

JOURNAL OF THE HOUSE

Fiftieth Legislative Assembly

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SEVENTIETH DAY

Bismarck, April 15, 1987

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

The prayer was offered by Sister Marie Hunkler, St. Vincent's Nursing Home, Bismarck, North Dakota.

ROLL CALL

The roll was called and all Representatives were present, except Representatives Christman, Dorso, Gorman, Knudson, and Tomac.

A quorum was declared by the Speaker.

CORRECTION AND REVISION OF THE JOURNAL

MR. SPEAKER: Your Committee on Correction and Revision of the Journal has carefully reexamined the Journal of the Forty-sixth Day and recommends that the same be corrected as follows and, when so corrected, recommends that the same be approved:

On page 1800, after line 7, insert the following:

"ANNOUNCEMENT BY SPEAKER

SPEAKER KLOUBEC ANNOUNCED that Rep. O. Opedahl would replace former Rep. A. Richard on the Legislative Council."

REP. THOMPSON, Chairman

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

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-ninth day and finds the same to be correct.

REP. THOMPSON, Chairman

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

MESSAGES TO THE SENATE
HOUSE CHAMBER

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

SB 2453, SB 2512, SB 2552

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

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

SB 2113, SB 2387

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

MR. PRESIDENT: I have the honor to return herewith SB 2557 which the House has amended, and subsequently passed.

ROY GILBREATH, Chief Clerk

SECOND READING OF HOUSE BILLS

HB 1686: A BILL for an Act to create and enact a new section to chapter 57-38 of the North Dakota Century Code, relating to a surtax based on income tax liability of individuals, estates, or trusts; and to provide an effective date and an expiration date.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 82 YEAS, 19 NAYS, 5 ABSENT AND NOT VOTING.

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

NAYS: Anderson; Flaagan; Frey; Haugen; Knell; Lang; Martin; Melby; Myrdal; Nelson, J.; Olsen, D.; Olson, A.; Olson, V.; Opedahl; Shockman; Skjerven; Tokach; Vander Vorst; Watne

ABSENT AND NOT VOTING: Christman; Dorso; Gorman; Knudson; Tomac

HB 1686 passed and the title was agreed to.

HB 1687: A BILL for an Act to create and enact a new section to chapter 57-39.2 and a new section to chapter 57-40.2 of the North Dakota Century Code, relating to refund of a portion of sales or use taxes paid for purchases or use of farm machinery repair parts; to amend and reenact sections 57-39.2-02.1 and 57-40.2-02.1 of the North Dakota Century Code as contained in sections 1 and 4 of Senate Bill No. 2901, as approved by the fiftieth legislative assembly, relating to imposition of sales and use taxes on farm machinery repair parts; and to declare an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 65 YEAS, 36 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Aas; Almlie; Anderson; Belter; Berg, G.; Berg, R.; Cleveland; Dalrymple; DeMers, J.; Gates; Gerntholz; Goetz; Halmrast; Hamerlik; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hill; Hokana; Kelly; Kent; Kingsbury; Knell; Knudson; Koland; Kolbo; Kretschmar; Kuchera; Lang; Larson; Lautenschlager; Lindgren; Martin; Martinson; Mertens; Moore; Nelson, J.; Nicholas; Nowatzki; O'Connell; Olson, V.; Payne; Peterson; Rice; Rydell; Scherber; Schindler; Schneider; Shaw; Skjerven; Smette; Sorensen; Strinden; Thompson; Tollefson; Ulmer; Vander Vorst; Wald; Wentz; Whalen; Winkelman; Speaker Kloubec

NAYS: Brokaw; DeMers, P.; Dotzenrod; Enget; Flaagan; Frey; Graba; Gunsch; Hanson, L.; Hoffner; Klundt; Laughlin; Linderman; Marks; Melby; Meyer; Murphy; Myrdal; Nelson, C.; Oban; Olson, A.; Opedahl; O'Shea; Riehl; Shide; Shockman; Solberg; Starke; Stofferahn; Tokach; Trautman; Watne; Wilkie; Williams, A.; Williams, C.; Williams, W.

ABSENT AND NOT VOTING: Christman; Dorso; Gorman; Olsen, D.; Tomac

HB 1687 passed, the title was agreed to, and the emergency clause lost.

MESSAGE FROM THE SENATE SENATE CHAMBER

MR. SPEAKER: I have the honor to return HB 1003 and HB 1006 which the Senate has amended and subsequently passed:

SENATE AMENDMENTS TO ENGROSSED HB 1003

In lieu of the amendments to engrossed House Bill No. 1003 adopted by the Senate as found on pages 2357-2370 of the Senate Journal, engrossed House Bill No. 1003 is amended as follows:

On page 1 of the engrossed bill, line 1, after the words "A BILL" delete the remainder of the bill and insert in lieu thereof the following: "for an Act to provide an appropriation for defraying the expenses of the state board of higher education and the various institutions of higher learning under the supervision of the state board of higher education; to provide legislative intent regarding student financial assistance grants, membership in the university center for atmospheric research, and relating to loan repayments relating to the old Dickinson experiment station; to provide authority to issue evidences of indebtedness; to provide authorization for a loan from the board of university and school lands to the state board of higher education relating to the old Dickinson experiment station; to create and enact a new section to chapter 15-11 of the North Dakota Century Code, relating to the supervision of the junior college located at Devils Lake; to amend and reenact subsections 4 and 6 of section 15-10-01, subdivision d of subsection 13 of section 15-10-17, section 15-13-01, and subsection 2 of section 15-62.2-02 of the North Dakota Century Code, relating to the names of the institutions of higher education at Devils Lake, Dickinson, Mayville, Minot, and Valley City and the amount of grants awarded under the student financial assistance program; to repeal section 15-55-21 of the North Dakota Century Code, section 6 of chapter 208 of the 1979 Session Laws of North Dakota, chapter 88 of the 1983 Session Laws of North Dakota, and sections 1 and 2 of chapter 203 of the 1985 Session Laws of North Dakota, relating to the payment of expenses from the gross revenues of higher education revenue bond projects and the old Dickinson experiment station; and to declare an emergency.

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

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income to the state board of higher education and to the various institutions of higher learning under the supervision of the state board of higher education for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1987, and ending June 30, 1989, as follows:

Subdivision 1.

STATE BOARD OF HIGHER EDUCATION

| | | |
|--------------------|----|---------|
| Salaries and wages | \$ | 882,074 |
|--------------------|----|---------|

| | |
|-------------------------------------|--------------|
| Operating expenses | 320,032 |
| Data processing | 48,665 |
| Equipment | 11,000 |
| Reciprocal agreements | 2,541,800 |
| National direct student loans | 125,245 |
| Title II grant | 192,000 |
| Merit scholarship program | 100,000 |
| Student financial assistance grants | 3,000,000 |
| Board pool | 200,000 |
| Total all funds | \$ 7,420,816 |
| Less federal funds | 592,000 |
| Total general fund appropriation | \$ 6,828,816 |

Subdivision 2.

BISMARCK STATE COLLEGE

| | |
|----------------------------------|---------------|
| Salaries and wages | \$ 10,125,278 |
| Operating expenses | 2,423,051 |
| Equipment | 272,700 |
| Capital improvements | 204,845 |
| Total all funds | \$ 13,025,874 |
| Less budget adjustment | 171,907 |
| Less estimated income | 7,177,417 |
| Total general fund appropriation | \$ 5,676,550 |

Subdivision 3.

NORTH DAKOTA STATE COLLEGE OF SCIENCE - DEVILS LAKE

| | |
|----------------------------------|--------------|
| Salaries and wages | \$ 2,760,599 |
| Operating expenses | 868,910 |
| Equipment | 83,021 |
| Capital improvements | 101,921 |
| Total all funds | \$ 3,814,451 |
| Less budget adjustment | 51,271 |
| Less estimated income | 1,852,741 |
| Total general fund appropriation | \$ 1,910,439 |

Subdivision 4.

