

MONDAY, APRIL 11, 1983

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JOURNAL OF THE HOUSE

Forty-eighth Legislative Assembly

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SIXTY-SEVENTH DAY

Bismarck, April 11, 1983

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

The prayer was offered by Rev. Jack Roth, Metro Evangelical Church, Bismarck.

ROLL CALL

The roll was called and all members were present, except Representatives Gerl, Kretschmar, Lang, Lipsiea, and Kent.

A quorum was declared by the Speaker.

REVISION AND CORRECTION OF THE JOURNAL

MADAM SPEAKER: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Sixty-sixth day and finds the same to be correct.

REP. LAUGHLIN, Chairman

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

MOTION

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

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

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2033:

Reps. Horgan, Mertens, Gunsch

SIGNING OF BILLS AND RESOLUTIONS

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following:

HB 1044, HB 1370, HB 1400, HB 1421, HB 1583, HB 1661,  
SB 2249, SB 2250, SB 2265, SB 2500, SCR 4058

CHARLES FLEMING, Chief Clerk

MESSAGES FROM THE SENATE  
SENATE CHAMBER

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

SB 2172, SB 2342, SB 2358, SB 2446, SCR 4059

Very respectfully,  
LEO LEIDHOLM, Secretary

SENATE CHAMBER

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

SB 2026, SB 2108, SB 2408, SB 2491

Very respectfully,  
LEO LEIDHOLM, Secretary

REPORT OF PROCEDURAL COMMITTEE

MADAM SPEAKER: Your Committee on Enrollment and Engrossment respectfully report that the following bill was delivered to the Governor for his approval at the hour of 9:37 a.m., April 11, 1983:

HB 1017

REP. G. MARTIN, Chairman

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

MADAM SPEAKER: Your Committee on Enrollment and Engrossment respectfully reports that it has examined the following bill and finds the same correctly enrolled:

HB 1440

REP. G. MARTIN, Chairman

REP. O'CONNELL MOVED that the report be adopted, which motion prevailed.

MESSAGE TO THE SENATE  
HOUSE CHAMBER

MR. PRESIDENT: I have the honor to inform you that the House has not adopted the conference committee report on SB 2029, and the Speaker has appointed as a new conference committee to act with a like committee from the Senate on:

SB 2029: Reps. Mertens, Mushik, Strinden

Very respectfully,  
CHARLES FLEMING, Chief Clerk

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MOTION

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

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

MESSAGES TO THE SENATE  
HOUSE CHAMBER

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

SB 2033: Reps. Horgan, Mertens, Gunsch

Very respectfully,  
CHARLES FLEMING, Chief Clerk

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 1044, HB 1370, HB 1400, HB 1421, HB 1583, HB 1661

Very respectfully,  
CHARLES FLEMING, Chief Clerk

HOUSE CHAMBER

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

SB 2249, SB 2250, SB 2265, SB 2500, SCR 4058

Very respectfully,  
CHARLES FLEMING, Chief Clerk

MESSAGES FROM THE SENATE  
SENATE CHAMBER

MADAM SPEAKER: I have the honor to inform you that the President has appointed as a new conference committee to act with a like committee from the House on:

SB 2029: Sens. Nething, Nelson, Redlin

Very respectfully,  
LEO LEIDHOLM, Secretary

SENATE CHAMBER

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

SB 2047, SB 2049, SB 2066, SB 2104, SB 2170, SB 2199,  
SB 2245, SB 2327, SB 2350, SB 2413, SB 2421, SB 2473

Very respectfully,  
LEO LEIDHOLM, Secretary

## MOTION

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

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

## CONSIDERATION OF MESSAGE FROM SENATE

REP. R. MEIERS MOVED that the House do concur in the Senate amendments to HB 1644, which motion prevailed.

