

JOURNAL OF THE SENATE

Fiftieth Legislative Assembly

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SIXTY-THIRD DAY

Bismarck, April 6, 1987

The Senate convened at 8:00 a.m., with President Pro Tem Redlin Presiding.

The prayer was offered by Reverend Ed Bartel, Bismarck Baptist Church, Bismarck.

Our Father, we are before You this morning with thankful hearts. We give thanks for another day of business. We thank You for the great measure of grace You bestow upon us, individually and collectively as a state and a nation. Where would we stand apart from Your grace?

Forgive us, Lord, when we fail to fall upon Your wisdom to guide our thoughts and our wills.

Now, Father, as we convene business together, give us that wisdom we need for North Dakota. Make us sensitive to the needs of our state. Grant us to see the needs of the brothers and sisters that work closely by our sides.

Carry us now, in Christ's name I pray, Amen.

ROLL CALL

The roll was called and all Senators were present, except Senators David, Dotzenrod, Freborg, Keller, Lodoen, Nething, Reiten, Sotrom, Tennefos, and Todd.

A quorum was declared by the President Pro Tem.

MESSAGES FROM THE HOUSE
HOUSE CHAMBER

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

HB 1081, HB 1257

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

MR. PRESIDENT: I have the honor to inform you that the House has concurred in the Senate amendments to HB 1331, HB 1349, HB 1644, and HB 1680 and subsequently passed the same.

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

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

SB 2004: Reps. R. Hausauer, Thompson, Nowatzki

SB 2012: Reps. Kent, Payne, Hoffner

SB 2103: Reps. Tollefson, Martin, Schneider

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

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

SCR 4067

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

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

SB 2470, SB 2532, SB 2537

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 1038, HB 1192

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 2109

ROY GILBREATH, Chief Clerk

REQUEST

SEN. RICHARD REQUESTED that the record show that Sens. Satrom and Dotzenrod are in the meeting of the **Committee on Finance and Taxation**, which request was granted.

MOTION

SEN. HEIGAARD MOVED that the Senate stand in recess until 10:00 a.m., which motion prevailed.

THE SENATE RECONVENED pursuant to recess taken, with President Pro Tem Redlin presiding.

DELIVERY OF ENROLLED BILLS

THE PRESIDENT PRO TEM ANNOUNCED that the following bills were delivered to the Governor for his approval at the hour of 9:37 a.m., April 6, 1987:

SB 2031, SB 2040, SB 2072, SB 2076, SB 2078, SB 2304,
SB 2307, SB 2451, SB 2489, SB 2540, SB 2549

SIGNING OF BILLS AND RESOLUTIONS

THE SECRETARY ANNOUNCED that the President Pro Tem signed the following:

SB 2007, SB 2097, SB 2127, SB 2181, SB 2202, SB 2383,
SB 2413, SB 2418, SB 2427, SCR 4010, HB 1068, HB 1072,
HB 1156, HB 1303, HB 1474, HB 1506, HB 1560, HB 1571,
HB 1615, HCR 3034, HCR 3044, HCR 3088

PERRY GROTBORG, Secretary

**MESSAGES TO THE HOUSE
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 2007, SB 2097, SB 2127, SB 2181, SB 2202, SB 2383,
SB 2413, SB 2418, SB 2427, SCR 4010

PERRY GROTBORG, Secretary

SENATE CHAMBER

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

HB 1068, HB 1072, HB 1156, HB 1303, HB 1474, HB 1506,
HB 1560, HB 1571, HB 1615, HCR 3034, HCR 3044, HCR 3088

PERRY GROTBORG, Secretary

CORRECTION AND REVISION OF THE JOURNAL

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

SEN. J. MEYER, Chairman

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

CONSIDERATION OF AMENDMENTS

SEN. STROMME MOVED that the amendments to SCR 4047 as recommended by the Committee on Joint Constitutional Revision as printed on pages 2057-2058 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4047: A concurrent resolution for the amendment of section 5 of article X of the Constitution of the State of North

Dakota, relating to taxation of property owned by the United States when Congress has waived exemption of the property to allow imposition of property taxes and state oil and gas taxes or other taxes imposed in lieu of property taxes on minerals or property owned by the federal land bank and relating to taxation of state or local government property if exemption of the property is waived by the legislative assembly.

Which has been read and has committee recommendation of DO PASS.

ROLL CALL

The question being on the final adoption of the resolution, as amended, the roll was called and there were 49 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Adams; Axtman; Bakewell; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelly; Kelsh; Krauter; Langley; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Maxson; Meyer, J.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; Olson; Peterson; Redlin; Reiten; Richard; Satrom; Schoenwald; Shea; Stenehjem; Streibel; Stromme; Tallackson; Teneffos; Thane; Todd; Vosper; Waldera; Wogsland; Wright; Yockim

NAYS: None

ABSENT AND NOT VOTING: David; Meyer, D.; Meyer, W.; Tweten

SCR 4047 was declared adopted and the title was agreed to on a roll call vote.

MOTION

SEN. HEIGAARD MOVED that SB 2023, SB 2027, and SB 2536 be moved immediately following SB 2003 on the Twelfth order on the calendar, which motion prevailed.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. TALLACKSON MOVED that the Senate do concur in the House amendments to SB 2003 as printed on page 1794 of the Senate Journal, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2003: A BILL for an Act making an appropriation for defraying the expenses of the division of independent study of the state of North Dakota; and to amend and reenact section 15-19-04 of the North Dakota Century Code, relating to oversight of the high school correspondence program.

Which has been read.

ROLL CALL

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

YEAS: Adams; Axtman; Bakewell; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelly; Kelsh; Krauter; Langley; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Maxson; Meyer, J.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; Olson; Peterson; Redlin; Reiten; Richard; Satrom; Schoenwald; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Wogsland; Wright; Yockim

NAYS: None

ABSENT AND NOT VOTING: David; Meyer, D.; Meyer, W.

SB 2003 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. TALLACKSON MOVED that the Senate do concur in the House amendments to SB 2023 as printed on page 2038 of the Senate Journal, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2023: A BILL for an Act making an appropriation for defraying the expenses of the centennial commission of the state of North Dakota; 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 32 YEAS, 18 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Axtman; Dotzenrod; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelsh; Krauter; Langley; Lashkowitz; Lips; Maixner; Mathern; Maxson; Meyer, J.; Mushik; Redlin; Reiten; Richard; Satrom; Schoenwald; Shea; Stenehjem; Stromme; Tallackson; Thane; Waldera; Wogsland; Wright; Yockim

NAYS: Adams; Bakewell; Freborg; Kelly; Lodoen; Moore; Mutch; Naaden; Nalewaja; Nelson; Nething; Olson; Peterson; Streibel; Tennefos; Todd; Tweten; Vosper

ABSENT AND NOT VOTING: David; Meyer, D.; Meyer, W.

SB 2023 passed, the title was agreed to, and the emergency clause failed.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. TALLACKSON MOVED that the Senate do concur in the House amendments to SB 2027 as printed on page 1794 of the Senate Journal, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2027: A BILL for an Act making an appropriation for defraying the expenses of the game and fish department of the state of North Dakota.

Which has been read.

ROLL CALL

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

YEAS: Adams; Axtman; Bakewell; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelly; Kelsh; Krauter; Langley; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Maxson; Meyer, J.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; Olson; Peterson; Redlin; Reiten; Richard; Satrom; Schoenwald; Shea; Stenehjelm; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Wogsland; Wright; Yockim

NAYS: None

ABSENT AND NOT VOTING: David; Meyer, D.; Meyer, W.

SB 2027 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. TALLACKSON MOVED that the Senate do concur in the House amendments to SB 2536 as printed on page 1869 of the Senate Journal, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2536: A BILL for an Act to create and enact a new section to chapter 54-44.1 of the North Dakota Century Code, relating to the apportionment of reductions in spending authority resulting from an initiative or referendum.

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 38 YEAS, 13 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Axtman; Dotzenrod; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelsh; Krauter; Langley; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Maxson; Meyer, J.; Meyer, W.; Mushik; Nalewaja; Olson; Redlin; Reiten; Richard; Satrom; Schoenwald; Shea; Stenehjem; Stromme; Tallackson; Thane; Todd; Tweten; Vosper; Waldera; Wogsland; Yockim

NAYS: Adams; Bakewell; Freborg; Kelly; Moore; Mutch; Naaden; Nelson; Nething; Peterson; Streibel; Tennefos; Wright

ABSENT AND NOT VOTING: David; Meyer, D.

SB 2536 passed and the title was agreed to.

REPORT OF CONFERENCE COMMITTEE

SEN. MAXSON MOVED that the conference committee report on Engrossed SB 2294 as printed on page 2079 of the Senate Journal be adopted, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2294: A BILL for an Act to create and enact two new sections to chapter 43-13 of the North Dakota Century Code, relating to the practice of optometry, certification and notification requirements, and standard of care for optometrists; to amend and reenact section 43-13-01 of the North Dakota Century Code, relating to definitions; and to repeal section 43-13-13.1 of the North Dakota Century Code, relating to the authority of the board of optometry.

Which has been read.

ROLL CALL

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

YEAS: Adams; Axtman; Bakewell; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelly; Kelsh; Krauter; Langley; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Maxson; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; Olson; Peterson; Redlin; Reiten; Richard; Satrom; Schoenwald; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Wogsland; Wright; Yockim

NAYS: None

ABSENT AND NOT VOTING: David; Meyer, D.; Waldera

SB 2294 passed and the title was agreed to.

MOTION

SEN. HEIGAARD MOVED that the Senate stand in recess until 11:30 a.m., which motion prevailed.

THE SENATE RECONVENED pursuant to recess taken, with President Pro Tem Redlin presiding.

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT: Your Conference Committee to which was referred SB 2230 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on page 1542 of the Senate Journal.

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

For the House: Reps. Aas, Shaft, Wilkie

SB 2230 was placed on the Seventh order of business on the calendar for the succeeding legislative day.

**MESSAGE FROM THE HOUSE
HOUSE CHAMBER**

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

SB 2007, SB 2097, SB 2127, SB 2181, SB 2202, SB 2383,
SB 2413, SB 2418, SB 2427, SCR 4010

ROY GILBREATH, Chief Clerk

DELIVERY OF ENROLLED BILLS

THE PRESIDENT PRO TEM ANNOUNCED that the following bills were delivered to the Governor for his approval at the hour of 11:07 a.m., April 6, 1987:

SB 2007, SB 2097, SB 2127, SB 2181, SB 2202, SB 2383,
SB 2413, SB 2418, SB 2427

**MESSAGE FROM THE HOUSE
HOUSE CHAMBER**

MR. PRESIDENT: I have the honor to return herewith SB 2009, SB 2010, and SB 2037 which the House has amended and subsequently passed:

HOUSE AMENDMENTS TO REENGROSSED SB 2009

On page 1 of the reengrossed bill, line 22, delete the numerals "2,144,214" and insert in lieu thereof the numerals "2,120,214"

On page 1 of the reengrossed bill, line 23, delete the numerals "14,882,785" and insert in lieu thereof the numerals "14,858,785"

On page 1 of the reengrossed bill, line 25, delete the numerals "13,252,929" and insert in lieu thereof the numerals "13,228,929"

On page 2 of the reengrossed bill, line 8, delete the numerals "13,252,929" and insert in lieu thereof the numerals "13,228,929"

On page 2 of the reengrossed bill, line 10, delete the numerals "20,647,973" and insert in lieu thereof the numerals "20,623,973"

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

State Penitentiary

The capital improvements line item is reduced by \$24,000 from the general fund for funding relating to the food service renovation project.

HOUSE AMENDMENTS TO ENGROSSED SB 2010

On page 1 of the engrossed bill, line 15, delete the numerals "1,883,106" and insert in lieu thereof the numerals "1,937,310"

On page 1 of the engrossed bill, line 18, delete the numerals "3,624,403" and insert in lieu thereof the numerals "3,678,607"

On page 1 of the engrossed bill, line 27, delete the numerals "3,304,403" and insert in lieu thereof the numerals "3,438,607"

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Radio Communications

The operating expenses line item is increased by \$54,204 from the state highway fund to provide funds for the telecommunications tariff on Radio Communications' statewide network.

The estimated income amount received from the law enforcement teletype system fees charged to system users is decreased by \$80,000, to \$240,000, with a corresponding increase in the state highway fund transfer. It is the intent of the Legislative Assembly that the fees charged to system users remain the same

for the 1987-89 biennium as those fees charged during the 1985-87 biennium.

