

JOURNAL OF THE HOUSE

Forty-eighth Legislative Assembly

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SIXTY-EIGHTH DAY

Bismarck, April 12, 1983

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

The prayer was offered by Rev. Dale Thoreson, Faith Lutheran Church, Bismarck.

ROLL CALL

The roll was called and all members were present, except Representatives C. Anderson, Aubol, DuBord, Kent, C. Martin, Moore, Schneider, Shockman, and Speaker Kelly.

A quorum was declared by the Acting 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-seventh day and finds the same to be correct.

REP. LAUGHLIN, Chairman

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

MESSAGES FROM THE SENATE
SENATE CHAMBER

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

SB 2106, SB 2227, SB 2277

Very respectfully,
LEO LEIDHOLM, Secretary

SENATE CHAMBER

MADAM SPEAKER: I have the honor to inform you that the Senate has not adopted the conference committee report on SB 2067, and the President has appointed as a new conference committee to act with a like committee from the House on:

SB 2067: Sens. Stenehjem, Christensen, J. Meyer

Very respectfully,
LEO LEIDHOLM, Secretary

MESSAGES TO THE SENATE
HOUSE CHAMBER

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

HCR 3099, HCR 3100

Very respectfully,
CHARLES FLEMING, Chief Clerk

HOUSE CHAMBER

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

SB 2431

Very respectfully,
CHARLES FLEMING, Chief Clerk

HOUSE CHAMBER

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

SCR 4061

Very respectfully,
CHARLES FLEMING, Chief Clerk

HOUSE CHAMBER

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

HB 1644, HB 1724

Very respectfully,
CHARLES FLEMING, Chief Clerk

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.

REPORTS OF PROCEDURAL COMMITTEE

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

HB 1049, HB 1165, HB 1203, HB 1208, HB 1296, HB 1336,
HB 1387, HB 1473, HB 1482, HB 1516, HB 1647, HB 1688,
HCR 3029, HCR 3038, HCR 3093, HCR 3096

REP. G. MARTIN, Chairman

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

MADAM SPEAKER: Your Committee on Enrollment and Engrossment respectfully reports that the following bills were delivered to the Governor for his approval at the hour of 9:40 a.m., April 12, 1983:

HB 1044, HB 1370, HB 1400, HB 1421, HB 1583, HB 1661
REP. G. MARTIN, Chairman

REP. SHIDE 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 bills and finds the same correctly enrolled:

HB 1644, HB 1724
REP. G. MARTIN, Chairman

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

ANNOUNCEMENT

SPEAKER KELLY ANNOUNCED that the Conference Committee on SB 2067 was dissolved, and that the following new conference committee was appointed:

Reps. Nowatzki, E. Pomeroy, Kretschmar

SIGNING OF BILLS AND RESOLUTIONS

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following:

HB 1049, HB 1165, HB 1203, HB 1208, HB 1296, HB 1336,
HB 1387, HB 1473, HB 1482, HB 1516, HB 1647, HB 1688,
HCR 3029, HCR 3038, HCR 3093, HCR 3096

CHARLES FLEMING, Chief Clerk

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 transmit herewith the following which the Speaker has signed and your signature is respectfully requested:

HB 1049, HB 1165, HB 1203, HB 1208, HB 1296, HB 1336,
 HB 1387, HB 1473, HB 1482, HB 1516, HB 1647, HB 1688,
 HCR 3029, HCR 3038, HCR 3093, HCR 3096

Very respectfully,
 CHARLES FLEMING, Chief Clerk

HOUSE CHAMBER

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

SB 2067: Reps. Nowatzki, E. Pomeroy, Kretschmar
 Very respectfully,
 CHARLES FLEMING, Chief Clerk

SIGNING OF BILLS AND RESOLUTIONS

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following:

SB 2026, SB 2108, SB 2408, SB 2491, SB 2172, SB 2342,
 SB 2358, SB 2446, SB 2047, SB 2049, SB 2066, SB 2104,
 SB 2170, SB 2199, SB 2245, SB 2327, SB 2350, SB 2413,
 SB 2421, SB 2473, SB 2402, SB 2499, SCR 4059, HB 1440

CHARLES FLEMING, Chief Clerk

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.