REP. R. MEIERS MOVED that HB 1644 be deemed property engrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

## SECOND READING OF HOUSE BILL

HB 1644: A BILL for an Act to amend and reenact section 50-01-09.2 of the North Dakota Century Code, relating to reimbursement by the state to the counties for costs of general assistance; and to provide an effective date.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill as amended, the roll was called and there were 95 YEAS, 1 NAY, 10 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Aubol; Backes; Black; Boyle; Brokaw; Conmy; DeMers; Dotzenrod; DuBord; Eagles; Erdman; Gates; Gerl; Goetz; Gorder; Gullickson; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer; Hill; Hjelle; Hoffner, Serenus; Hughes; Jacobson; Keller; Kent; Kloubec; Knudson; Koehn; Kretschmar; Kuchera; Lang; Lardy; Larson, B.; Larson, R.; Laughlin; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, C.; Martin, G.; Meier, A.; Meiers, R.; Melby; Mertens; Meyer, R.; Meyer, W.; Moore; Mushik; Nalewaja; Nicholas; Nowatzki; O'Connell; Olafson; Olsen, D.; Olson, A.; Opedahl; Peltier; Peterson; Pomeroy, G.; Rice; Richard; Riehl; Riley; Sanstead; Schindler; Schneider; Schoenwald; Shide; Shockman; Sinner; Solberg; Stofferahn; Strinden; Swiontek; Thompson; Timm; Unhjem; Vander Vorst; Vig; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Wold; Speaker Kelly

NAYS: Rued

ABSENT AND NOT VOTING: Hoffner, S. F.; Horgan; Kingsbury; Koski; Martinson; Murphy; O'Shea; Pomeroy, E.; Rayl; Retzer

HB 1644 passed and the title was agreed to.

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MOTION

REP. MUSHIK MOVED that the House stand in recess until 2:30 p.m., which motion prevailed.

THE HOUSE RECONVENED for announcements.

MOTION

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

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

PRESENTATION OF PETITIONS AND COMMUNICATIONS

STATE OF NORTH DAKOTA  
EXECUTIVE OFFICE  
BISMARCK

April 11, 1983

The Honorable Tish Kelly  
Speaker of the House  
House Chambers  
State Capitol  
Bismarck, North Dakota 58505

Dear Madam Speaker:

The Legislative Assembly has not yet passed revenue bills sufficient to fund the executive or any other compromise budget for the 83-85 biennium. Without specific revenue support, bills such as House Bill 1367 which appropriate money in addition to the budget simply cannot be approved.

Enclosed is a schedule showing the various approaches to and sources of leafy spurge funding during this session. This schedule does not include an additional \$800,000 in the Highway Department budget available for leafy spurge control. Inclusion of the Highway Department funds brings the total funds available--excluding House Bill 1367--to approximately \$1.7 million.

I do appreciate, however, that funds are limited for matching individual landowner's leafy spurge control efforts and that House Bill 1367 addresses this problem. While I will veto House Bill 1367 I have simultaneously directed the Highway Commissioner to allocate \$425,000 of the leafy spurge control funds in his budget to a cost-sharing program. I expect him to work closely

with the Commissioner of Agriculture and county agents and weed control officers in establishing and carrying out an appropriate cost-sharing program.

Sincerely,

ALLEN I. OLSON  
Governor

Enclosure

cc: Rep. Orlin Hanson  
Rep. Bruce W. Larson  
Rep. Allen Richard

4/6/83

SCHEDULE PERTAINING TO FUNDING OF LEAFY SPURGE

	<u>Executive Budget</u>	<u>Original House Version</u>	<u>Amended House Appns Version</u>	<u>Senate Version</u>
HB 1009 Main Experiment Station Research Enhancement	\$ 290,950	\$ 290,950	\$ 290,950	\$ 290,950
Ongoing Research - current program	150,000	150,000	150,000	150,000
HB 1032 Land Dept. (special funds)	108,541	108,541	108,541	108,541
HB 1367 Agriculture Dept.	0	500,000	500,000	500,000
SB 2001 Agriculture Dept.	300,000	800,000	300,000*	300,000
SB 2040 Game & Fish Dept. (special funds)	<u>99,000</u>	<u>99,000</u>	<u>99,000</u>	<u>99,000</u>
TOTAL	<u>\$948,491</u>	<u>\$1,948,491</u>	<u>\$1,448,491</u>	<u>\$1,448,491</u>

\*The House Appropriations Committee on April 5 reduced the Agriculture Department grants line by \$500,000.