HOUSE AMENDMENTS TO REENGROSSED SB 2037

In addition to the amendments to reengrossed Senate Bill No. 2037 adopted by the House as found on page 2202 of the House Journal, reengrossed Senate Bill No. 2037 is amended as follows:

On page 1 of the reengrossed bill, line 4, delete the first word "and"

On page 1 of the reengrossed bill, line 8, after the word "care" insert the words "; and to provide an effective date"

On page 3 of the reengrossed bill, after line 19, insert the following new section:

"SECTION 5. EFFECTIVE DATE. This Act becomes effective on July 1, 1988."

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment delays the effective date of the Act to July 1, 1988.

ROY GILBREATH, Chief Clerk

MOTION

SEN. HEIGAARD MOVED that HB 1001, HB 1679, HB 1037, and HB 1625 be moved to the head of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1001: A BILL for an Act providing an appropriation for defraying the expenses of the legislative branch of government; and declaring an emergency.

Which has been read and has committee recommendation of DO PASS.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 52 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Adams; Axtman; Bakewell; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelly; Kelsh; Krauter; Langley; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; Olson; Peterson; Redlin; Reiten; Richard; Satrom; Schoenwald; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Wogsland; Wright; Yockim

NAYS: None

ABSENT AND NOT VOTING: David

HB 1001 passed, the title was agreed to, and the emergency clause carried.

MESSAGE FROM THE HOUSE
HOUSE CHAMBER

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

HB 1331, HB 1344, HB 1644, HB 1680

ROY GILBREATH, Chief Clerk

SECOND READING OF HOUSE BILL

HB 1679: A BILL for an Act to amend and reenact sections 57-32-01.2 and 57-32-04 of the North Dakota Century Code, relating to the assessment and allocation of the tax on air carrier transportation companies; and to repeal section 57-32-01.3 of the North Dakota Century Code, relating to allocation of value of air carrier transportation companies.

Which has been read and has committee recommendation of DO PASS.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 51 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING.

YEAS: Adams; Axtman; Bakewell; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelly; Kelsh; Krauter; Langley; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; Olson; Peterson; Redlin; Reiten; Richard; Satrom; Schoenwald; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Wogsland; Wright; Yockim

NAYS: Shea

ABSENT AND NOT VOTING: David

HB 1679 passed and the title was agreed to.

MOTION

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

THE SENATE RECONVENED pursuant to recess taken, with President Pro Tem Redlin presiding.

SIGNING OF BILLS AND RESOLUTIONS
THE SECRETARY ANNOUNCED that the President Pro Tem signed the following:

SMR 1

PERRY GROTBORG, Secretary

SIGNING OF BILLS AND RESOLUTIONS
THE SECRETARY ANNOUNCED that the President Pro Tem signed the following:

SB 2430, SB 2449, SB 2461, SB 2465, SB 2527, SCR 4005,
SCR 4051

PERRY GROTBORG, Secretary

MESSAGES TO THE HOUSE
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 2430, SB 2449, SB 2461, SB 2465, SB 2527, SCR 4005,
SCR 4051

PERRY GROTBORG, Secretary

SENATE CHAMBER

MR. SPEAKER: I have the honor to inform you that the Senate has concurred in the House amendments to SB 2003, SB 2023, SB 2027, and SB 2536 and subsequently passed the same.

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 2294

PERRY GROTBORG, Secretary

MESSAGE FROM THE HOUSE
HOUSE CHAMBER

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

SCR 4066

ROY GILBREATH, Chief Clerk

SECOND READING OF HOUSE BILLS

HB 1037: A BILL for an Act to amend and reenact section 15-40.1-07 of the North Dakota Century Code, relating to proportionate payments to school districts for high school

summer programs and the superintendent of public instruction's authority to adopt rules for those payments.

Which has been read and has committee recommendation of DO PASS.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 44 YEAS, 8 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Adams; Axtman; Dotzenrod; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelly; Kelsh; Krauter; Langley; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Maxson; Meyer, J.; Meyer, W.; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; Olson; Peterson; Reiten; Richard; Satrom; Schoenwald; Shea; Stenehjem; Stromme; Tallackson; Tennefos; Thane; Todd; Vosper; Waldera; Wogsland; Yockim

NAYS: Bakewell; Freborg; Meyer, D.; Moore; Redlin; Streibel; Tweten; Wright

ABSENT AND NOT VOTING: David

HB 1037 passed and the title was agreed to.

HB 1625: A BILL for an Act to amend and reenact section 50-24.1-02.3 of the North Dakota Century Code, relating to pre-need funeral plans.

Which has been read and has committee recommendation of DO PASS.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 52 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Adams; Axtman; Bakewell; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelly; Kelsh; Krauter; Langley; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; Olson; Peterson; Redlin; Reiten; Richard; Satrom; Schoenwald; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Wogsland; Wright; Yockim

NAYS: None

ABSENT AND NOT VOTING: David

HB 1625 passed and the title was agreed to.

MOTIONS

SEN. HEIGAARD MOVED that Engrossed HCR 3064 be moved to the head of the calendar, which motion prevailed.

SEN. MAXSON MOVED that Engrossed HCR 3064 be amended as follows:

On page 1 of the engrossed resolution, line 1, after the word "resolution" delete the remainder of the resolution and insert in lieu thereof the following: "urging the Congress of the United States to enact legislation to terminate all fractional reserve banking practices in the United States and to establish the United States Monetary Commission.

WHEREAS, the rights of the citizens of the United States to economic freedom, domestic tranquility, and prosperity without excessive interest and taxation should not be abridged nor denied by any private corporation using any debt instrument or note as a basis for credit and currency; and

WHEREAS, by passage of the Federal Reserve Act of 1913 [38 Stat. 251; 12 U.S.C. 221], Congress established the Federal Reserve System, which is composed of a Board of Governors, 12 regional Federal Reserve Banks and member banks, the Federal Open Market Committee, and several councils; and

WHEREAS, the Federal Reserve System operates on a fractional reserve banking basis and possesses wide discretionary authority to issue federal reserve notes, determine the cost and availability of money and credit, and to direct and influence the monetary policy of the United States; and

WHEREAS, the termination of fractional reserve banking and the establishment of the United States Monetary Commission would ensure an equitable and sound monetary policy;

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

That the Fiftieth Legislative Assembly urges the Congress of the United States to enact legislation to terminate all fractional reserve banking practices in the United States and to establish the United States Monetary Commission; and

BE IT FURTHER RESOLVED, that the United States Monetary Commission include the United States Secretary of the Treasury; the highest ranking members of the two

predominant political parties on the Senate and House banking committees; and one representative of American agriculture, one representative of fishing and oil and mining interests, one representative of banking, and one representative of industry, all appointed by the President of the United States with the advice and consent of the United States Senate; and

BE IT FURTHER RESOLVED, that the legislation provide for the initiation of a United States Treasury Credit Monetary System, and grant the United States Treasury, when authorized by the United States Monetary Commission, the sole and exclusive power to create all money and establish the value thereof; and

BE IT FURTHER RESOLVED, that the Secretary of State forward copies of this resolution to the President of the United States Senate, the Speaker of the United States House of Representatives, and to each member of the North Dakota Congressional Delegation."

And renumber the lines, sections, and pages accordingly

MOTION

SEN. MAXSON MOVED that the proposed amendments be adopted.

REQUEST

SEN. MAXSON REQUESTED that the Senate divide the amendments to Engrossed HCR 3064, which request was granted.

DIVISION I being the entire amendment except the following: "BE IT FURTHER RESOLVED, that the United States Monetary Commission include the United States Secretary of the Treasury; the highest ranking members of the two predominant political parties on the Senate and House banking committees; and one representative of American agriculture, one representative of fishing and oil and mining interests, one representative of banking, and one representative of industry, all appointed by the President of the United States with the advice and consent of the United States Senate; and"

DIVISION II being the following paragraph: "BE IT FURTHER RESOLVED, that the United States Monetary Commission include the United States Secretary of the Treasury; the highest ranking members of the two predominant political parties on the Senate and House banking committees; and one representative of American agriculture, one representative of fishing and oil and mining interests, one representative of banking, and one representative of industry, all appointed by the President of the United States with the advice and consent of the United States Senate; and"

The question being on the adoption of Division I of the proposed amendments to Engrossed HCR 3064.

Division I of the proposed amendments to Engrossed HCR 3064 were adopted.

The question being on the adoption of Division II of the proposed amendments to Engrossed HCR 3064.

Division II of the proposed amendments to Engrossed HCR 3064 lost.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3064: A concurrent resolution requesting the Congress of the United States to propose for ratification by the states an amendment to the United States Constitution to terminate all fractional reserve banking practices in the United States and to establish the United States Monetary Commission.

Which has been read and has committee recommendation of DO NOT PASS.

The question being on the final adoption of the resolution, as amended.

HCR 3064 was declared adopted and the title was agreed to on a voice vote.

MOTIONS

SEN. HEIGAARD MOVED that the vote by which SCR 4047, HB 1001, HB 1037, HB 1625, HB 1679, and HCR 3064 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

SEN. HEIGAARD MOVED that the rules be suspended and that SCR 4047, HB 1001, HB 1037, HB 1625, HB 1679, and HCR 3064, be messaged to the House immediately, which motion prevailed.

SEN. HEIGAARD MOVED that the Senate stand in recess until 2:30 p.m., which motion prevailed.

THE SENATE RECONVENED pursuant to recess taken, with President Pro Tem Redlin presiding.

MESSAGE FROM THE HOUSE HOUSE CHAMBER

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

SB 2430, SB 2449, SB 2461, SB 2465, SB 2527, SCR 4005,
SCR 4051

ROY GILBREATH, Chief Clerk

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT: Your Conference Committee to which was referred Engrossed SB 2365 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on pages 1868-1869 of the Senate Journal and that Engrossed SB 2365 be amended as follows:

That the House recede from its amendments to engrossed Senate Bill No. 2365, as printed on page 2213 of the House Journal and pages 1868 and 1869 of the Senate Journal, and that engrossed Senate Bill No. 2365 be amended as follows:

On page 1 of the engrossed bill, line 4, after the word "violence" insert the words "; and to provide a penalty"

On page 1 of the engrossed bill, line 25, delete the word "shall" and insert in lieu thereof the word "may"

On page 4 of the engrossed bill, line 5, delete the words "Limitation of liability. No peace officer may be held" and insert in lieu thereof the words "Penalty. A person who willfully violates a court order issued pursuant to section 4 of this Act is guilty of a class A misdemeanor."

On page 4 of the engrossed bill, delete lines 6 through 10

And renumber the lines, sections, and pages accordingly

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

For the House: Reps. Cleveland, Shaft, Ulmer

Engrossed SB 2365 was placed on the Seventh order of business on the calendar for the succeeding legislative day.

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT: Your Conference Committee to which was referred Engrossed SB 2303 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on pages 1867-1868 of the Senate Journal and that Engrossed SB 2303 be amended as follows:

On page 1 of the engrossed bill, line 3, delete the words "to create and enact a new subsection to section" and insert in lieu thereof the words "and to provide a penalty"

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

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

On page 1 of the engrossed bill, delete lines 9 through 25

On page 1 of the engrossed bill, line 26, after the word "liability" insert the words "- Penalty for false reports"

On page 2 of the engrossed bill, line 2, delete the words "pursuant to section 1 of this Act" and insert in lieu thereof the words "who are unable to protect their own interests"

On page 2 of the engrossed bill, line 4, after the period insert the words "Any person who willfully, as defined in section 12.1-02-02, makes a false report, or causes a false report to be made pursuant to this section is guilty of a class B misdemeanor unless the false report is made to a law enforcement official, in which case the person who causes the false report to be made is guilty of a class A misdemeanor."

On page 2 of the engrossed bill, delete lines 5 and 6

And renumber the lines, sections, and pages accordingly

For the Senate: Sens. Mathern, Heinrich, Nalewaja

For the House: Reps. Larson, Dalrymple, Kolbo

Engrossed SB 2303 was placed on the Seventh order of business on the calendar for the succeeding legislative day.

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT: Your Conference Committee to which was referred SB 2056 has had the same under consideration and recommends that the SENATE ACCEDE to the amendments as found on page 1680 of the Senate Journal.

For the Senate: Sens. Maxson, Nalewaja, Stenehjem

For the House: Reps. Aas, Shaft, Ulmer

SB 2056 was placed on the Seventh order of business on the calendar for the succeeding legislative day.

DELIVERY OF ENROLLED RESOLUTIONS

THE PRESIDENT PRO TEM ANNOUNCED that the following resolutions were delivered to the Secretary of State for his filing at the hour of 1:45 p.m., April 6, 1987:

SCR 4010, SMR 1

MESSAGES TO THE HOUSE
SENATE CHAMBER

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

HCR 3064

PERRY GROTEBERG, Secretary

SENATE CHAMBER

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

HB 1001, HB 1037, HB 1625, HB 1679

PERRY GROTEBERG, Secretary

MOTION

SEN. MUSHIK MOVED that a committee of two be appointed to escort "General George Armstrong Custer" (Kim Fundingsland), to the rostrum to deliver a message to the Senate, which motion prevailed.

