

JOURNAL OF THE HOUSE

Fiftieth Legislative Assembly

* * * * *

SEVENTY-FIRST DAY

Bismarck, April 16, 1987

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

The prayer was offered by Lynn S. Smith-Roberts, Unitarian Universalist Fellowship, Bismarck, North Dakota.

ROLL CALL

The roll was called and all Representatives were present, except Representatives Knudson, Martin, and Tomac.

A quorum was declared by the Speaker.

CORRECTION AND REVISION OF THE JOURNAL

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

On page 2907, after line 3, insert the following:

"MESSAGES FROM THE SENATE
SENATE CHAMBER

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

SB 2099, SB 2183, SB 2547

PERRY GROTEBERG, Secretary"

On page 2909, delete lines 7 through 13

REP. THOMPSON, Chairman

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

MOTION

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

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

ANNOUNCEMENT BY SPEAKER

SPEAKER KLOUBEC ANNOUNCED that Rep. Kent would replace Rep. R. Hausauer on the Conference Committee on HB 1005.

**MESSAGE FROM THE SENATE
SENATE CHAMBER**

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

SB 2036, SB 2103, SB 2259

PERRY GROTEBERG, Secretary

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER: Your Conference Committee to which was referred Engrossed HB 1015 has had the same under consideration and recommends that the SENATE RECEDE from its amendments as found on pages 2771-2772 of the House Journal and that Engrossed HB 1015 be amended as follows:

That the Senate recede from its amendments as printed on pages 2299-2300 of the Senate Journal and pages 2771-2772 of the House Journal, and that engrossed House Bill No. 1015 be amended as follows:

On page 1 of the engrossed bill, line 16, delete the numerals "1,209,690" and insert in lieu thereof the numerals "1,232,040"

On page 1 of the engrossed bill, line 17, delete the numerals "1,628,237" and insert in lieu thereof the numerals "1,650,587"

On page 1 of the engrossed bill, line 19, delete the numerals "423,813" and insert in lieu thereof the numerals "446,163"

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Council on the Arts

That the Senate recede from its amendments and that engrossed House Bill No. 1015 be amended as follows:

The conference committee amendments restore \$22,350 of the \$44,700 general fund reduction in the touring arts program approved by the House.

For the Senate: Sens. Waldera, Shea, Tweten

For the House: Reps. Wald, Rice, Kelly

Engrossed HB 1015 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER: Your Conference Committee to which was referred Reengrossed SB 2103 has had the same under consideration and

recommends that the HOUSE RECEDE from its amendments as found on pages 1852-1853, 2009-2010 of the House Journal and that Reengrossed SB 2103 be amended as follows:

That the House recede from its amendments as found on pages 1853, 2009, and 2010 of the House Journal and pages 1754-1755 of the Senate Journal and that reengrossed Senate Bill No. 2103 be amended as follows:

On page 1 of the reengrossed bill, line 1, delete the word "subsections" and insert in lieu thereof the word "subsection" and delete the word and numeral "and 3"

On page 1 of the reengrossed bill, line 5, delete the words "; and to provide an appropriation"

On page 1 of the reengrossed bill, line 8, delete the word "Subsections" and insert in lieu thereof the word "Subsection" and delete the word and numeral "and 3"

On page 1 of the reengrossed bill, line 9, delete the word "are" and insert in lieu thereof the word "is"

On page 1 of the reengrossed bill, line 13, delete the word "twenty-five" and insert in lieu thereof the word "twenty"

On page 2 of the reengrossed bill, delete lines 3 through 18

On page 2 of the reengrossed bill, line 26, delete the word "twenty-five" and insert in lieu thereof the word "twenty"

On page 3 of the reengrossed bill, line 21, delete the word "twenty-five" and insert in lieu thereof the word "twenty"

On page 4 of the reengrossed bill, line 1, delete the word "twenty-five" and insert in lieu thereof the word "twenty"

On page 4 of the reengrossed bill, delete lines 3 through 16

And renumber the lines, sections, and pages accordingly

For the Senate: Sens. Stromme, Wogsland, Streibel

For the House: Reps. Tollefson, Martin, Schneider

Reengrossed SB 2103 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER: Your Conference Committee to which was referred SB 2036 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on pages 2201-2202 of the House Journal and that SB 2036 be amended as follows:

On page 1, line 2, after the word "a" insert the words "plan for a"

On page 1, line 3, after the word "individuals" insert the words and numerals "; and to amend and reenact section 25-02-04 of the North Dakota Century Code, relating to the qualifications of the superintendent of the North Dakota state hospital"

On page 1, underscore line 8

On page 1, line 9, underscore the words "department of human services shall develop", after the word "develop" insert the words "a plan for", and underscore the words "an integrated,"

On page 1, underscore line 10

On page 1, line 11, underscore the words "individuals. The continuum", delete the word "must" and insert in lieu thereof the word "may", and underscore the words "consist of an array of service"

On page 1, underscore lines 12 through 16

On page 1, line 17, underscore the line and after the second word "the" insert the words "plan for a"

On page 1, line 18, underscore the word "continuum", delete the word "should" and insert in lieu thereof the word "may", and underscore the word "include:"

On page 1, underscore lines 19 through 27

On page 2, underscore lines 1 through 7

On page 2, after line 7, insert the following section:

"SECTION 2. AMENDMENT. Section 25-02-04 of the 1985 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

25-02-04. Superintendent to possess certain qualifications - Employees. The superintendent of the state hospital shall be a board eligible or board certified psychiatrist. If the superintendent is board eligible, he or she shall accomplish board certification within three years of the date of his or her appointment, or of the effective date of this Act, whichever is later. The superintendent shall appoint with the approval of the executive director of the department of human services an assistant superintendent of administration who shall be under the superintendent's supervision and who shall be a qualified and experienced hospital administrator. The superintendent shall appoint

and employ the professional staff and define their qualifications and duties. Every physician on the professional staff must have a license issued by the state board of medical examiners. The assistant superintendent shall employ such other personnel as may be necessary and shall define their qualifications and duties."

And renumber the lines, sections, and pages accordingly

For the Senate: Sens. J. Meyer, Mathern, Stenehjem

For the House: Reps. Larson, Gates, Oban

SB 2036 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER: Your Conference Committee to which was referred Reengrossed SB 2259 has had the same under consideration and recommends that the SENATE ACCEDE to the amendments as found on pages 2068-2069 of the House Journal and that Reengrossed SB 2259 be further amended as follows:

That the Senate accede to the House amendments to reengrossed Senate Bill No. 2259, as printed on page 1812 of the Senate Journal and pages 2068-2069 of the House Journal, and that reengrossed Senate Bill No. 2259 be further amended as follows:

On page 1 of the reengrossed bill, line 2, after the word "fees" insert the words "; to establish a centennial celebration fee and provide for its collection and distribution; to provide for application of this Act; to provide an effective date; and to provide an expiration date"

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

"SECTION 1. AMENDMENT. Section 39-04-19 of the 1985 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

39-04-19. Motor vehicle registration fees and mile tax. Motor vehicles required to pay registration fees or a mile tax shall pay the following fees:

1. Nonresidents electing to pay mile tax in lieu of registration, when authorized to do so by the ~~commissioner~~ department, shall pay a fee of twenty dollars for a trip permit which shall be valid for a period of seventy-two hours. All fees collected under the provisions of this subsection shall be credited to the highway construction fund.

2. Motor vehicles required to be registered in this state shall be furnished license plates upon the payment of the following annual fees; however, if a motor vehicle first becomes subject to registration other than at the beginning of the registration period, such fees shall be prorated on a monthly basis. The minimum fee charged hereunder shall be five dollars:

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

Gross Weights	YEARS REGISTERED					
	1st, 2nd, 3rd, and 4th	5th, 6th, and 7th	8th, 9th, and 10th	11th and Subsequent		
	Years	Years	Years	Years	Years	
Less than 3,200	\$ 44.00	\$ 36.00	\$ 28.00	\$20.00		
3,200-4,499	64.00	52.00	40.00	28.00		
4,500-4,999	82.00	65.00	50.00	34.00		
5,000-5,999	113.00	91.00	69.00	47.00		
6,000-6,999	146.00	117.00	88.00	60.00		
7,000-7,999	179.00	143.00	108.00	73.00		
8,000-8,999	212.00	170.00	128.00	86.00		
9,000 and over	245.00	196.00	148.00	99.00		