PRESENTATION OF PETITIONS AND COMMUNICATIONS

Allen I. Olson  
Governor

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April 11, 1983

The Honorable Tish Kelly  
Speaker of the House  
House Chambers  
State Capitol  
Bismarck, North Dakota 58505

Dear Madam Speaker:

This is to inform you that on April 11, 1983, I signed the following:

HB 1130, HB 1151, HB 1731.

Sincerely,

ALLEN I. OLSON  
Governor

MOTION

REP. MUSHIK MOVED that HB 1367 be placed on tomorrow's calendar for the purpose of reconsideration as a vetoed message, pursuant to Section 79 of the Constitution of the State of North Dakota, which motion prevailed.

MESSAGES FROM THE SENATE  
SENATE CHAMBER

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

HB 1044, HB 1370, HB 1400, HB 1421, HB 1583, HB 1661

Very respectfully,  
LEO LEIDHOLM, Secretary

SENATE CHAMBER

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

SB 2499, SB 2402

Very respectfully,  
LEO LEIDHOLM, Secretary

MOTIONS

REP. MERTENS MOVED that the Speaker appoint Representative Mushik to replace Representative Lardy on the Conference Committee on SB 2039, which motion prevailed.

REP. MUSHIK MOVED that SB 2496 be laid over one legislative day, which motion prevailed.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4061: A concurrent resolution urging Congress to amend federal laws to limit federal court jurisdiction on cases involving state prison systems.

Which has been read.

The question being on the final adoption of the resolution.

SCR 4061 was declared lost on a voice vote.

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CONSIDERATION OF MESSAGE FROM SENATE

REP. JACOBSON MOVED that the House do concur in the Senate amendments to HB 1724, which motion prevailed.

REP. MUSHIK MOVED that the rules be suspended, that HB 1724 be deemed properly engrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1724: A BILL for an Act to provide for distribution of certain education aid funds; to amend and reenact sections 57-51.1-07 and 57-51.1-08 of the North Dakota Century Code, relating to allocation of moneys in the oil extraction tax development fund and to legislative intent; to provide an effective date; and to declare an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended, the roll was called and there were 92 YEAS, 8 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Anderson, R.; Aubol; Black; Boyle; Brokaw; Conmy; Dotzenrod; DuBord; Eagles; Erdman; Gates; Goetz; Gorder; Gullickson; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Hughes; Jacobson; Keller; Kent; Kloubec; Knudson; Koehn; Kretschmar; Kuchera; Lang; Lardy; Larson, B.; Larson, R.; Laughlin; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, C.; Martin, G.; Meier, A.; Meiers, R.; Mertens; Meyer, R.; Moore; Murphy; Mushik; Nalewaja; Nicholas; O'Connell; Olafson; Olsen, D.; Olson, A.; Opedahl; O'Shea; Peltier; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Rice; Richard; Riehl; Riley; Rued; Sanstead; Schindler; Schneider; Schoenwald; Shide; Shockman; Sinner; Solberg; Swiontek; Thompson; Timm; Unhjem; Vander Vorst; Vig; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Wold

NAYS: DeMers; Gerl; Horgan; Koski; Martinson; Melby;  
Stofferahn; Speaker Kelly

ABSENT AND NOT VOTING: Anderson, C.; Backes; Kingsbury;  
Meyer, W.; Nowatzki; Strinden

HB 1724 passed, the title was agreed to, and the emergency clause carried.

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#### MOTION

REP. MUSHIK MOVED that, immediately following consideration of the conference committee reports, where appropriate, the bills be deemed properly engrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

#### REPORT OF SELECT COMMITTEE

REP. O'CONNELL MOVED that the conference committee report on SB 2219 as printed on page 2548 of the House Journal be adopted, which motion prevailed.

#### SECOND READING OF SENATE BILL

SB 2219: A BILL for an Act to amend and reenact section 21-02-13 of the North Dakota Century Code, relating to certificates of indebtedness issued in anticipation of revenues to be received from the state.