THE PRESIDENT PRO TEM APPOINTED as such committee Sens. Mushik and Lips.

"General Custer" was escorted to the rostrum and introduced to the assembly.

REMARKS

by

"General Custer"

Mr. President and distinguished members of the Senate: Good afternoon. My previous visit to a House of Congress was not welcomed by President Grant as I implicated his Secretary of War, the not-so-honorable Mr. Belknap, in activities of corruption here on the frontier. I realize that the duties of the legislature here in Dakota Territory are most pressing and must be resolved pronto; therefore, I will proceed with military expedience.

Some of you have come to know me through my dashing and daring exploits during the Civil War, others of you have come to know me because of my reputation as an Indian fighter here in the plains states and, unfortunately, some of you have come to know me because of a small blemish on my military career otherwise known as the Massacre at the Battle of the Little Big Horn: a most embarrassing moment, I assure you.

My troopers were courageous and never lacked in frontier spirit or in frontier humor; in fact, some of them with their last breath during the fury of the closing stages of the Big Horn battle were heard to remark, "At least we do not have to go back

to North Dakota." That statement seems to have held throughout the years. You do not have to go to North Dakota, but I am here today to tell you about an enterprise currently being undertaken by the wonderful citizens of Bismarck-Mandan and the settlers of Dakota Territory.

Not since I marched out of Fort Abraham Lincoln in 1874, on the Black Hills expedition, in which the 7th Cavalry discovered gold, has a campaign, either military or civilian, held such promise for having great impact on Dakota Territory as does the rebuilding of my home, Fort Abraham Lincoln.

I toured the parade ground there today and I noticed the grass was beginning to turn green already. When I was at the fort, the people in agriculture back East continually sent different mixtures of grass seed. We could get nothing to grow here in Dakota. Our parade ground at that time was sand and some clay and some dirt. We transplanted cottonwoods from the Missouri River bank in front of Officers' Row.

I often entertained the officers of the 7th Cavalry upstairs playing billiards and cards and, of course, in the parlor we had the harp and the piano and sing-a-longs nightly.

I would often spend time in the library reading the five authorities of Napoleon to my wife, Libby. I would trace the movements of the French and English armies in red and yellow pencil on the map. Now, if the efforts of the Fort Abraham Lincoln Foundation prove successful, once again we will be able to hear the whistle of the steamboat, the thunder of the cannon, and the ring of the bugle across the parade ground at Fort Abraham Lincoln.

I am here today to invite you to attend the Military Ball at the Bismarck Civic Center on May 16 and, also, to show your support, the wonderful citizens of Dakota Territory, by attending the groundbreaking of my home at Fort Abraham Lincoln the following day on May 17.

In closing, I would like to say I sat in on the House Chambers for a while this afternoon. They voted down horse racing 52 to 51. I need not tell you the amount of saber rattling that will occur at Fort Lincoln when that news gets back and I will advise them in a few moments to stay clear of that area.

Again, I appeal for your support for the Fort Abraham Lincoln Foundation and the rebuilding of Fort Lincoln. We can still use those repeating rifles. Thank you.

MOTIONS

SEN. HEIGAARD MOVED that the remarks of "General Custer" be printed in the Senate Journal, which motion prevailed.

SEN. MAIXNER MOVED that the Senate stand in recess until 4:30 p.m., which motion prevailed.

THE SENATE RECONVENED pursuant to recess taken, with President Pro Tem Redlin presiding.

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT: Your Conference Committee to which was referred Engrossed SCR 4026 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on pages 1758-1759 of the Senate Journal and that Engrossed SCR 4026 be amended as follows:

On page 1 of the engrossed resolution, line 4, delete the words "are in effect"

On page 1 of the engrossed resolution, line 5, delete the words "revictimized by the process"

On page 1 of the engrossed resolution, line 6, delete the word "such"

On page 1 of the engrossed resolution, line 16, delete the first word "and" and insert in lieu thereof a comma and after the word "assisting" insert the words ", or funding"

And renumber the lines, sections, and pages accordingly

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

For the House: Reps. Wentz, Knudson, A. Williams

SCR 4026 was placed on the Seventh order of business on the calendar for the succeeding legislative day.

MESSAGES FROM THE HOUSE
HOUSE CHAMBER

MR. PRESIDENT: I have the honor to inform you that the House has concurred in the Senate amendments to HB 1578 and subsequently passed the same but has refused to concur in the Senate amendments to HB 1448 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1448: Reps. Larson, Haugland, Schneider

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

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

HB 1129

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

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

HB 1561, HB 1601, HCR 3007

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 1073

ROY GILBREATH, Chief Clerk

FIRST READING OF A SENATE CONCURRENT RESOLUTION

Sens. Heigaard, Olson and Reps. Strinden, Mertens introduced:
(Approved by the Committee on Delayed Bills)

SCR 4070: A concurrent resolution expressing the thanks and appreciation of the Fiftieth Legislative Assembly to the North Dakota Medical Association Doctor of the Day Program. Was read the first time.

MOTION

SEN. HEIGAARD MOVED that the rules be suspended, that SCR 4070 not be printed, not be referred to committee, be read in its entirety, be printed in the Journal, and placed on the calendar for second reading and final passage, which motion prevailed.

Sens. Heigaard, Olson and Reps. Strinden, Mertens introduced:

SENATE CONCURRENT RESOLUTION NO. 4070

A concurrent resolution expressing the thanks and appreciation of the Fiftieth Legislative Assembly to the North Dakota Medical Association Doctor of the Day Program.

WHEREAS, many practicing physicians from throughout the state, as well as resident physicians from the University of North Dakota School of Medicine Family Medicine and Internal Medicine Residency programs in Minot, Grand Forks, Fargo, and Bismarck, have volunteered their services as the Doctor of the Day during the Fiftieth Legislative Session; and

WHEREAS, many legislators, legislative employees, family members, lobbyists, and visitors to the Capitol have received treatment, counseling, and medications at no charge; and

WHEREAS, the North Dakota Medical Association, the North Dakota State Board of Pharmacy, the Bismarck Family Practice Center, the Bismarck Pharmacy, and the State Health Department have all provided services, equipment, or supplies to the Doctor of the Day medical services room;

MONDAY, APRIL 6, 1987

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

That thanks and appreciation be expressed to the physicians and health care groups who have volunteered their professional services, expertise, supplies, and equipment in the operation of the 1987 North Dakota Medical Association Doctor of the Day Program.

SECOND READING OF A SENATE CONCURRENT RESOLUTION

SCR 4070: A concurrent resolution expressing the thanks and appreciation of the Fiftieth Legislative Assembly to the North Dakota Medical Association Doctor of the Day Program.

Was read the second time.

The question being on the final adoption of the resolution.

SCR 4070 was declared adopted on a voice vote.

MOTIONS

SEN. HEIGAARD MOVED that the rules be suspended and that SCR 4070 be messaged to the House immediately, which motion prevailed.

SEN. HEIGAARD MOVED that the Senate reconsider its action whereby SCR 4047 was amended and passed and was ordered immediately messaged to the House, which motion prevailed.

PRESENTATION OF PETITIONS AND COMMUNICATIONS

State of North Dakota
EXECUTIVE OFFICE
Bismarck

April 6, 1987

The Honorable Rolland Redlin
President Pro Tempore
North Dakota Senate
Senate Chamber
State Capitol
Bismarck, North Dakota 58505

Dear Mr. President Pro Tempore:

This is to inform you that on April 4, 1987, I signed the following:

SB 2014, SB 2019, SB 2025, SB 2033, SB 2039, SB 2045,
SB 2053, SB 2064, SB 2110, SB 2115, SB 2277, SB 2279,

SB 2316, SB 2336, SB 2406, SB 2409, SB 2435, SB 2439,
SB 2486, SB 2503, SB 2546.

Sincerely,

GEORGE A. SINNER
Governor

MESSAGE TO THE HOUSE
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:

SCR 4070

PERRY GROTEBERG, Secretary

REPORTS OF STANDING COMMITTEES

MR. PRESIDENT: Your Committee on Appropriations to which was referred SB 2554 has had the same under consideration and recommends by a vote of 10 YEAS, 1 NAY, 3 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 2, line 15, delete the word "ten" and insert in lieu thereof the word "five"

On page 2, line 18, after the word "shall" insert the word "initially" and after the word "employees" insert the words "who have completed the program"

On page 2, line 21, delete the words "pursuant to section 52-06-04"

On page 2, line 24, delete the numerals "2,000,000" and insert in lieu thereof the numerals "200,000"

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Board of Vocational Education

Reduces the number of employees necessary to qualify for the industrial new jobs training program from 10 to five.

Adds new language stating that employees having completed a jobs training program shall be initially compensated at a weekly wage no less than the average weekly wage of production workers.

Deletes the reference in the bill to Section 52-06-04, thereby stating that the average weekly wage shall be determined by Job Service North Dakota.

Reduces the general fund appropriation by \$1,800,000 from \$2,000,000 to \$200,000; this money is appropriated to establish and administer an industrial new jobs training program.

SEN. TALLACKSON, Chairman

SB 2554 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Finance and Taxation to which was referred SB 2557 has had the same under consideration and recommends by a vote of 5 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 2, delete the word "and" and insert a comma and after the numerals "57-43.2-02" insert the words and numerals ", and section 57-43.2-03"

On page 1, line 4, after the second word "fuels" insert the words "and a special fuel tax exemption for state and political subdivisions"

On page 2, after line 6, insert the following new section:

"SECTION 3. AMENDMENT. Section 57-43.2-03 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

57-43.2-03. Tax levied. A special excise tax of two percent is imposed on all sales of special fuel which are exempted from the tax imposed under section 57-43.2-02 to a special fuel user and on all sales of special fuels which are taxed under this chapter if that tax is later refunded to a special fuel user. The rate applies to the sale price of the special fuels less any discounts for any purposes allowed and taken on the sales. The tax levied under this section does not apply to state or political subdivisions when that fuel is used for purposes set forth in section 57-43.1-08."

And renumber the lines, sections, and pages accordingly
SEN. SATROM, Chairman

SB 2557 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Appropriations to which was referred Engrossed HB 1005 has had the same under consideration and recommends by a vote of 12 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

- On page 1 of the engrossed bill, line 5, after the semicolon insert the words "to provide for a transfer from the lignite research fund;"
- On page 1 of the engrossed bill, line 21, delete the numerals "14,811,855" and insert in lieu thereof the numerals "15,343,035"
- On page 1 of the engrossed bill, line 24, delete the numerals "18,568,760" and insert in lieu thereof the numerals "19,099,940"
- On page 1 of the engrossed bill, line 26, delete the numerals "8,144,760" and insert in lieu thereof the numerals "8,675,940"
- On page 2 of the engrossed bill, line 14, delete the numerals "289,761" and insert in lieu thereof the numerals "264,190"
- On page 2 of the engrossed bill, line 15, delete the numerals "240,460" and insert in lieu thereof the numerals "266,031"
- On page 2 of the engrossed bill, line 19, delete the numerals "115,066" and insert in lieu thereof the numerals "127,032"
- On page 2 of the engrossed bill, line 20, delete the numerals "103,061" and insert in lieu thereof the numerals "137,988"
- On page 2 of the engrossed bill, line 21, delete the numerals "630,349" and insert in lieu thereof the numerals "677,242"
- On page 2 of the engrossed bill, line 23, delete the numerals "446,673" and insert in lieu thereof the numerals "493,566"
- On page 2 of the engrossed bill, line 26, delete the numerals "25,551,799" and insert in lieu thereof the numerals "26,901,496"
- On page 2 of the engrossed bill, line 30, delete the numerals "34,013,215" and insert in lieu thereof the numerals "35,362,912"
- On page 2 of the engrossed bill, line 32, delete the numerals "19,012,178" and insert in lieu thereof the numerals "20,361,875"
- On page 3 of the engrossed bill, line 4, delete the numerals "392,528" and insert in lieu thereof the numerals "418,732"
- On page 3 of the engrossed bill, line 5, delete the numerals "39,450" and insert in lieu thereof the numerals "78,900"

