page 3 of the engrossed bill, line 22, delete the numerals "1,910,171" and insert in lieu thereof the numerals "1,688,676"
- On page 3 of the engrossed bill, line 23, delete the numerals "1,250,713" and insert in lieu thereof the numerals "1,195,713"
- On page 3 of the engrossed bill, line 25, delete the numerals "11,568,472" and insert in lieu thereof the numerals "10,671,699"
- On page 3 of the engrossed bill, line 28, delete the numerals "428,719" and insert in lieu thereof the numerals "435,452"
- On page 3 of the engrossed bill, line 29, delete the numerals "140,980" and insert in lieu thereof the numerals "82,425"
- On page 3 of the engrossed bill, line 30, delete the numerals "320" and insert in lieu thereof the numerals "3,665"
- On page 3 of the engrossed bill, line 31, delete the numerals "570,019" and insert in lieu thereof the numerals "521,542"
- On page 3 of the engrossed bill, line 33, delete the numerals "484,769" and insert in lieu thereof the numerals "436,292"
- On page 4 of the engrossed bill, line 4, delete the numerals "4,018,086" and insert in lieu thereof the numerals "3,973,391"
- On page 4 of the engrossed bill, line 7, delete the numerals "167,895" and insert in lieu thereof the numerals "143,530"
- On page 4 of the engrossed bill, line 8, delete the numerals "8,559,190" and insert in lieu thereof the numerals "8,490,130"

- On page 4 of the engrossed bill, line 10, delete the numerals "4,055,415" and insert in lieu thereof the numerals "3,986,355"
- On page 4 of the engrossed bill, line 13, delete the numerals "1,870,583" and insert in lieu thereof the numerals "1,791,368"
- On page 4 of the engrossed bill, line 14, delete the numerals "1,380,905" and insert in lieu thereof the numerals "1,323,543"
- On page 4 of the engrossed bill, line 16, delete the numerals "270,000" and insert in lieu thereof the numerals "50,000"
- On page 4 of the engrossed bill, line 21, delete the numerals "1,000,000" and insert in lieu thereof the numerals "1,100,000"
- On page 4 of the engrossed bill, line 22, delete the numerals "4,693,308" and insert in lieu thereof the numerals "4,436,731"
- On page 4 of the engrossed bill, line 23, delete the numerals "1,561,958" and insert in lieu thereof the numerals "1,461,958"
- On page 4 of the engrossed bill, line 24, delete the numerals "3,131,350" and insert in lieu thereof the numerals "2,974,773"
- On page 4 of the engrossed bill, line 25, delete the numerals "32,942,848" and insert in lieu thereof the numerals "30,954,788"
- On page 4 of the engrossed bill, line 26, delete the numerals "11,416,221" and insert in lieu thereof the numerals "11,389,619"
- On page 4 of the engrossed bill, line 27, delete the numerals "44,359,069" and insert in lieu thereof the numerals "42,344,407"
- On page 5 of the engrossed bill, line 8, after the word "APPROPRIATION" insert the words "- AGRICULTURE COMMISSIONER"
- On page 5 of the engrossed bill, line 34, delete the numerals "483,329" and insert in lieu thereof the numerals "475,742"
- On page 6 of the engrossed bill, line 5, delete the words "The tax"

- On page 6 of the engrossed bill, delete lines 6 through 9 and insert in lieu thereof the words "Notwithstanding section 57-01-02.1 or any other provision to the contrary, income of up to \$400,000 received from administrative fees generated through tax collection agreements with counties or other political subdivisions initiating taxes during the biennium ending June 30, 1989, will be deposited in the tax commissioner's operating fund. All fees collected over \$400,000 will be deposited in the general fund. Funds under this section are hereby appropriated for purposes of this section."
- On page 6 of the engrossed bill, line 13, delete the numerals "\$844,000" and insert in lieu thereof the numerals "835,300"
- On page 6 of the engrossed bill, line 17, delete the numerals "1,000,000" and insert in lieu thereof the numerals "1,100,000"
- On page 6 of the engrossed bill, line 18, delete the words "the credit review board determines is" and insert in lieu thereof the words "may be"
- On page 6 of the engrossed bill, delete line 21 and insert in lieu thereof the words "agriculture from the home-quarter fund in quarterly installments of \$100,000, or so much thereof as is determined by"
- On page 6 of the engrossed bill, line 22, delete the words "credit review board" and insert in lieu thereof the words "commissioner of agriculture to be necessary" and after the word "providing" insert the words "farm credit counseling and"
- On page 6 of the engrossed bill, line 23, delete the words "to the credit review board"
- On page 6 of the engrossed bill, line 24, after the period insert the words "Transfers in excess of \$100,000 per quarter, not to exceed the total of \$1,100,000, may be authorized by the credit review board."
- On page 6 of the engrossed bill, delete lines 25 through 35 and insert in lieu thereof the following sections:

"SECTION 12. AMENDMENT. Section 49-05-05 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

49-05-05. Changes in tariff rates - Notice to commission - Filing fee. No change shall be made by any public utility in any tariffs, rates, joint rates, fares, tolls, schedules, classifications, or service which have been filed and published by any public utility, except after

thirty days' notice to the commission. ~~Such~~ The notice shall state plainly the changes proposed and must be accompanied by a fifty dollar filing fee. The commission for a good cause shown, may allow changes upon less than the notice herein specified, either in particular instances or by a general order applicable to special or peculiar circumstances or conditions.

**SECTION 13. AMENDMENT.** Section 49-18-32 of the 1985 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

**49-18-32. Fees - Common or contract motor carrier.** Every common motor carrier and every contract carrier of property or passengers now operating, or which hereafter shall operate, as such common or contract carrier in this state, at the time of making application for a certificate of public convenience and necessity or permit, and annually thereafter, on or before April fifteenth of each calendar year, shall pay a fee of not less than ~~fifteen~~ eighty-five dollars nor more than ~~one~~ two hundred fifty dollars, to be fixed by the commission in each instance. Miscellaneous nonrefundable fees shall be as follows:

1. Application for transfer of certificate of public convenience and necessity \$~~50.00~~ 100.00
2. Application for the mortgaging of a certificate of public convenience and necessity . . . . . 10.00
3. Application for the issuance of a duplicate certificate of public convenience and necessity . . . . . 5.00
4. Copy of all records of the commission pertaining to auto transportation companies, per one hundred words or portion thereof . . . . . .50"

On page 7 of the engrossed bill, line 5, delete the word "six" and insert in lieu thereof the word "seven"

On page 7 of the engrossed bill, after line 10, insert the following sections:

**"SECTION 15. AMENDMENT.** Section 51-05.1-01.1 of the North Dakota Century Code as created by Section 3 of House Bill No. 1223, as approved by the fiftieth legislative assembly, is hereby amended and reenacted to read as follows:

**51-05.1-01.1. Auctioneer's license - Clerk's license - Fees - Bonds.** Application for an annual auctioneer's or clerk's

license must be in writing, verified, and must show the name, residence, and address of the applicant. An application must be filed at least ten days prior to the first auction sale the applicant is to conduct or clerk. Application for renewal of an annual license must be on forms designated by the commission. The fee for the annual license or renewal is ~~twenty-five~~ thirty-five dollars and must accompany the application. The name and license number must appear on all advertising of sales conducted by an auctioneer or clerk.