UNIVERSITY OF NORTH DAKOTA - WILLISTON

| | |
|----------------------------------|--------------|
| Salaries and wages | \$ 3,285,373 |
| Operating expenses | 816,656 |
| Equipment | 116,685 |
| Capital improvements | 69,439 |
| Total all funds | \$ 4,288,153 |
| Less budget adjustment | 57,869 |
| Less estimated income | 2,305,995 |
| Total general fund appropriation | \$ 1,924,289 |

Subdivision 5.

UNIVERSITY OF NORTH DAKOTA

| | |
|------------------------|---------------|
| Salaries and wages | \$ 66,515,795 |
| Operating expenses | 19,064,894 |
| Equipment | 1,466,770 |
| Capital improvements | 1,467,265 |
| Total all funds | \$ 88,514,724 |
| Less budget adjustment | 1,899,786 |

| | |
|----------------------------------|----------------------|
| Less estimated income | 27,363,039 |
| Total general fund appropriation | <u>\$ 59,251,899</u> |

Subdivision 6.

NORTH DAKOTA STATE UNIVERSITY
OF AGRICULTURE AND APPLIED SCIENCE

| | |
|----------------------------------|----------------------|
| Salaries and wages | \$ 57,983,724 |
| Operating expenses | 16,348,562 |
| Equipment | 1,353,031 |
| Capital improvements | <u>1,415,027</u> |
| Total all funds | \$ 77,100,344 |
| Less budget adjustment | 1,613,008 |
| Less estimated income | <u>24,212,487</u> |
| Total general fund appropriation | <u>\$ 51,274,849</u> |

Subdivision 7.

NORTH DAKOTA STATE COLLEGE OF SCIENCE

| | |
|----------------------------------|----------------------|
| Salaries and wages | \$ 18,838,342 |
| Operating expenses | 5,338,785 |
| Equipment | 718,864 |
| Capital improvements | <u>410,700</u> |
| Total all funds | \$ 25,306,691 |
| Less budget adjustment | 561,369 |
| Less estimated income | <u>6,703,725</u> |
| Total general fund appropriation | <u>\$ 18,041,597</u> |

Subdivision 8.

STATE UNIVERSITY OF NORTH DAKOTA - DICKINSON

| | |
|----------------------------------|---------------------|
| Salaries and wages | \$ 8,852,950 |
| Operating expenses | 2,801,860 |
| Equipment | 139,186 |
| Capital improvements | <u>150,263</u> |
| Total all funds | \$ 11,944,259 |
| Less budget adjustment | 266,153 |
| Less estimated income | <u>3,080,372</u> |
| Total general fund appropriation | <u>\$ 8,597,734</u> |

Subdivision 9.

STATE UNIVERSITY OF NORTH DAKOTA - MAYVILLE

| | |
|----------------------------------|---------------------|
| Salaries and wages | \$ 5,894,888 |
| Operating expenses | 1,777,776 |
| Equipment | 86,175 |
| Capital improvements | <u>104,533</u> |
| Total all funds | \$ 7,863,372 |
| Less budget adjustment | 185,363 |
| Less estimated income | <u>1,783,749</u> |
| Total general fund appropriation | <u>\$ 5,894,260</u> |

Subdivision 10.

STATE UNIVERSITY OF NORTH DAKOTA - MINOT

| | |
|----------------------|----------------|
| Salaries and wages | \$ 18,233,521 |
| Operating expenses | 2,975,282 |
| Equipment | 299,678 |
| Capital improvements | <u>339,553</u> |

| | |
|----------------------------------|------------------|
| Total all funds | \$ 21,848,034 |
| Less budget adjustment | 442,046 |
| Less estimated income | <u>7,374,289</u> |
| Total general fund appropriation | \$ 14,031,699 |

Subdivision 11.

STATE UNIVERSITY OF NORTH DAKOTA - VALLEY CITY

| | |
|----------------------------------|------------------|
| Salaries and wages | \$ 7,779,683 |
| Operating expenses | 2,035,876 |
| Equipment | 113,163 |
| Capital improvements | <u>191,891</u> |
| Total all funds | \$ 10,120,613 |
| Less budget adjustment | 228,692 |
| Less estimated income | <u>2,461,612</u> |
| Total general fund appropriation | \$ 7,430,309 |

Subdivision 12.

NORTH DAKOTA STATE UNIVERSITY - BOTTINEAU

| | |
|----------------------------------|------------------|
| Salaries and wages | \$ 2,901,735 |
| Operating expenses | 721,957 |
| Equipment | 70,329 |
| Capital improvements | <u>94,246</u> |
| Total all funds | \$ 3,788,267 |
| Less budget adjustment | 83,929 |
| Less estimated income | <u>1,007,977</u> |
| Total general fund appropriation | \$ 2,696,361 |

Subdivision 13.

NORTH DAKOTA STATE UNIVERSITY - STATE TOXICOLOGIST

| | |
|----------------------------------|----------------|
| Salaries and wages | \$ 458,668 |
| Operating expenses | 99,160 |
| Equipment | <u>18,000</u> |
| Total all funds | \$ 575,828 |
| Less budget adjustment | 13,358 |
| Less estimated income | <u>120,000</u> |
| Total general fund appropriation | \$ 442,470 |

Subdivision 14.

NORTH DAKOTA FOREST SERVICE

| | |
|----------------------------------|----------------|
| Salaries and wages | \$ 1,244,306 |
| Operating expenses | 340,978 |
| Equipment | 56,035 |
| Capital improvements | <u>30,100</u> |
| Total all funds | \$ 1,671,419 |
| Less budget adjustment | 28,921 |
| Less estimated income | <u>661,367</u> |
| Total general fund appropriation | \$ 981,131 |

Subdivision 15.

UNIVERSITY OF NORTH DAKOTA MEDICAL CENTER

| | |
|---------------------|----------------|
| Salaries and wages | \$ 36,849,940 |
| Operating expenses | 12,799,820 |
| Equipment | 715,068 |
| Psychiatric nursing | <u>436,000</u> |

| | |
|----------------------------------|----------------------|
| Total all funds | \$ 50,800,828 |
| Less budget adjustment | 896,328 |
| Less estimated income | <u>21,604,127</u> |
| Total general fund appropriation | \$ <u>28,300,373</u> |

Subdivision 16.

MEDICAL CENTER REHABILITATION HOSPITAL

| | |
|---|----------------------|
| Salaries and wages | \$ 13,443,965 |
| Operating expenses | 5,058,009 |
| Equipment | <u>208,191</u> |
| Total appropriation from institutional income | \$ <u>18,710,165</u> |
| Grand total general fund appropriation | \$217,328,955 |
| H.B. 1003 | |
| Grand total special funds appropriation | \$144,060,062 |
| H.B. 1003 | |
| Grand total all funds appropriation | \$361,389,017 |
| H.B. 1003 | |

SECTION 2. APPROPRIATION TRANSFER. The board pool in subdivision 1 of section 1 must be used for the benefit of the institutions and entities in subdivisions 2 through 14 of section 1 as determined by the state board of higher education. The board shall notify the office of management and budget of the allocation of general fund authority from the board pool, to the various institutions and which line items in the various institutions and entities shall be adjusted.

SECTION 3. APPROPRIATION. There are hereby appropriated any funds received by the board of higher education, not otherwise appropriated, pursuant to federal acts and private grants for the purpose as designated in such federal acts or private grants for the period beginning July 1, 1987, and ending June 30, 1989.

SECTION 4. APPROPRIATION. There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$1,361,389, or so much thereof as may be necessary, to the state board of higher education to provide for matching commitments for the national science foundation experimental program to stimulate competitive research for the biennium beginning July 1, 1987, and ending June 30, 1989. The board of higher education shall allocate these funds as necessary to North Dakota state university and the university of North Dakota.