- On page 3 of the engrossed bill, line 6, delete the numerals "1,115,342" and insert in lieu thereof the numerals "1,180,996"
- On page 3 of the engrossed bill, line 8, delete the numerals "828,807" and insert in lieu thereof the numerals "894,461"
- On page 3 of the engrossed bill, line 9, delete the numerals "12,500" and insert in lieu thereof the numerals "25,000"
- On page 3 of the engrossed bill, line 10, delete the numerals "841,307" and insert in lieu thereof the numerals "919,461"
- On page 3 of the engrossed bill, line 14, delete the numerals "304,879" and insert in lieu thereof the numerals "332,550"
- On page 3 of the engrossed bill, line 15, delete the numerals "118,645" and insert in lieu thereof the numerals "148,645"
- On page 3 of the engrossed bill, line 16, delete the numerals "768,945" and insert in lieu thereof the numerals "826,616"
- On page 3 of the engrossed bill, line 18, delete the numerals "615,809" and insert in lieu thereof the numerals "673,480"
- On page 3 of the engrossed bill, line 20, delete the numerals "620,809" and insert in lieu thereof the numerals "678,480"
- On page 3 of the engrossed bill, line 23, delete the numerals "325,157" and insert in lieu thereof the numerals "333,157"
- On page 3 of the engrossed bill, line 24, delete the numerals "165,392" and insert in lieu thereof the numerals "173,392"
- On page 3 of the engrossed bill, line 25, delete the numerals "108,463" and insert in lieu thereof the numerals "121,600"
- On page 3 of the engrossed bill, line 26, delete the numerals "599,012" and insert in lieu thereof the numerals "628,149"
- On page 3 of the engrossed bill, line 28, delete the numerals "397,767" and insert in lieu thereof the numerals "426,904"
- On page 3 of the engrossed bill, line 29, delete the numerals "2,000" and insert in lieu thereof the numerals "10,000"
- On page 3 of the engrossed bill, line 30, delete the numerals "399,767" and insert in lieu thereof the numerals "436,904"
- On page 3 of the engrossed bill, line 34, delete the numerals "164,596" and insert in lieu thereof the numerals "187,764"
- On page 3 of the engrossed bill, line 35, delete the numerals "40,000" and insert in lieu thereof the numerals "40,200"

On page 4 of the engrossed bill, line 1, delete the numerals "549,942" and insert in lieu thereof the numerals "573,310"

On page 4 of the engrossed bill, after line 2, insert the following:

"Net operating budget	\$482,664
Capital improvements	<u>19,300"</u>

On page 4 of the engrossed bill, line 3, delete the numerals "459,296" and insert in lieu thereof the numerals "501,964"

On page 4 of the engrossed bill, line 6, delete the numerals "359,745" and insert in lieu thereof the numerals "361,745"

On page 4 of the engrossed bill, line 7, delete the numerals "255,325" and insert in lieu thereof the numerals "272,923"

On page 4 of the engrossed bill, line 8, delete the numerals "59,000" and insert in lieu thereof the numerals "61,000"

On page 4 of the engrossed bill, line 9, delete the numerals "674,070" and insert in lieu thereof the numerals "695,668"

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

"Net operating budget	\$361,745
Capital improvements	<u>10,000"</u>

On page 4 of the engrossed bill, line 11, delete the numerals "340,147" and insert in lieu thereof the numerals "371,745"

On page 4 of the engrossed bill, line 16, delete the numerals "10,122" and insert in lieu thereof the numerals "59,500"

On page 4 of the engrossed bill, line 17, delete the numerals "525,106" and insert in lieu thereof the numerals "574,484"

On page 4 of the engrossed bill, line 18, delete the numerals "109,209" and insert in lieu thereof the numerals "119,209"

On page 4 of the engrossed bill, line 19, delete the numerals "415,897" and insert in lieu thereof the numerals "455,275"

On page 4 of the engrossed bill, line 21, delete the numerals "423,897" and insert in lieu thereof the numerals "463,275"

On page 4 of the engrossed bill, line 25, delete the numerals "496,891" and insert in lieu thereof the numerals "539,748"

On page 4 of the engrossed bill, line 26, delete the numerals "77,500" and insert in lieu thereof the numerals "107,500"

- On page 4 of the engrossed bill, line 27, delete the numerals "1,236,382" and insert in lieu thereof the numerals "1,309,239"
- On page 4 of the engrossed bill, after line 28, insert the following:
- | | |
|-----------------------|----------------|
| "Net operating budget | \$787,171 |
| Capital improvements | <u>23,500"</u> |
- On page 4 of the engrossed bill, line 29, delete the numerals "714,314" and insert in lieu thereof the numerals "810,671"
- On page 5 of the engrossed bill, line 4, delete the numerals "1,163,541" and insert in lieu thereof the numerals "1,263,002"
- On page 5 of the engrossed bill, line 5, delete the numerals "82,180" and insert in lieu thereof the numerals "83,535"
- On page 5 of the engrossed bill, line 6, delete the numerals "18,200" and insert in lieu thereof the numerals "3,600"
- On page 5 of the engrossed bill, delete lines 7 through 9 and insert in lieu thereof the following:
- | | |
|------------------------------------|--------------|
| "Total special funds appropriation | \$1,350,137" |
|------------------------------------|--------------|
- On page 5 of the engrossed bill, line 10, delete the numerals "32,264,503" and insert in lieu thereof the numerals "33,979,912"
- On page 5 of the engrossed bill, line 11, delete the numerals "33,370,715" and insert in lieu thereof the numerals "34,062,255"
- On page 5 of the engrossed bill, line 12, delete the numerals "65,635,218" and insert in lieu thereof the numerals "68,042,167"
- On page 8 of the engrossed bill, after line 16, insert the following new sections:

"SECTION 12. LEGISLATIVE INTENT - DETERMINATION OF PERSONNEL REDUCTIONS. It is the intent of the legislative assembly that, for the agencies and institutions named in this Act, including the main and branch experiment stations and cooperative extension division, the determination of personnel reductions required pursuant to salary and wage reductions approved by the fiftieth legislative assembly for the 1987-89 biennium shall be made by the administrators of the agencies and institutions incurring the reductions subject to board of higher education approval.

SECTION 13. LAND RECLAMATION RESEARCH CENTER APPROPRIATION - TRANSFER. The amount appropriated in subdivision 14 of section 1 of this Act includes \$707,111, or so much thereof as may be necessary, for the purpose of funding reclamation research projects, shall be transferred by the industrial commission from the lignite research fund as created by the fiftieth legislative assembly. Such funds shall be transferred at the direction of the office of management and budget from the lignite research fund to the land reclamation research center operating fund for the biennium beginning July 1, 1987, and ending June 30, 1989."

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

UPPER GREAT PLAINS TRANSPORTATION INSTITUTE

The Senate restores \$25,571 in general fund moneys deleted by the House and reduces estimated income by \$25,571.

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

<u>Description</u>	<u>Total Increase (Decrease)</u>	<u>General Fund</u>	<u>Estimated Income</u>
<u>Operating expenses</u>			
Fund \$25,000 in operating expenses from the general fund rather than from estimated income	0	\$25,000	\$(25,000)
<u>Equipment</u>			
Fund \$571 in equipment from the general fund rather than from estimated income	0	571	(571)
Total increase(decrease)		\$25,571	\$(25,571)

COOPERATIVE EXTENSION DIVISION

The Senate restores \$531,180 of the \$623,023 general fund salary and wage amount reduced by the House. The administration shall determine the areas to be affected by the \$91,843 reduction.

NORTHERN CROPS INSTITUTE

An analysis of the general fund change is as follows:

<u>Description</u>	<u>General Fund Increase(Decrease)</u>
<u>Operating expenses</u>	
Restore operating expenses to the executive recommendation level	\$11,966
<u>Equipment</u>	
Restore \$34,927 of the \$45,000 reduction in equipment made by the House	34,927
Total increase(decrease)	\$46,893

MAIN EXPERIMENT STATION

The Senate restores \$1,349,697 of the \$1,358,000 general fund reduction made by the House to the salaries and wages line item. The administration shall determine the areas to be affected by the \$8,303 reduction.

An analysis of the branch experiment station changes is as follows:

<u>Description</u>	<u>General Fund Increase(Decrease)</u>
DICKINSON EXPERIMENT STATION	
<u>Operating expenses</u>	
Increase in operating expenses to executive recommendation level	\$26,204
<u>Equipment</u>	
Restore electronic weighing system, vehicle, grass drill and microcomputer deleted by the House	39,450
<u>Capital improvements</u>	<u>12,500</u>
Total increase(decrease)	\$78,154
CENTRAL GRASSLAND EXPERIMENT STATION	
<u>Operating expenses</u>	
Restore operating expenses to executive recommendation level	\$27,671
<u>Equipment</u>	
Restore a tractor deleted by the House	<u>30,000</u>
Total increase(decrease)	\$57,671

HETTINGER EXPERIMENT STATION

<u>Salaries and wages</u>	\$ 8,000
Restore funding for overtime and part-time employees deleted by the House	
<u>Operating expenses</u>	8,000
Restore operating expenses to executive recommendation level	
<u>Equipment</u>	13,137
<u>Capital improvements</u>	<u>8,000</u>
Restore funds for roofing, residing building deleted by the House	
Total increase(decrease)	\$37,137

LANGDON EXPERIMENT STATION

<u>Operating expenses</u>	\$23,168
Restore operating expenses to executive recommendation level	
<u>Equipment</u>	200
<u>Capital improvements</u>	<u>19,300</u>
Restore funds for siding and roofing two buildings deleted by the House	
Total increase(decrease)	\$42,668

NORTH CENTRAL EXPERIMENT STATION

<u>Salaries and wages</u>	\$ 2,000
Restore reductions made by House	
<u>Operating expenses</u>	17,598
Restore operating expenses to executive recommendation level	
<u>Equipment</u>	2,000
<u>Capital improvements</u>	<u>10,000</u>
Restore funds for siding for wooden buildings deleted by the House	
Total increase(decrease)	\$31,598

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WILLISTON EXPERIMENT STATION

<u>Description</u>	<u>Total Increase (Decrease)</u>	<u>General Fund Increase (Decrease)</u>	<u>Estimated Income Increase (Decrease)</u>
<u>Equipment</u>			
Restore funds for equipment deleted by the House	\$49,378	\$39,378	\$10,000
Total increase(decrease)	\$49,378	\$39,378	\$10,000

CARRINGTON EXPERIMENT STATION

<u>Operating expenses</u>			\$12,857
Restore operating expenses to the executive recommendation level			
Senate adds funds for operating the research and extension staff facility			30,000
<u>Equipment</u>			30,000
<u>Capital improvements</u>			<u>23,500</u>
Total increase(decrease)			\$96,357

LAND RECLAMATION RESEARCH CENTER

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

<u>Description</u>	<u>Total Increase (Decrease)</u>	<u>General Fund Increase (Decrease)</u>	<u>Lignite Research Fund Increase (Decrease)</u>
<u>Salaries and wages</u>			
Restores funding for 2 FTE deleted by the House:	\$99,461	\$99,461	
1 Assistant Soil Scientist - \$65,981			
1 Agriculture Technician III - \$33,480			
<u>Operating expenses</u>	1,355	1,355	
Restore to executive recommendation level			

<u>Equipment</u>			
Delete funding for a pickup, irrigation equipment and laboratory and field equipment added by the House	(14,600)	(14,600)	
<u>Estimated Income</u>	0	(707,111)	707,111
Delete funding from the general fund - corresponding increase in estimated income - lignite research fund			
Total increase(decrease)	\$(86,216)	\$(620,895)	\$707,111

The legislative intent section provides that the areas and extent to which personnel reductions are required, because of salary and wage reductions made by the 50th Legislative Assembly, are to be determined by the administrators of the agencies and institutions subject to Board of Higher Education approval.

The Land Reclamation Research Center will be funded primarily from the lignite research fund established by the 50th Legislative Assembly rather than from the general fund. A new section transfers \$707,111 from the lignite research fund for this purpose.