Gross Weights	YEARS REGISTERED				
	1st, 2nd, 3rd, and 4th Years	6th, 7th, and 8th Years	9th, 10th, and 11th Years	12th and Subsequent Years	
Less than 3,200	\$ 47.75	\$ 39.75	\$ 31.75	\$23.75	
3,200-4,499	67.75	55.75	43.75	31.75	
4,500-4,999	85.75	68.75	53.75	37.75	
5,000-5,999	116.75	94.75	72.75	50.75	
6,000-6,999	149.75	120.75	91.75	63.75	
7,000-7,999	182.75	146.75	111.75	76.75	
8,000-8,999	215.75	173.75	131.75	89.75	
9,000 and over	248.75	199.75	151.75	102.75	

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

- b. Schoolbuses, buses for hire, buses owned and operated by religious, charitable, or nonprofit organizations and used exclusively for religious, charitable, or other public nonprofit purposes, and trucks or combination trucks and trailers, including commercial and noncommercial trucks, except those trucks or

combinations of trucks and trailers which qualify for registration under subsection 5:

Gross Weights Not over	YEARS REGISTERED				
	1st, 3rd, and 5th Years	2nd, 4th Years	5th and 6th Years	7th and 8th Years	9th and Subsequent Years
4,000	\$42.00		\$29.00	\$24.00	\$21.00
4,001- 6,000	47.00		34.00	28.00	22.00
6,001- 8,000	52.00		39.00	32.00	23.00
8,001-10,000	57.00		44.00	36.00	25.00
10,001-12,000	62.00		49.00	40.00	27.00
12,001-14,000	67.00		54.00	44.00	30.00
14,001-16,000	72.00		59.00	48.00	33.00
16,001-18,000	77.00		64.00	52.00	35.00
18,001-20,000	80.00		67.00	54.00	36.00

Gross Weights Not over	YEARS REGISTERED				
	1st, 3rd, and 5th Years	2nd, 4th, Years	6th and 7th Years	8th and 9th Years	10th and Subsequent Years
4,000	\$45.75		\$32.75	\$27.75	\$24.75
4,001- 6,000	50.75		37.75	31.75	25.75
6,001- 8,000	55.75		42.75	35.75	26.75
8,001-10,000	60.75		47.75	39.75	28.75
10,001-12,000	65.75		52.75	43.75	30.75
12,001-14,000	70.75		57.75	47.75	33.75
14,001-16,000	75.75		62.75	51.75	36.75
16,001-18,000	80.75		67.75	55.75	38.75
18,001-20,000	83.75		70.75	57.75	39.75

Gross Weights	YEARS REGISTERED						
	1st, 4th, and 5th	2nd, 3rd, and 5th	6th, 7th, 8th, 9th, and 10th	7th, 8th, 9th, and 10th	11th and Subsequent Years		
		Years		Years			
20,001- 22,000	\$	110.00	\$	84.00	\$ 71.00		
22,001- 26,000		162.00		132.00	116.00		
26,001- 30,000		223.00		181.00	159.00		
30,001- 34,000		289.00		234.00	206.00		
34,001- 38,000		350.00		283.00	249.00		
38,001- 42,000		411.00		332.00	291.00		
42,001- 46,000		472.00		380.00	334.00		
46,001- 50,000		533.00		429.00	377.00		
50,001- 54,000		603.00		487.00	428.00		
54,001- 58,000		664.00		536.00	471.00		
58,001- 62,000		725.00		585.00	514.00		
62,001- 66,000		786.00		633.00	557.00		
66,001- 70,000		847.00		682.00	599.00		
70,001- 74,000		908.00		731.00	642.00		
74,001- 78,000		969.00		780.00	685.00		
78,001- 82,000		1,030.00		829.00	728.00		
82,001- 86,000		1,153.00		934.00	815.00		

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86,001- 90,000	1,275.00	1,038.00	902.00
90,001- 94,000	1,397.00	1,143.00	989.00
94,001- 98,000	1,519.00	1,248.00	1,077.00
98,001-102,000	1,641.00	1,352.00	1,164.00
102,001-105,500	1,763.00	1,457.00	1,251.00

Gross Weights	YEARS REGISTERED				
	1st, 4th, and 6th Years	2nd, 5th, and 6th Years	3rd, 7th, 10th, and 11th Years	8th, 9th, and 11th Years	12th and Subsequent Years
20,001- 22,000	\$ 113.75		\$ 87.75		\$ 74.75
22,001- 26,000	165.75		135.75		119.75
26,001- 30,000	226.75		184.75		162.75
30,001- 34,000	292.75		237.75		209.75
34,001- 38,000	353.75		286.75		252.75
38,001- 42,000	414.75		335.75		294.75
42,001- 46,000	475.75		383.75		337.75
46,001- 50,000	536.75		432.75		380.75
50,001- 54,000	606.75		490.75		431.75
54,001- 58,000	667.75		539.75		474.75
58,001- 62,000	728.75		588.75		517.75
62,001- 66,000	789.75		636.75		560.75
66,001- 70,000	850.75		685.75		602.75
70,001- 74,000	911.75		734.75		645.75
74,001- 78,000	972.75		783.75		688.75
78,001- 82,000	1,033.75		832.75		731.75
82,001- 86,000	1,156.75		937.75		818.75
86,001- 90,000	1,278.75		1,041.75		905.75
90,001- 94,000	1,400.75		1,146.75		992.75
94,001- 98,000	1,522.75		1,251.75		1,080.75
98,001-102,000	1,644.75		1,355.75		1,167.75
102,001-105,500	1,766.75		1,460.75		1,254.75

c. Motorcycles, ~~ten~~ thirteen dollars and
seventy-five cents.

- Motor vehicles acquired by disabled veterans under the provisions of Public Law 79-663 [38 U.S.C. 1901] shall be exempt from the payment of state sales or use tax and, if paid, such veterans shall be entitled to a refund. This exemption shall also apply to any passenger motor vehicle or pickup truck not exceeding ten thousand pounds [4535.92 kilograms] gross weight subsequently purchased or acquired by such a disabled veteran; provided, that it shall be allowed only with respect to one such motor vehicle owned by such a disabled veteran at any one time but shall apply to no more than two such motor vehicles owned by a disabled veteran at any one time.
- Every trailer, semitrailer, and farm trailer required to be registered under this chapter

shall be furnished registration plates upon the payment of a ~~fifteen dollar~~ an annual fee of eighteen dollars and seventy-five cents. Every trailer, semitrailer, or farm trailer not required to be registered under this chapter shall be furnished an identification plate upon the payment of a fee of five dollars.

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

Gross Weights	YEARS REGISTERED				
	1st, 2nd, 3rd, and 4th Years	5th and 6th Years	7th and 8th Years	9th and Subsequent Years	
20,001-22,000	\$ 83.00	\$ 69.00	\$ 55.00	\$ 37.00	
22,001-24,000	88.00	73.00	58.00	39.00	
24,001-26,000	96.00	79.00	62.00	41.00	
26,001-28,000	106.00	87.00	68.00	45.00	
28,001-30,000	116.00	95.00	74.00	49.00	
30,001-32,000	131.00	108.00	85.00	58.00	
32,001-34,000	141.00	116.00	91.00	62.00	
34,001-36,000	151.00	124.00	97.00	66.00	
36,001-38,000	161.00	132.00	103.00	70.00	
38,001-40,000	171.00	140.00	109.00	74.00	
40,001-42,000	181.00	148.00	115.00	78.00	
42,001-44,000	191.00	156.00	121.00	82.00	
44,001-46,000	201.00	164.00	127.00	86.00	
46,001-48,000	211.00	172.00	133.00	90.00	
48,001-50,000	221.00	180.00	139.00	94.00	
50,001-52,000	241.00	198.00	155.00	108.00	
52,001-54,000	251.00	206.00	161.00	112.00	
54,001-56,000	261.00	214.00	167.00	116.00	
56,001-58,000	271.00	222.00	173.00	120.00	
58,001-60,000	281.00	230.00	179.00	124.00	
60,001-62,000	291.00	238.00	185.00	128.00	

62,001-64,000	301.00	246.00	191.00	132.00
64,001-66,000	311.00	254.00	197.00	136.00
66,001-68,000	321.00	262.00	203.00	140.00
68,001-70,000	331.00	270.00	209.00	144.00
70,001-72,000	341.00	278.00	215.00	148.00
72,001-74,000	351.00	286.00	221.00	152.00
74,001-76,000	361.00	294.00	227.00	156.00
76,001-78,000	371.00	302.00	233.00	160.00
78,001-80,000	381.00	310.00	239.00	164.00
80,001-82,000	391.00	318.00	245.00	168.00