SECTION 5. APPROPRIATION. There is hereby appropriated out of any moneys in the general fund in the state treasury, the sum of \$1,869,460, or so much thereof as may be necessary, for the biennium beginning July 1, 1987, and ending June 30, 1989, to the state board of higher education for principal and interest payments to the

board of university and school lands, relating to the purchase of the Dickinson experiment station.

SECTION 6. APPROPRIATION. There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$283,895, or so much thereof as may be necessary, beginning January 1, 1987, and for the period ending June 30, 1987, to the state board of higher education for the purpose of paying the city of Dickinson for special assessments due on March 1, 1987.

SECTION 7. APPROPRIATION. There is hereby appropriated out of moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$531,435, or so much thereof as may be necessary, for the biennium beginning July 1, 1987, and ending June 30, 1989, to the state board of higher education for the purpose of paying the city of Dickinson for special assessments due after July 1, 1987.

SECTION 8. ADDITIONAL INCOME. Any additional income not required by law to be deposited in operating funds in the state treasury is hereby appropriated. All income in excess of estimated income in the budget appropriated by the legislative assembly to the institutions of higher learning must be deposited in their respective operating funds in the state treasury and is hereby appropriated and can be spent only upon authorization of the emergency commission.

SECTION 9. TRANSFER. The state board of higher education may make such transfers between line items in subdivision 1 of section 1, other than reciprocal agreements and student financial assistance grants, as may be necessary and manageable to provide for board or institutional budget requirements. The board shall notify the office of management and budget of each transfer.

SECTION 10. TRANSFERS. Each institution or agency included in subdivisions 2 through 16 of section 1, upon approval of the state board of higher education, may make such transfers between line items in its appropriation as may be determined necessary by the board for operations of the institution or agency. Each institution or agency shall notify the office of management and budget of each transfer.

SECTION 11. INTENT, REPEAL, PURPOSE, AND CONSTRUCTION. All Acts and parts of Acts that may be in conflict herewith are hereby repealed. If for any reason any specific appropriation for any item is held by the courts to be unconstitutional or illegal or otherwise unavailable for any cause, the holding does not affect or

apply to the remaining items of appropriation in this Act or purposes provided for in this Act.

SECTION 12. REPORTS TO OFFICE OF MANAGEMENT AND BUDGET. Each institution included in this Act, upon approval by the state board of higher education, shall notify the office of management and budget of the line item reductions totaling the amount in the less budget adjustment line for each appropriation included in this Act and the office of management and budget shall reduce each line item accordingly. Notification must be given to the office of management and budget by June 15, 1987.

SECTION 13. LEGISLATIVE INTENT - STUDENT FINANCIAL ASSISTANCE GRANTS. It is the intent of the legislative assembly that the student financial assistance grants line item in subdivision 1 of section 1 be used for students determined to be in substantial need of financial assistance and eligible in accordance with North Dakota Century Code section 15-62.2-01.

SECTION 14. LEGISLATIVE INTENT - UNIVERSITY CENTER FOR ATMOSPHERIC RESEARCH MEMBERSHIP. It is the intent of the legislative assembly that the university of North Dakota seek membership in the university center for atmospheric research program during the 1987-89 biennium for the purpose of becoming eligible for additional national science foundation grants.

SECTION 15. LEGISLATIVE INTENT - LOAN REPAYMENTS. It is the intent of the legislative assembly that the state board of higher education include in future biennium budget requests sufficient amounts to pay the principal and interest on the loan relating to the purchase of the Dickinson experiment station until the loan is repaid.

SECTION 16. AUTHORITY TO ISSUE EVIDENCES OF INDEBTEDNESS. The industrial commission may issue, during the biennium beginning July 1, 1987, and ending June 30, 1989, evidences of indebtedness under North Dakota Century Code chapter 54-17.2 to defray that portion of the project costs associated with the acquisition or construction of the following projects hereby declared to be in the public interest:

| NAME OF AGENCY, DEPARTMENT, OR INSTITUTION | TYPE OF FACILITY | CONSTRUCTION/ ACQUISITION FUNDS |
|--|----------------------|---------------------------------------|
| North Dakota state university | Computer center | \$4,860,000 |
| University of North Dakota | Abbott Hall addition | 3,300,000 |
| North Dakota state college | Construction of | 2,589,000 |

| | | |
|---|------------------------------------|--------------|
| of science | agricultural mechanics building | |
| State university of North Dakota - Minot | Construction of library | 6,300,000 |
| Total projects | | \$17,049,000 |

The industrial commission shall first offer the evidences of indebtedness authorized under this section for sale to the Bank of North Dakota at a price that is as representative as possible of the current market interest rates for comparable securities purchased by the Bank of North Dakota, taking into consideration in the determination of price the costs of issuance including future administrative and other costs associated with credit enhancements. If the price at which the evidences of indebtedness are offered for sale to the Bank of North Dakota including the consideration of all costs of issuance including future administrative fees and other costs associated with credit enhancements is higher than the price available for the sale of evidences of indebtedness offered for sale with the same terms and conditions at public sale or through private negotiated sale under prevailing market conditions for comparable evidences of indebtedness, the industrial commission may not sell the evidences of indebtedness to the Bank of North Dakota, but shall sell the evidences of indebtedness at either public sale or through a private negotiated sale under whatever terms and conditions are authorized for the sale of evidences of indebtedness under North Dakota Century Code chapter 54-17.2.

SECTION 17. APPROPRIATION - ADDITIONAL FUNDS. In addition to the appropriations set forth in this Act, there is hereby appropriated to the industrial commission and the state agency acting as agent for the industrial commission any additional moneys that may become available from federal or private sources to acquire, construct, rehabilitate, improve, alter, or repair the projects authorized by section 16 of this Act for the biennium beginning July 1, 1987, and ending June 30, 1989.

SECTION 18. OWNERSHIP OF THE OLD DICKINSON EXPERIMENT STATION. Notwithstanding any other provisions of law, the state board of higher education shall exercise full ownership and control over and assume all existing authorizations, responsibilities and obligations on all lands described in section 19 of this Act.

SECTION 19. AUTHORIZATION - SALE OR LEASE OF THE OLD DICKINSON EXPERIMENT STATION. The state board of higher education may sell or lease the property previously referred to as the old Dickinson experiment station located

in section five, township one hundred thirty-nine north, range ninety-six west, including the property currently known as state addition and state second addition. Notwithstanding the provisions of North Dakota Century Code sections 54-01-05.2, 54-01-05.5, and chapter 15-07, the land may be conveyed for the terms and under the conditions necessary to obtain the best possible return to the state of North Dakota upon the terms the state board of higher education may prescribe. The state board of higher education and the board of university and school lands shall enter into an agreement for the latter to manage the property and supervise the sale and lease of all lands described in this section. Any rents, profits, or proceeds received from the lease, sale, or other disposition of the property described in this section must be used first to pay the expenses of managing the property and then to make principal and interest payments on the amounts owed to the board of university and school lands by the state board of higher education in addition to the payments authorized in section 5. Upon payment of the total principal and interest on moneys borrowed by the state board of higher education, any additional rents, profits, and proceeds as may be received must be deposited in the general fund.

SECTION 20. LOAN AUTHORIZATION - STATE BOARD OF HIGHER EDUCATION. The state board of higher education is authorized to borrow from the board of university and school lands \$5,221,980 for the purpose of paying principal and interest accrued to July 1, 1987, on the outstanding notes from the state board of higher education to the board of university and school lands. The loan from the board of university and school lands must be for a term not to exceed eight years and must be at an interest rate of eight and three-fourths percent per annum. The loan must be repaid in eight equal annual payments of principal and interest.