SUMMARY OF SENATE AMENDMENTS TO 1987 ENGROSSED HOUSE BILL NO. 1005

	Salaries and Wages	Operating Expenses	Equipment	Capital Improvements	Total Increase (Decrease)	Estimated Income Increase (Decrease)	Total General Fund Increase (Decrease)
Cooperative Extension Division	\$ 531,180				\$ 531,180	\$ 0	\$ 531,180
Upper Great Plains Transportation Institute		25,000 <u>(25,000)</u> \$ 0	\$ 571 <u>(571)</u> \$ 0		0	(25,571)	25,571
Northern Crops Institute		11,966	34,927		46,893		46,893
Main Experiment Station	1,349,697				1,349,697		1,349,697
Branch experiment stations:							
Dickinson		26,204	39,450	12,900	78,554		78,554
Central Grassland		27,671	30,000		57,671		57,671
Mattleyer	8,000	8,000	13,137	8,000	37,137		37,137
Langdon		23,168	200	19,300	42,668		42,668
North Central	2,000	17,598	2,000	10,000	31,598		31,598
Williston			49,378		49,378	10,000	39,378
Carrington		42,857	30,000	23,500	96,357		96,357
Land Reclamation Research Center	99,661	1,355	(14,600)		86,216		86,216
Fund from lignite research fund rather than general fund					0	707,111	(707,111)
Total amendments to engrossed House Bill No. 1005	<u>\$1,290,328</u>	<u>\$ 158,819</u>	<u>\$184,492</u>	<u>\$73,300</u>	<u>\$2,406,949</u>	<u>\$691,540</u>	<u>\$1,715,409</u>

SEN. TALLACKSON, Chairman

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HB 1005 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Appropriations to which was referred Engrossed HB 1007 has had the same under consideration and recommends by a vote of 12 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1 of the engrossed bill, line 12, delete the numerals "145,085" and insert in lieu thereof the numerals "169,727"

On page 1 of the engrossed bill, line 15, delete the numerals "292,751" and insert in lieu thereof the numerals "303,405"

On page 1 of the engrossed bill, line 16, delete the numerals "160,751" and insert in lieu thereof the numerals "180,500"

On page 1 of the engrossed bill, line 17, delete the numerals "637,937" and insert in lieu thereof the numerals "692,982"

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Indian Affairs Commission

This amendment restores \$55,045 of the House \$86,991 general fund reductions. This amendment results in the following general fund increases:

	<u>General Fund Increase</u>
Restore funding for:	
Administrative officer position at Grade 22 and administrative secretary position at Grade 15	\$14,467
Executive director's salary	2,915
Temporary salaries and wages	7,260
Native alcohol and drug abuse education program	10,654
Indian development program	12,500
Indian scholarship program	<u>7,249</u>
Total general fund increase	\$55,045

SEN. TALLACKSON, Chairman

HB 1007 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Appropriations to which was referred Engrossed HB 1010 has had the same under consideration

and recommends by a vote of 13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

- On page 1 of the engrossed bill, line 3, delete the word "and", delete the word "section" and insert in lieu thereof the word "sections", and after the numerals "6-01-17" insert the word and numerals "and 6-09-29"
- On page 1 of the engrossed bill, line 4, after the comma insert the words "and subsection 4 of section 6-06-08 of the North Dakota Century Code as amended by section 1 of House Bill No. 1218, as approved by the fiftieth legislative assembly," after the word "assessment" insert the words "and examination fees", and after the word "banks" insert the words "and credit unions; and to provide an effective date"
- On page 1 of the engrossed bill, line 14, delete the numerals "1,375,569" and insert in lieu thereof the numerals "1,409,033"
- On page 1 of the engrossed bill, line 17, delete the numerals "1,675,100" and insert in lieu thereof the numerals "1,708,564"
- On page 2 of the engrossed bill, line 10, overstrike the words "the following" and insert immediately thereafter the word "a" and overstrike the colon and insert immediately thereafter the word of"
- On page 2 of the engrossed bill, line 12, overstrike the word "each" and insert immediately thereafter the word that"
- On page 2 of the engrossed bill, line 16, overstrike the words "and not more than seven thousand five"
- On page 2 of the engrossed bill, line 17, overstrike the words "hundred dollars"
- On page 2 of the engrossed bill, line 23, overstrike the comma
- On page 2 of the engrossed bill, overstrike lines 24 and 25
- On page 2 of the engrossed bill, line 26, overstrike the words "first yearly assessment"
- On page 2 of the engrossed bill, after line 34, insert the following sections:

"SECTION 5. AMENDMENT. If House Bill No. 1218 becomes effective, then subsection 4 of section 6-06-08 of the North Dakota Century Code, as amended by section 1 of

House Bill No. 1218, is hereby amended and reenacted to read as follows:

4. Every state credit union placed under the jurisdiction and control of the state credit union board and the commissioner by the provisions of this title shall pay into the state treasury ~~the following~~ a yearly assessment of one and one-half hundredths of one percent of the gross amount of the assets of the corporation or association on June thirtieth of ~~each~~ that year, exclusive of expenses, interest, and taxes paid, and inclusive of any valuation allowance or allowances deducted by the credit union from any asset account. The fee may not be less than three hundred dollars and ~~not more than seven thousand five hundred dollars~~. The assessment must be paid to the state treasurer within thirty days of each June thirtieth, except that those credit unions whose examination has begun within the six months immediately prior to July 1, 1987, do not have to pay the first yearly assessment. Credit unions that have not been examined by the commissioner or the state credit union board for three years prior to any assessment date are not required to pay the assessment. The state treasurer shall report the payments of fees to the state credit union board, and if any credit union is delinquent more than twenty days in making payment, the board may make an order suspending the functions of the delinquent credit union until payment of the amount due, plus a penalty of five dollars a day additional for the delay. The examination fee for North Dakota central credit union shall be one hundred thirty-five dollars per examiner day for the time used charged by the department at an hourly rate to be set by the commissioner or other person or persons designated by the commissioner in making and otherwise preparing and typing the reports of, sufficient to cover all reasonable expenses of the department associated with the examination.

SECTION 6. AMENDMENT. Section 6-09-29 of the 1985 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

6-09-29. Department of banking and financial institutions and the industrial commission responsible for examinations and audit reports. The industrial commission shall be responsible for contracting with a nongovernment certified public accounting firm to annually audit the Bank of North Dakota in accordance with generally accepted auditing standards,

which shall include inspection and verification of the assets in its possession and under its control with sufficient thoroughness to ascertain with reasonable certainty whether the valuations are carried correctly on its books. The auditor so hired shall audit the Bank's methods of operation and accounting, shall report the results to the industrial commission as soon as practicable, and shall furnish one copy to the legislative assembly. The costs of such audit shall be paid for by the Bank of North Dakota. The department of banking and financial institutions, through the commissioner, shall be responsible for performing an examination of the Bank of North Dakota at least once each twenty-four months and for any investigation of the Bank which may be necessary. The examination results, and the results of any necessary investigation, shall be reported to the industrial commission as soon as practicable and to the legislative assembly. Fees for such examinations shall be charged by the department of banking and financial institutions for the examinations provided for by this section at the an hourly rate of one hundred thirty-five dollars per day for the time used to be set by the commissioner or other person designated by the commissioner in supervising, filing, and corresponding in connection with such examination and report of examination and for the time used by each deputy examiner, or other person or persons in making and otherwise preparing and typing the reports of examinations required, sufficient to cover all reasonable expenses of the department associated with the examinations provided for by this section.

SECTION 7. EFFECTIVE DATE. The first assessments under sections 4 and 5 of this Act apply to assets as of June 30, 1987."

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Department of Banking and Financial Institutions

The Senate restores to the salaries and wages line item the \$33,464 general fund reduction made in the House.

The general fund revenue fiscal impact of the assessment increase from one and one-quarter to one and one-half hundredths of one percent of the bank's gross assets is estimated at \$150,000, which was included in the executive recommendation.

In this amendment, North Dakota Century Code sections 6-01-17 and 6-06-08 are amended, deleting the \$7,500 yearly assessment cap. The increase in general fund revenues for 1987-89 is estimated at \$133,550. As a result of all the increases in assessments, total

collections are estimated to cover 76 percent of the total expenses of the department.

The credit union examination fee contained in North Dakota Century Code section 6-06-08 is changed from a \$135 per day amount to an hourly rate to be determined by the commissioner to cover sufficiently the reasonable expenses of the examination. It is not anticipated that any revenue change will occur for the 1987-89 biennium.

The examination fee for the Bank of North Dakota is changed from a \$135 per day amount to an hourly rate to be determined by the commissioner to cover sufficiently the reasonable expenses of the examination. It is not anticipated that any revenue change will occur for the 1987-89 biennium.

SEN. TALLACKSON, Chairman

HB 1010 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Appropriations to which was referred Engrossed HB 1015 has had the same under consideration and recommends by a vote of 10 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1 of the engrossed bill, line 16, delete the numerals "1,209,690" and insert in lieu thereof the numerals "1,254,390"

On page 1 of the engrossed bill, line 17, delete the numerals "1,628,237" and insert in lieu thereof the numerals "1,672,937"

On page 1 of the engrossed bill, line 19, delete the numerals "423,813" and insert in lieu thereof the numerals "468,513"

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Council on the Arts

The Senate restores \$44,700 to the grants line item from the general fund for the touring arts program deleted by the House.

SEN. TALLACKSON, Chairman

HB 1015 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Appropriations to which was referred Engrossed HB 1018 has had the same under consideration and recommends by a vote of 12 YEAS, 2 NAYS, 0 ABSENT AND NOT

VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1 of the engrossed bill, line 1, delete the word "making" and insert in lieu thereof the words "to amend and reenact subdivisions a, b, and c of subsection 2, and subsection 5 of section 39-04-19 of the North Dakota Century Code, relating to vehicle registration fees; to provide"

On page 1 of the engrossed bill, line 2, after the word "Dakota" insert the words "; to provide for application of this Act; to provide an effective date; and to provide an expiration date"

On page 1 of the engrossed bill, after line 4, insert the following sections:

"SECTION 1. AMENDMENT. If Senate Bill No. 2259 is not approved by the fiftieth legislative assembly or is approved but does not otherwise become effective, subdivisions a, b, and c of subsection 2, and subsection 5 of section 39-04-19 of the 1985 Supplement to the North Dakota Century Code are hereby amended and reenacted to read as follows:

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

Gross Weights	YEARS REGISTERED				
	1st, 2nd, 3rd, and 4th Years	5th, 6th, and 7th Years	8th, 9th, and 10th Years	11th and Subsequent Years	
Less than 3,200	\$ 44.00	\$ 36.00	\$ 28.00	\$ 20.00	\$ 20.00
3,200-4,499	64.00	52.00	40.00	28.00	28.00
4,500-4,999	82.00	65.00	50.00	34.00	34.00
5,000-5,999	113.00	91.00	69.00	47.00	47.00
6,000-6,999	146.00	117.00	88.00	60.00	60.00
7,000-7,999	179.00	143.00	108.00	73.00	73.00
8,000-8,999	212.00	170.00	128.00	86.00	86.00
9,000 and over	245.00	196.00	148.00	99.00	99.00
Less than 3,200	\$ 45.00	\$ 37.00	\$ 29.00	\$ 21.00	\$ 21.00
3,200-4,499	65.00	53.00	41.00	29.00	29.00
4,500-4,999	83.00	66.00	51.00	35.00	35.00
5,000-5,999	114.00	92.00	70.00	48.00	48.00
6,000-6,999	147.00	118.00	89.00	61.00	61.00
7,000-7,999	180.00	144.00	109.00	74.00	74.00
8,000-8,999	213.00	171.00	129.00	87.00	87.00
9,000 and over	246.00	197.00	149.00	100.00	100.00

A house car is subject to registration at the rates prescribed for other vehicles under this subdivision modified by using the weight applicable to a vehicle whose weight is forty percent of that of the house car, but not

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using a weight of less than four thousand pounds [1814.35 kilograms].