Gross Weights	YEARS REGISTERED				
	1st, 2nd, 3rd, 4th,	6th and 7th	8th and 9th	10th and Subsequent	
	and 5th Years	Years	Years	Years	
20,001-22,000	\$ 86.75	\$ 72.75	\$ 58.75	\$ 40.75	
22,001-24,000	91.75	76.75	61.75	42.75	
24,001-26,000	99.75	82.75	65.75	44.75	
26,001-28,000	109.75	90.75	71.75	48.75	
28,001-30,000	119.75	98.75	77.75	52.75	
30,001-32,000	134.75	111.75	88.75	61.75	
32,001-34,000	144.75	119.75	94.75	65.75	
34,001-36,000	154.75	127.75	100.75	69.75	
36,001-38,000	164.75	135.75	106.75	73.75	
38,001-40,000	174.75	143.75	112.75	77.75	
40,001-42,000	184.75	151.75	118.75	81.75	
42,001-44,000	194.75	159.75	124.75	85.75	
44,001-46,000	204.75	167.75	130.75	89.75	
46,001-48,000	214.75	175.75	136.75	93.75	
48,001-50,000	224.75	183.75	142.75	97.75	
50,001-52,000	244.75	201.75	158.75	111.75	
52,001-54,000	254.75	209.75	164.75	115.75	
54,001-56,000	264.75	217.75	170.75	119.75	
56,001-58,000	274.75	225.75	176.75	123.75	
58,001-60,000	284.75	233.75	182.75	127.75	
60,001-62,000	294.75	241.75	188.75	131.75	
62,001-64,000	304.75	249.75	194.75	135.75	
64,001-66,000	314.75	257.75	200.75	139.75	
66,001-68,000	324.75	265.75	206.75	143.75	
68,001-70,000	334.75	273.75	212.75	147.75	
70,001-72,000	344.75	281.75	218.75	151.75	
72,001-74,000	354.75	289.75	224.75	155.75	
74,001-76,000	364.75	297.75	230.75	159.75	
76,001-78,000	374.75	305.75	236.75	163.75	
78,001-80,000	384.75	313.75	242.75	167.75	
80,001-82,000	394.75	321.75	248.75	171.75	

6. A motor vehicle registered in subsection 5 may be used for custom combining operations by displaying identification issued by the motor vehicle department and upon payment of a fee of twenty-five dollars."

On page 8 of the reengrossed bill, after line 18, insert the following sections:

"SECTION 3. CENTENNIAL CELEBRATION FEE - COLLECTION.

A centennial celebration fee is imposed on every vehicle subject to registration under section 39-04-19. The fee is one dollar and twenty-five cents per vehicle. The fee is payable when the registration fee under section 39-04-19 is payable. Each month the registrar of motor vehicles shall transfer to the centennial commission the centennial celebration fee collected in accordance with this Act. The centennial commission shall place the fees in the centennial commission revolving fund.

SECTION 4. APPLICATION OF ACT.

Section 1 of this Act applies to vehicle registration periods beginning after December 31, 1987, and before January 1, 1989. Section 2 of this Act applies to vehicle registration periods beginning after December 31, 1988. A vehicle registration period begins on the first day of the month in which the vehicle becomes subject to registration in this state.

SECTION 5. EFFECTIVE DATE - EXPIRATION DATE.

Sections 1 and 3 of this Act are effective through December 31, 1988, and after that date are ineffective. Section 2 of this Act becomes effective on January 1, 1989."

And renumber the lines, sections, and pages accordingly

For the Senate: Sens. Hilken, Schoenwald, Wright (refused to sign)
For the House: Reps. Anderson, Haugen, G. Berg

Reengrossed SB 2259 was placed on the Seventh order of business on the calendar.

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.

DELIVERY OF ENROLLED RESOLUTIONS

THE SPEAKER ANNOUNCED that the following resolution was delivered to the Secretary of State for his filing at the hour of 8:50 a.m., April 16, 1987:

HCR 3096

**MESSAGE TO THE SENATE
HOUSE CHAMBER**

MR. PRESIDENT: I have the honor to inform you that Rep. Kent will replace Rep. R. Hausauer on the Conference Committee on HB 1005.

ROY GILBREATH, Chief Clerk

REPORT OF CONFERENCE COMMITTEE

REP. LARSON MOVED that the conference committee report on SB 2036 be adopted, which motion prevailed.

MOTION

REP. STRINDEN MOVED that the rules be suspended, that SB 2036 be placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2036: A BILL for an Act to create and enact a new section to chapter 50-06 of the North Dakota Century Code, relating to development of a plan for a continuum of services for chronically mentally ill individuals and to amend and reenact section 25-02-04 of the North Dakota Century Code, relating to the qualifications of the superintendent of the North Dakota state hospital.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 84 YEAS, 14 NAYS, 8 ABSENT AND NOT VOTING.

YEAS: Aas; Almlie; Belter; Berg, G.; Berg, R.; Brokaw; Christman; Cleveland; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Dotzenrod; Enget; Flaagan; Frey; Gerntholz; Goetz; Gorman; Graba; Halmrast; Hamerlik; Hanson, L.; Haugen; Haugland; Hausauer, A.; Hill; Hokana; Kelly; Knudson; Kolbo; Kretschmar; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Marks; Martin; Martinson; Mertens; Meyer; 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; Schneider; Shaft; Shaw; Shockman; Smette; Solberg; Sorensen; Starke; Stofferahn; Strinden; Tokach; Tollefson; Tomac; Trautman; Ulmer; Watne; Wentz; Wilkie; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Kloubec

NAYS: Anderson; Gunsch; Hanson, O.; Kingsbury; Knell; Koland; Melby; Murphy; Schindler; Shide; Skjerven; Thompson; Vander Vorst; Whalen

ABSENT AND NOT VOTING: Gates; Hausauer, R.; Hoffner;
Kent; Klundt; Kuchera; Moore; Wald

SB 2036 passed and the title was agreed to.

REPORT OF CONFERENCE COMMITTEE

REP. TOLLEFSON MOVED that the conference committee report on SB 2103 be adopted, which motion prevailed.

MOTION

REP. STRINDEN MOVED that the rules be suspended, that SB 2103 be placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2103: A BILL for an Act to amend and reenact subsection 1 of section 57-36-25, subsections 1 and 2 of section 57-36-26, and subsection 1 of section 57-36-28 of the North Dakota Century Code, relating to the excise tax and consumer's use tax on cigars, snuff, and other tobacco products.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 90 YEAS, 10 NAYS, 6 ABSENT AND NOT VOTING.

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

NAYS: Brokaw; Gunsch; Hanson, O.; Haugen; Melby; Murphy; Nelson, J.; Skjerven; Vander Vorst; Whalen

ABSENT AND NOT VOTING: Gates; Hausauer, R.; Hoffner; Klundt; Kuchera; Moore

SB 2103 passed and the title was agreed to.

REPORT OF CONFERENCE COMMITTEE

REP. ANDERSON MOVED that the conference committee report on SB 2259 be adopted, which motion prevailed.

MOTION

REP. STRINDEN MOVED that the rules be suspended, that SB 2259 be placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2259: A BILL for an Act to amend and reenact section 39-04-19 of the North Dakota Century Code, relating to vehicle registration fees; to establish a centennial celebration fee and provide for its collection and distribution; to provide for application of this Act; to provide an effective date; and to provide an expiration date.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 61 YEAS, 39 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Almlie; Berg, G.; Cleveland; DeMers, J.;
DeMers, P.; Dotzenrod; Enget; Flaagan; Frey; Gerntholz;
Goetz; Gorman; Graba; Halmrast; Hamerlik; Hanson, L.;
Haugen; Haugland; Hokana; Kelly; Kingsbury; Knudson;
Kolbo; Larson; Laughlin; Lautenschlager; Linderman;
Marks; Martinson; Mertens; Meyer; Myrdal; Nelson, C.;
Nowatzki; Oban; O'Connell; Olson, V.; Opedahl; O'Shea;
Peterson; Rice; Riehl; Rydell; Scherber; Schneider;
Shaft; Shaw; Smette; Starke; Stofferahn; Tollefson;
Trautman; Ulmer; Wald; Watne; Wentz; Whalen;
Williams, A.; Williams, C.; Williams, W.;
Speaker Kloubec

NAYS: Aas; Anderson; Belter; Berg, R.; Brokaw; Christman;
Dalrymple; Dorso; Gunsch; Hanson, O.; Hausauer, A.;
Hill; Kent; Knell; Koland; Kretschmar; Lang; Lindgren;
Martin; Melby; Murphy; Nelson, J.; Nicholas; Olsen, D.;
Olson, A.; Payne; Schindler; Shide; Shockman; Skjerven;
Solberg; Sorensen; Strinden; Thompson; Tokach; Tomac;
Vander Vorst; Wilkie; Winkelman

ABSENT AND NOT VOTING: Gates; Hausauer, R.; Hoffner;
Klundt; Kuchera; Moore

SB 2259 passed and the title was agreed to.

REPORT OF CONFERENCE COMMITTEE

REP. WALD MOVED that the conference committee report on HB 1015 be adopted, which motion prevailed.