SECTION 21. INVESTMENT AUTHORIZATION - BOARD OF UNIVERSITY AND SCHOOL LANDS. The board of university and school lands may invest an amount not to exceed \$5,221,980 from the funds under its control as a loan to the state board of higher education for the purposes and under the terms and conditions set forth in section 20.

SECTION 22. AMENDMENT. Subsection 4 of section 15-10-01 of the 1985 Supplement to the North Dakota Century Code and subsection 6 of 15-10-01 of the North Dakota Century Code as contained in section 1 of House Bill No. 1300, as approved by the fiftieth legislative assembly, are hereby amended and reenacted to read as follows:

4. The state normal schools and teachers colleges at Valley City state university, Mayville state

university, Minot state university, and Dickinson state university.

6. The following junior colleges and off-campus educational center: Bismarck state college, university of North Dakota - Lake Region community college, and the university of North Dakota - Williston center.

SECTION 23. AMENDMENT. Subdivision d of subsection 13 of section 15-10-17 of the North Dakota Century Code as contained in House Bill No. 1300, as approved by the fiftieth legislative assembly, is hereby amended and reenacted to read as follows:

- d. Employees of Bismarck state college and university of North Dakota - Lake Region community college coming under the jurisdiction of the board who are members of the teachers' fund for retirement may elect prior to July 1, 1985, to continue membership in the teachers' fund for retirement in lieu of the alternate retirement program. If an employee does not elect to continue membership in the teachers' fund for retirement, membership in that fund will terminate and the employee will become a member of the alternate retirement program established by the board effective July 1, 1985. An employee of the above-named colleges who becomes a member of the alternate retirement program may elect prior to July 1, 1985, to have the employee's assessments and employer's contributions in the teachers' fund for retirement with interest transferred by the board of trustees of the teachers' fund for retirement to the employee's account in the alternate retirement program. If an employee elects to transfer the employee's assessment and employer's contributions together with interest to the alternate retirement program, the employee relinquishes all rights the employee or the employee's beneficiary may have to benefits provided in chapters 15-39, 15-39.1, and 15-39.2.

SECTION 24. A new section to chapter 15-11 of the North Dakota Century Code is hereby created and enacted to read as follows:

Supervision of the junior college located at Devils Lake. The junior college located at Devils Lake is a branch of the university of North Dakota subject to the

supervision of the administrative authorities of the university of North Dakota in compliance with chapter 15-18 regarding junior colleges and off-campus educational centers and is titled the university of North Dakota - Lake Region. The administrative authorities of the university of North Dakota shall adopt, subject to the rules the state board of higher education may establish, the necessary rules for the government of the university of North Dakota - Lake Region.

SECTION 25. AMENDMENT. Section 15-13-01 of the 1985 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

15-13-01. Normal schools - Location - Names. The state normal schools established at Valley City in the county of Barnes, at Mayville in the county of Traill, at Minot in the county of Ward, and at Dickinson in the county of Stark, and any other normal schools which that may be established by law, shall be are the normal schools of the state, and at such time as any such school shall offer curriculums leading to both the bachelor of science and bachelor of arts degrees, such school may be referred to as "state college", prefixed by the name of the applicable city. The name of the normal school at Valley City is Valley City state university, the name of the normal school at Mayville is Mayville state university, the name of the normal school at Minot is Minot state university, and the name of the normal school at Dickinson is Dickinson state university.

SECTION 26. AMENDMENT. Subsection 2 of section 15-62.2-02 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

2. To determine the amount of individual grants, but not to exceed five hundred seven hundred fifty dollars per recipient per academic year.

SECTION 27. REPEAL. Section 15-55-21 of the North Dakota Century Code, section 6 of chapter 208 of the 1979 Session Laws of North Dakota, chapter 88 of the 1983 Session Laws of North Dakota, and sections 1 and 2 of chapter 203 of the 1985 Session Laws of North Dakota are hereby repealed.

SECTION 28. EMERGENCY. Sections 6, 22, 23, 24, and 25 of this Act are declared to be emergency measures and are in effect upon 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:

WEDNESDAY, APRIL 15, 1987

2899

The following is a summary of the Senate amendments by institution:

| | <u>Operating Expenses</u> | | | | Increase Student Financial Assistance to \$2,600,000 From the Gen- eral Fund and Reduces Merit Scholarship | Subtotal General Fund Increase (Decrease) | Change Budget Adjustment Line Item to Provide a Total Adjust- ment of \$6,500,000 | Total General Fund Increase | Other Funds Increase |
|---|---|--|-------------------------|--------------------------|--|---|---|--------------------------------------|----------------------------|
| | Increase for General Liability Insurance | Adjustment to Allow 100% of 1985-87 Adjusted Appro- priation | Reduce Board Pool | Other Adjustments | | | | | |
| North Dakota State University | \$110,116 | \$ 88,446 | | | | \$ 198,562 | \$1,117,292 | \$1,315,854 | |
| University of North Dakota | 144,260 | (\$69,366) | | | | (425,106) | 1,291,114 | 866,008 | |
| SUND-Minot | 29,000 | 10,282 | | | | 39,282 | 305,754 | 345,036 | |
| SUND-Dickinson | 20,608 | 92,252 | | | | 112,860 | 187,347 | 300,207 | |
| SUND-Valley City | 19,724 | 101,152 | | | | 120,876 | 161,908 | 282,784 | |
| SUND-Mayville | 13,552 | 11,224 | | | | 24,776 | 128,437 | 153,213 | |
| North Dakota College of Science | 54,650 | 129,103 | | | | 183,753 | 393,131 | 576,884 | |
| NDSCS-Devils Lake | 17,282 | 1,628 | | \$ 155,000 ^{1/} | | 168,910 | 41,629 | 210,539 | |
| Bismarck State College | 21,024 | 122,027 | | | | 143,051 | 123,693 | 266,744 | |
| UND-Williston | 8,010 | 48,646 | | | | 56,656 | 41,931 | 98,587 | |
| NDSU-Bottineau | 6,910 | 55,613 | | (60,426) ^{2/} | | 2,097 | 60,071 | 62,168 | |
| UND Medical Center | | | | | | | 616,672 | 616,672 | |
| State Toxicologist | | 20,950 | | (9,000) ^{3/} | | 11,950 | 9,642 | 21,592 | \$9,000 |
| Forest Service | | 39,900 | | | | 39,900 | 21,379 | 61,279 | |
| Medical Center Rehabilitation Hospital | | | | | | | | | |
| Board of Higher Education | | | \$ (1,000,000) | 3,936,179 ^{4/} | \$1,562,400 | 4,498,579 | | 4,498,579 | |
| Total | <u>\$440,136</u> | <u>\$151,857</u> | <u>\$ (1,000,000)</u> | <u>\$4,021,753</u> | <u>\$1,562,400</u> | <u>\$5,176,146</u> | <u>\$4,500,000</u> | <u>\$9,676,146</u> | <u>\$9,000</u> |

^{1/} Represents an increase of \$155,000 from the general fund for faculty salary increases at UND-Lake Region.

^{2/} Faculty adjustment to 142 percent of formula.

^{3/} Represents an increase in estimated income and a reduction in the general fund appropriation for fees collected.

^{4/} Deletes \$110,000 from the general fund for an attorney position to be funded in Senate Bill No. 2523 in the Attorney General's office, adds \$1,361,389 from the general fund for the Experimental Program to Stimulate Competitive Research (EPSCoR) funding, adds \$815,330 for special assessments on the old Dickinson Experiment Station, of which \$283,895 is to be paid before July 1, 1987, and adds \$1,869,460 from the general fund for loan payments to the Land Department, relating to the purchase of the Dickinson Experiment Station. The agreement provides for a \$5,221,979 loan for eight years at 8.75 percent interest. The total 1987-89 payment of \$1,869,460 consists of \$997,422 in principal and \$872,038 in interest. It is the intent of the Legislative Assembly that the Board of Higher Education include in future budget requests the amounts necessary to pay principal and interest payments until the loan is repaid.