When filing an application an auctioneer or clerk must file a corporate surety bond of three thousand dollars for an auctioneer and ten thousand dollars for a clerk with the state of North Dakota as obligee for the benefit of any person injured by the licensee's improper conduct.

SECTION 16. AMENDMENT. Section 54-03-10 of the 1985 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

54-03-10. Compensation of speaker, majority and minority leaders, committee chairmen, and employees. The speaker of the house, the house majority leader, the senate majority leader, the house minority leader, and the senate minority leader shall each receive as compensation, in addition to any other compensation or expense reimbursement provided by law, the sum of ten dollars per day for each calendar day during any regular, special, or organizational session. Chairmen of the substantive standing committees and chairmen of permanent subcommittees of the house appropriations committee shall receive additional compensation of five dollars for each calendar day during any regular, special, or organizational session. The additional compensation provided by this section shall be paid in the manner provided in section 54-03-20. The legislative assembly, by concurrent resolution, shall fix the compensation of the other officers and employees elected or appointed. The provisions of this section shall be retroactive to January 1, 1985 1987.

SECTION 17. AMENDMENT. Section 54-03-20 of the North Dakota Century Code as contained in section 1 of House Bill No. 1575, as approved by the fiftieth legislative assembly, is hereby amended and reenacted to read as follows:

54-03-20. Compensation and expense reimbursement of members of the legislative assembly. Each member of the legislative assembly of the state of North Dakota is entitled to receive as compensation for services the sum of ninety dollars for each calendar day, and is entitled to receive reimbursement for lodging, which may not exceed a maximum of six hundred dollars per calendar month for lodging in

state, at the rates and in the manner provided in section 44-08-04 for each calendar day during the period of any organizational, special, or regular session. Members of the legislative assembly who receive reimbursement for lodging are also entitled to reimbursement for travel for not to exceed one round trip taken during any calendar week, or portion of a week, the legislative assembly is in session, between their residences and the place of meeting of the legislative assembly, at the rate provided for state employees for travel by motor vehicle or as otherwise provided by this section. Members of the legislative assembly who do not receive reimbursement for lodging and who do not live in a legislative district completely or partially within the city of Bismarck are entitled to reimbursement at the rate provided for state employees for travel by motor vehicle or as otherwise provided by this section for necessary travel for not to exceed one round trip taken per day between their residences and the place of meeting of the legislative assembly when it is in session, provided that this reimbursement may not exceed six hundred dollars per month. If members travel by nonchartered private aircraft, reimbursement for travel is to be at the rate for state employees for travel by nonchartered private aircraft; except when two or more members travel in the same aircraft, reimbursement of each member is to be at the rate for travel by motor vehicle, but not to exceed the shared cost of air travel. The amount to which each legislator is entitled shall be paid following the organizational session in December and following each month during a regular or special session.

A day, or portion of a day, spent in traveling to or returning from an organizational, special, or regular session shall be included as a calendar day during a legislative session for the purposes of this section.

In addition, each member shall receive during the term for which the member was elected, as compensation for the execution of public duties during the biennium, the sum of one hundred eighty dollars a month, which is payable every six months. If a member dies or resigns from office during the member's term, the member shall be paid only the allowances provided for in this section for the period for which the member was actually a member.

Attendance at any organizational, special, or regular session of the legislative assembly by any member is a conclusive presumption of entitlement as set out in this section and compensation and expense allowances shall be excluded from gross income for income tax purposes to the extent permitted for federal income tax purposes under section 127 of the Economic Recovery Tax Act of 1981 [Pub. L. 97-34; 95 Stat. 202; 26 U.S.C. 162(i)]. The provisions of this section shall be retroactive to January 1, 1987.

**SECTION 18. AMENDMENT.** Section 60-02-07 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

**60-02-07. Public warehouse license - How obtained - Fee.** A license must be obtained through the commission for each public warehouse in operation in this state. No license so issued shall describe more than one public warehouse nor grant permission to operate any public warehouse other than the one described therein. The annual license fee for a public warehouse shall be one hundred thirty dollars for a warehouse of a bushel capacity of two hundred thousand [7047.8 cubic meters] or less, two hundred sixty dollars for a warehouse of a bushel capacity of two hundred thousand and one to and including five hundred thousand [7047.83 to and including 17,619.54 cubic meters], and ~~two~~ three hundred ~~fifty~~ forty dollars for a warehouse of a bushel capacity of five hundred thousand and one [17,619.57 cubic meters] or more. The fees collected under this section shall be paid into the state treasury and credited to the general fund of the state. If a public warehouseman operates two or more warehouses in the same city or siding, in conjunction with each other and with the same working force, and where but one set of books and records is kept for all such warehouses, and scale tickets, warehouse receipts, checks, and credit-sale contracts of but one series are issued for the grain stored and purchased therein, only one license shall be required for the operation of all such warehouses. Where two or more warehouses are operated under one license, the license fee shall be based upon the combined bushel capacity of said warehouses.

**SECTION 19. AMENDMENT.** Section 64-02-10 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

**64-02-10. Fee schedule for inspection of weighing and measuring devices.** The director or other employee of the department of weights and measures shall charge and collect fees in accordance with the following schedule:

1. For inspecting railroad  
track scales . . . . . ~~\$75-00~~ 80.00
2. For inspecting livestock and  
vehicle scales eight thousand  
pounds [3628.74 kilograms] capacity  
and under . . . . . 35.00
3. For inspecting livestock and  
vehicle scales over eight thousand  
pounds [3628.74 kilograms] capacity ~~75-00~~ 80.00