Which has been read.

#### ROLL CALL

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

YEAS: Anderson, R.; Aubol; Black; Boyle; Brokaw; Conmy;  
DeMers; Dotzenrod; DuBord; Eagles; Erdman; Gates; Gerl;  
Goetz; Gorder; Gullickson; Gunsch; Halmrast; Hamerlik;  
Hanson, L.; Haugland; Hausauer; Hill; Hjelle;  
Hoffner, Serenus; Hoffner, S. F.; Horgan; Hughes;  
Jacobson; Keller; Kent; Kloubec; Knudson; Koehn; Koski;  
Kretschmar; Kuchera; Lang; Lardy; Larson, R.; Laughlin;  
Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, C.;  
Martin, G.; Martinson; Meier, A.; Meiers, R.; Melby;  
Mertens; Meyer, R.; Moore; Mushik; Nalewaja; Nicholas;  
Nowatzki; O'Connell; Olafson; Olsen, D.; Olson, A.;  
Opedahl; O'Shea; Peltier; Pomeroy, E.; Pomeroy, G.;  
Rayl; Retzer; Rice; Richard; Riehl; Riley; Rued;  
Sanstead; Schindler; Schneider; Schoenwald; Shide;  
Shockman; Sinner; Solberg; Stofferahn; Strinden;  
Swiontek; Thompson; Timm; Unhjem; Vander Vorst; Vig;  
Watne; Wentz; Williams, A.; Williams, C.; Williams, W.;  
Wold; Speaker Kelly

NAYS: Hanson, O.; Murphy; Whalen

ABSENT AND NOT VOTING: Anderson, C.; Backes; Kingsbury;  
Larson, B.; Meyer, W.; Peterson

SB 2219 passed and the title was agreed to.

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#### REPORT OF SELECT COMMITTEE

REP. CONMY MOVED that the conference committee report on SB 2373 as printed on pages 2548-2583 of the House Journal be adopted, which motion prevailed.

#### MOTION

REP. GOETZ MOVED the previous question, which motion prevailed.

#### SECOND READING OF SENATE BILL

SB 2373: A BILL for an Act to create and enact two new subsections to section 39-01-01, a new subsection to section 39-06-31, a new subsection to section 39-06.1-10, two new sections to chapter 39-08, and three new sections to chapter 39-20 of the North Dakota Century Code, relating to penalty and punishment for operating a motor vehicle while under the influence of intoxicating liquor or controlled substances and to law enforcement procedures; to amend and reenact section 27-20-51, subsection 5 of section 27-20-54, subsection 1 of section 39-06-01, subsection 5 of section 39-06-17, subsection 2 of section 39-06-23, section 39-06-33.1, subsections 1 and 2 of section 39-06-35, sections 39-06-36, 39-06-42, 39-06-43, subsection 1 of section 39-06.1-05, section 39-06.1-07, subdivision b of subsection 3 and subsection 4 of section 39-06.1-10, sections 39-06.1-11, 39-07-07, 39-07-10, 39-07-11, 39-08-01, 39-20-01, 39-20-02, 39-20-04, 39-20-05, 39-20-06, 39-20-07, 39-20-08, 39-20-09, 39-20-14, 40-18-01, 40-18-12, and 40-18-13 of the North Dakota Century Code, relating to reporting juvenile offenses, penalty and punishment for operating a motor vehicle while under the influence or for driving in violation of license suspension, revocation, or restriction, testing for blood alcohol concentration, interpretation of tests, issuing of notification forms to arrested drivers, and law enforcement, judicial, and administrative procedures; and to repeal section 39-06-29.1 of the North Dakota Century Code, relating to the authority to suspend operator's licenses of juveniles.

Which has been read.

#### MOTION

REP. CONMY MOVED that the House waive the reading of the title to SB 2373, which motion prevailed.