-2-

In addition, these amendments add \$17,049,000 in bonding authority for the following projects:

| | | |
|-------------------------------|---------------------------------|---------------------|
| North Dakota State University | Computer Center | \$ 4,860,000 |
| University of North Dakota | Abbott Hall addition | 3,300,000 |
| State College of Science | Agricultural mechanics building | 2,589,000 |
| SUND-Minot | Library | <u>6,300,000</u> |
| Total projects | | <u>\$17,049,000</u> |

In addition, these amendments repeal North Dakota Century Code Section 15-55-21, relating to the payment of expenses from gross revenues on higher education revenue projects; add sections of legislative intent regarding the use of the student financial assistance grants line item, North Dakota membership in the University Center for Atmospheric Research, and the Board of Higher Education requesting funds for future biennial payments of the loan relating to the Dickinson Experiment Station; add new law to provide that the University of North Dakota supervise the junior college at Devils Lake; amend current law to statutorily change the names of the state institutions at Minot, Valley City, Mayville, and Dickinson to state universities; amend current law to increase the maximum student financial assistance grant from \$500 to \$750; and add new law authorizing the Board of University and School Lands to lend the Board of Higher Education \$5,221,980 relating to the old Dickinson Experiment Station.

SENATE AMENDMENTS TO ENGROSSED HB 1006

- On page 1 of the engrossed bill, line 3, delete the words "and providing" and insert in lieu thereof the words "; to provide"
- On page 1 of the engrossed bill, line 4, after the word "funds" insert the words "; and to amend and reenact sections 23-16-03 and 23-17.2-09 of the North Dakota Century Code, relating to the licensing of medical hospitals and application for certification of need for expansion of hospital facilities"
- On page 1 of the engrossed bill, line 16, delete the numerals "14,686,372" and insert in lieu thereof the numerals "14,716,010"
- On page 1 of the engrossed bill, line 20, delete the numerals "6,670,700" and insert in lieu thereof the numerals "6,887,700"
- On page 1 of the engrossed bill, line 22, delete the numerals "39,805,258" and insert in lieu thereof the numerals "40,051,896"
- On page 1 of the engrossed bill, line 24, delete the numerals "12,812,165" and insert in lieu thereof the numerals "13,058,803"
- On page 2 of the engrossed bill, after line 21, insert the following sections:

"SECTION 6. Section 23-16-03 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

23-16-03. Application for license - License fee. Applicants for license shall file applications under oath with the state department of health upon forms prescribed. Applications ~~shall~~ must be signed by the owner, or in the case of a corporation by two of its officers, or in the case of a county or municipal unit by the head of ~~such~~ the governmental department having jurisdiction over it. Applications ~~shall~~ must set forth the full name and address of the owner of the institution for which license is sought, the names of the persons in control thereof and such additional information as the state department of health may require, including affirmative evidence of ability to comply with such minimum standards, rules, and regulations as may be lawfully prescribed ~~hereunder~~ pursuant to this section. An application for a license for facilities not owned by the state or its political subdivisions must be accompanied by the following fees:

1. For each licensed acute care bed, ten dollars.

2. For each licensed skill care bed, seven dollars.
3. For each licensed intermediate care bed, five dollars.

License fees collected pursuant to this section must be deposited in the state department of health and consolidated laboratory services operating fund in the state treasury and any expenditure from the fund is subject to appropriation by the legislative assembly.

SECTION 7. Section 23-17.2-09 of the 1985 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

23-17.2-09. Application for certificate of need - Filing fee.

Applicants for certificate of need shall file notification of intent and applications under oath with the department upon forms prescribed. Notification of intent and applications ~~shall~~ must be signed by the owner, or in the case of a corporation by two of its officers, or in the case of a public institution by the head of ~~such~~ the governmental unit or agency having jurisdiction over it. Notification of intent and applications ~~shall~~ must set forth the full name and address of the owner of the institution for which certificate of need is sought, the names of the persons in control thereof, and such additional information as the department may require including affirmative evidence of ability to comply with licensing or certification requirements when the proposal is implemented. Applicants shall comply with criteria of rules and regulations as set forth therein. The health council shall provide by rule for a notification of intent filing fee not to exceed one hundred dollars for each notification of intent. An application for certificate of need must be accompanied by a fee equaling three-tenths of one percent of the total proposed capital expenditure which fee may not exceed ten thousand dollars and may not be less than five hundred dollars. Fees collected pursuant to this section must be deposited in the state department of health and consolidated laboratory services operating fund in the state treasury and any expenditure from the fund is subject to appropriation by the legislative assembly. The department shall consider the application and determine from its findings whether such application qualifies the applicant for certification of need under criteria as set forth in the rules and regulations. The determination shall be made after receipt of recommendations from the health systems agency in which the applicant is located and the determination ~~shall~~ must be communicated to the facility or its owners or operators, the respective health systems agency, and all persons filing an appearance immediately after being made. A notice of intent must be

filed with the department when a health care facility is acquired."

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Health Department

| | General Fund Increase <u>(Decrease)</u> |
|--|---|
| <u>Salaries and wages</u> | |
| Reinstates clerk II position in the Emergency Health Services Division deleted by the House | \$ 29,638 |
| <u>Grants</u> | |
| Reinstates aid to local health districts to \$1,000,000 (House reduction) | 250,000 |
| Adds funds to match federal funds for the required cleanup of inactive uranium processing sites in North Dakota | 92,000 |
| Deletes funds added by the House for child evaluation and treatment programs to provide a total of \$125,000 for the program | (125,000) |
| Total | <u>\$246,638</u> |

In addition, these amendments amend Sections 23-16-03 and 23-17.2-09 to provide license fees for facilities of \$10 for each acute care bed, \$7 for each skill care bed, and \$5 for each intermediate care bed and to provide a filing fee, for notification of intent of proposed health care capital expenditures, not to exceed \$100 and a fee for certificate of need application of three-tenths of one percent of the proposed capital expenditure not to exceed \$10,000 and not less than \$500.

PERRY GROTEBERG, Secretary

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. PETERSON MOVED that the House do not concur in the Senate amendments to HB 1003 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 1003:

Reps. Thompson, R. Hausauer, Hoffner

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. PETERSON MOVED that the House do not concur in the Senate amendments to HB 1006 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 1006:

Reps. Kuchera, Winkelman, Stofferahn

MESSAGE FROM THE SENATE SENATE CHAMBER

MR. SPEAKER: I have the honor to return herewith HB 1635 which the Senate has amended and which the Senate has failed to pass.

PERRY GROTEBERG, Secretary

MOTION

REP. STRINDEN MOVED that the House stand in recess until 9:30 a.m., which motion prevailed.

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

REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER: Your procedural Committee on Delayed Bills recommends that the following be introduced:

HCR 3098

REP. STRINDEN, Chairman

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

MOTION

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

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

MESSAGES TO THE SENATE 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 1686

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 1003 and HB 1006 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1003: Reps. Thompson, R. Hausauer, Hoffner

HB 1006: Reps. Kuchera, Winkelman, Stofferahn
ROY GILBREATH, Chief Clerk

MESSAGE FROM THE SENATE
SENATE CHAMBER

MR. SPEAKER: I have the honor to inform you that the President Pro Tem has replaced Sens. Stromme, Shea, and Thane with Sens. Wogsland, Stromme, and Thane on SB 2021, and has replaced Sens. Wogsland, Yockim, and Tweten with Sens. Wogsland, Stromme, and Thane on SB 2022.

PERRY GROTEBERG, Secretary

MOTION

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

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

MESSAGES FROM THE SENATE
SENATE CHAMBER

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

SB 2555

PERRY GROTEBERG, Secretary

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 1003: Sens. Waldera, Tallackson, Streibel
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 2038.