MOTION

REP. STRINDEN MOVED that the rules be suspended, that HB 1015 be deemed properly reengrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILL

HB 1015: A BILL for an Act making an appropriation for defraying the expenses of the council on the arts of the state of North Dakota.

Which has been read.

ROLL CALL

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

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

NAYS: Anderson; Belter; Gunsch; Hanson, O.; Kingsbury; Koland; Lang; Melby; Murphy; Schindler; Shide; Skjerven; Solberg; Thompson; Tokach; Vander Vorst; Whalen; Wilkie; Winkelman

ABSENT AND NOT VOTING: Gates; Hausauer, R.; Hoffner; Klundt; Schneider

HB 1015 passed and the title was agreed to.

REPORT OF STANDING COMMITTEE

MR. SPEAKER: Your Committee on Industry, Business and Labor to which was referred Engrossed SB 2561 has had the same under

consideration and recommends by a vote of 14 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING that the same DO PASS.

REP. WHALEN, Chairman

Engrossed SB 2561 was placed on the Fourteenth order of business on the calendar.

SIGNING OF BILLS AND RESOLUTIONS

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following:

HB 1021, HB 1023, HB 1674, HCR 3098

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 1021, HB 1023, HB 1674, HCR 3098

ROY GILBREATH, Chief Clerk

MOTION

REP. STRINDEN MOVED that the House stand in recess until 11:30 a.m., which motion prevailed.

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

MESSAGES TO THE SENATE HOUSE CHAMBER

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

HB 1015

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 2036, SB 2103, SB 2259

ROY GILBREATH, Chief Clerk

REPORT OF PROCEDURAL COMMITTEE

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

HCR 3099, HR 4

REP. STRINDEN, Chairman

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

FIRST READING OF A HOUSE RESOLUTION

Reps. Hoffner, Klundt, Starke introduced:
(Approved by the Committee on Delayed Bills)

HR 4: A resolution congratulating Kamille Bachmeier on winning the state spelling bee.

Was read the first time.

MOTION

REP. GOETZ MOVED that the rules be suspended, that HR 4 not be printed, not be referred to committee, be read in title only, and placed on the calendar for second reading and final passage, which motion prevailed.

SECOND READING OF A HOUSE RESOLUTION

HR 4: A resolution congratulating Kamille Bachmeier on winning the state spelling bee.

Which has been read.

The question being on the final adoption of the resolution.

HR 4 was declared adopted on a voice vote.

FIRST READING OF A HOUSE CONCURRENT RESOLUTION

Rep. Koland introduced:
(Approved by the Committee on Delayed Bills)

HCR 3099: A concurrent resolution directing the Legislative Council to study real estate licensure requirements for property managers.

Was read the first time.

MOTION

REP. GOETZ MOVED that the rules be suspended, that HCR 3099 not be printed, not be referred to committee, be read in title only, and placed on the calendar for second reading and final passage, which motion prevailed.

SECOND READING OF A HOUSE CONCURRENT RESOLUTION

HCR 3099: A concurrent resolution directing the Legislative Council to study real estate licensure requirements for property managers.

Which has been read.

The question being on the final adoption of the resolution.

HCR 3099 was declared adopted on a voice vote.

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.

MESSAGES FROM THE SENATE
SENATE CHAMBER

MR. SPEAKER: I have the honor to inform you that the Senate does not concur in the House amendments to SB 2009 and the President Pro Tem has appointed as a conference committee to act with a like committee from the House on:

SB 2009: Sens. Tallackson, Shea, Lips

PERRY GROTEBERG, Secretary

SENATE CHAMBER

MR. SPEAKER: I have the honor to return herewith HB 1008 which the Senate has amended and subsequently passed:

On page 1 of the engrossed bill, line 18, delete the numerals "2,057,090" and insert in lieu thereof the numerals "2,327,090"

On page 1 of the engrossed bill, line 19, delete the numerals "3,074,826" and insert in lieu thereof the numerals "3,344,826"

On page 1 of the engrossed bill, line 21, delete the numerals "450,000" and insert in lieu thereof the numerals "720,000"

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Aeronautics Commission

This amendment appropriates an additional \$270,000 from the general fund for grants to political subdivisions or airport authorities with airports with scheduled airline service.

PERRY GROTEBERG, Secretary

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER: Your Conference Committee to which was referred Engrossed HB 1544 has had the same under consideration and recommends that the SENATE RECEDE from its amendments as found on page 2701 of the House Journal and that Engrossed HB 1544 be amended as follows:

That the Senate recede from its amendments as found on pages 2203-2204 of the Senate Journal and on page 2701 of the House Journal, and that engrossed House Bill No. 1544 be amended as follows:

- On page 1 of the engrossed bill, line 3, after the comma insert the words "providing legislative intent regarding energy development impact grants and the energy development impact office,"
- On page 1 of the engrossed bill, line 9, delete the words "coal development impact" and insert in lieu thereof the word "general"
- On page 1 of the engrossed bill, line 10, delete the words "and the oil and gas development impact fund,"
- On page 1 of the engrossed bill, line 17, delete the numerals "3,500,000" and insert in lieu thereof the numerals "2,500,000"
- On page 1 of the engrossed bill, line 19, delete the numerals "8,684,693" and insert in lieu thereof the numerals "7,684,693"
- On page 1 of the engrossed bill, line 21, delete the numerals "3,684,693" and insert in lieu thereof the numerals "2,684,693"
- On page 2 of the engrossed bill, after line 13, insert the following new sections:

"SECTION 5. LEGISLATIVE INTENT - ENERGY DEVELOPMENT IMPACT OFFICE. It is the intent of the legislative assembly that the energy development impact office continue to function as a separate state agency during the 1987-89 biennium.

SECTION 6. LEGISLATIVE INTENT - GRANTS LINE ITEM. The grants line item in section 1 of this Act totaling \$2,500,000 from the general fund is to be used for oil development impact grants."

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Energy Development Impact Office

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

This amendment adds a new section providing legislative intent that the Energy Development Impact Office continue as a separate state agency.

This amendment reduces the grants line item by \$1,000,000 from the general fund for coal development impact grants to be funded in House Bill No. 1065 from the coal development impact fund. The remaining \$2,500,000 in the grants line item is to be used for oil development impact grants.

For the Senate: Sens. Waldera, Yockim, Naaden

For the House: Reps. Gunsch, Wald, Hill

Engrossed HB 1544 was placed on the Seventh order of business on the calendar.

REPORT OF STANDING COMMITTEE

MR. SPEAKER: Your Committee on Agriculture to which was referred SB 2560 has had the same under consideration and recommends by a vote of 16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

REP. NICHOLAS, Chairman

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

MESSAGE 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:

HCR 3099

ROY GILBREATH, Chief Clerk

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2009:

Reps. Gerntholz, Smette, Laughlin

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. PETERSON MOVED that the House do not concur in the Senate amendments to HB 1008 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 1008:

Reps. Gerntholz, Gunsch, Laughlin

MOTIONS

REP. GOETZ 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.

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

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

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 1446, HB 1548

PERRY GROTBORG, Secretary

SENATE CHAMBER

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

SB 2005, SB 2079, SB 2477, SB 2480

PERRY GROTBORG, Secretary

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER: Your Conference Committee to which was referred Engrossed SB 2005 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on pages 2573-2575 of the House Journal and that Engrossed SB 2005 be amended as follows:

That the House recede from its amendments, as printed on pages 2573-2575 of the House Journal and on pages 2157-2159 of the Senate Journal, and that engrossed Senate Bill No. 2005 be amended as follows:

On page 1 of the engrossed bill, line 14, delete the numerals "3,123,373" and insert in lieu thereof the numerals "3,103,333"

On page 1 of the engrossed bill, line 15, delete the numerals "3,132,817" and insert in lieu thereof the numerals "3,112,489"

On page 1 of the engrossed bill, line 18, delete the numerals "1,120,800" and insert in lieu thereof the numerals "1,146,300"

On page 1 of the engrossed bill, line 19, delete the numerals "7,705,100" and insert in lieu thereof the numerals "7,690,232"

On page 1 of the engrossed bill, line 20, delete the numerals "1,050,800" and insert in lieu thereof the numerals "1,076,300"

On page 1 of the engrossed bill, line 21, delete the numerals "6,654,300" and insert in lieu thereof the numerals "6,613,932"

On page 2 of the engrossed bill, line 1, delete the numerals "1,050,800" and insert in lieu thereof the numerals "1,076,300"

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

"SECTION 4. CAPITOL BUILDING ADDITION - FEASIBILITY STUDY - COST ESTIMATES. Included in the capital improvements line item in section 1 of this Act is \$15,000 from the capitol building fund to be used for a feasibility study including preliminary drawings and cost estimates for a capitol building addition for additional committee rooms. The director of institutions shall contract for the services and provide progress reports and the final report to the capitol grounds planning commission and the legislative council's legislative procedure and arrangements committee during the 1987-89 biennium."