4. For inspecting livestock scales under the jurisdiction of Packers and Stockers Act of the federal department of agriculture . . . . . ~~75-00~~ 80.00
5. For inspecting livestock scales under the jurisdiction of Packers and Stockers Act of the federal department of agriculture, where in the discretion of the director of weights and measures or his employee, the sales ring or buying station scale owner transports to the scale and furnishes all test weights and manpower needed to properly test the scale . . . . . 45.00
6. For inspecting auxiliary beam on livestock, motor truck, motor truck dump scales . . . . . 15.00
7. For inspecting road construction truck scales . . . . . ~~75-00~~ 80.00
8. For inspection of road construction hopper scales, six thousand and one pounds [2722.01 kilograms] capacity and over . . . . . 35.00
9. For inspecting overhead track scales, hopper scales, dormant scales, and hanging scales six thousand pounds [2721.55 kilograms] capacity and over . . . . . 35.00
- For inspecting overhead track scales, dormant scales, hanging scales, and hopper scales five thousand nine hundred ninety-nine pounds [2721.10 kilograms] and less capacity, each . . . . . 20.00
10. For inspecting movable platform scales . . . . . 6.00
11. For inspecting all counter and computing scales . . . . . ~~5-00~~ 6.00
12. For inspecting every patent

	balance, beam steel yard, or other instrument used for weighing other than the above enumerated, each . . . . .	5-00 <u>6.00</u>
13.	For inspecting any two-bushel [70.48 liter] or one-bushel [35.24 liter] measure . . . . .	5-00 <u>6.00</u>
14.	For inspecting any other dry measure, each . . . . .	5-00 <u>6.00</u>
15.	For inspecting any board of cloth measure, each . . . . .	5-00 <u>6.00</u>
16.	For inspecting any liquid measure or computing pump . . . . .	5-00 <u>6.00</u>
17.	For each inspection of any liquid measure or computing pump in addition to the regularly scheduled annual inspection, including inspections made for new equipment which replaces a rejected measuring device . . . . .	5-00 <u>6.00</u>
18.	For inspecting liquid measures of five gallons [18.93 liters] or less capacity, each . . . . .	5-00 <u>6.00</u>
19.	For inspecting gasoline and fuel oil meters . . . . .	12-00 <u>15.00</u>
20.	For inspecting gasoline and fuel oil meters on common carrier pipelines, and any other meters used in loading railway cars, transports, or other conveyances . . . . .	30-00 <u>35.00</u>
21.	For inspecting propane and liquid fertilizer meters . . . . .	20-00 <u>25.00</u>
22.	For calibrating truck tanks of one thousand gallons [3785.41 liters] capacity and under . . . . .	30.00
	Truck tanks between one thousand and one gallons [3789.10 liters] and six thousand gallons	

[22,712.47 liters]	40.00
Truck tanks above six thousand gallons [22,712.47 liters]	50.00
23. For inspection of Crane scales six thousand pounds [2721.55 kilograms] and less capacity, each	30.00
For inspection of Crane scales six thousand and one pounds [2722.01 kilograms] capacity and over, each	50.00

Where a rejected weighing and measuring device has been reconditioned or replaced by new equipment, the same must be reinspected and a certificate issued before being put into use, and except as otherwise provided above, the fee charged for such reinspection and certification shall be the same as for the first inspection and certification. When the director or other employee of the department of weights and measures finds any of the instruments or articles used in weighing or measuring to be out of allowable tolerance set by the commission, the director or other employee shall inform the owner or operator that his weighing or measuring equipment is out of tolerance and to instruct him that a competent serviceman is to be called to service the device and bring said device to allowable tolerance.

Whenever a special inspection of any measuring device is required, in addition to the regularly scheduled annual inspection made by the department, a charge of fifty cents per mile [1.61 kilometers] will be made unless the motor vehicle, including the testing equipment necessary to perform such special inspection, weighs less than ten thousand pounds [4535.92 kilograms] gross. If the motor vehicle weighs less than ten thousand pounds [4535.92 kilograms] gross, a charge of twenty-five cents per mile [1.61 kilometers] will be made, and all such mileage charges shall be in addition to the regular inspection fee to cover the costs of the additional travel by the director or employee occasioned by such special inspection. Where a special inspection has been requested and the person requesting such special inspection fails to appear at the arranged hour, or fails to have the weighing or measuring device in readiness for inspection or for repair or maintenance work at the arranged hour, there shall be a charge of thirty dollars an hour for the time interval between the arranged hour and the hour at which the inspection can be commenced.

**SECTION 20. APPROPRIATION.** There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$50,000, or so much thereof as may be necessary, to the secretary of state for the preparation, printing, and distribution of the North Dakota Blue Book, for the period beginning with the effective date of this Act and ending June 30, 1989.

**SECTION 21. DUTIES OF THE SECRETARY OF STATE.**

1. In organizing and preparing the content of the Centennial edition of the North Dakota Blue Book, the secretary of state shall consult with representatives from the North Dakota library community.
2. Printing and binding of the North Dakota Centennial edition of the Blue Book must be let as a special class of printing upon competitive bidding to the lowest bidder.
3. The North Dakota Centennial edition of the Blue Book must include color photograph reproductions where appropriate including one of Representative Haugland, and it may not contain more than six hundred pages and the number to be printed may not exceed four thousand volumes.
4. The secretary of state shall print, furnish, and distribute the North Dakota Blue Book as follows:
  - a. One copy to each member of the legislative assembly.
  - b. Three copies to the state historical society.
  - c. Two copies to the state law library.
  - d. Two copies to each of the college and university libraries in the state.
  - e. Ten copies to the legislative council.
  - f. One copy to each public institution maintained by the state.
  - g. One copy to each elective and appointive state officer.
  - h. One copy to each public library in the state.
  - i. One copy to each county auditor.

- j. One copy to each public high school and junior high school in the state.
  - k. One copy to each supreme court justice.
  - l. One copy to each district judge.
5. After making the distribution required by subsection 4, the secretary of state shall provide for the sale of the Blue Book through state agencies and may negotiate with North Dakota licensed private vendors and state agencies to allow for sales at various locations throughout the state. The secretary of state shall establish the price of the Blue Book. All proceeds received by the state must be deposited in the state general fund.

**SECTION 22. LEGISLATIVE INTENT CONCERNING REPUBLICATION OF BLUE BOOK.** The fiftieth legislative assembly dedicates this republication of the North Dakota Blue Book in the honor of the North Dakota Centennial to be observed in 1989. The fiftieth legislative assembly wishes to recognize the following:

- 1. The Centennial is a most appropriate time to recognize the accomplishments of North Dakota citizens by reviewing:
  - a. Events of historic significance in the continuing evolution of the state.
  - b. The relationship of the state to its political subdivisions and to the federal government.
  - c. Functions of the executive, legislative, and judicial branches of state government including the place of past and present leaders.
  - d. The development of counties, cities, townships, and special districts.
  - e. The diversity of the state's social and cultural heritage.
  - f. The basis for the primary components of the state's economy.
  - g. The condition of the state's physical environment.

- h. Places, emblems, symbols, and awards unique to North Dakota.
2. The Centennial is a most appropriate time to celebrate the pride North Dakotans harbor for their state.
3. The Centennial is a time to reflect on the good and sometimes difficult times that North Dakota citizens have had in the past 100 years.
4. The Centennial is "a people celebration".

**SECTION 23. SPECIAL RECOGNITION.** The fiftieth legislative assembly hereby directs that this republication of the North Dakota Blue Book give special recognition to the Honorable Brynhild Haugland. Representative Haugland has served in the North Dakota legislative assembly continuously since 1939, in twenty-five consecutive legislative sessions, and is the senior state legislator in the United States.