PERRY GROTEBERG, Secretary

SENATE CHAMBER

MR. SPEAKER: In accordance with Senate Rule 407 the Senate is unable to allow the introduction of HCR 3097.
PERRY GROTEBERG, Secretary

FIRST READING OF SENATE BILL

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

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

SIGNING OF BILLS AND RESOLUTIONS

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following:

HB 1231, HB 1677, HB 1685, HCR 3096

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 1231, HB 1677, HB 1685, HCR 3096

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 1687

ROY GILBREATH, Chief Clerk

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER: Your Conference Committee to which was referred Engrossed SB 2038 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on page 2202 of the House Journal.

For the Senate: Sens. Heinrich, Mathern, Nalewaja

For the House: Reps. Larson, Haugland, J. DeMers

Engrossed SB 2038 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

REP. LARSON MOVED that the conference committee report on SB 2038 be adopted, which motion prevailed.

SB 2038, as amended by the conference committee, was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MOTIONS

REP. STRINDEN MOVED that SB 2038 be placed at the bottom of the Fourteenth order on the calendar, which motion prevailed.

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

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

MESSAGE FROM THE SENATE
SENATE CHAMBER

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

SB 2099, SB 2183, SB 2547

PERRY GROTEBERG, Secretary

SIGNING OF BILLS AND RESOLUTIONS

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following:

SB 2099, SB 2183, SB 2547

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 2099, SB 2183, SB 2547

ROY GILBREATH, Chief Clerk

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER: Your Conference Committee to which was referred HB 1446 has had the same under consideration and recommends that the SENATE RECEDE from its amendments as found on page 2700 of the House Journal and that HB 1446 be amended as follows:

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

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

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

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

"SECTION 4. APPROPRIATION - EMERGENCY COMMISSION.
There is hereby appropriated to the attorney general out of the state bonding fund the sum of \$250,000, or so much thereof as may be necessary, for the purpose of providing the defense services as may be required under section 1 of this Act. The emergency commission, notwithstanding section 54-16-04, is authorized during the biennium beginning July 1, 1987, and ending June 30, 1989, to approve the transfer of funds hereby appropriated from the state bonding fund to the extent necessary and based upon

applications therefor by the attorney general. Funds appropriated hereby and authorized to be transferred to the attorney general must be reimbursed to the state bonding fund through deficiency appropriation and the attorney general shall report to the budget section of the legislative council the amount of any deficiency appropriation that may be introduced to the fifty-first legislative assembly."

And renumber the lines, sections, and pages accordingly

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

For the House: Reps. Martinson, Melby, Skjervén

HB 1446 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

REP. MARTINSON MOVED that the conference committee report on HB 1446 be adopted, which motion prevailed.

MOTION

REP. STRINDEN MOVED that the rules be suspended, that HB 1446 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 1446: A BILL for an Act to create and enact two new sections to chapter 26.1-21 of the North Dakota Century Code, relating to expenses paid from the state bonding fund for the defense of state employees and assessments against state agencies for the expenses of defending state employees; to amend and reenact section 32-12.1-15 of the North Dakota Century Code, relating to authorization for state agencies to purchase insurance upon approval by the commissioner of insurance; and to provide an appropriation.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 97 YEAS, 6 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Aas; Almlie; Anderson; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; DeMers, J.; DeMers, P.; Dorso; Dotzenrod; Enget; Flaagan; Frey; Gates; Gerntholz; Goetz; Graba; Gunsch; Halmrast; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hill; Hoffner; Hokana; Kelly; Kent; Kingsbury; Klundt; Knell; Knudson; Koland; Kolbo; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Meyer; Moore;

Myrdal; Nelson, C.; Nelson, J.; Nicholas; Nowatzki;
Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.;
Opedahl; O'Shea; Payne; Peterson; Rice; Riehl; Rydell;
Scherber; Schindler; Shaw; Shockman; Skjerven; Smette;
Solberg; Sorensen; Starke; Stofferahn; Strinden;
Thompson; Tokach; Tollefson; Tomac; Trautman; Ulmer;
Vander Vorst; Wald; Wentz; Whalen; Wilkie;
Williams, A.; Williams, C.; Williams, W.; Winkelman;
Speaker Kloubec

NAYS: Dalrymple; Hamerlik; Murphy; Schneider; Shide;
Watne

ABSENT AND NOT VOTING: Christman; Gorman; Shaft

HB 1446 passed and the title was agreed to.

MESSAGES FROM THE SENATE
SENATE CHAMBER

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

SB 2561

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 1021

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 and subsequently passed the same:

HB 1023, HB 1674

PERRY GROTEBERG, Secretary

FIRST READING OF SENATE BILL

SB 2561: A BILL for an Act to create and enact two new sections to chapter 49-09 of the North Dakota Century Code, relating to acquisition of railroad rights of way; and to amend and reenact section 49-09-11.7 of the North Dakota Century Code, relating to the rulemaking authority of the public service commission

Was read the first time and referred to the Committee on Industry, Business and Labor.

REPORT OF STANDING COMMITTEE

MR. SPEAKER: Your Committee on Finance and Taxation to which was referred Engrossed SB 2555 has had the same under consideration and recommends by a vote of 16 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING that the same DO PASS.

REP. A. HAUSAUER, Chairman

Engrossed SB 2555 was placed on the Fourteenth order of business on the calendar.

MOTIONS

REP. STRINDEN MOVED that SB 2555, which is on the Fourteenth order, be laid over one legislative day, which motion prevailed.

REP. DORSO MOVED that the House reconsider its action whereby the House failed to adopt the conference committee report on SB 2035, which motion prevailed on a verification vote.

The question then was on the motion of Rep. Melby that the House adopt the conference committee report on SB 2035. The conference committee report on SB 2035 was adopted on a verification vote. SB 2035, as amended, was placed on the Fourteenth order of business on the calendar.

SECOND READING OF SENATE BILL

SB 2035: A BILL for an Act relating to wetlands; to amend and reenact section 54-35-02.7 of the North Dakota Century Code, relating to the composition of and duties of the Garrison overview committee; to repeal section 61-16.1-52 of the North Dakota Century Code and section 61-16.1-41 of the North Dakota Century Code, as amended by section 5 of chapter 665 of the 1985 Session Laws, relating to drainage permits and closing drains; to provide a penalty; 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 78 YEAS, 23 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Aas; Almlie; Berg, R.; Cleveland; DeMers, J.; Dorso; Dotzenrod; Frey; Gates; Gertholz; Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hill; Hoffner; Hokana; Kelly; Kent; Kingsbury; Klundt; Knell; Knudson; Koland; Kolbo; Kretschmar; Kuchera; Lang; Larson; Lautenschlager; Linderman; Lindgren; Marks; Martin; Martinson; Melby; Meyer; Myrdal; Nelson, C.; Oban; Olson, A.; Olson, V.; O'Shea; Payne; Peterson; Rice; Riehl; Rydell; Scherber; Schindler; Shaft; Shaw; Shide; Smette; Solberg; Sorensen; Starke; Stofferahn; Strinden; Thompson; Tollefson; Trautman; Ulmer; Wald; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Kloubec

NAYS: Belter; Berg, G.; Brokaw; Dalrymple; DeMers, P.; Enget; Flaagan; Laughlin; Mertens; Murphy; Nelson, J.; Nicholas; Nowatzki; O'Connell; Olsen, D.; Opedahl; Shockman; Skjerven; Tokach; Tomac; Vander Vorst; Watne; Wilkie

ABSENT AND NOT VOTING: Anderson; Christman; Gorman; Moore; Schneider

SB 2035 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. R. HAUSAUER MOVED that the House do concur in the Senate amendments to HB 1022, which motion prevailed.

HB 1022, as amended, was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. KINGSBURY MOVED that the House do concur in the Senate amendments to HB 1295, which motion prevailed.