## ROLL CALL

The question being on the final passage of the bill as amended, the roll was called and there were 86 YEAS, 15 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Aubol; Boyle; Brokaw; Conmy; Dotzenrod; DuBord; Eagles; Erdman; Gates; Goetz; Gorder; Gullickson; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Jacobson; Kent; Kloubec; Knudson; Koehn; Koski; Kretschmar; Kuchera; Lang; Lardy; Larson, R.; Laughlin; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, C.; Martin, G.; Martinson; Meiers, R.; Melby; Moore; Mushik; Nalewaja; Nicholas; Nowatzki; O'Connell; Olafson; Olsen, D.; Olson, A.; Opedahl; O'Shea; Peltier; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Rice; Richard; Riley; Sanstead; Schindler; Schneider; Shide; Shockman; Sinner; Solberg; Stofferahn; Strinden; Swintek; Thompson; Unhjem; Vander Vorst; Vig; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Wold; Speaker Kelly

NAYS: Anderson, R.; Black; DeMers; Gerl; Hausauer; Hughes; Keller; Meier, A.; Mertens; Meyer, R.; Murphy; Riehl; Rued; Schoenwald; Timm

ABSENT AND NOT VOTING: Anderson, C.; Backes; Kingsbury; Larson, B.; Meyer, W.

SB 2373 passed and the title was agreed to.

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## REPORT OF SELECT COMMITTEE

REP. G. POMEROY MOVED that the conference committee report on SB 2431 as printed on pages 2584 and 2585 of the House Journal be adopted, which motion prevailed.

## SECOND READING OF SENATE BILL

SB 2431: A BILL for an Act to create and enact a new section to chapter 39-04, and a new subsection to section 40-05.1-06 of the North Dakota Century Code, permitting home rule cities to levy certain taxes and fees and authorizing collection agreements; and to amend and reenact section 57-01-02.1 of the North Dakota Century Code, relating to tax collection agreements with home rule cities; and to provide an effective date.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill as amended, the roll was called and there were 77 YEAS, 21 NAYS, 8 ABSENT AND NOT VOTING.

**YEAS:** Anderson, R.; Black; Boyle; Brokaw; DeMers; Dotzenrod; DuBord; Eagles; Erdman; Gates; Gerl; Goetz; Gullickson; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Hughes; Jacobson; Keller; Kent; Kloubec; Knudson; Koehn; Koski; Kretschmar; Kuchera; Lang; Lardy; Larson, R.; Laughlin; Lautenschlager; Linderman; Lloyd; Martin, C.; Martin, G.; Meier, A.; Mertens; Meyer, R.; Moore; Mushik; Nalewaja; Nicholas; Nowatzki; O'Connell; Opedahl; O'Shea; Peltier; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Riehl; Riley; Rued; Sanstead; Schneider; Schoenwald; Sinner; Stofferahn; Strinden; Swiontek; Timm; Unhjem; Vander Vorst; Vig; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Wold

**NAYS:** Aubol; Gunsch; Hanson, O.; Hill; Lipsiea; Martinson; Meiers, R.; Melby; Murphy; Olafson; Olsen, D.; Olson, A.; Rice; Richard; Schindler; Shide; Shockman; Solberg; Thompson; Whalen; Speaker Kelly

**ABSENT AND NOT VOTING:** Anderson, C.; Backes; Conmy; Gorder; Kingsbury; Larson, B.; Meyer, W.; Retzer

SB 2431 passed and the title was agreed to.

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MESSAGE TO THE SENATE  
HOUSE CHAMBER

**MR. PRESIDENT:** I have the honor to inform you that the Speaker has appointed Representative Mushik to replace Representative Lardy on the Conference Committee on SB 2039.

Very respectfully,  
CHARLES FLEMING, Chief Clerk

REPORTS OF STANDING COMMITTEES

**MADAM SPEAKER:** Your Committee on Transportation to which was referred HCR 3099 has had the same under consideration and recommends by a vote of 11 YEAS, 0 NAYS, 5 ABSENT AND NOT VOTING that the same DO PASS.