MESSAGES TO THE SENATE

HOUSE CHAMBER

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

SB 2026, SB 2108, SB 2408, SB 2491, SB 2172, SB 2342,
 SB 2358, SB 2446, SB 2047, SB 2049, SB 2066, SB 2104,
 SB 2170, SB 2199, SB 2245, SB 2327, SB 2350, SB 2413,
 SB 2421, SB 2473, SB 2402, SB 2499, SCR 4059

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 1440

Very respectfully,
 CHARLES FLEMING, Chief Clerk

MESSAGES FROM THE SENATE
SENATE CHAMBER

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

HB 1049, HB 1165, HB 1203, HB 1208, HB 1296, HB 1336,
HB 1387, HB 1473, HB 1482, HB 1516, HB 1647, HB 1688,
HCR 3029, HCR 3038, HCR 3093, HCR 3096

Very respectfully,
LEO LEIDHOLM, Secretary

SENATE CHAMBER

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

HB 1440

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 2092, SB 2173

Very respectfully,
LEO LEIDHOLM, Secretary

SIGNING OF BILLS AND RESOLUTIONS

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following:

HB 1644, HB 1724

CHARLES FLEMING, Chief Clerk

MESSAGE TO THE SENATE
HOUSE CHAMBER

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

HB 1644, HB 1724

Very respectfully,
CHARLES FLEMING, Chief Clerk

MOTION

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

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

MESSAGE FROM THE SENATE
SENATE CHAMBER

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

HB 1644, HB 1724

Very respectfully,
LEO LEIDHOLM, Secretary

REPORTS OF PROCEDURAL COMMITTEE

MADAM SPEAKER: Your Committee on Enrollment and Engrossment respectfully report that the following bills were delivered to the Governor for his approval at the hour of 1:47 p.m., April 12, 1983:

HB 1049, HB 1165, HB 1203, HB 1208, HB 1296, HB 1336,
HB 1387, HB 1473, HB 1482, HB 1516, HB 1647, HB 1688
REP. G. MARTIN, Chairman

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

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 1:47 p.m., April 12, 1983:

HB 1440

REP. G. MARTIN, Chairman

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

MADAM SPEAKER: Your Committee on Enrollment and Engrossment respectfully report that the following bills were delivered to the Secretary of State at the hour of 1:50 p.m., April 12, 1983:

HCR 3029, HCR 3038, HCR 3093, HCR 3096

REP. G. MARTIN, Chairman

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

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.

REPORT OF PROCEDURAL COMMITTEE

MADAM SPEAKER: Your Committee on Enrollment and Engrossment respectfully report that the following bills were delivered to

the Governor for his approval at the hour of 2:39 p.m., April 12, 1983:

HB 1644, HB 1724

REP. G. MARTIN, Chairman

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

RECONSIDERATION OF VETOED MEASURE
SECOND READING OF HOUSE BILL

HB 1367: A BILL for an Act making an appropriation for leafy spurge control.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as enrolled, over the Governor's veto, the roll was called and there were 28 YEAS, 74 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Aubol; Brokaw; DuBord; Gerl; Gullickson; Haugland; Hoffner, S. F.; Keller; Knudson; Lardy; Larson, B.; Laughlin; Lloyd; Martin, C.; Meiers, R.; Meyer, W.; Peterson; Rayl; Riehl; Rued; Sanstead; Schoenwald; Shockman; Sinner; Stofferahn; Vig; Watne; Williams, W.

NAYS: Anderson, C.; Anderson, R.; Eackes; Black; Boyle; Conny; DeMers; Dotzenrod; Eagles; Erdman; Gates; Goetz; Gorder; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Hausauer; Hill; Hjelle; Hoffner, Serenus; Horgan; Hughes; Jacobson; Kent; Kingsbury; Koehn; Koski; Kretschmar; Kuchera; Lang; Larson, R.; Lautenschlager; Linderman; Lipsiea; Martin, G.; Martinson; Meier, A.; Melby; Mertens; Meyer, R.; Moore; Murphy; Mushik; Nalewaja; Nicholas; Nowatzki; O'Connell; Olafson; Olsen, D.; Olson, A.; Opedahl; O'Shea; Peltier; Pomeroy, E.; Pomeroy, G.; Retzer; Rice; Richard; Schindler; Schneider; Shide; Solberg; Swiontek; Thompson; Timm; Unhjem; Vander Vorst; Wentz; Williams, A.; Williams, C.; Wold; Speaker Kelly

ABSENT AND NOT VOTING: Kloubec; Riley; Strinden; Whalen

So the bill was declared lost and the Governor's veto was sustained.

MOTIONS

REP. BACKES MOVED that consideration of HB 1021 and HB 1023 be laid over one legislative day, which motion prevailed.

REP. BACKES 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. LARDY MOVED that the conference committee report on HB 1013 as printed on pages 2602 and 2603 of the House Journal be adopted, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1013: A BILL for an Act creating a native American alcohol and drug abuse education program and making an appropriation for defraying the expenses of the Indian affairs commission of the state of North Dakota.