HB 1295, as amended, was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

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 CONFERENCE COMMITTEE

MR. SPEAKER: Your Conference Committee to which was referred Engrossed HB 1548 has had the same under consideration and recommends that the SENATE RECEDE from its amendments as found on pages 2310-2311 of the House Journal.

For the Senate: Sens. Yockim, Wogsland, Thane

For the House: Reps. Goetz, A. Hausauer, J. DeMers

Engrossed HB 1548 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

REP. GOETZ MOVED that the conference committee report on HB 1548 be adopted, which motion prevailed.

REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER: Your procedural Committee on Employment submits the following name for the position specified:

Steve Sydness Asst. Secretary to the Majority Leader
REP. MARTINSON, Chairman

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

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER: Your Conference Committee to which was referred HB 1016 has had the same under consideration and recommends that the SENATE RECEDE from its amendments as found on pages 2691-2692 of the House Journal:

That the Senate recede from its amendments, as printed on page 2202 of the Senate Journal and on pages 2691-2692 of the House Journal, and that engrossed House Bill No. 1016 be amended as follows:

On page 1 of the engrossed bill, line 15, delete the numerals "12,371,424" and insert in lieu thereof the numerals "12,436,424"

On page 1 of the engrossed bill, line 20, delete the numerals "16,393,925" and insert in lieu thereof the numerals "16,458,925"

On page 2 of the engrossed bill, line 12, delete the numerals "16,393,925" and insert in lieu thereof the numerals "16,458,925"

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Highway Patrol

That the Senate recede from its amendments and that engrossed House Bill No. 1016 be amended as follows:

The conference committee amendments restore \$65,000 of the \$77,000 deleted from the highway fund for one field training position. The additional \$12,000 needed for the position may result from budget savings including savings from vacant positions.

For the Senate: Sens. Tallackson, Shea, Streibel
For the House: Reps. Rice, Winkelman, Stofferahn

HB 1016 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

REP. RICE MOVED that the conference committee report on HB 1016 be adopted, which motion prevailed.

MOTION

REP. STRINDEN MOVED that the rules be suspended, that HB 1016 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 1016: A BILL for an Act making an appropriation for defraying the expenses of the highway patrol of the state of North Dakota and providing for a transfer of funds from the state highway fund.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 88 YEAS, 10 NAYS, 8 ABSENT AND NOT VOTING.

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

NAYS: Anderson; Belter; Dorso; Dotzenrod; Gunsch; Knell; Melby; Murphy; Olsen, D.; Payne

ABSENT AND NOT VOTING: Christman; Haugen; Hausauer, A.; Nicholas; Schneider; Sorensen; Tomac; Wald

HB 1016 passed and the title was agreed to.

FIRST READING OF A HOUSE CONCURRENT RESOLUTION

Committee on Employment introduced:

(Approved by the Committee on Delayed Bills)

HCR 3098: A concurrent resolution authorizing the retention of certain employees of the House and Senate to allow for the completion of legislative work after the close of the Session.

Was read the first time.

MOTION

REP. MARTINSON MOVED that the rules be suspended, that HCR 3098 not be printed, not be referred to committee, be read in title only, be printed in the Journal, and placed on the calendar for second reading and final passage, which motion prevailed.

Committee on Employment introduced:

HOUSE CONCURRENT RESOLUTION NO. 3098

A concurrent resolution authorizing the retention of certain employees of the House and Senate to allow for the completion of legislative work after the close of the Session.

WHEREAS, it is necessary to complete and close all legislative work of the regular session of the Fiftieth Legislative Assembly; and

WHEREAS, to complete and close this work, certain legislative employees should be retained;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the following named positions may be retained by the House of Representatives and the Senate after the close of the regular session:

HOUSE POSITIONS

Chief Clerk
Assistant Chief Clerk
Desk Reporter
Bill Clerk
Sergeant-at-Arms
Assistant Sergeant-at-Arms
Chief Page and Bill Book Clerk
Chief Steno and Payroll Clerk
Chief Bill and Journal Room Clerk
Bill Room Clerk
Appropriations Committee Clerk
Assistant Appropriations Committee Clerk
Secretary to Speaker
Secretary to Majority Leader
Secretary to Minority Leader

SENATE POSITIONS

Secretary of the Senate
Assistant Secretary of the Senate
Desk Reporter
Bill Clerk
Desk Page
Sergeant-at-Arms
Assistant Sergeant-at-Arms

Assistant Sergeant-at-Arms
Chief Page
Chief Stenographer and Payroll Clerk
Stenographer
Chief Committee Clerk
Appropriations Committee Clerk
Secretary to Majority Leader
Assistant Secretary to Majority Leader
Secretary to Minority Leader
Chief Telephone Operator

BE IT FURTHER RESOLVED, that the above-listed House and Senate employees shall serve at the request of, and under the supervision of, the Chief Clerk of the House and the Secretary of the Senate, and that all of the listed employees, including the Chief Clerk of the House and the Secretary of the Senate, shall be employed for not more than 200 man-days in the aggregate. The Chief Clerk of the House and the Secretary of the Senate shall assign work among the available House and Senate employees, respectively, in the appropriate manner. The Chief Clerk of the House and the Secretary of the Senate shall coordinate the work assignments in their respective houses in such a manner that the total number of man-days utilized does not exceed the aggregate limits on man-days set out herein. The Chief Clerk of the House and the Secretary of the Senate shall minimize the days spent in completion of legislative business to the extent consistent with that completion; and

BE IT FURTHER RESOLVED, that the employees in the above-named positions be paid their regular rates of pay as specified in House Concurrent Resolution No. 3019 for all work required pursuant to this resolution, and all of these sums are to be paid out of the appropriation to the Fiftieth and Fifty-first Legislative Assemblies, and paid at the completion of the legislative work; providing that payment may not be for more than 200 man-days in the aggregate, and each above-listed employee must be paid on a pro rata basis, should the total number of man-days exceed the allowed limit.

SECOND READING OF A HOUSE CONCURRENT RESOLUTION

HCR 3098: A concurrent resolution authorizing the retention of certain employees of the House and Senate to allow for the completion of legislative work after the close of the Session.

Which has been read.

ROLL CALL

The question being on the final adoption of the resolution, the roll was called and there were 99 YEAS, 0 NAYS, 7 ABSENT AND NOT VOTING.

YEAS: Aas; Almlie; Anderson; Belter; Berg, G.; Berg, R.;
Brokaw; Cleveland; Dalrymple; DeMers, J.; DeMers, P.;

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

NAYS: None

ABSENT AND NOT VOTING: Christman; Haugen; Hausauer, A.;
 Nicholas; Schneider; Tomac; Wald

HCR 3098 was declared adopted on a recorded roll call vote.

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 STANDING COMMITTEE

MR. SPEAKER: Your Committee on Appropriations to which was rereferred HB 1678 has had the same under consideration and recommends by a vote of 14 YEAS, 9 NAYS, 0 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. PETERSON, Chairman

HB 1678 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

ANNOUNCEMENT BY SPEAKER

SPEAKER KLOUBEC ANNOUNCED that Rep. Gerntholz would replace Rep. Kingsbury on the Conference Committee on HB 1018.

MESSAGES FROM THE SENATE

SENATE CHAMBER

MR. SPEAKER: I have the honor to inform you that the Senate has concurred in the House amendments to SB 2557 and subsequently passed the same.

PERRY GROTEBERG, Secretary

SENATE CHAMBER

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

HB 1231, HB 1677, HB 1685, HCR 3096

PERRY GROTEBERG, Secretary

MOTION

REP. STRINDEN MOVED that the House stand in recess until 6:00 p.m., which motion prevailed.