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

The amendment deletes \$40,368 from the general fund appropriation and adds \$25,500 from the Capitol building fund which is summarized as follows:

	Total Increase (Decrease)	General Fund Increase (Decrease)	Capitol Building Fund Increase (Decrease)
<u>Salaries and wages</u>			
Delete funds relating to vacancies	\$ (20,040)	\$ (20,040)	
<u>Operating expenses</u>			
Eliminate weather teletype machine	(2,328)	(2,328)	
Reduce professional fees	(18,000)	(18,000)	

Capital improvements

Installation of windows in the east wall of the Pioneer Room	10,500		\$10,500
Feasibility study of additional committee rooms	15,000		15,000
Total	\$ (14,868)	\$ (40,368)	\$25,500

For the Senate: Sens. Yockim, Redlin, Lips

For the House: Reps. Kuchera, Peterson, Kelly

Engrossed SB 2005 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

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

That the House recede from its amendments and that engrossed Senate Bill No. 2079 be amended as follows:

On page 1 of the engrossed bill, line 1, after the words "A BILL" delete the remainder of the bill and insert in lieu thereof the following: "for an Act to amend and reenact subsections 4 and 5 of section 38-08-04, and sections 57-51.1-01, 57-51.1-02, and 57-51.1-03 of the North Dakota Century Code, relating to the duties of the industrial commission, the definitions of stripper well property, qualifying secondary recovery project, and qualifying tertiary recovery project for oil extraction purposes, the definition of average price, the rate of the oil extraction tax, and exemption from the oil extraction tax; and to declare an emergency.

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

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

4. To classify wells as oil or gas wells for purposes material to the interpretation or enforcement of this chapter, and to classify and determine the status and depth of wells that are stripper well property as defined in subsection 5 8 of section 57-51.1-01, to certify to the tax commissioner which wells are stripper wells and the depth of those wells, and to certify to the tax commissioner which wells involve secondary or

tertiary recovery operations under section 2 of this Act, and the date of qualification for the reduced rate of oil extraction tax for secondary and tertiary recovery operations.

5. To adopt and to enforce rules and orders to effectuate the purposes and the intent of this chapter and of subsections 1 and, 4, 5, 6, and 8 of section 57-51.1-01.

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

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

1. "Average daily production" of a well means the qualified maximum total production of oil from the well during a calendar month period divided by the number of calendar days in that period; and "qualified maximum total production" of a well means that the well must have been maintained at the maximum efficient rate of production as defined and determined by rule adopted by the industrial commission in furtherance of its authority under chapter 38-08.
2. "Average price" of a barrel of crude oil means the average daily price for a barrel of west Texas intermediate cushing crude oil, as those prices appear in the wall street journal, midwest edition, for the period June first through October thirty-first of any year.
3. "Oil" means petroleum, crude oil, mineral oil, casinghead gasoline, and all liquid hydrocarbons that are recovered from gas on the lease incidental to the production of the gas.
- 3- 4. "Property" means the right which arises from a lease or fee interest, as a whole or any designated portion thereof, to produce oil. A producer shall treat as a separate property each separate and distinct producing reservoir subject to the same right to produce crude oil; provided, that such reservoir is recognized by the appropriate governmental regulatory authority industrial commission as a producing formation that is separate and distinct from, and not in communication with, any other producing formation.

5. "Qualifying secondary recovery project" means a project employing water flooding. To be eligible for the tax reduction provided under section 57-51.1-02, a secondary recovery project must be certified as qualifying by the industrial commission, the project must have been unitized after the effective date of this Act, and the project operator must have achieved for six consecutive months an average production level of at least twenty-five percent above the level that would have been recovered under normal recovery operations.
6. "Qualifying tertiary recovery project" means a project for enhancing recovery of oil which meets the requirements of section 4993(c), Internal Revenue Code of 1954, as amended through December 31, 1986, and includes the following methods for recovery:
- a. Miscible fluid displacement.
 - b. Steam drive injection.
 - c. Microemulsion.
 - d. In situs combustion.
 - e. Polymer augmented water flooding.
 - f. Cyclic steam injection.
 - g. Alkaline flooding.
 - h. Carbonated water flooding.
 - i. Immiscible carbon dioxide displacement.
 - j. New tertiary recovery methods certified by the industrial commission.

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

fifteen percent above the level that would have been recovered under normal recovery operations.

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

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

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

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

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

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

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

And renumber the lines, sections, and pages accordingly

For the Senate: Sens. Maixner, Richard, Wright

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

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

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER: Your Conference Committee to which was referred SB 2477 has had the same under consideration and recommends that the SENATE ACCEDE to the amendments as found on pages 2131-2133 of the House Journal.

For the Senate: Sens. Stromme, Wogsland, Nelson

For the House: Reps. Nicholas, Trautman, Starke

SB 2477 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER: Your Conference Committee to which was referred Engrossed SB 2480 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on pages 2224-2227 of the House Journal and that Engrossed SB 2480 be amended as follows:

That the House recede from its amendments to Senate Bill No. 2480, as printed on pages 2224-2227 of the House Journal and pages 1920-1922 of the Senate Journal, and that engrossed Senate Bill No. 2480 be amended as follows:

On page 1 of the engrossed bill, line 1, after the words "A BILL" delete the remainder of the bill and insert in lieu thereof the following: "for an Act to provide for the sale of banks and bank holding companies owned by charitable trusts; to provide an expiration date; and to declare an emergency.

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

SECTION 1. LEGISLATIVE INTENT. It is the intent of the legislative assembly to act pursuant to the Bank Holding Company Act of 1956, as amended [ch. 240; 70 Stat. 134; 12 U.S.C. 1842(d)], to limit the authority granted by this Act to charitable trusts that owned one hundred percent of a bank holding company on May 26, 1969, to sell, assign, merge, or transfer the stock or assets of any bank or bank holding company owned directly or indirectly by such charitable trust to any state or national bank or bank holding company without regard to whether the entity acquiring the stock or assets is located outside this state to enable the divestiture of such ownership by a charitable trust as required by the provisions of section 4943 of the Internal Revenue Code.

SECTION 2. Sale of banking institutions owned by charitable trusts. Except as prohibited by North Dakota Century Code section 6-02-02.1, a charitable trust that owned one hundred percent of a bank holding company on May 26, 1969, may sell, assign, merge, or transfer the stock or assets of any bank or bank holding company owned directly or indirectly by the charitable trust, pursuant to the procedures set forth in North Dakota Century Code section 6-08-08.1, to a bank holding company, bank, or any other entity located in any state pursuant to applicable banking laws.

SECTION 3. Presentment of plan of acquiring entity to the state department of banking and financial institutions. Prior to any

acquisition under this Act, the acquiring entity must present a plan to the state department of banking and financial institutions. The plan must provide that the acquiring entity commits itself to the condition that it capitalize each bank to be acquired in this state according to the applicable banking laws of this state and the requirements of the federal deposit insurance corporation or any applicable federal banking laws.

SECTION 4. Offer to purchase minority stock required. Any bank holding company owned by a charitable trust that sells, assigns, merges, or transfers the stock of any bank or bank holding company pursuant to this Act shall communicate to and offer to purchase the stock of any minority stockholder of the bank or bank holding company. The offer must be made to minority stockholders at least sixty days before the date of the sale and must extend thirty days after the sale of the bank or bank holding company. The offer must remain open for at least ninety days or for the same period as that which is offered to minority stockholders of the company's banks located in other states, whichever period is greater. The offer to purchase minority stock in banks in this state must be based on at least the same criteria, standards, and formula as may be used by the bank holding company in computing an offer to purchase the minority stock of its banks in other states. The resulting offer to purchase must be on the same or better terms as any previous offer made by the bank holding company except for those previous offers made by reason of repurchase options between the bank holding company and the stockholder. Such repurchase options may not be used as a basis for determining the offer to purchase other minority stock.

SECTION 5. Grants requirement - Commitment - Reports to attorney general. Any charitable trust that divests itself of any interest pursuant to this Act shall file a commitment with the attorney general prior to any divestiture that the charitable trust will, subject to the provisions of the trust instrument pursuant to which the trust was created, continue to make grants under the provisions of the trust to recipients within this state. The charitable trust must report annually to the attorney general describing the grants made by the charitable trust to all recipients in the previous year. Upon the basis of such information, or other information that may be brought to the attorney general's attention, the attorney general may initiate further investigation and ensure compliance with the requirements of this section.

SECTION 6. Designation of agent for service of process. Any charitable trust that divests itself of any interest pursuant to this Act shall designate the secretary of state as its agent for service of process in this state.