REP. HJELLE, Chairman

HCR 3099 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

**MADAM SPEAKER:** Your Committee on Agriculture to which was referred HCR 3100 has had the same under consideration and recommends by a

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vote of 15 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

REP. W. MEYER, Chairman

HCR 3100 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MOTION

REP. MUSHIK MOVED that the rules be suspended, that HCR 3099 and HCR 3100 be considered at this time for second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

HCR 3099: A concurrent resolution urging members of the United States Congress to actively support and vote favorably on H.R. 1646, the Railroad Retirement Solvency Act of 1983.

Which has been read.

The question being on the final adoption of the resolution.

HCR 3099 was declared adopted on a voice vote.

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HCR 3100: A concurrent resolution directing the Legislative Council to study the application of the corporate farming law to nonprofit corporations and trusts.

Which has been read.

The question being on the final adoption of the resolution.

HCR 3100 was declared adopted on a voice vote.

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MESSAGES FROM THE SENATE  
SENATE CHAMBER

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

SB 2501

Very respectfully,  
LEO LEIDHOLM, Secretary

SENATE CHAMBER

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

SB 2502

Very respectfully,  
LEO LEIDHOLM, Secretary

REPORTS OF CONFERENCE COMMITTEES

MADAM SPEAKER: Your Conference Committee to which was referred Engrossed HB 1018 has had the same under consideration and recommends that the SENATE RECEDE from its amendments as found on pages 2139 and 2140 of the House Journal and that Engrossed HB 1018 be amended as follows:

That the Senate recede from its amendments as printed on pages 1591 and 1592 of the Senate Journal and that engrossed House Bill No. 1018 be amended as follows:

On page 1 of the engrossed bill, line 13, delete the numerals "1,129,429" and insert in lieu thereof the numerals "1,123,686"

On page 1 of the engrossed bill, line 17, delete the words "general fund appropriation", and delete the numerals "1,380,794" and insert in lieu thereof the numerals "1,375,051"

On page 1 of the engrossed bill, after line 17, insert the following new lines:

"Less budget adjustment	<u>27,501</u>
Total general fund appropriation	\$1,347,550"

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Department of Banking and Financial Institutions

The salaries and wages line item has a net reduction of \$5,743 from the general fund. This will allow funds for the state to provide a two percent contribution to retirement on wages earned after July 1, 1983, and an additional two percent contribution amounting to a full four percent on wages earned after July 1, 1984. It also provides \$7,802 over the executive budget for health insurance premiums.

The appropriation is reduced by a budget adjustment of \$27,501 (two percent). The Banking and Financial Institutions Commissioner shall take such administrative action as may be necessary to spend less than the total of the line items in the appropriation to achieve the \$27,501 budget reduction. Line items other than salaries and wages, operating expenses, data processing, and equipment are not to be affected by the budget reduction.

**For the Senate:** Sens. Naaden, Tennefos, Tallackson (absent)  
**For the House:** Reps. G. Martin, Lardy, Kingsbury (absent)

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

**MADAM SPEAKER:** Your Conference Committee to which was referred Engrossed HB 1016 has had the same under consideration and recommends that the SENATE RECEDE from its amendments as found on pages 2137 and 2138 of the House Journal and that Engrossed HB 1016 be amended as follows:

That the Senate recede from its amendments as found on pages 1589 and 1590 of the Senate Journal and that engrossed House Bill No. 1016 be further amended as follows:

On page 1 of the engrossed bill, line 13, delete the numerals "280,870" and insert in lieu thereof the numerals "298,308"

On page 1 of the engrossed bill, line 14, delete the numerals "92,980" and insert in lieu thereof the numerals "96,580"

On page 1 of the engrossed bill, after line 14, insert the following new line:

"Data processing 1,550"

On page 1 of the engrossed bill, line 15, delete the numerals "4,000" and insert in lieu thereof the numerals "14,350"

On page 1 of the engrossed bill, line 18, delete the numerals "3,872,850" and insert in lieu thereof the numerals "3,905,788"

On page 1 of the engrossed bill, after line 18, insert the following new line:

"Less budget adjustment 8,216"

On page 1 of the engrossed bill, line 19, delete the numerals "2,768,272" and insert in lieu thereof the numerals "2,772,073"

On page 1 of the engrossed bill, line 20, delete the numerals "1,104,578" and insert in lieu thereof the numerals "1,125,499"