**SECTION 24. ADDITIONAL INCOME - APPROPRIATION - STATE TREASURER.** There is hereby appropriated to the state treasurer, upon approval of the emergency commission, for the biennium beginning July 1, 1987, and ending June 30, 1989, the sum of \$11,000, or so much thereof as may be necessary, from funds received from nongeneral fund sources for the purpose of defraying the expenses of participating in organizations benefiting the state of North Dakota.

**SECTION 25. EMERGENCY.** Sections 16, 17, 20, 21, 22, and 23 of this Act are declared to be emergency measures and are in effect upon their filing with the secretary of state or on a date specified in this Act."

And renumber the lines, sections, and pages accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

The amendments reduce the bill appropriation amount by \$2,014,662, of which \$1,988,060 is from the general fund and \$26,602 is from other funds. An analysis of changes by each agency is as follows:

#### Governor's Office

The Governor's office general fund appropriation is decreased by \$109,400, analyzed as follows:

Total General Fund (Decrease)
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Salaries and wages

Reduce funding for temporary salaries	\$ (37,000)
Savings through reduced salary and wages including vacancies	(40,000)

Operating expenses

Reduce funding for Governor's associations	(25,000)
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Governor's Office contingency

Reduce funding	(1,000)
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Equipment

Delete funding for equipment	(2,400)
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Governor's transition - in

Reduce funding	(2,000)
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Governor's transition - out

Reduce funding	<u>(2,000)</u>
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Total change	\$ (109,400)
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Lieutenant Governor

An analysis of the \$9,729 general fund reduction is as follows:

	<u>General Fund Increase (Decrease)</u>
<u>Operating expenses</u>	
Reduce operating expenses from \$11,878 to \$7,042	\$(4,836)
<u>Equipment</u>	
Delete funds for equipment purchases	(1,000)
<u>Lieutenant Governor contingency</u>	
Reduce contingency appropriation from \$6,893 to \$3,000	(3,893)
Total increase (decrease)	<u>\$(9,729)</u>

Secretary of State

The amount of funding from the general fund is reduced by \$57,000 relating to funding provided for the central notice system. Operating expenses are reduced by \$32,000, and the data processing line item is reduced by \$25,000.

Attorney General

The amendment reduces the general fund appropriation by \$651,389 and the other funds appropriation by \$82,030 as follows:

	<u>General Fund</u> <u>(Decrease)</u>	<u>Other Funds</u> <u>(Decrease)</u>
<u>Salaries and wages</u>		
Delete funds for	\$(109,476)	
one attorney position		
Delete funds for one gaming auditor	(79,804)	
Delete funds for two positions in the	(67,496)	
Criminal Justice and Training		
Statistics Division		
Delete funds for one new Deputy Fire		\$(48,612)
Marshal position - relating to		
licensure of human service		
provider facilities		
<u>Operating expenses</u>		
Reduce travel funds	(34,752)	
Reduce funds for office space rental	(54,320)	
Delete funds for one new Deputy Fire		(32,430)
Marshal position		
<u>Equipment</u>		
Reduce funds for equipment purchases	(63,874)	
Delete funds for one new Deputy Fire		(988)
Marshal position		
<u>Controlled Substance Board</u>		
Delete all funding	(4,800)	
<u>Arrest and return of fugitives</u>		
Delete all funding	(69,120)	
<u>ARC legal fees</u>		
Reduce funding to \$50,000	<u>(57,000)</u>	<u>          </u>
Total	\$(540,642)	\$(82,030)

Also these amendments reduce the transfer from the fire and tornado fund to the Attorney General for the expenses of the State Fire Marshal from \$483,329 to \$475,742, a reduction of \$7,587 as a result of the deletion of the compensation increase package.

These amendments delete the section which allowed the Fire Marshal to inspect institutions under the Department of Human Services, charge fees for the inspections and deposit the fees in the Attorney General's operating fund. This section would have provided funds for a new Deputy Fire Marshal position which is also deleted in these amendments.

#### State Auditor

The general fund appropriation is reduced by \$138,077 analyzed as follows:



	General Fund (Decrease)
<u>Salaries and wages</u>	
Delay filling of two vacant positions	\$(121,508)
<u>Operating expenses</u>	
Reduce expenses related to vacant positions	<u>(16,569)</u>
Total	\$(138,077)

State Treasurer

An analysis of the \$17,897 general fund reduction is as follows:

	General Fund Increase (Decrease)
<u>Salaries and wages</u>	
Reduce salaries and wages to reflect savings from employee turnover	\$(13,897)
<u>Operating expenses</u>	
Reduce operating expenses	<u>(4,000)</u>
Total increase (decrease)	\$(17,897)

Also a section is added allowing the State Treasurer to accept and spend up to \$11,000 of other funds for participation in organizations beneficial to North Dakota.

State Tax Commissioner

The amendment deletes \$896,773 from the general fund which is summarized as follows:

	Salaries and Wages	Operating Expenses	Data Processing	Total General Fund Change
Reduction relating to vacancies, employee turnover, and possible employee compensation reductions	\$(100,632)			\$(100,632)
Reduce funding for the taxpayer assistance program including \$21,445 of temporary salaries, \$21,000 of postage costs,	(21,445)	\$(63,840)		(85,285)

\$28,840 of telephone costs,  
and \$10,500 of printing  
costs

Reduce funding for Multistate Tax Commission including \$3,500 of travel costs, \$10,364 of dues, and \$98,000 of professional fees	(111,994)		(111,994)
Reduction relating to mandatory leave without pay for each employee	(202,046)		(202,046)
Reduce fair share reduction proposal of Tax Commissioner	(296,155)	(45,661)	(341,816)
Reduce Data Processing because of rate change		\$(55,000)	(55,000)
Total changes	\$(620,278)	\$(221,495)	\$(896,773)

In addition, Section 9 is amended to provide that up to \$400,000 received during the biennium from tax collection agreements with counties or other political subdivisions initiating a sales tax during the 1987-89 biennium will be deposited in the Tax Commissioner's operating fund to pay the cost of administering the agreements. Any funds collected in excess of \$400,000 will be deposited in the general fund.

Also, the transfer in Section 10 from the motor vehicle fuel tax fund is reduced \$8,700 relating to the deletion of funding for the compensation increase of two percent plus \$50/month.