SECTION 7. Limitations.

1. The authority granted by this Act does not authorize the acquiring entity to resell, reassign, merge, or transfer stock or assets of any state or national bank or bank holding company acquired under this Act except as permitted under the laws of this state.
2. This Act does not limit or restrict the rights of a charitable trust to sell, assign, merge, or transfer the stock or assets of any state or national bank or bank holding company owned directly or indirectly by the charitable trust under the provisions of any existing or hereafter adopted state or federal law or regulation.
3. This Act does not permit the sale, assignment, merger, or transfer by a charitable trust that directly or indirectly owns banks in Minnesota as well as in North Dakota of the stock or assets of any state or national bank or bank holding company located in this state if the sale, assignment, merger, or transfer by the charitable trust would be prohibited under the laws of Minnesota.

SECTION 8. Provisions not severable. Notwithstanding North Dakota Century Code section 1-02-20, if any provision of this Act is determined by any court of competent or final jurisdiction to be invalid or unconstitutional, this entire Act is void.

SECTION 9. EXPIRATION DATE. Section 2 of this Act is effective through June 30, 2004, and after that date is ineffective.

SECTION 10. EMERGENCY. This Act is declared to be an emergency measure."

And renumber the lines, sections, and pages accordingly

For the Senate: Sens. Langley, Heigaard, Nething

For the House: Reps. Koland, Dalrymple, Scherber

Engrossed SB 2480 was placed on the Seventh order of business on the calendar.

**MESSAGES FROM THE SENATE
SENATE CHAMBER**

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

SB 2113, SB 2387, SB 2557

PERRY GROTERBERG, Secretary

SENATE CHAMBER

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

HB 1021, HB 1023, HB 1674, HCR 3098

PERRY GROTERBERG, Secretary

MOTION

REP. GOETZ 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 1258 has had the same under consideration and recommends that the SENATE RECEDE from its amendments as found on pages 2697-2699 of the House Journal and that Engrossed HB 1258 be amended as follows:

That the Senate recede from its amendments and that engrossed House Bill No. 1258 be amended as follows:

On page 1 of the engrossed bill, line 1, after the word "Act" insert the words "to create and enact a new subsection to section 57-38-01 of the North Dakota Century Code, relating to alternative minimum taxable income;", delete the word "subsection" and insert in lieu thereof the word "subsections", and after the numeral "3" insert the word and numeral "and 8"

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

On page 1 of the engrossed bill, line 4, after the word "purposes" insert the words ", treatment of federal alternative minimum tax for corporate income tax purposes,"

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

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

"North Dakota alternative minimum taxable income"
in the case of corporations means alternative
minimum taxable income as computed under the

Internal Revenue Code provisions in effect at the close of the corporation's taxable year, reduced by any interest received from obligations of the United States included in alternative minimum taxable income or in the computation of alternative minimum taxable income on the federal return, as reduced by the federal income tax deduction computed under subdivision c of subsection 1 of section 57-38-01.3, and either increased or decreased by the adjustments provided in subdivisions a and b of subsection 3 of section 57-38-01, with the remaining amount apportioned to North Dakota by the same fraction computed under the provisions of chapter 57-38, 57-38.1, or 57-59."

On page 1 of the engrossed bill, line 8, delete the word "Subsection" and insert in lieu thereof the word "Subsections" and after the numeral "3" insert the word and numeral "and 8"

On page 3 of the engrossed bill, after line 29, insert the following subsection:

"8. "Taxable income" in the case of individuals, estates, trusts, and corporations shall mean the taxable income as computed for an individual, estate, trust, or corporation for federal income tax purposes under the United States Internal Revenue Code of 1954, as amended, plus or minus such adjustments as may be provided by this act and chapter or other provisions of law. Except as otherwise expressly provided, "taxable income" does not include any amount computed for federal alternative minimum tax purposes."

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

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

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

1. a. For the first three thousand dollars of taxable income, at the rate of three percent.

- 2- b. On all taxable income above three thousand dollars and not in excess of eight thousand dollars, at the rate of four and one-half percent.
 - 3- c. On all taxable income above eight thousand dollars and not in excess of twenty thousand dollars, at the rate of six percent.
 - 4- d. On all taxable income above twenty thousand dollars, and not in excess of thirty thousand dollars, at the rate of seven and one-half percent.
 - 5- e. On all taxable income above thirty thousand dollars, and not in excess of fifty thousand dollars, at the rate of nine percent.
 - 6- f. On all taxable income above fifty thousand dollars, at the rate of ten and one-half percent.
2. Five percent of the North Dakota alternative minimum taxable income. The calculation for North Dakota alternative minimum taxable income applies only if the corporation's federal alternative minimum tax liability exceeds the corporation's regular federal tax liability."

On page 4 of the engrossed bill, line 11, delete the words "This Act is" and insert in lieu thereof the words and numerals "Sections 2 and 3 of this Act are"

On page 4 of the engrossed bill, line 12, after the period, insert the following sentence: "Sections 1 and 4 of this Act are effective for taxable years beginning after December 31, 1988."

And renumber the lines, sections, and pages accordingly

For the Senate: Sens. Satrom, Dotzenrod, Moore

For the House: Reps. Moore, Belter, Linderman

Engrossed HB 1258 was placed on the Seventh order of business on the calendar.

MESSAGES FROM THE SENATE SENATE CHAMBER

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

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 1015, HB 1016

PERRY GROTEBERG, Secretary

SENATE CHAMBER

MR. SPEAKER: I have the honor to transmit herewith the following on which 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

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER: Your Conference Committee to which was referred Engrossed SB 2029 has had the same under consideration and recommends that the SENATE ACCEDE to the amendments as found on pages 2261-2263 of the House Journal:

For the Senate: Sens. Waldera, Tallackson, Naaden

For the House: Reps. Thompson, R. Hausauer, G. Berg

Engrossed SB 2029 was placed on the Seventh order of business on the calendar.

ANNOUNCEMENT BY SPEAKER

SPEAKER KLOUBEC ANNOUNCED that Reps. Winkelman, Wald, and Stofferahn were appointed to a new Conference Committee on HB 1009.

REPORT OF CONFERENCE COMMITTEE

REP. GOETZ MOVED that the conference committee report on SB 2079 be adopted, which motion prevailed.

MOTION

REP. STRINDEN MOVED that the rules be suspended, that SB 2079 be placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2079: A BILL for an Act to amend and reenact subsections 4 and 5 of section 38-08-04, and sections 57-51.1-01, 57-51.1-02, and 57-51.1-03 of the North Dakota Century Code, relating to the duties of the industrial commission, the definitions of stripper well property, qualifying secondary recovery project, and qualifying tertiary recovery project for oil extraction purposes, the definition of average price, the rate of the oil extraction

tax, and exemption from the oil extraction tax; and to declare an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 90 YEAS, 5 NAYS, 11 ABSENT AND NOT VOTING.

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

NAYS: Brokaw; Hokana; Oban; Shockman; Ulmer

ABSENT AND NOT VOTING: Gerntholz; Hausauer, R.; Hoffner; Kelly; Knudson; Kuchera; Laughlin; Peterson; Smette; Thompson; Winkelman

SB 2079 passed, the title was agreed to, and the emergency clause was declared carried.

REPORT OF CONFERENCE COMMITTEE

REP. NICHOLAS MOVED that the conference committee report on SB 2477 be adopted, which motion prevailed.

REPORT OF CONFERENCE COMMITTEE

REP. KOLAND MOVED that the conference committee report on SB 2480 be adopted, which motion prevailed.

MOTION

REP. STRINDEN MOVED that the rules be suspended, that SB 2480 be placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2480: A BILL for an Act to provide for the sale of banks and bank holding companies owned by charitable trusts; to provide an expiration date; 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 72 YEAS, 23 NAYS, 11 ABSENT AND NOT VOTING.

YEAS: Almlie; Belter; Berg, G.; Berg, R.; Christman; Cleveland; Dalrymple; DeMers, J.; Dorso; Dotzenrod; Enget; Frey; Gates; Goetz; Gorman; Gunsch; Halmrast; Hamerlik; Hanson, L.; Haugen; Haugland; Hausauer, A.; Hokana; Kent; Kingsbury; Klundt; Knell; Knudson; Koland; Kolbo; Lang; Larson; Linderman; Lindgren; Marks; Martin; Martinson; Mertens; Meyer; Moore; Myrdal; Nelson, C.; Nowatzki; Oban; Olsen, D.; Olson, A.; Olson, V.; Opedahl; Payne; Rice; Riehl; Rydell; Scherber; Schneider; Shaft; Shaw; Shide; Skjerven; Solberg; Sorensen; Starke; Stofferahn; Tokach; Tollefson; Tomac; Ulmer; Wald; Wentz; Whalen; Williams, A.; Williams, C.; Speaker Kloubec

NAYS: Aas; Anderson; Brokaw; DeMers, P.; Flaagan; Graba; Hanson, O.; Hill; Kretschmar; Lautenschlager; Melby; Murphy; Nelson, J.; Nicholas; O'Connell; O'Shea; Schindler; Shockman; Trautman; Vander Vorst; Watne; Wilkie; Williams, W.