And renumber the lines accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

The salaries and wages line item of the Aeronautics Commission is increased by \$17,438, which includes a \$17,982 general fund increase and a \$544 decrease from other funds. This includes a reduction of \$762 which will allow funds for the state to provide a two percent contribution to retirement on wages earned after July 1, 1983, and an additional two percent contribution amounting to a full four percent on wages earned after July 1, 1984. It also provides \$2,579 over the executive budget for health insurance premiums. The increase to salaries and wages also includes an \$18,200 general fund increase for one clerk III for administering the aircraft excise tax provided by House Bill No. 1518.

The following additional increases are made to the Aeronautics Commission's appropriation to provide funds for administering the aircraft excise tax created by House Bill No. 1518:

- A \$3,600 general fund increase in operating expenses.
- A \$1,550 increase from other funds for data processing.
- A \$10,350 increase in equipment, which includes an \$8,450 increase from other funds for a microcomputer and printer and a \$1,900 general fund increase for other equipment.

The appropriation is reduced by a budget adjustment of \$8,216 (two percent), of which \$2,561 is from the general fund and \$5,655 is from other funds. The director shall take such administrative action as may be necessary to spend less than the total of the line items in the appropriation to achieve the \$8,216 budget reduction. Line items other than salaries and wages, operating expenses, data processing, and equipment are not to be affected by the budget reduction.

For the Senate: Sens. Fritzell, Streibel, Walsh  
 For the House: Reps. Sanstead, Erdman, Kuchera

Engrossed HB 1016 was placed on the Seventh order of business on the calendar for the succeeding legislative day.

MADAM SPEAKER: Your Conference Committee to which was referred Engrossed HB 1013 has had the same under consideration and recommends that the SENATE RECEDE from its amendments as found on page 2137 of the House Journal and that Engrossed HB 1013 be amended as follows:

That the Senate recede from its amendments as found on pages 1588 and 1589 of the Senate Journal and that

engrossed House Bill No. 1013 be further amended as follows:

On page 1 of the engrossed bill, line 14, delete the numerals "153,022" and insert in lieu thereof the numerals "152,294"

On page 1 of the engrossed bill, line 17, delete the numerals "383,837" and insert in lieu thereof the numerals "300,000"

On page 1 of the engrossed bill, line 19, delete the words "general fund appropriation", and delete the numerals "776,859" and insert in lieu thereof the numerals "692,294"

On page 1 of the engrossed bill, after line 19, insert the following new lines:

"Less budget adjustment	<u>3,846</u>
Total general fund appropriation	\$688,448"

And renumber the lines accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

The salaries and wages line item of the Indian Affairs Commission has a net reduction of \$728 from the general fund. This will allow funds for the state to provide a two percent contribution to retirement on wages earned after July 1, 1983, and an additional two percent contribution amounting to a full four percent on wages earned after July 1, 1984. It also provides \$1,050 over the executive budget for health insurance premiums.

The Native American alcohol and drug abuse education line item of the Indian Affairs Commission is reduced by \$83,837 from the general fund to provide a \$300,000 level of funding for this program.

The appropriation is reduced by a budget adjustment of \$3,846 (two percent) from the general fund. The executive director shall take such administrative action as may be necessary to spend less than the total of the line items in the appropriation to achieve the \$3,846 budget reduction. Line items other than salaries and wages, operating expenses, data processing, and equipment are not to be affected by the budget reduction.

**For the Senate:** Sens. Tennesos, Tweten, Stromme

**For the House:** Reps. Lardy, Rayl, O. Hanson

Engrossed HB 1013 was placed on the Seventh order of business on the calendar for the succeeding legislative day.