#### Labor Commissioner

An analysis of the changes are as follows:

<u>Description</u>	<u>Total Increase/ (Decrease)</u>	<u>General Fund</u>	<u>Federal Funds</u>
<u>Salaries and wages</u>			
Savings through reduced salaries and wages including vacancies	\$(48,477)	\$(48,477)	
Add one Equal Employment Opportunity Commission position currently on a contract basis	55,210		\$55,210
<u>Operating expenses</u>			

Delete Equal Employment Opportunity Commission work currently on contract basis	(58,555)	(58,555)
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<u>Equipment</u>		
Equipment associated with additional position	3,345	3,345
Total Increase/(Decrease)	\$ (48,477)	\$ (48,477)    \$ 0

Public Service Commission

An analysis of the \$69,060 general fund reduction is as follows:

	<u>General Fund Increase (Decrease)</u>
<u>Operating expenses</u>	
Reduces Transportation Division's operating expenses	\$ (8,595)
Adds motor pool expenses for the Weights and Measures Division	13,900
Other operating expenses	(50,000)
Total operating expenses	<u>\$ (44,695)</u>
<u>Equipment</u>	
Delete funds for:	
Meeting room furniture	\$ (8,865)
2 utility truck bodies (\$4,000 each)	(8,000)
Van body	<u>(7,500)</u>
Total equipment	\$ (24,365)
Total general fund reduction	\$ (69,060)

An analysis of additional general fund revenue generated through increased fees is as follows for the biennium beginning July 1, 1987, and ending June 30, 1989:

<u>Description</u>	<u>General Fund Revenues in Addition to the Executive Recommendation</u>
Filing fee for changes in tariff rates (\$0 to \$50)	\$ 27,500
Increase in motor carrier fees:	
Special certificate renewal (\$75 to \$115)*	17,600
Contract carrier renewal (\$50 to \$85)*	2,800
Contract permit application (\$75 to \$100)*	625
Special certification application (\$100 to \$125)*	1,000
Transfer of special certification (\$50 to \$100)	3,000

Increase in auctioneer's license fee (\$25 to \$35)	15,340
Increase in public warehouse license fees (Less than 200,000 bushels: \$100 to \$130; 200,000 bushels to 500,000 bushels: \$200 to \$260; and over 500,000 bushels: \$250 to \$340)	64,620
Increase in fees for inspecting of weighing devices (LP Meter: \$20 to \$25; Counter scale: \$5 to \$6; Gas pump: \$5 to \$6; Vehicle and livestock scales: \$75 to \$80; Pipeline meter: \$30 to \$35; and Gasoline truck: \$12 to \$15)	38,319
Increase in interstate carrier registration and identification fees (\$6 to \$7)	500,000
Total	\$ 670,804

\* These fees are set in North Dakota Administrative Code Chapter 69-03-03 as authorized in North Dakota Century Code Section 49-18-32. It is anticipated that the Public Service Commission will increase these fees by amending the administrative code.

#### Department of Agriculture

An analysis of the general fund and estimated changes is as follows:

<u>Description</u>	<u>Total Increase (Decrease)</u>	<u>General Fund</u>	<u>Estimated Income</u>
<u>Salaries and wages</u>			
Savings through reduced salary and wage expenditures including vacancies	\$ (79,215)	\$ (79,215)	
<u>Operating expenses</u>			
Reduce funding	(57,362)	(57,362)	
<u>Grants</u>			
Delete funding for leafy spurge control	(220,000)	(220,000)	
<u>Farm credit counseling</u>			
Provide funding for anticipated demand for services	100,000		\$ 100,000

<u>Estimated income</u>			
Reduce estimated income,	0	200,000	(200,000)
increase general fund amount for Marketing Division			
<hr/>			
Total increase (decrease)	\$ (256,577)	\$ (156,577)	\$ (100,000)

The farm credit counseling line item is increased by \$100,000 to \$1,100,000 to more accurately reflect the anticipated demand for services. The purpose for the transfer for the home-quarter fund is changed to provide that quarterly installments of up to \$100,000 may be transferred upon determination of the Commissioner of Agriculture for the farm credit counseling program and for negotiation services rather than determined by the Credit Review Board. Transfers in excess of \$100,000 per quarter must be authorized by the Credit Review Board.

Also, \$50,000 is appropriated from the general fund to the Secretary of State for preparation and distribution of a Centennial Edition of the North Dakota Blue Book. The republication is dedicated to the North Dakota Centennial in 1989 with special recognition given to Representative Brynhild Haugland.

A section is added that provides the chairmen of the House Appropriations subcommittees to receive an additional \$5 of compensation for each calendar day of a session retroactive to January 1, 1987. A section is added that provides that legislators traveling by nonchartered aircrafts will be reimbursed at 35¢ rather than 20¢ per mile retroactive to January 1, 1987.

REP. PETERSON, Chairman

SB 2523 was placed on the Sixth order of business on the calendar.

#### MOTION

REP. STRINDEN MOVED that the rules be suspended and that after action taken on the Sixth order, that SB 2523 be placed on the Fourteenth order, as amended, for second reading and final passage, which motion prevailed.

#### SIXTH ORDER OF BUSINESS

REP. PETERSON MOVED that the amendments to SB 2523 as recommended by the Committee on Appropriations be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed on a verification vote.

#### SECOND READING OF SENATE BILL

SB 2523: A BILL for an Act making an appropriation for defraying the expenses of various elected officials of the state of North Dakota; to provide for transfers; to amend and reenact sections 49-05-05, 49-18-32, 49-18-41.1, 54-03-10, 60-02-07, and 64-02-10 of the North Dakota Century Code,

and section 51-05.1-01.1 of the North Dakota Century Code as created by section 3 of House Bill No. 1223 and section 54-03-20 of the North Dakota Century Code as contained in House Bill No. 1575, as approved by the fiftieth legislative assembly, relating to fees charged by the public service commission and to compensation of certain subcommittee chairmen and to reimbursement for expenses for members of the legislative assembly; 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 61 YEAS, 33 NAYS, 12 ABSENT AND NOT VOTING.

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

**NAYS:** Berg, G.; DeMers, J.; Enget; Flaagan; Frey; Graba; Halmrast; Hanson, L.; Hill; Hoffner; Kelly; Kolbo; Laughlin; Lautenschlager; Linderman; Mertens; Meyer; Murphy; Nelson, C.; Nelson, J.; Nowatzki; Oban; Opedahl; O'Shea; Scherber; Schneider; Solberg; Starke; Stofferahn; Ulmer; Williams, A.; Williams, C.; Williams, W.

**ABSENT AND NOT VOTING:** Brokaw; DeMers, P.; Dorso; Hokana; Kent; Klundt; Marks; Nicholas; O'Connell; Riehl; Shockman; Watne

SB 2523 passed, the title was agreed to, and the emergency clause was declared lost.

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#### MESSAGE TO THE SENATE HOUSE CHAMBER

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

**SB 2477:** Reps. Nicholas, Trautman, Starke  
ROY GILBREATH, Chief Clerk

**SIGNING OF BILLS AND RESOLUTIONS**

**THE CHIEF CLERK ANNOUNCED** that the Speaker signed the following:

SB 2018, SB 2230, SB 2314, SB 2520

**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 2018, SB 2230, SB 2314, SB 2520

**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 appointed as a conference committee to act with a like committee from the House on:

**HB 1026:** Sens. Shea, Yockim, Lips

**PERRY GROTEBERG, Secretary**

**MOTION**

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

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

**REPORT OF CONFERENCE COMMITTEE**

**MR. SPEAKER:** Your Conference Committee to which was referred HB 1388 has had the same under consideration and recommends that the HOUSE ACCEDE to the amendments as found on page 1846 of the House Journal.