ABSENT AND NOT VOTING: Gerntholz; Hausauer, R.; Hoffner; Kelly; Kuchera; Laughlin; Peterson; Smette; Strinden; Thompson; Winkelman

SB 2480 passed, the title was agreed to, and the emergency clause was declared carried.

MOTIONS

REP. A. HAUSAUER MOVED that the House reconsider the action whereby the House did not concur in the Senate amendments to HB 1600, which motion prevailed.

REP. A. HAUSAUER MOVED that the House do concur in the Senate amendments to HB 1600, which motion prevailed.

REP. STRINDEN MOVED that the rules be suspended, that HB 1600 be deemed properly engrossed and placed on the Eleventh order of business, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1600: A BILL for an Act to create and enact a new section to chapter 57-51.1 of the North Dakota Century Code, relating to the budget stabilization fund; to amend and reenact subsections 4 and 5 of section 38-08-04, and sections 57-51.1-01, 57-51.1-02, and 57-51.1-03 of the North Dakota Century Code, relating to the duties of the industrial commission, the definitions of stripper well property, qualifying secondary recovery project, and qualifying tertiary recovery project for oil extraction purposes, the definition of average price, the rate of the oil extraction tax, and exemption from the oil extraction tax; and to declare an emergency.

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 9 YEAS, 85 NAYS, 12 ABSENT AND NOT VOTING.

YEAS: Anderson; Goetz; Haugen; Martin; Melby; Murphy;
O'Connell; Schneider; Wald

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

ABSENT AND NOT VOTING: Gerntholz; Hausauer, R.; Hoffner;
Kelly; Kuchera; Laughlin; Peterson; Smette; Strinden;
Thompson; Whalen; Winkelman

HB 1600 was declared lost.

REPORT OF CONFERENCE COMMITTEE

REP. MOORE MOVED that the conference committee report on HB 1258 be adopted, which motion prevailed.

MOTION

REP. STRINDEN MOVED that the rules be suspended, that HB 1258 be deemed properly reengrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILL

HB 1258: A BILL for an Act to create and enact a new subsection to section 57-38-01 of the North Dakota Century Code, relating to alternative minimum taxable income; to amend and reenact subsections 3 and 8 of section 57-38-01, subsection 1 of section 57-38-01.4, and section 57-38-30 of the North Dakota Century Code, relating to the federalization date for income tax purposes, treatment of federal alternative minimum tax for corporate income tax purposes, and income tax treatment of subchapter S corporation income; 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 98 YEAS, 0 NAYS, 8 ABSENT AND NOT VOTING.

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

HB 1258 passed and the title was agreed to.

REPORT OF CONFERENCE COMMITTEE

REP. KUCHERA MOVED that the conference committee report on SB 2005 be adopted, which motion prevailed.

MOTION

REP. STRINDEN MOVED that the rules be suspended, that SB 2005 be placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2005: A BILL for an Act making an appropriation for defraying the expenses of the director of institutions of the state of North Dakota and providing for a transfer from the capitol building 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 85 YEAS, 14 NAYS, 7 ABSENT AND NOT VOTING.

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

NAYS: Anderson; Belter; Hanson, O.; Knudson; Lang; Martin; Melby; Murphy; Olsen, D.; Olson, A.; Shide; Tokach; Vander Vorst; Whalen

ABSENT AND NOT VOTING: Gerntholz; Hausauer, R.; Laughlin; Smette; Strinden; Thompson; Williams, C.

SB 2005 passed and the title was agreed to.

DELIVERY OF ENROLLED BILLS

THE SPEAKER ANNOUNCED that the following bills were delivered to the Governor for his approval at the hour of 4:07 p.m., April 16, 1987:

HB 1021, HB 1023, HB 1674

DELIVERY OF ENROLLED RESOLUTION

THE SPEAKER ANNOUNCED that the following resolution was delivered to the Secretary of State for his filing at the hour of 4:10 p.m., April 16, 1987:

HCR 3098

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.

REPORT OF CONFERENCE COMMITTEE

REP. THOMPSON MOVED that the conference committee report on SB 2029 be adopted, which motion prevailed.

MESSAGES TO THE SENATE
HOUSE CHAMBER

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

SB 2009: Reps. Gerntholz, Smette, Laughlin

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 1008 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1008: Reps. Gerntholz, Gunsch, Laughlin

ROY GILBREATH, Chief Clerk

SIGNING OF BILLS AND RESOLUTIONS

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following:

SB 2113, SB 2387, SB 2557

ROY GILBREATH, Chief Clerk

MESSAGES TO THE SENATE
HOUSE CHAMBER

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

SB 2113, SB 2387, SB 2557

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

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

SB 2477

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 2005, SB 2079, SB 2480

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 1258

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

MR. PRESIDENT: I have the honor to inform you that the House has reconsidered its action whereby it did not concur with the Senate amendments to HB 1600, and now wishes to inform you that it does now concur in the Senate amendments to HB 1600, and subsequently failed to pass the same. Also, the House has dissolved the House Conference Committee on HB 1600.

ROY GILBREATH, Chief Clerk

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 1687

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 1596

PERRY GROTEBERG, Secretary

SENATE CHAMBER

MR. SPEAKER: I have the honor to return herewith HB 1033 which the Senate has amended and subsequently passed:

On page 1, line 1, after the numeral "50-06" insert the words and numerals "and a new subdivision to subsection 1 of section 54-07-01.2"

On page 1, line 3, after the word "board" insert the words "and the power of the governor to appoint a majority of members of certain boards and commissions"

On page 1, line 4, delete the word "and" and after the numerals "50-06-05.1" insert the word and numerals ", 50-01-16, and 50-06-17"

On page 1, line 6, after the word "services" insert the words "; and to provide an effective date"

On page 2, line 11, delete the words "Board to set policy -"

On page 2, line 12, delete the words "board shall"

On page 2, delete lines 13 and 14

On page 2, line 15, delete the first word "The"

On page 2, line 25, after the word "expenses" insert the word "- Responsibilities"

On page 2, line 26, delete the word "nine" and insert in lieu thereof the word "seven"

On page 2, line 27, after the first word "governor" insert the words ", with the consent of the senate" and delete the words "The governor shall appoint one"

On page 2, delete lines 28 and 29

On page 2, line 30, delete the words and numeral "1978, and one member shall be appointed at large."

On page 2, line 34, delete the numerals "1987" and insert in lieu thereof the numerals "1988"

On page 2, line 35, delete the numerals "1989" and insert in lieu thereof the numerals "1990"

On page 3, line 1, delete the first word "three" and insert in lieu thereof the word "two", delete the numerals "1991" and insert in lieu thereof the numerals "1992", and delete the second word "three" and insert in lieu thereof the word "two"

- On page 3, line 2, delete the numerals "1993" and insert in lieu thereof the numerals "1994"
- On page 3, line 9, delete the numerals "1987" and insert in lieu thereof the numerals "1988"
- On page 3, line 10, delete the words "a president,"
- On page 3, line 13, after the underscored period insert the words "The governor or the governor's designee, who may not be the executive director of the department, shall act as president of the board." and delete the word "monthly" and insert in lieu thereof the word "quarterly"
- On page 3, line 14, after the word "times" insert the words "as the executive director determines necessary or"
- On page 3, after line 22, insert the following new subsection:

"4. The board shall establish administrative policy for the department which is to be implemented by the executive director. The board may advise the governor concerning the appointment or reappointment of an executive director. The board shall advise the executive director with respect to issues and concerns arising from the executive director's administrative activities and other relevant matters at the request of the executive director."

- On page 4, line 28, remove the overstrike over the word "department" and delete the word "board"
- On page 4, line 29, remove the overstrike over the word "department" and delete the word "board"
- On page 4, line 30, after the word "administered" insert the words "under the direction of the board"
- On page 6, line 10, remove the overstrike over the word "department" and delete the word "board"
- On page 6, line 19, overstrike the word "shall" and insert immediately thereafter the word "may"
- On page 8, after line 25, insert the following new sections:

"SECTION 7. AMENDMENT. Section 50-06-16 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

50-06-16. Authority to adopt rules. The department may adopt rules necessary to carry out its the responsibilities of the department under this chapter. All rules adopted

shall must be approved by the board before adoption and must be published in the North Dakota Administrative Code. Rules adopted by agencies prior to January 1, 1982, which relate to functions or agencies covered by this chapter shall remain in effect until such time as they are specifically amended or repealed by the department.