**MADAM SPEAKER:** Your Conference Committee to which was referred Engrossed HB 1015 has had the same under consideration and recommends that the SENATE RECEDE from its amendments as found on page 2208 of the House Journal and that Engrossed HB 1015 be amended as follows:

That the Senate recede from its amendments as printed on pages 1775 and 1776 of the Senate Journal and that engrossed House Bill No. 1015 be amended as follows:

On page 1 of the engrossed bill, line 12, delete the numerals "1,547,994" and insert in lieu thereof the numerals "1,543,210"

On page 1 of the engrossed bill, line 16, delete the words "general fund appropriation" and delete the numerals "2,049,058" and insert in lieu thereof the numerals "2,044,274"

On page 1 of the engrossed bill, after line 16, insert the following new lines:

"Less budget adjustment	40,886
Total general fund appropriation	\$2,003,388"

And renumber the lines accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

State Laboratories Department

The salaries and wages line item has a net reduction of \$4,784 from the general fund. This will allow funds for the state to provide a two percent contribution to retirement on wages earned after July 1, 1983, and an additional two percent contribution amounting to a full four percent on wages earned after July 1, 1984. It also provides \$12,195 over the executive budget for health insurance premiums.

The appropriation is reduced by a budget adjustment of \$40,886 (two percent). The director shall take such administrative action as may be necessary to spend less than the total of the line items in the appropriation to achieve the \$40,886 budget reduction. Line items other than salaries and wages, operating expenses, data processing, and equipment are not to be affected by the budget reduction.

For the Senate: Sens. Fritzell, Streibel, Stromme  
 For the House: Reps. Mushik, Rayl, Lipsiea

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

MADAM SPEAKER: Your Conference Committee to which was referred Engrossed HB 1032 has had the same under consideration and recommends that the SENATE RECEDE from its amendments as found on page 2209 of the House Journal and that Engrossed HB 1032 be amended as follows:

That the Senate recede from its amendments as printed on page 1782 of the Senate Journal and that engrossed House Bill No. 1032 be amended as follows:

On page 1 of the engrossed bill, line 14, delete the numerals "762,616" and insert in lieu thereof the numerals "757,085"

On page 1 of the engrossed bill, line 20, delete the words "appropriation from state lands maintenance", and delete the numerals "1,182,944" and insert in lieu thereof the numerals "1,177,413"

On page 1 of the engrossed bill, line 21, delete the word "fund" and insert in lieu thereof the following lines:

"Less budget adjustment	<u>19,222</u>
Total appropriation from state lands maintenance fund"	\$1,158,191

And renumber the lines accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

##### Land Department

The salaries and wages line item has a net reduction of \$5,531 from the state lands maintenance fund. This will allow funds for the state to provide a two percent contribution to retirement on wages earned after July 1, 1983, and an additional two percent contribution amounting to a full four percent on wages earned after July 1, 1984. It also provides \$1,922 over the executive budget for health insurance premiums.

The appropriation is reduced by a budget adjustment of \$19,222 (two percent). The Commissioner of the Land Department shall take such administrative action as may be necessary to spend less than the total of the line items in

the appropriation to achieve the \$19,222 budget reduction. Line items other than salaries and wages, operating expenses, data processing, and equipment are not to be affected by the budget reduction.

**For the Senate:** Sens. Nelson, Tennefos, Heigaard (absent)  
**For the House:** Reps. Erdman, Boyle, Thompson (refused to sign)

Engrossed HB 1032 was placed on the Seventh order of business on the calendar for the succeeding legislative day.

**MESSAGE TO THE SENATE  
 HOUSE CHAMBER**

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

SB 2373, SB 2219

Very respectfully,  
**CHARLES FLEMING, Chief Clerk**

**FIRST READING OF SENATE BILLS**

**SB 2501:** A BILL for an Act to authorize the construction of a computer center at North Dakota state university, Fargo, with moneys other than from the state general fund; and to provide an appropriation.

Was read the first time and referred to the **Committee on Appropriations.**

**SB 2502:** A BILL for an Act to amend and reenact sections 1 and 2 of Senate Bill No. 2295, as approved by the forty-eighth legislative assembly, relating to exemption from property taxes for certain new single family residential property; and to provide an effective date and expiration date.

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

**MOTIONS**

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

**REP. MUSHIK MOVED** that the House stand adjourned until 8:00 a.m., Tuesday, April 12, 1983, which motion prevailed.

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

**CHARLES FLEMING, Chief Clerk**