Which has been read.

MOTION

REP. SERENUS HOFFNER MOVED the previous question, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill as amended, the roll was called and there were 75 YEAS, 29 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Aubol; Backes; Brokaw; Conmy; DeMers; Dotzenrod; DuBord; Eagles; Erdman; Gerl; Gullickson; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Jacobson; Keller; Knudson; Koski; Kretschmar; Lang; Lardy; Larson, B.; Laughlin; Lautenschlager; Linderman; Lloyd; Martin, C.; Martin, G.; Meier, A.; Meiers, R.; Mertens; Meyer, R.; Meyer, W.; Moore; Murphy; Mushik; Nalewaja; Nicholas; Nowatzki; O'Connell; Opedahl; O'Shea; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Richard; Riehl; Riley; Sanstead; Schneider; Schoenwald; Shockman; Sinner; Solberg; Stofferahn; Strinden; Swiontek; Unhjem; Vander Vorst; Vig; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Wold; Speaker Kelly

NAYS: Anderson, C.; Anderson, R.; Black; Gates; Goetz; Gorder; Gunsch; Hanson, O.; Hughes; Kent; Kingsbury; Koehn; Kuchera; Larson, R.; Lipsiea; Martinson; Melby; Olafson; Olsen, D.; Olson, A.; Peltier; Retzer; Rice; Rued; Schindler; Shide; Thompson; Timm; Whalen

ABSENT AND NOT VOTING: Boyle; Kloubec

HB 1013 passed and the title was agreed to.

REPORT OF SELECT COMMITTEE

REP. MUSHIK MOVED that the conference committee report on HB 1015 as printed on page 2604 of the House Journal be adopted, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1015: A BILL for an Act making an appropriation for defraying the expenses of the state laboratories 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 88 YEAS, 14 NAYS, 4 ABSENT AND NOT VOTING.

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

NAYS: Black; Gerly; Gorder; Gunsch; Hughes; Kingsbury; Meier, A.; Melby; Murphy; Olson, A.; O'Shea; Rued; Thompson; Vander Vorst

ABSENT AND NOT VOTING: Boyle; Kloubec; Mertens; Unhjem

HB 1015 passed and the title was agreed to.

REPORT OF SELECT COMMITTEE

REP. SANSTEAD MOVED that the conference committee report on HB 1016 as printed on pages 2601 and 2602 of the House Journal be adopted, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1016: A BILL for an Act making an appropriation for defraying the expenses of the aeronautics commission 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 80 YEAS, 20 NAYS, 6 ABSENT AND NOT VOTING.

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

NAYS: Anderson, C.; Black; Brokaw; Gerl; Hanson, O.; Kingsbury; Melby; Meyer, R.; Moore; Murphy; Olafson; Olson, A.; Riehl; Rued; Shockman; Stofferahn; Thompson; Vander Vorst; Whalen; Williams, W.

ABSENT AND NOT VOTING: Boyle; Hamerlik; Kloubec; Peterson; Richard; Timm

HB 1016 passed and the title was agreed to.

REPORT OF SELECT COMMITTEE

REP. G. MARTIN MOVED that the conference committee report on HB 1018 as printed on pages 2600 and 2601 of the House Journal be adopted, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1018: A BILL for an Act making an appropriation for defraying the expenses of the department of banking and financial institutions 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 87 YEAS, 12 NAYS, 7 ABSENT AND NOT VOTING.

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

NAYS: Anderson, C.; Black; Gerl; Hanson, O.; Kingsbury; Kuchera; Melby; Murphy; Rued; Thompson; Vander Vorst; Whalen

ABSENT AND NOT VOTING: Boyle; Gunsch; Kloubec; Nicholas; Peterson; Richard; Sinner

HB 1018 passed and the title was agreed to.

MOTION

REP. MUSHIK MOVED that consideration of HB 1032 be laid over one legislative day, which motion prevailed.