- b. Schoolbuses, buses owned and operated by religious, charitable, or nonprofit organizations and used exclusively for religious, charitable, or other public nonprofit purposes, and trucks or combination trucks and trailers, including commercial and noncommercial trucks, except those trucks or combinations of trucks and trailers which qualify for registration under subsection 5:

Gross Weights Net	YEARS REGISTERED			
	1st, 2nd, 3rd, and 4th Years	5th and 6th Years	7th and 8th Years	9th and Subsequent Years
over 4,000	\$42.00	\$29.00	\$24.00	\$21.00
4,001- 6,000	47.00	34.00	28.00	22.00
6,001- 8,000	52.00	39.00	32.00	23.00
8,001-10,000	57.00	44.00	36.00	25.00
10,001-12,000	62.00	49.00	40.00	27.00
12,001-14,000	67.00	54.00	44.00	30.00
14,001-16,000	72.00	59.00	48.00	33.00
16,001-18,000	77.00	64.00	52.00	35.00
18,001-20,000	80.00	67.00	54.00	36.00
Not over 4,000	\$43.00	\$30.00	\$25.00	\$22.00
4,001- 6,000	48.00	35.00	29.00	23.00
6,001- 8,000	53.00	40.00	33.00	24.00
8,001-10,000	58.00	45.00	37.00	26.00
10,001-12,000	63.00	50.00	41.00	28.00
12,001-14,000	68.00	55.00	45.00	31.00
14,001-16,000	73.00	60.00	49.00	34.00
16,001-18,000	78.00	65.00	53.00	36.00
18,001-20,000	81.00	68.00	55.00	37.00

Gross Weights	YEARS REGISTERED			
	1st, 2nd, 3rd, 4th, and 5th Years	6th, 7th, 8th, 9th, and 10th Years	11th and Subsequent Years	
20,001- 22,000	\$ 110.00	\$ 84.00	\$ 71.00	
22,001- 26,000	162.00	132.00	116.00	
26,001- 30,000	223.00	181.00	159.00	
30,001- 34,000	289.00	234.00	206.00	
34,001- 38,000	350.00	283.00	249.00	
38,001- 42,000	411.00	332.00	291.00	
42,001- 46,000	472.00	380.00	334.00	
46,001- 50,000	533.00	429.00	377.00	
50,001- 54,000	603.00	487.00	428.00	
54,001- 58,000	664.00	536.00	471.00	
58,001- 62,000	725.00	585.00	514.00	
62,001- 66,000	786.00	633.00	557.00	

66,001- 70,000	847.00	682.00	599.00
70,001- 74,000	908.00	731.00	642.00
74,001- 78,000	969.00	789.00	685.00
78,001- 82,000	1,030.00	829.00	728.00
82,001- 86,000	1,153.00	934.00	815.00
86,001- 90,000	1,275.00	1,038.00	902.00
90,001- 94,000	1,397.00	1,143.00	989.00
94,001- 98,000	1,519.00	1,248.00	1,077.00
98,001-102,000	1,641.00	1,352.00	1,164.00
102,001-105,500	1,763.00	1,457.00	1,251.00
20,001- 22,000	\$ 111.00	\$ 85.00	\$ 72.00
22,001- 26,000	163.00	133.00	117.00
26,001- 30,000	224.00	182.00	160.00
30,001- 34,000	290.00	235.00	207.00
34,001- 38,000	351.00	284.00	250.00
38,001- 42,000	412.00	333.00	292.00
42,001- 46,000	473.00	381.00	335.00
46,001- 50,000	534.00	430.00	378.00
50,001- 54,000	604.00	488.00	429.00
54,001- 58,000	665.00	537.00	472.00
58,001- 62,000	726.00	586.00	515.00
62,001- 66,000	787.00	634.00	558.00
66,001- 70,000	848.00	683.00	600.00
70,001- 74,000	909.00	732.00	643.00
74,001- 78,000	970.00	781.00	686.00
78,001- 82,000	1,031.00	830.00	729.00
82,001- 86,000	1,154.00	935.00	816.00
86,001- 90,000	1,276.00	1,039.00	903.00
90,001- 94,000	1,398.00	1,144.00	990.00
94,001- 98,000	1,520.00	1,249.00	1,078.00
98,001-102,000	1,642.00	1,353.00	1,165.00
102,001-105,500	1,764.00	1,458.00	1,252.00

c. Motorcycles, ~~ten~~ eleven dollars.

5. Trucks or combinations of trucks and trailers weighing more than 20,000 but not more than 82,000 pounds [more than 9071.84 but not more than 37194.57 kilograms] which are used as farm vehicles only, are entitled to registration under the following fee schedule and the provisions of this subsection. Farm vehicles are considered, for the purpose of this subsection, as trucks or combinations of trucks and trailers weighing more than 20,000 but not more than 82,000 pounds [more than 9071.84 but not more than 37194.57 kilograms] owned, or leased for at least one year by a bona fide resident farmer who uses the vehicles exclusively for transporting the farmer's own property or other property on a farm work exchange basis with other farmers between farms and the usual local trading places but not in connection with any commercial retail or

wholesale business being conducted from those farms, nor otherwise for hire.

Gross Weights	YEARS REGISTERED			
	1st, 2nd, 3rd, and 4th Years	5th and 6th Years	7th and 8th Years	9th and Subsequent Years
20,001-22,000	\$ 83.00	\$ 69.00	\$ 55.00	\$ 37.00
22,001-24,000	88.00	73.00	58.00	39.00
24,001-26,000	96.00	79.00	62.00	41.00
26,001-28,000	106.00	87.00	68.00	45.00
28,001-30,000	116.00	95.00	74.00	49.00
30,001-32,000	131.00	108.00	85.00	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
20,001-22,000	\$ 84.00	\$ 70.00	\$ 56.00	\$ 38.00
22,001-24,000	89.00	74.00	59.00	40.00
24,001-26,000	97.00	80.00	63.00	42.00
26,001-28,000	107.00	88.00	69.00	46.00
28,001-30,000	117.00	96.00	75.00	50.00
30,001-32,000	132.00	109.00	86.00	59.00
32,001-34,000	142.00	117.00	92.00	63.00
34,001-36,000	152.00	125.00	98.00	67.00
36,001-38,000	162.00	133.00	104.00	71.00
38,001-40,000	172.00	141.00	110.00	75.00
40,001-42,000	182.00	149.00	116.00	79.00
42,001-44,000	192.00	157.00	122.00	83.00
44,001-46,000	202.00	165.00	128.00	87.00
46,001-48,000	212.00	173.00	134.00	91.00
48,001-50,000	222.00	181.00	140.00	95.00
50,001-52,000	242.00	199.00	156.00	109.00

52,001-54,000	252.00	207.00	162.00	113.00
54,001-56,000	262.00	215.00	168.00	117.00
56,001-58,000	272.00	223.00	174.00	121.00
58,001-60,000	282.00	231.00	180.00	125.00
60,001-62,000	292.00	239.00	186.00	129.00
62,001-64,000	302.00	247.00	192.00	133.00
64,001-66,000	312.00	255.00	198.00	137.00
66,001-68,000	322.00	263.00	204.00	141.00
68,001-70,000	332.00	271.00	210.00	145.00
70,001-72,000	342.00	279.00	216.00	149.00
72,001-74,000	352.00	287.00	222.00	153.00
74,001-76,000	362.00	295.00	228.00	157.00
76,001-78,000	372.00	303.00	234.00	161.00
78,001-80,000	382.00	311.00	240.00	165.00
80,001-82,000	392.00	319.00	246.00	169.00

SECTION 2. AMENDMENT. If Senate Bill No. 2259 becomes effective subdivisions a, b, and c of subsection 2, and subsection 5 of section 39-04-19 of the 1985 Supplement to the North Dakota Century Code, as amended by section 1 of Senate Bill No. 2259, as approved by the fiftieth legislative assembly, are hereby amended and reenacted to read as follows:

a. Passenger motor vehicles:

Gross Weights	YEARS REGISTERED			
	1st, 2nd, 3rd, 4th, and 5th Years	6th, 7th, and 8th Years	9th, 10th, and 11th Years	12th and Subsequent Years
Less than 3,200	\$ 49.00	\$ 41.00	\$ 33.00	\$ 25.00
3,200-4,499	69.00	57.00	45.00	33.00
4,500-4,999	87.00	70.00	55.00	39.00
5,000-5,999	118.00	96.00	74.00	52.00
6,000-6,999	151.00	122.00	93.00	65.00
7,000-7,999	184.00	148.00	113.00	78.00
8,000-8,999	217.00	175.00	133.00	91.00
9,000 and over	250.00	201.00	153.00	104.00
Less than 3,200	\$ 50.00	\$ 42.00	\$ 34.00	\$ 26.00
3,200-4,499	70.00	58.00	46.00	34.00
4,500-4,999	88.00	71.00	56.00	40.00
5,000-5,999	119.00	97.00	75.00	53.00
6,000-6,999	152.00	123.00	94.00	66.00
7,000-7,999	185.00	149.00	114.00	79.00
8,000-8,999	218.00	176.00	134.00	92.00
9,000 and over	251.00	202.00	154.00	105.00

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

- b. Schoolbuses, buses for hire, buses owned and operated by religious, charitable, or nonprofit organizations and used exclusively for religious, charitable, or other public nonprofit purposes, and trucks or combination trucks and trailers, including commercial and noncommercial trucks, except those trucks or combinations of trucks and trailers which qualify for registration under subsection 5:

Gross Weights Net	YEARS REGISTERED				
	1st, 2nd, 3rd, 4th, and 5th Years	6th and 7th Years	8th and 9th Years	10th and Subsequent Years	
over 4,000	\$47.00	\$34.00	\$29.00	\$26.00	
4,001- 6,000	52.00	39.00	33.00	27.00	
6,001- 8,000	57.00	44.00	37.00	28.00	
8,001-10,000	62.00	49.00	41.00	30.00	
10,001-12,000	67.00	54.00	45.00	32.00	
12,001-14,000	72.00	59.00	49.00	35.00	
14,001-16,000	77.00	64.00	53.00	38.00	
16,001-18,000	82.00	69.00	57.00	40.00	
18,001-20,000	85.00	72.00	59.00	41.00	
Not over 4,000	\$48.00	\$35.00	\$30.00	\$27.00	
4,001- 6,000	53.00	40.00	34.00	28.00	
6,001- 8,000	58.00	45.00	38.00	29.00	
8,001-10,000	63.00	50.00	42.00	31.00	
10,001-12,000	68.00	55.00	46.00	33.00	
12,001-14,000	73.00	60.00	50.00	36.00	
14,001-16,000	78.00	65.00	54.00	39.00	
16,001-18,000	83.00	70.00	58.00	41.00	
18,001-20,000	86.00	73.00	60.00	42.00	

Gross Weights	YEARS REGISTERED						
	1st, 2nd, 3rd, 4th, 5th, and 6th Years	7th, 8th, 9th, 10th, and 11th Years	12th and Subsequent Years				
20,001- 22,000	\$ 115.00	\$ 89.00	\$ 76.00				
22,001- 26,000	167.00	137.00	121.00				
26,001- 30,000	228.00	186.00	164.00				
30,001- 34,000	294.00	239.00	211.00				
34,001- 38,000	355.00	288.00	254.00				
38,001- 42,000	416.00	337.00	296.00				
42,001- 46,000	477.00	385.00	339.00				
46,001- 50,000	538.00	434.00	382.00				
50,001- 54,000	608.00	492.00	433.00				
54,001- 58,000	669.00	541.00	476.00				
58,001- 62,000	730.00	590.00	519.00				
62,001- 66,000	791.00	638.00	562.00				
66,001- 70,000	852.00	687.00	604.00				
70,001- 74,000	913.00	736.00	647.00				
74,001- 78,000	974.00	785.00	690.00				

78,001- 82,000	1,035.00	834.00	733.00
82,001- 86,000	1,158.00	939.00	820.00
86,001- 90,000	1,280.00	1,043.00	907.00
90,001- 94,000	1,402.00	1,148.00	994.00
94,001- 98,000	1,524.00	1,253.00	1,082.00
98,001-102,000	1,646.00	1,357.00	1,169.00
102,001-105,500	1,768.00	1,462.00	1,256.00
20,001- 22,000	\$ 116.00	\$ 90.00	\$ 77.00
22,001- 26,000	168.00	138.00	122.00
26,001- 30,000	229.00	187.00	165.00
30,001- 34,000	295.00	240.00	212.00
34,001- 38,000	356.00	289.00	255.00
38,001- 42,000	417.00	338.00	297.00
42,001- 46,000	478.00	386.00	340.00
46,001- 50,000	539.00	435.00	383.00
50,001- 54,000	609.00	493.00	434.00
54,001- 58,000	670.00	542.00	477.00
58,001- 62,000	731.00	591.00	520.00
62,001- 66,000	792.00	639.00	563.00
66,001- 70,000	853.00	688.00	605.00
70,001- 74,000	914.00	737.00	648.00
74,001- 78,000	975.00	786.00	691.00
78,001- 82,000	1,036.00	835.00	734.00
82,001- 86,000	1,159.00	940.00	821.00
86,001- 90,000	1,281.00	1,044.00	908.00
90,001- 94,000	1,403.00	1,149.00	995.00
94,001- 98,000	1,525.00	1,254.00	1,083.00
98,001-102,000	1,647.00	1,358.00	1,170.00
102,001-105,500	1,769.00	1,463.00	1,257.00

c. Motorcycles, fifteen sixteen dollars.