**For the Senate:** Sens. Richard, D. Meyer, Todd

**For the House:** Reps. R. Berg, Schindler, L. Hanson

HB 1388 was placed on the Seventh order of business on the calendar for the succeeding legislative day.

**MESSAGE TO THE SENATE  
HOUSE CHAMBER**

**MR. PRESIDENT:** I have the honor to return herewith SB 2013 which the House has amended, and subsequently passed. I also have the honor to return herewith SB 2523 which the House has amended and subsequently passed, but the emergency clause failed.

**ROY GILBREATH, Chief Clerk**

## APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2036:

Reps. Larson, Gates, Oban

## REPORT OF CONFERENCE COMMITTEE

REP. DALRYMPLE MOVED that the conference committee report on Engrossed HB 1231 be adopted, which motion prevailed.

## MOTION

REP. STRINDEN MOVED that the rules be suspended, that HB 1231 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 1231: A BILL for an Act to provide for the regulation of the establishment and operation of preferred provider organizations; and to provide a penalty.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 91 YEAS, 3 NAYS, 12 ABSENT AND NOT VOTING.

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

NAYS: Kingsbury; Knudson; Murphy

ABSENT AND NOT VOTING: Brokaw; DeMers, P.; Dorso; Hausauer, R.; Hokana; Kent; Klundt; Marks; O'Connell; Riehl; Tomac; Watne

HB 1231 passed and the title was agreed to.



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## REPORT OF CONFERENCE COMMITTEE

REP. R. BERG MOVED that the conference committee report on HB 1388 be adopted, which motion prevailed.

## MOTION

REP. STRINDEN MOVED that the rules be suspended, that HB 1388 be deemed properly reengrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

## SECOND READING OF HOUSE BILLS

HB 1388: A BILL for an Act to amend and reenact section 20.1-03-17 of the North Dakota Century Code, relating to fees for issuing game and fish licenses; 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 39 YEAS, 55 NAYS, 12 ABSENT AND NOT VOTING.

YEAS: Aas; Berg, R.; Christman; Cleveland; Dalrymple; Dotzenrod; Goetz; Gunsch; Halmrast; Hamerlik; Hanson, O.; Haugen; Haugland; Knell; Knudson; Koland; Kretschmar; Lang; Larson; Lindgren; Martin; Martinson; Moore; Olson, V.; Opedahl; Rice; Rydell; Schindler; Sorensen; Strinden; Tokach; Tomac; Trautman; Vander Vorst; Wald; Wentz; Whalen; Winkelman; Speaker Kloubec

NAYS: Almlie; Anderson; Belter; Berg, G.; DeMers, J.; Enget; Flaagan; Frey; Gates; Gerntholz; Gorman; Graba; Hanson, L.; Hausauer, A.; Hill; Hoffner; Kelly; Kingsbury; Kolbo; Kuchera; Laughlin; Lautenschlager; Linderman; Melby; Mertens; Meyer; Murphy; Myrdal; Nelson, C.; Nelson, J.; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; O'Shea; Payne; Scherber; Schneider; Shaft; Shaw; Shide; Shockman; Skjerven; Smette; Solberg; Starke; Stofferahn; Thompson; Tollefson; Ulmer; Wilkie; Williams, A.; Williams, C.; Williams, W.

ABSENT AND NOT VOTING: Brokaw; DeMers, P.; Dorso; Hausauer, R.; Hokana; Kent; Klundt; Marks; O'Connell; Peterson; Riehl; Watne

HB 1388 was declared lost.

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**HB 1684:** A BILL for an Act to prohibit the use of state funds for certain activities with respect to games of chance; and to provide a penalty.

Which has been read.

#### MOTION

**REP. MELBY** MOVED the previous question, which motion prevailed.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 48 YEAS, 48 NAYS, 10 ABSENT AND NOT VOTING.

**YEAS:** Aas; Almlie; Belter; Christman; Cleveland; Dalrymple; Dotzenrod; Enget; Frey; Gunsch; Hanson, O.; Haugland; Kingsbury; Knudson; Kolbo; Lang; Lautenschlager; Linderman; Martin; Melby; Moore; Myrdal; Nelson, J.; Olsen, D.; Olson, A.; Olson, V.; Opedahl; Rice; Rydell; Schindler; Shaft; Shaw; Shide; Shockman; Skjerven; Smette; Sorensen; Stofferahn; Strinden; Thompson; Tokach; Vander Vorst; Wentz; Whalen; Wilkie; Williams, A.; Winkelman; Speaker Kloubec

**NAYS:** Anderson; Berg, G.; Berg, R.; DeMers, J.; Flaagan; Gates; Gerntholz; Goetz; Gorman; Graba; Halmrast; Hamerlik; Hanson, L.; Haugen; Hausauer, A.; Hausauer, R.; Hill; Hoffner; Kelly; Klundt; Knell; Koland; Kretschmar; Kuchera; Larson; Laughlin; Lindgren; Martinson; Mertens; Murphy; Nelson, C.; Nicholas; Nowatzki; Oban; O'Shea; Payne; Peterson; Scherber; Schneider; Solberg; Starke; Tollefson; Tomac; Trautman; Ulmer; Wald; Williams, C.; Williams, W.

**ABSENT AND NOT VOTING:** Brokaw; DeMers, P.; Dorso; Hokana; Kent; Marks; Meyer; O'Connell; Riehl; Watne

HB 1684 was declared lost.

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#### 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 1247

PERRY GROTEBERG, Secretary

## SENATE CHAMBER

MR. SPEAKER: I have the honor to transmit herewith the following on which the Senate has adopted the conference committee report on SB 2113 and SB 2387.

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 1009 and the President Pro Tem has appointed as a new conference committee to act with a like committee from the House on:

HB 1009: Sens. Shea, Redlin, Lips

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 1233

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 1:10 p.m., April 13, 1987:

HB 1002, HB 1028, HB 1038, HB 1062, HB 1121, HB 1131,  
HB 1161, HB 1167, HB 1176, HB 1192, HB 1228, HB 1266,  
HB 1274, HB 1350, HB 1355, HB 1365, HB 1369, HB 1416,  
HB 1535, HB 1561, HB 1643

## MESSAGE FROM THE SENATE

## SENATE CHAMBER

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

HB 1010: Sens. Stromme, Redlin, Streibel  
HB 1015: Sens. Waldera, Shea, Tweten  
HB 1016: Sens. Tallackson, Shea, Streibel  
HB 1023: Sens. Shea, Mushik, Lips  
HB 1258: Sens. Satrom, Dotzenrod, Moore  
HB 1446: Sens. D. Meyer, Bakewell, Lodoen  
HB 1674: Sens. Shea, Stromme, Streibel

PERRY GROTEBERG, Secretary

## APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER ANNOUNCED that the Senate has not adopted the Conference Committee Report on HB 1009 and appointed the following to a new Conference Committee on HB 1009:

Reps. Winkelman, Wald, Stofferahn

## MOTION

REP. STRINDEN 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.