SECTION 8. AMENDMENT. Section 50-06-17 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

50-06-17. Biennial report to governor and office of management and budget - Budget estimates. The department shall submit to the governor and the office of management and budget a board shall review and approve the biennial report as prescribed by section and budget estimate prepared and submitted by the department pursuant to sections 54-06-04 and 54-44.1-04.

SECTION 9. A new subdivision to subsection 1 of section 54-07-01.2 of the North Dakota Century Code is hereby created and enacted to read as follows:

The human services board.

SECTION 10. EFFECTIVE DATE. This Act becomes effective on July 1, 1988."

And renumber the lines, sections, and pages accordingly

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 1008: Sens. Yockim, Stromme, Thane

PERRY GROTEBERG, Secretary

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.

MESSAGE TO THE SENATE HOUSE CHAMBER

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

SB 2029

ROY GILBREATH, Chief Clerk

REPORT OF CONFERENCE COMMITTEE

REP. GUNSCH MOVED that the conference committee report on HB 1544 be adopted, which motion prevailed.

MOTION

REP. STRINDEN MOVED that the rules be suspended, that HB 1544 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 1544: A BILL for an Act making an appropriation for defraying the expenses of the energy development impact office of the state of North Dakota, providing legislative intent regarding energy development impact grants and the energy development impact office, and providing for a contingency loan from the coal 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 92 YEAS, 4 NAYS, 10 ABSENT AND NOT VOTING.

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

NAYS: Brokaw; Dalrymple; DeMers, J.; Shockman

ABSENT AND NOT VOTING: Anderson; Flaagan; Klundt; Knudson; Meyer; Moore; Murphy; Nelson, C.; Schneider; Williams, C.

HB 1544 passed and the title was agreed to.

SECOND 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; 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.

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, 9 NAYS, 6 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Anderson; Knudson; Moore; Murphy; Nicholas; Schneider

SB 2561 passed and the title was agreed to.

MOTIONS

REP. NICHOLAS MOVED that the House reconsider its action whereby the committee report was accepted and SB 2560 was placed on the Fourteenth order of business on the calendar, which motion prevailed on a verification vote.

REP. NICHOLAS MOVED that SB 2560 be rereferred to the Committee on Agriculture, which motion prevailed.

SPEAKER KLOUBEC ANNOUNCED that SB 2560 was referred to the Committee on Agriculture.

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 1544

ROY GILBREATH, Chief Clerk

MOTION

REP. STRINDEN MOVED that HB 1678 be placed at the top of the calendar, which motion prevailed.

MESSAGE TO THE SENATE
HOUSE CHAMBER

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

SB 2561

ROY GILBREATH, Chief Clerk

SECOND READING OF HOUSE BILL

HB 1678: A BILL for an Act to amend and reenact section 54-27-23 of the North Dakota Century Code, relating to office of management and budget cash flow financing.

Which has been read.

MOTION

REP. C. WILLIAMS 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 40 YEAS, 64 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Berg, G.; Brokaw; DeMers, J.; DeMers, P.; Dotzenrod; Enget; Flaagan; Gates; Gerntholz; Goetz; Graba; Halmrast; Haugland; Hausauer, R.; Hoffner; Hokana; Kelly; Klundt; Kolbo; Kretschmar; Lang; Laughlin; Lautenschlager; Linderman; Mertens; Nelson, C.; Nowatzki; Oban; O'Connell; Olson, V.; Opedahl; Peterson; Rice; Schneider; Shaw; Shockman; Starke; Strinden; Ulmer; Wentz

NAYS: Aas; Almlie; Anderson; Belter; Berg, R.; Christman; Cleveland; Dalrymple; Dorso; Frey; Gorman; Gunsch; Hamerlik; Hanson, L.; Hanson, O.; Haugen; Hausauer, A.; Hill; Kent; Kingsbury; Knell; Koland; Kuchera; Larson; Lindgren; Marks; Martin; Martinson; Melby; Meyer; Moore; Myrdal; Nelson, J.; Nicholas; Olsen, D.; Olson, A.; O'Shea; Payne; Riehl; Rydell; Scherber; Schindler; Shaft; Shide; Skjerven; Smette; Solberg; Sorensen; Stofferahn; Thompson; Tokach; Tollefson;

Tomac; Trautman; Vander Vorst; Wald; Watne; Whalen;
Wilkie; Williams, A.; Williams, C.; Williams, W.;
Winkelman; Speaker Kloubec

ABSENT AND NOT VOTING: Knudson; Murphy

HB 1678 was declared lost.

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 2562

PERRY GROTEBERG, Secretary

SENATE CHAMBER

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

HC 3099

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 and subsequently passed the same:

SB 2013, SB 2339, SB 2468

PERRY GROTEBERG, Secretary

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER: Your Conference Committee to which was referred Engrossed HB 1450 has had the same under consideration and recommends that the SENATE RECEDE from its amendments as found on page 2369 of the House Journal and that Engrossed HB 1450 be amended as follows:

On page 1 of the engrossed bill, line 3, after the word "licensure" insert the words "; and to declare an emergency"

On page 1 of the engrossed bill, line 13, after the word "in" insert the words "residential or agricultural"

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

"SECTION 2. EMERGENCY. This Act is declared to be an emergency measure and is in effect upon its filing with the secretary of state or on a date specified in this Act."

And renumber the lines, sections, and pages accordingly

For the Senate: Sens. Axtman, Lodoen, Bakewell

For the House: Reps. Koland, Dalrymple, Scherber (refused to sign)

Engrossed HB 1450 was placed on the Seventh order of business on the calendar for the succeeding legislative day.

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER: Your Conference Committee to which was referred Engrossed SB 2013 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on pages 2259-2261 and 2800-2802 of the House Journal and that Engrossed SB 2013 be amended as follows:

That the House recede from its amendments, as printed on pages 2259-2261 and 2800-2802 of the House Journal and 2371-2373 of the Senate Journal, and that engrossed Senate Bill No. 2013 be 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 first 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 vacate any armories prior to July 1, 1987, and that the adjutant general receive the approval of the budget section of the legislative council prior to vacating any armories 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:

	<u>General Fund</u> <u>Increase (Decrease)</u>
<u>Salaries and wages</u>	
The intent of this amendment is to decrease 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	\$ (77,000)
<u>Equipment</u>	
Reduces equipment purchases for the new armory or limits replacement of state equipment	(5,000)
<u>Grants</u>	
Restores grant 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 vacate any armories prior to July 1, 1987, and that the Adjutant General receive the approval of the Budget Section prior to vacating any armories 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.

For the Senate: Sens. Tallackson, Mushik, Streibel

For the House: Reps. Gunsch, Kingsbury, Graba

Engrossed SB 2013 was placed on the Seventh order of business on the calendar for the succeeding legislative day.

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER: Your Conference Committee to which was referred Engrossed SB 2339 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on page 1755 of the House Journal and that Engrossed SB 2339 be amended as follows:

That the House recede from its amendments and that engrossed Senate Bill No. 2339 be amended as follows:

On page 2 of the engrossed bill, line 18, after the word "buildings" insert the words "and by nonprofit organizations excluding trade associations, fraternal organizations, co-ops, and health insurance companies"

On page 2 of the engrossed bill, line 26, after the word "agencies" insert the words ", nonprofit organizations,"

On page 2 of the engrossed bill, line 28, after the word "agency" insert the words ", nonprofit organization,"

On page 3 of the engrossed bill, line 6, remove the overstrike over the word "seven" and delete the word "eleven"

And renumber the lines, sections, and pages accordingly

For the Senate: Sens. W. Meyer, Axtman, Tennesos

For the House: Reps. Martinson, Gorman, Hokana

Engrossed SB 2339 was placed on the Seventh order of business on the calendar for the succeeding legislative day.

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER: Your Conference Committee to which was referred Engrossed SB 2468 has had the same under consideration and recommends that the SENATE ACCEDE to the amendments as found on pages 2222-2224 of the House Journal.

For the Senate: Sens. Maxson, Holmberg, (refused to sign), Stenehjem

For the House: Reps. Aas, Shaft (refused to sign), C. Williams

Engrossed SB 2468 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 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

MOTIONS

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

REP. GOETZ MOVED that the House be on the Thirteenth order of business, and at the conclusion of the Thirteenth order, the House stand adjourned until 8:00 a.m., Friday, April 17, 1987, which motion prevailed.

FIRST READING OF SENATE BILL

SB 2562: A BILL for an Act for a contingent appropriation for additional compensation to North Dakota state employees. Was read the first time and referred to the Committee on Appropriations.

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

ROY GILBREATH, Chief Clerk