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

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Gross Weights	YEARS REGISTERED			
	1st, 2nd, 3rd, 4th, and 5th Years	6th and 7th Years	8th and 9th Years	10th and Subsequent Years
20,001-22,000	\$ 88.00	\$ 74.00	\$ 60.00	\$ 42.00
22,001-24,000	93.00	78.00	63.00	44.00
24,001-26,000	101.00	84.00	67.00	46.00
26,001-28,000	111.00	92.00	73.00	50.00
28,001-30,000	121.00	100.00	79.00	54.00
30,001-32,000	136.00	113.00	90.00	63.00
32,001-34,000	146.00	121.00	96.00	67.00
34,001-36,000	156.00	129.00	102.00	71.00
36,001-38,000	166.00	137.00	108.00	75.00
38,001-40,000	176.00	145.00	114.00	79.00
40,001-42,000	186.00	153.00	120.00	83.00
42,001-44,000	196.00	161.00	126.00	87.00
44,001-46,000	206.00	169.00	132.00	91.00
46,001-48,000	216.00	177.00	138.00	95.00
48,001-50,000	226.00	185.00	144.00	99.00
50,001-52,000	246.00	203.00	160.00	113.00
52,001-54,000	256.00	211.00	166.00	117.00
54,001-56,000	266.00	219.00	172.00	121.00
56,001-58,000	276.00	227.00	178.00	125.00
58,001-60,000	286.00	235.00	184.00	129.00
60,001-62,000	296.00	243.00	190.00	133.00
62,001-64,000	306.00	251.00	196.00	137.00
64,001-66,000	316.00	259.00	202.00	141.00
66,001-68,000	326.00	267.00	208.00	145.00
68,001-70,000	336.00	275.00	214.00	149.00
70,001-72,000	346.00	283.00	220.00	153.00
72,001-74,000	356.00	291.00	226.00	157.00
74,001-76,000	366.00	299.00	232.00	161.00
76,001-78,000	376.00	307.00	238.00	165.00
78,001-80,000	386.00	315.00	244.00	169.00
80,001-82,000	396.00	323.00	250.00	173.00
20,001-22,000	\$ 89.00	\$ 75.00	\$ 61.00	\$ 43.00
22,001-24,000	94.00	79.00	64.00	45.00
24,001-26,000	102.00	85.00	68.00	47.00
26,001-28,000	112.00	93.00	74.00	51.00
28,001-30,000	122.00	101.00	80.00	55.00
30,001-32,000	137.00	114.00	91.00	64.00
32,001-34,000	147.00	122.00	97.00	68.00
34,001-36,000	157.00	130.00	103.00	72.00
36,001-38,000	167.00	138.00	109.00	76.00
38,001-40,000	177.00	146.00	115.00	80.00
40,001-42,000	187.00	154.00	121.00	84.00
42,001-44,000	197.00	162.00	127.00	88.00
44,001-46,000	207.00	170.00	133.00	92.00
46,001-48,000	217.00	178.00	139.00	96.00
48,001-50,000	227.00	186.00	145.00	100.00
50,001-52,000	247.00	204.00	161.00	114.00
52,001-54,000	257.00	212.00	167.00	118.00
54,001-56,000	267.00	220.00	173.00	122.00
56,001-58,000	277.00	228.00	179.00	126.00

58,001-60,000	287.00	236.00	185.00	130.00
60,001-62,000	297.00	244.00	191.00	134.00
62,001-64,000	307.00	252.00	197.00	138.00
64,001-66,000	317.00	260.00	203.00	142.00
66,001-68,000	327.00	268.00	209.00	146.00
68,001-70,000	337.00	276.00	215.00	150.00
70,001-72,000	347.00	284.00	221.00	154.00
72,001-74,000	357.00	292.00	227.00	158.00
74,001-76,000	367.00	300.00	233.00	162.00
76,001-78,000	377.00	308.00	239.00	166.00
78,001-80,000	387.00	316.00	245.00	170.00
80,001-82,000	397.00	324.00	251.00	174.00"

On page 1 of the engrossed bill, line 14, delete the numerals "1,254,593" and insert in lieu thereof the numerals "1,512,594"

On page 1 of the engrossed bill, line 16, delete the numerals "565,000" and insert in lieu thereof the numerals "2,402,481"

On page 1 of the engrossed bill, line 20, delete the numerals "4,692,608" and insert in lieu thereof the numerals "6,788,090"

On page 1 of the engrossed bill, after line 28, insert the following sections:

"SECTION 5. APPLICATION OF ACT. Sections 1 and 2 of this Act apply to motor vehicle registration periods beginning after June 30, 1987, and before July 1, 1989.

SECTION 6. RETROACTIVE EFFECT OF ACT. This Act is retroactive to July 1, 1987.

SECTION 7. EFFECTIVE DATE - EXPIRATION DATE. Sections 1 and 2 of this Act are effective through June 30, 1989, and after that date are ineffective."

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Motor Vehicle Department

An analysis of the special fund changes is as follows:

Total Motor Vehicle
Registration Fund
Increase/(Decrease)

DescriptionOperating expenses

Relates to the general license plate issue \$ 258,001

License plates and tabs

Allows for general license plate issue 1,837,481
with a centennial theme beginning in
fiscal year 1988

Total increase/(decrease) \$2,095,482

Under North Dakota Century Code Section 39-04-39, moneys in excess of the amount required to pay salaries and other necessary expenses, in accordance with the Legislative Assembly's appropriation for such purposes, are placed in the highway tax distribution fund.

SEN. TALLACKSON, Chairman

HB 1018 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Appropriations to which was referred Engrossed HB 1021 has had the same under consideration and recommends by a vote of 9 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1 of the engrossed bill, line 18, delete the numerals "2,118,159" and insert in lieu thereof the numerals "2,128,159"

On page 1 of the engrossed bill, line 24, delete the numerals "4,906,624" and insert in lieu thereof the numerals "4,916,624"

On page 1 of the engrossed bill, line 25, delete the numerals "2,000,000" and insert in lieu thereof the numerals "2,010,000"

On page 2 of the engrossed bill, line 29, delete the numerals "65,815,667" and insert in lieu thereof the numerals "65,875,667"

On page 2 of the engrossed bill, line 30, delete the numerals "68,722,291" and insert in lieu thereof the numerals "68,782,291"

On page 3 of the engrossed bill, after line 9, insert the following new sections:

"SECTION 4. APPROPRIATION. In addition to the amount appropriated to the industrial commission in subdivision 1 of section 1 of this Act, there is hereby appropriated with the approval of the emergency commission, the sum of \$50,000, or so much thereof as may be necessary, which may become available to the commission from bonds issued under chapters 4-36 and 54-17.2 and section 54-17-25 of the North Dakota Century Code, for the biennium beginning July 1, 1987, and ending June 30, 1989.

SECTION 5. APPROPRIATION - TRANSFER. The amount appropriated in subdivision 1 of section 1 of this Act to the industrial commission for the salaries and wages line item includes \$10,000 which shall be transferred from the lands and minerals trust fund for the biennium beginning July 1, 1987, and ending June 30, 1989."

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Industrial Commission

The amendments increase salaries and wages by \$10,000 to restore \$10,000 of the \$20,000 reduction to temporary salaries approved by the House. The \$10,000 increase is funded by the lands and minerals trust fund if sufficient funds are available.

A new section is added which appropriates to the Industrial Commission upon Emergency Commission approval \$50,000 derived from bonds issued for the Agricultural Development Act, North Dakota Building Authority, and guaranteed student loan program.

SEN. TALLACKSON, Chairman

HB 1021 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Appropriations to which was referred Engrossed HB 1022 has had the same under consideration and recommends by a vote of 9 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1 of the engrossed bill, line 2, after the word "Dakota" insert the words "; and to authorize the industrial commission to obtain financing from the Bank of North Dakota for international peace garden projects"

On page 1 of the engrossed bill, line 16, delete the numerals "680,184" and insert in lieu thereof the numerals "864,784"

- On page 1 of the engrossed bill, line 21, delete the numerals "3,968,382" and insert in lieu thereof the numerals "4,152,982"
- On page 1 of the engrossed bill, line 23, delete the numerals "3,028,030" and insert in lieu thereof the numerals "3,212,630"
- On page 1 of the engrossed bill, line 26, delete the numerals "371,592" and insert in lieu thereof the numerals "628,592"
- On page 1 of the engrossed bill, line 27, delete the numerals "371,592" and insert in lieu thereof the numerals "628,592"
- On page 1 of the engrossed bill, line 28, delete the numerals "3,339,622" and insert in lieu thereof the numerals "3,841,222"
- On page 2 of the engrossed bill, line 2, delete the numerals "4,339,974" and insert in lieu thereof the numerals "4,781,574"
- On page 2 of the engrossed bill, after line 18, insert the following new section:

"SECTION 4. PROJECT AUTHORIZATION - BANK OF NORTH DAKOTA PURCHASE OF EVIDENCES OF INDEBTEDNESS - APPROPRIATION. The industrial commission, acting as the state building authority, shall arrange for the funding of the projects authorized by this section, hereby declared to be in the public interest, including utilization of \$257,000 in general fund appropriations contained in subdivision 2 of section 1 of this Act, any federal or other funds made available for the construction of the projects, and issuance of evidences of indebtedness under North Dakota Century Code chapter 54-17.2, during the biennium beginning July 1, 1987, and ending June 30, 1989. The industrial commission may offer evidences of indebtedness issued under this section for sale only to the Bank of North Dakota at a price that is as representative as possible of the current market interest rates for comparable securities purchased by the Bank of North Dakota, taking into consideration in the determination of price the costs of issuance including future administrative and other costs associated with credit enhancements. The proceeds of the evidences of indebtedness and other available funds are hereby appropriated during the biennium beginning July 1, 1987, and ending June 30, 1989, for the following projects:

AGENCY	TYPE OF FACILITY	ACQUISITION FUNDS:
State historical society	International peace garden - renovation of food service facility	\$430,000
State historical society	International peace garden - wastewater disposal system	185,000
Total capital improvements		----- \$615,000"

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

State Historical Society

The operating expenses line item is increased by \$184,600 from the general fund to provide funding for Museum Division exhibition development deleted by the House.

International Peace Garden

The grants line item is increased by \$257,000 from the general fund to provide a portion of the funds necessary for a wastewater disposal system and renovation of the food services facility at the International Peace Garden. The State Industrial Commission is authorized to issue evidences of indebtedness for sale to the Bank of North Dakota up to \$615,000 of which \$185,000 is for a wastewater disposal system and \$430,000 is for renovation of the food service facility. Such amounts are to be reduced by the \$257,000 in the grants line item and by any federal funds that may become available. It is intended that funding for the payments related to these projects will be included in the executive budget recommendation and be favorably considered by the succeeding sessions of the Legislative Assembly.

SEN. TALLACKSON, Chairman

HB 1022 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Appropriations to which was referred Engrossed HB 1023 has had the same under consideration and recommends by a vote of 8 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1 of the engrossed bill, line 3, after the word "Dakota" insert the words "; to create and enact a new section to chapter 54-52.1 of the North Dakota Century Code, relating to the uniform group health insurance program; to amend and

reenact subsection 4 of section 54-52-03 of the North Dakota Century Code, relating to the public employees retirement board; and to declare an emergency"

- On page 1 of the engrossed bill, line 14, delete the numerals "851,723" and insert in lieu thereof the numerals "885,644"
- On page 1 of the engrossed bill, line 15, delete the numerals "309,044" and insert in lieu thereof the numerals "319,444"
- On page 1 of the engrossed bill, line 16, delete the numerals "341,022" and insert in lieu thereof the numerals "416,022"
- On page 1 of the engrossed bill, line 19, delete the numerals "1,557,789" and insert in lieu thereof the numerals "1,677,110"
- On page 2 of the engrossed bill, delete lines 1 through 8 and insert in lieu thereof the following sections:

"SECTION 3. AMENDMENT. Subsection 4 of section 54-52-03 of the 1985 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

4. The chairman of the board shall receive fifty is entitled to receive an honorarium, as determined by the governor, which may not exceed five hundred dollars per day month for the actual time devoted by him the chairman devotes to the duties of his the office and each . Each of the other members of the board shall receive is entitled to an honorarium of fifty dollars for each month during which the board has been in session. This shall be These payments are in addition to any other pay or allowance due the chairman or a member, plus an allowance for expenses they may incur through service on the board.

SECTION 4. A new section to chapter 54-52.1 of the North Dakota Century Code is hereby created and enacted to read as follows:

Ownership and confidentiality of the uniform group health insurance medical records of employees, retirees, and dependents. The medical records and related data of the employees, retirees, and dependents, obtained as the result of enrollment in the uniform group insurance program, are the property of the public employees retirement system. The records and data are confidential and are not public records. However, the board may allow administrators of administrative services only contracts or third-party administrators contracts access to the records and data where it is required in the performance of the administrator's duties pursuant to the contract. No

administrator may be held liable for furnishing to the board information with respect to any patient, or any physician, hospital, or other health care provider.