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

MESSAGE TO THE SENATE

HOUSE CHAMBER

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

HB 1446

ROY GILBREATH, Chief Clerk

MESSAGES 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 1006: Sens. Mushik, Yockim, Nelson

PERRY GROTEBERG, Secretary

SENATE CHAMBER

MR. SPEAKER: I have the honor to inform you that the Senate has concurred in the House amendments to SB 2063 and subsequently passed the same.

PERRY GROTEBERG, Secretary

SENATE CHAMBER

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

SB 2560

PERRY GROTEBERG, Secretary

FIRST READING OF SENATE BILL

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

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

COMMUNICATION FROM GOVERNOR

State of North Dakota
EXECUTIVE OFFICE
Bismarck

April 15, 1987

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

Dear Mr. Speaker:

This is to inform you that I signed the following bills on April 14, 1987:

HB 1052, HB 1183, HB 1242, HB 1448, HB 1465, HB 1633,
HB 1645, HB 1666, HB 1002, HB 1028, HB 1038, 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.

I signed the following bills on April 15, 1987:

HB 1017, HB 1020, HB 1062, HB 1233, HB 1247.

Sincerely,

GEORGE A. SINNER
Governor

MOTION

REP. STRINDEN MOVED that the House stand in recess until 7:00 p.m., which motion prevailed.

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

MESSAGES TO THE SENATE
HOUSE CHAMBER

MR. PRESIDENT: I have the honor to inform you that the House has reconsidered its action whereby it rejected the conference committee report, and now has adopted the conference committee report and subsequently passed the same:

SB 2035

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

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

HB 1548

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:

HCR 3098

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 1016

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

MR. PRESIDENT: I have the honor to inform you that Rep. Gerntholz will replace Rep. Kingsbury on the Conference Committee on HB 1018.

ROY GILBREATH, Chief Clerk

REPORT OF CONFERENCE COMMITTEE

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

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

On page 1 of the engrossed bill, line 4, delete the words "amend and" and insert in lieu thereof the word "repeal"

On page 1 of the engrossed bill, line 5, delete the word "reenact"

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

On page 2 of the engrossed bill, line 14, delete the words "for the biennium beginning July 1," and insert in lieu thereof the words "on July 1, 1987."

On page 2 of the engrossed bill, delete lines 15 through 27 and insert in lieu thereof the following section:

"SECTION 4. TRANSFER. There is hereby transferred \$378,792 to the veterans' affairs operating fund from the veterans' postwar trust fund, pursuant to section 37-14-14, on July 1, 1987."

On page 2 of the engrossed bill, line 29, delete the words "Notwithstanding the provisions of North Dakota" and insert in lieu thereof the words "After the transfers to the veterans' home and veterans' affairs,"

On page 2 of the engrossed bill, line 30, delete the words "Century Code section 37-14-14,"

On page 2 of the engrossed bill, after line 35, insert the following section:

"SECTION 7. REPEAL. Section 37-14-14 of the 1985 Supplement to the North Dakota Century Code is hereby repealed."

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

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

The transfer of the veterans' postwar trust fund and section of legislative intent, regarding funding the Veterans' Home and Veterans' Affairs from the general fund in future bienniums, deleted in the Senate amendments are restored. The bill is amended to provide for transfers from the veterans' postwar trust to the Veterans' Home and Veterans' Affairs to occur on July 1, 1987, and Section 37-14-14, providing for the veterans' postwar trust, is repealed. The transfer of the fund to the general fund is estimated to be \$2,264,412.

For the Senate: Sens. Shea (refused to sign), Redlin, Lips

For the House: Reps. Winkelman, Wald, Stofferahn

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

REPORT OF CONFERENCE COMMITTEE

REP. WINKELMAN MOVED that the conference committee report on HB 1009 be adopted.

REQUEST

REP. OBAN REQUESTED a recorded roll call vote on the motion to adopt the conference committee report on HB 1009, which request was granted.

ROLL CALL

The question being on the adoption of the conference committee report on HB 1009, the roll was called and there were 67 YEAS, 36 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Aas; Almlie; Anderson; Belter; Berg, R.; Cleveland; Dalrymple; Dorso; Dotzenrod; Enget; Gates; Goetz; Gorman; Gunsch; Hamerlik; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Kelly; Kent; Kingsbury; Knell; Koland; Kretschmar; Kuchera; Lang; Larson; Lautenschlager; Linderman; Lindgren; Martin; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; Nowatzki; Olsen, D.; Olson, A.; Payne; Peterson; Rice; Riehl; Rydell; Shaft; Shaw; Shide; Skjerven; Smette; Solberg; Sorensen; Stofferahn; Strinden; Thompson; Tokach; Tollefson; Tomac; Trautman; Wald; Wentz; Whalen; Wilkie; Williams, A.; Winkelman; Speaker Kloubec

NAYS: Berg, G.; Brokaw; DeMers, J.; DeMers, P.; Flaagan; Frey; Gertholz; Graba; Halmrast; Hanson, L.; Hanson, O.; Hill; Hoffner; Hokana; Klundt; Kolbo; Laughlin; Marks; Martinson; Nelson, C.; Nelson, J.; Nicholas; Oban; O'Connell; Olson, V.; Opedahl; O'Shea; Scherber; Schindler; Schneider; Shockman; Starke; Ulmer; Vander Vorst; Watne; Williams, W.

ABSENT AND NOT VOTING: Christman; Knudson; Williams, C.

So the report of the conference committee on HB 1009 was adopted.

MOTION

REP. STRINDEN MOVED that the rules be suspended, that HB 1009 be deemed properly reengrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE BILL

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

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 91 YEAS, 13 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Aas; Almlie; Anderson; Belter; Berg, G.; Berg, R.; Cleveland; Dalrymple; Dorso; Dotzenrod; Enget; Gates;

Gerntholz; Goetz; Gorman; Graba; Gunsch; Halmrast;
 Hamerlik; Hanson, L.; Hanson, O.; Haugen; Haugland;
 Hausauer, A.; Hausauer, R.; Hill; Hokana; Kelly; Kent;
 Kingsbury; Klundt; Knell; Koland; Kolbo; Kretschmar;
 Kuchera; Lang; Larson; Lautenschlager; Linderman;
 Lindgren; Marks; Martin; Melby; Mertens; Meyer; Moore;
 Murphy; Myrdal; Nelson, C.; Nicholas; Nowatzki;
 O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl;
 Payne; Peterson; Rice; Riehl; Rydell; Scherber;
 Schindler; Shaft; Shaw; Shide; Shockman; Skjerven;
 Smette; Solberg; Sorensen; Starke; Stofferahn;
 Strinden; Thompson; Tokach; Tollefson; Tomac; Trautman;
 Ulmer; Wald; Watne; Wentz; Whalen; Wilkie;
 Williams, A.; Williams, C.; Williams, W.; Winkelman;
 Speaker Kloubec

NAYS: Brokaw; DeMers, J.; DeMers, P.; Flaagan; Frey;
 Hoffner; Laughlin; Martinson; Nelson, J.; Oban; O'Shea;
 Schneider; Vander Vorst

ABSENT AND NOT VOTING: Christman; Knudson

HB 1009 passed and the title was agreed to.

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 2468 and the President Pro Tem has appointed as a new conference committee to act with a like committee from the House on:

SB 2468: Sens. Maxson, Holmberg, Stenehjem

PERRY GROTEBERG, Secretary

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER ANNOUNCED the following appointment to a new Conference Committee on SB 2468:

Reps. Aas, Shaft, C. Williams

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 2468: Reps. Aas, Shaft, C. Williams

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

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

HB 1009

ROY GILBREATH, Chief Clerk

MESSAGE FROM THE SENATE
SENATE CHAMBER

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

HCR 3098

PERRY GROTEBERG, Secretary

MOTIONS

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

REP. GOETZ MOVED that the House stand adjourned until 8:00 a.m., Thursday, April 16, 1987, which motion prevailed.

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

ROY GILBREATH, Chief Clerk