MESSAGE FROM THE SENATE  
SENATE CHAMBER

MR. SPEAKER: I have the honor to inform you that the Senate has not adopted the conference committee report on SB 2480 and the President Pro Tem has appointed as a new conference committee to act with a like committee from the House on:

SB 2480: Sens. Langley, Heigaard, Nething  
PERRY GROTEBERG, Secretary

## SIGNING OF BILLS AND RESOLUTIONS

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following:

HB 1017, HB 1020, HB 1052, HB 1183, HB 1242, HB 1448,  
HB 1465, HB 1634, HB 1645, HB 1666, HCR 3029

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 1017, HB 1020, HB 1052, HB 1183, HB 1242, HB 1448,  
HB 1465, HB 1634, HB 1645, HB 1666, HCR 3029

ROY GILBREATH, Chief Clerk

## HOUSE CHAMBER

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

SB 2036: Reps. Larson, Gates, Oban

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 1231

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 failed to pass the same:

HB 1388

ROY GILBREATH, Chief Clerk

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 1009: Reps. Winkelman, Wald, Stofferahn

ROY GILBREATH, Chief Clerk

SIGNING OF BILLS AND RESOLUTIONS

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following:

HB 1633

ROY GILBREATH, Chief Clerk

MESSAGE TO THE SENATE

HOUSE CHAMBER

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

HB 1633

ROY GILBREATH, Chief Clerk

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER ANNOUNCED the following appointment to a new Conference Committee on SB 2480:

Reps. Koland, Dalrymple, Scherber

REPORT OF STANDING COMMITTEE

MR. SPEAKER: Your Committee on Finance and Taxation to which was referred HB 1685 has had the same under consideration and recommends by a vote of 12 YEAS, 2 NAYS, 3 ABSENT AND NOT VOTING that the same DO PASS.

REP. A. HAUSAUER, Chairman

HB 1685 was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1685: A BILL for an Act to amend and reenact section 19-10-03.1 of the North Dakota Century Code, relating to disclosure of contents of certain gasoline.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, 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; Hamerlik; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hill; Hoffner; Hokana; Kelly; Kingsbury; Knell; Knudson; Koland; Kolbo; Kretschmar; Lang; Larson; Laughlin; Lautenschlager; Lindgren; Marks; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; Nelson, C.; Nelson, J.; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; Opedahl; O'Shea; Payne; Peterson; Rice; Rydell; Scherber; Schindler; Schneider; Shaft; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Starke; Stofferahn; Strinden; Tokach; Tollefson; Tomac; Trautman; Vander Vorst; Wald; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Kloubec

**NAYS:** Frey; Halmrast; Linderman; Martin; Riehl; Shaw; Ulmer

**ABSENT AND NOT VOTING:** Dorso; Hausauer, R.; Kent; Klundt; Kuchera; O'Connell; Olson, V.; Thompson

HB 1685 passed and the title was agreed to.

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## MOTION

**REP. STRINDEN MOVED** that the House stand in recess until 4:00 p.m., which motion prevailed.

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

## REPORT OF STANDING COMMITTEE

**MR. SPEAKER:** Your Committee on Finance and Taxation to which was rereferred Engrossed SB 2552 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION.

**REP. A. HAUSAUER, Chairman**

Engrossed SB 2552 was placed on the Fourteenth order of business on the calendar.

## SECOND READING OF SENATE BILL

**SB 2552:** A BILL for an Act to amend and reenact subsection 15 of section 57-02-08 of the North Dakota Century Code, relating

to exemption of farm buildings and structures from property taxes; and to provide an effective date.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 43 YEAS, 54 NAYS, 9 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Belter; Brokaw; Christman; Dalrymple; DeMers, P.; Enget; Gerntholz; Gunsch; Halmrast; Hanson, O.; Hokana; Kingsbury; Knell; Knudson; Kolbo; Laughlin; Linderman; Marks; Martin; Meyer; Murphy; Nelson, J.; Nicholas; Opedahl; O'Shea; Riehl; Shide; Shockman; Solberg; Starke; Stofferahn; Strinden; Thompson; Tokach; Tomac; Trautman; Ulmer; Vander Vorst; Watne; Williams, A.; Williams, C.; Williams, W.

**NAYS:** Aas; Almlie; Berg, R.; Cleveland; DeMers, J.; Dotzenrod; Flaagan; Frey; Gates; Goetz; Gorman; Graba; Hamerlik; Hanson, L.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hill; Hoffner; Kelly; Koland; Kretschmar; Kuchera; Lang; Larson; Lautenschlager; Lindgren; Martinson; Melby; Moore; Myrdal; Nelson, C.; Oban; Olsen, D.; Olson, A.; Olson, V.; Payne; Peterson; Rice; Rydell; Scherber; Schindler; Schneider; Shaft; Shaw; Skjerven; Smette; Sorensen; Tollefson; Wentz; Whalen; Winkelman; Speaker Kloubec

**ABSENT AND NOT VOTING:** Berg, G.; Dorso; Kent; Klundt; Mertens; Nowatzki; O'Connell; Wald; Wilkie

SB 2552 was declared lost.

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#### 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.

#### REPORT OF CONFERENCE COMMITTEE

**MR. SPEAKER:** Your Conference Committee to which was referred Engrossed SB 2113 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on page 838 of the House Journal.

**For the Senate:** Sens. W. Meyer,, Axtman, Lodoen

**For the House:** Reps. Gorman, Tokach, Skjerven (refused to sign)

Engrossed SB 2113 was placed on the Seventh order of business on the calendar for the succeeding legislative day.

## REPORT OF CONFERENCE COMMITTEE

REP. GORMAN MOVED that the conference committee report on SB 2113 be adopted, which motion prevailed.

SB 2113 was placed on the Fourteenth order of business on the calendar.

## SECOND READING OF SENATE BILL

SB 2113: A BILL for an Act to amend and reenact sections 44-06-03, 44-06-05, and 44-06-09 of the North Dakota Century Code, relating to notary public surety bonds and records.

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 101 YEAS, 0 NAYS, 5 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Dorso; Haugland; Kent; Klundt; O'Connell

SB 2113 passed and the title was agreed to.

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## REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER: Your Conference Committee to which was referred Engrossed SB 2387 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on pages 2042-2043 of the House Journal.



For the Senate: Sens. Dotzenrod, Holmberg, Lodoen  
For the House: Reps. Gorman, Lindgren, Enget

Engrossed SB 2387 was placed on the Seventh order of business on the calendar for the succeeding legislative day.