SECTION 5. EMERGENCY. Section 4 of 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

STATEMENT OF PURPOSE OF AMENDMENT:

Public Employees Retirement System

The amendments increase the amount appropriated by \$119,321. An analysis of the \$119,321 increase is as follows:

	<u>Increase</u>
<u>Salaries and wages</u>	
Reclassify one FTE position to administer cost management programs and reclassify one FTE position to manage all claim paying activities	\$ 33,921
<u>Operating expenses</u>	
Allow for travel expenses for monitoring investment counselors and for expenses related to the reclassification of cost management people	\$ 5,000
PERS Board honorarium increase (included in Section 4 of amendments)	5,400
Total operating expenses	\$ 10,400
<u>Data processing</u>	
Funding provided for programming costs of the medical cost containment programs and the health insurance program	\$ 75,000
Total	\$119,321

In addition to the above amounts, the House included \$12,532 for the reclassification of the cost management programs position.

The amendments delete a section which required Budget Section approval before the funds could be spent to reclassify the cost management program position. This section was added by the House.

The amendments create a new section stating that the group health insurance medical records are property of PERS. This section is an emergency measure.

Also, the amendments change the amount that the Public Employees Retirement System Board chairman receives. The chairman's maximum reimbursement is changed from \$50 per day to \$500 per month.

SEN. TALLACKSON, Chairman

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

MR. PRESIDENT: Your Committee on Appropriations to which was referred Engrossed HB 1026 has had the same under consideration and recommends by a vote of 9 YEAS, 3 NAYS, 2 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1 of the engrossed bill, line 18, delete the numerals "1,381,901" and insert in lieu thereof the numerals "1,535,501"

On page 1 of the engrossed bill, line 22, delete the numerals "5,571,548" and insert in lieu thereof the numerals "5,725,148"

On page 2 of the engrossed bill, line 3, delete the numerals "5,661,548" and insert in lieu thereof the numerals "5,815,148"

On page 2 of the engrossed bill, line 4, delete the numerals "5,885,708" and insert in lieu thereof the numerals "6,039,308"

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Workmen's Compensation Bureau

The Senate increases the operating expenses line item by \$153,600 from the workmen's compensation fund to allow the health care cost review program eliminated by the House.

SEN. TALLACKSON, Chairman

HB 1026 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Appropriations to which was referred Engrossed HB 1027 has had the same under consideration and recommends by a vote of 10 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1 of the engrossed bill, line 18, delete the numerals "186,123" and insert in lieu thereof the numerals "665,810"

On page 1 of the engrossed bill, line 19, delete the numerals "762,468" and insert in lieu thereof the numerals "1,242,155"

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Soil Conservation Committee

The Senate increases the grants line item by \$479,687 from the general fund for the soil conservation technician grants program. This increase restores the appropriation for the committee to 90 percent of the 1985-87 appropriation after the four percent general fund reduction.

SEN. TALLACKSON, Chairman

HB 1027 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Appropriations to which was referred Engrossed HB 1028 has had the same under consideration and recommends by a vote of 13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1 of the engrossed bill, line 3, after the second semicolon insert the words "to provide legislative intent regarding deinstitutionalization court monitor expenses;"

On page 2 of the engrossed bill, after line 21, insert the following new section:

"SECTION 3. LEGISLATIVE INTENT - COURT MONITOR EXPENSES. It is the intent of the legislative assembly that any additional payments required for the expenses of the deinstitutionalization court monitor for the period January 1, 1987, to June 30, 1987, be paid from funds on deposit with the university of North Dakota medical center accumulated from previous state payments made for the deinstitutionalization court monitor."

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment adds a section of legislative intent that any payments required for the expenses of the deinstitutionalization court monitor through June 30, 1987, be paid from funds on deposit with the UND Medical Center accumulated from previous payments made from the state general fund to the court monitor.

SEN. TALLACKSON, Chairman

HB 1028 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Finance and Taxation to which was referred HB 1258 has had the same under consideration and recommends by a vote of 7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1 of the engrossed bill, line 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 the definition of alternative minimum taxable income;"

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, delete the word "and" and insert in lieu thereof a comma

On page 1 of the engrossed bill, line 5, after the word "income" insert the words ", and the imposition and rate of tax on corporations"

On page 1 of the engrossed bill, after line 7, insert the following 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 pursuant to the Internal Revenue Code of 1986 as amended, but reduced by any interest received from obligations of the United States that is included in alternative minimum taxable income or in the computation thereof on the federal return and reduced by the federal income tax deduction computed under subdivision c of subsection 1 of section 57-38-01.3, with the remaining amount apportioned to North Dakota by the same fraction computed under provisions of chapters 57-38, 57-38.1, or 57-59."

On page 4 of the engrossed bill, after line 10, insert the following 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 following rates greater of the following two calculations:

1. For the first three thousand dollars of taxable income, at the rate of three percent.
2. 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. On all taxable income above eight thousand dollars and not in excess of twenty thousand dollars, at the rate of six percent.
4. 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. On all taxable income above thirty thousand dollars, and not in excess of fifty thousand dollars, at the rate of nine percent.
6. On all taxable income above fifty thousand dollars, at the rate of ten and one-half percent.

North Dakota alternative minimum taxable income is subject to tax under this section at a rate of five percent but this rate shall apply only if the corporation's federal alternative minimum tax liability exceeds regular tax liability."

And renumber the lines, sections, and pages accordingly

SEN. SATROM, Chairman

HB 1258 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Appropriations to which was rereferred Engrossed HB 1295 has had the same under consideration and recommends by a vote of 11 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

In lieu of the amendments to engrossed House Bill No. 1295 adopted by the Senate as printed on pages 1670-1671 of the Senate Journal, engrossed House Bill No. 1295 is amended as follows:

On page 1 of the engrossed bill, line 1, after the words "A BILL" delete the remainder of the bill and insert in lieu thereof the following: "For an Act to amend and reenact subsection 4 of section 63-01.1-06.2 of the North Dakota Century Code, relating to the use of funds appropriated for the leafy spurge control program; and to provide an appropriation.

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

SECTION 1. AMENDMENT. Subsection 4 of section 63-01.1-06.2 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

4. Any legislative appropriation for the leafy spurge control program of sections 63-01.1-06.1 through 63-01.1-06.3 shall be expended ~~only~~ for reimbursement of the cost of leafy spurge control according to this section to private landowners, including lessees, tenants, renters, or operators of private land, county weed boards, or cities, and for other leafy spurge programs as the commissioner determines to be necessary.

SECTION 2. APPROPRIATION. There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$540,000, or so much thereof as may be necessary, to the commissioner of agriculture for the purpose of defraying the expenses of the leafy spurge control program, for the biennium beginning July 1, 1987, and ending June 30, 1989."

And renumber the lines, sections, and pages accordingly
SEN. TALLACKSON, Chairman

HB 1295 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Appropriations to which was rereferred HB 1446 has had the same under consideration and recommends by a vote of 13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

In lieu of the amendments to House Bill No. 1446 adopted by the Senate as printed on page 1331 of the Senate Journal, House Bill No. 1446 is amended as follows:

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

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

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

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

"SECTION 4. APPROPRIATION - EMERGENCY COMMISSION.
There is hereby appropriated to the attorney general out of the state bonding fund the sum of \$450,000, or so much thereof as may be necessary, for the purpose of providing the defense services as may be required under section 1 of this Act. The emergency commission, notwithstanding section 54-16-04, is authorized during the biennium beginning July 1, 1987, and ending June 30, 1989, to approve the transfer of funds hereby appropriated from the state bonding fund to the extent necessary and based upon applications therefor by the attorney general. Funds appropriated hereby and authorized to be transferred to the attorney general must be reimbursed to the state bonding fund through deficiency appropriation and the attorney general shall report to the budget section of the legislative council the amount of any deficiency appropriation that may be introduced to the fifty-first legislative assembly."

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment appropriates \$450,000 from the state bonding fund to the Attorney General for defending state employees. The funds appropriated from the state bonding fund are to be reimbursed to the fund through a deficiency appropriation.

SEN. TALLACKSON, Chairman

HB 1446 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Appropriations to which was referred HB 1635 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 9, delete the numeral "1987" and insert in lieu thereof the numeral "1988"

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment delays the transfer from the industrial development revenue bond guarantee fund from July 1, 1987, to July 1, 1988.

SEN. TALLACKSON, Chairman

HB 1635 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Appropriations to which was referred HB 1674 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 10, delete the second word "the" and insert in lieu thereof the word "building" and delete the word "and"

On page 1, line 13, after the word "assembly" insert the words "; and to provide an appropriation"

On page 1, line 20, delete the word "industrial"

On page 1, line 24, delete the word "industrial"

On page 2, line 5, overstrike the words "and the state agencies and institutions"

On page 2, line 6, overstrike the first comma and insert immediately thereafter the word "and" and after the word "and" insert the words "moneys received by the industrial commission or the state agencies and institutions"

On page 2, line 35, after the word "or" insert the word "through"

On page 3, delete lines 3 through 12

On page 3, after line 14, insert the following new section:

"SECTION 5. APPROPRIATION. There is hereby appropriated to the industrial commission and the state board of higher education any additional moneys that may become available from federal or private sources to acquire, construct, rehabilitate, improve, expand, alter, or repair the project authorized by section 3 of this Act for the biennium beginning July 1, 1987, and ending June 30, 1989."

And renumber the lines, sections, and pages accordingly

SEN. TALLACKSON, Chairman

HB 1674 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Finance and Taxation to which was referred SB 2558 has had the same under consideration and recommends by a vote of 6 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING that the same DO PASS.

SEN. SATROM, Chairman

SB 2558 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Appropriations to which was referred Engrossed HB 1008 has had the same under consideration and recommends by a vote of 13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

SEN. TALLACKSON, Chairman

HB 1008 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Appropriations to which was referred Engrossed HB 1017 has had the same under consideration and recommends by a vote of 12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

SEN. TALLACKSON, Chairman

HB 1017 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Appropriations to which was referred Engrossed HB 1020 has had the same under consideration and recommends by a vote of 10 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

SEN. TALLACKSON, Chairman

HB 1020 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Appropriations to which was rereferred HB 1465 has had the same under consideration and recommends by a vote of 10 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

SEN. TALLACKSON, Chairman

HB 1465 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

SIGNING OF BILLS AND RESOLUTIONS

THE SECRETARY ANNOUNCED that the President Pro Tem signed the following:

HB 1331, HB 1349, HB 1644, HB 1680

PERRY GROTBORG, Secretary

MESSAGE TO THE HOUSE
SENATE CHAMBER

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

HB 1331, HB 1349, HB 1644, HB 1680

PERRY GROTBORG, Secretary

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT: Your Conference Committee to which was referred Engrossed HB 1073 has had the same under consideration and recommends that the HOUSE ACCEDE to the amendments as found on page 1392 of the Senate Journal and that Engrossed HB 1073 be amended as follows:

On page 1 of the engrossed bill, line 19, after the word "The" insert the words "department shall, when designing or redesigning the" and after the word "application" insert the word "form,"

On page 1 of the engrossed bill, line 20, delete the word "must"

And renumber the lines, sections, and pages accordingly

For the Senate: Sens. Schoenwald, Hilken, Mutch

For the House: Reps. Almlie, Shaft, Marks

HB 1073 was placed on the Seventh order of business on the calendar for the succeeding legislative day.

REPORTS OF CONFERENCE COMMITTEES

MR. PRESIDENT: Your Conference Committee to which was referred HB 1561 has had the same under consideration and recommends that the SENATE RECEDE from its amendments as found on pages 1331-1332 of the Senate Journal.

For the Senate: Sens. Maixner, Ingstad, Wright

For the House: Reps. O. Hanson, Tollefson, Watne

HB 1561 was placed on the Seventh order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Conference Committee to which was referred HB 1601 has had the same under consideration and recommends that the SENATE RECEDE from its amendments as found on pages 1518-1519 of the Senate Journal:

For the Senate: Sens. Richard, D. Meyer, David

For the House: Reps. Shaw, Lindgren, Meyer

HB 1601 was placed on the Seventh order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Conference Committee to which was referred Engrossed HCR 3007 has had the same under consideration and recommends that the SENATE RECEDE from its amendments as found on pages 1396-1397 of the Senate Journal:

For the Senate: Sens. D. Meyer, Richard, David
For the House: Reps. Murphy, Schindler, G. Berg

HCR 3007 was placed on the Seventh order of business on the calendar for the succeeding legislative day.

MOTIONS

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

SEN. HEIGAARD MOVED that the Senate be on the Fourth order of business, and at the conclusion of the Fourth order of business, be on the Fifth order of business, and at the conclusion of the Fifth order of business, be on the Seventh order of business, and at the conclusion of the Seventh order of business, be on the Sixteenth order of business, and at the conclusion of the Sixteenth order of business, and after the reading of SB 2558, HB 1008, HB 1017, HB 1020, and HB 1465, the Senate adjourn and convene at 8:00 a.m., Tuesday, April 7, 1987, which motion prevailed.

PERRY GROTBORG, Secretary