#### REPORT OF CONFERENCE COMMITTEE

REP. GORMAN MOVED that the conference committee report on SB 2387 be adopted, which motion prevailed.

SB 2387 was placed on the Fourteenth order of business on the calendar.

#### SECOND READING OF SENATE BILL

SB 2387: A BILL for an Act to create and enact a new subsection to section 55-10-08 of the North Dakota Century Code, relating to objections by political subdivisions to state historic site designations by the state historical board.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 69 YEAS, 32 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Almlie; Anderson; Belter; Berg, G.; Berg, R.; Christman; Cleveland; Dalrymple; DeMers, J.; Dotzenrod; Enget; Flaagan; Frey; Gates; Gerntholz; Goetz; Gorman; Graba; Gunsch; Halmrast; Hamerlik; Haugen; Haugland; Hausauer, R.; Hokana; Kelly; Knell; Knudson; Koland; Kolbo; Kretschmar; Larson; Laughlin; Linderman; Lindgren; Martin; Melby; Meyer; Moore; Murphy; Myrdal; Nelson, J.; Nicholas; Nowatzki; Olsen, D.; Olson, V.; Opedahl; O'Shea; Payne; Peterson; Rice; Riehl; Scherber; Schneider; Shide; Smette; Solberg; Starke; Stofferahn; Thompson; Tokach; Tollefson; Tomac; Ulmer; Wald; Whalen; Williams, A.; Williams, C.; Speaker Kloubec

NAYS: Aas; Brokaw; DeMers, P.; Hanson, L.; Hanson, O.; Hausauer, A.; Hill; Hoffner; Kingsbury; Kuchera; Lang; Lautenschlager; Marks; Martinson; Nelson, C.; Oban; Olson, A.; Rydell; Schindler; Shaft; Shaw; Shockman; Skjerven; Sorensen; Strinden; Trautman; Vander Vorst; Watne; Wentz; Wilkie; Williams, W.; Winkelman

ABSENT AND NOT VOTING: Dorso; Kent; Klundt; Mertens; O'Connell

SB 2387 passed and the title was agreed to.

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## REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER: Your Conference Committee to which was referred HB 1023 has had the same under consideration and recommends that the HOUSE ACCEDE to the amendments as found on pages 2694-2696 of the House Journal.

For the Senate: Sens. Shea, Mushik, Lips

For the House: Reps. Winkelman, Wald, Opedahl

HB 1023 was placed on the Seventh order of business on the calendar for the succeeding legislative day.

## REPORT OF CONFERENCE COMMITTEE

REP. WINKELMAN MOVED that the conference committee report on HB 1023 be adopted, which motion prevailed on a verification vote.

## MOTION

REP. STRINDEN MOVED that the rules be suspended, that HB 1023 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 1023: A BILL for an Act making an appropriation for defraying the administrative costs of the public employees retirement system of the state of North Dakota; to create and enact a new section to chapter 54-52.1 of the North Dakota Century Code, relating to the uniform group health insurance program; to amend and reenact subsection 4 of section 54-52-03 of the North Dakota Century Code, relating to the public employees retirement board; and to declare an emergency.

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 21 YEAS, 80 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Almlie; Berg, G.; Enget; Frey; Goetz; Hokana; Kolbo; Kuchera; Laughlin; Linderman; Mertens; Nelson, J.; Nicholas; Opedahl; Peterson; Riehl; Starke; Stofferahn; Ulmer; Wald; Winkelman

NAYS: Aas; Anderson; Belter; Berg, R.; Brokaw; Christman; Cleveland; Dalrymple; DeMers, J.; DeMers, P.; Dotzenrod; Flaagan; Gates; Gerntholz; Gorman; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hill; Hoffner; Kelly; Kingsbury; Knell; Knudson; Koland; Kretschmar; Lang; Larson; Lautenschlager; Lindgren; Marks; Martin; Martinson; Melby; Meyer; Moore; Murphy;

Myrdal; Nelson, C.; Nowatzki; Oban; Olsen, D.;  
Olson, A.; Olson, V.; O'Shea; Payne; Rice; Rydell;  
Scherber; Schindler; Schneider; Shaft; Shaw; Shide;  
Shockman; Skjerven; Smette; Solberg; Sorensen;  
Strinden; Thompson; Tokach; Tollefson; Tomac; Trautman;  
Vander Vorst; Watne; Wentz; Whalen; Wilkie;  
Williams, A.; Williams, W.; Speaker Kloubec

ABSENT AND NOT VOTING: Dorso; Kent; Klundt; O'Connell;  
Williams, C.

HB 1023 was declared lost.

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#### MOTIONS

REP. STRINDEN MOVED that the House reconsider its action whereby  
HB 1023 failed to pass, which motion prevailed.

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

The question then was on the adoption of the conference committee  
report on HB 1023. The conference committee report on HB 1023  
was not adopted.

REP. STRINDEN MOVED that a new conference committee be appointed  
on HB 1023, which motion prevailed.

#### CONSIDERATION OF MESSAGE FROM THE SENATE

REP. PETERSON MOVED that the House do not concur in the Senate  
amendments to HB 1019 and that a conference committee be  
appointed to meet with a like committee from the Senate, which  
motion prevailed.

#### APPOINTMENT OF A CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1019:

Reps. Wald, Kuchera, Opedahl

#### MESSAGES FROM THE SENATE SENATE CHAMBER

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

HCR 3096

PERRY GROTEBERG, Secretary

#### SENATE CHAMBER

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

SB 2010, SB 2011, SB 2017, SB 2128, SB 2319, SB 2365,  
SB 2471, SB 2548, SB 2553, SCR 4047

PERRY GROTBORG, Secretary

#### SENATE CHAMBER

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

HB 1017, HB 1020, HB 1052, HB 1183, HB 1242, HB 1448,  
HB 1465, HB 1633, HB 1634, HB 1645, HB 1666, HCR 3029

PERRY GROTBORG, 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:

SB 2480: Reps. Koland, Dalrymple, Scherber

ROY GILBREATH, Chief Clerk

##### HOUSE CHAMBER

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

HB 1685

ROY GILBREATH, Chief Clerk

##### HOUSE CHAMBER

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

HB 1621

ROY GILBREATH, Chief Clerk

##### HOUSE CHAMBER

MR. PRESIDENT: I have the honor to inform you that the House has refused to concur in the Senate amendments to HB 1019 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1019: Reps. Wald, Kuchera, Opedahl

ROY GILBREATH, Chief Clerk

#### REQUEST

REP. MERTENS REQUESTED that the record show that the following Representatives were absent as they were attending Rep. O'Connell's father's funeral, which request was granted.

Reps. P. DeMers, Marks, Hokana, Watne, Riehl, Brokaw

MOTIONS

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

REP. GOETZ MOVED that the House stand adjourned until 8:00 a.m., Tuesday, April 14, 1987, which motion prevailed.

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

ROY GILBREATH, Chief Clerk