SIGNING OF BILLS AND RESOLUTIONS

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following:

SB 2092, SB 2173

CHARLES FLEMING, Chief Clerk

MESSAGE TO THE SENATE
HOUSE CHAMBER

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

SB 2092, SB 2173

Very respectfully,
CHARLES FLEMING, Chief Clerk

REPORT OF CONFERENCE COMMITTEE

MADAM SPEAKER: Your Conference Committee to which was referred Engrossed HB 1008 has had the same under consideration and recommends that the SENATE RECEDE from its amendments as found on page 2135 of the House Journal and that Engrossed HB 1008 be amended as follows:

On page 1 of the engrossed bill, line 13, delete the numerals "1,092,981" and insert in lieu thereof the numerals "1,089,983"

On page 1 of the engrossed bill, line 14, delete the numerals "337,130" and insert in lieu thereof the numerals "357,130"

On page 1 of the engrossed bill, line 16, delete the numerals "1,673,111" and insert in lieu thereof the numerals "1,690,113"

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

"Less budget adjustment 33,802"

On page 1 of the engrossed bill, line 17, delete the numerals "938,301" and insert in lieu thereof the numerals "939,135"

On page 1 of the engrossed bill, line 18, delete the numerals "734,810" and insert in lieu thereof the numerals "717,176"

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

The salaries and wages line item of the Division of Independent Study has a net reduction of \$2,998 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 \$7,011 over the executive budget for health insurance premiums.

The operating expenses of the Division of Independent Study are increased by \$20,000 from other funds to cover direct costs occurring because of increased enrollments.

The appropriation is reduced by a budget adjustment of \$33,802 (two percent), of which \$14,636 is from the general fund and \$19,166 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 \$33,802 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. Tennefos, Tweten, Walsh

For the House: Reprs. Rayl, Opedahl, Hausauer

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

SECOND READING OF HOUSE BILL

HB 1008: A BILL for an Act making an appropriation for defraying the expenses of the division of independent study of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended, the roll was called and there were 82 YEAS, 18 NAYS, 6 ABSENT AND NOT VOTING.

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

NAYS: Anderson, C.; Anderson, R.; Black; Gerl; Hanson, O.; Hughes; Kent; Kingsbury; Koehn; Kuchera; Lang; Melby; Olafson; Olson, A.; Rued; Schindler; Thompson; Whalen

ABSENT AND NOT VOTING: Gunsch; Kloubec; Murphy; Peterson; Strinden; Williams, C.

HB 1008 passed and the title was agreed to.

REPORT OF CONFERENCE COMMITTEE

MADAM SPEAKER: Your Conference Committee to which was referred Engrossed HB 1019 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 1019 be amended as follows:

On page 1 of the engrossed bill, line 12, delete the numerals "423,793" and insert in lieu thereof the numerals "421,287"

On page 1 of the engrossed bill, line 16, delete the words "general fund appropriation", and delete the numerals "481,783" and insert in lieu thereof the numerals "479,277"

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

| | |
|----------------------------------|--------------|
| "Less budget adjustment | <u>9,586</u> |
| Total general fund appropriation | \$469,691" |

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

The salaries and wages line item of the Securities Commissioner has a net reduction of \$2,506 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 \$659 over the executive budget for health insurance premiums.

The appropriation is reduced by a budget adjustment of \$9,586 (two percent) from the general fund. The 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 \$9,586 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, Tweten, Walsh

For the House: Reps. Horgan, Lardy, Lipsiea

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

SECOND READING OF HOUSE BILL

HB 1019: A BILL for an Act making an appropriation for defraying the expenses of the securities commissioner 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 85 YEAS, 13 NAYS, 8 ABSENT AND NOT VOTING.

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

NAYS: Anderson, C.; Aubol; Black; Gerl; Hanson, O.; Kingsbury; Melby; Murphy; Olson, A.; Rued; Thompson; Vander Vorst; Whalen

ABSENT AND NOT VOTING: Gunsch; Kent; Kloubec; Larson, B.; Nowatzki; Peterson; Unhjem; Williams, C.

HB 1019 passed and the title was agreed to.

MOTION

REP. MERTENS MOVED that the House request the return of HB 1724 from the Governor's office, which motion prevailed.

REPORT OF CONFERENCE COMMITTEE

MADAM SPEAKER: Your Conference Committee to which was referred Engrossed HB 1028 has had the same under consideration and recommends that the SENATE RECEDE from its amendments as found on pages 2140 and 2141 of the House Journal and that Engrossed HB 1028 be amended as follows:

On page 1 of the engrossed bill, line 14, delete the numerals "10,364,880" and insert in lieu thereof the numerals "10,371,527"

On page 1 of the engrossed bill, line 15, delete the numerals "2,374,113" and insert in lieu thereof the numerals "2,438,951"

On page 1 of the engrossed bill, line 19, delete the numerals "13,767,511" and insert in lieu thereof the numerals "13,838,996"

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

"Less budget adjustment 275,980"

On page 1 of the engrossed bill, line 20, delete the numerals "4,367,674" and insert in lieu thereof the numerals "4,358,555"

On page 1 of the engrossed bill, line 21, delete the numerals "9,399,837" and insert in lieu thereof the numerals "9,204,461"

On page 2 of the engrossed bill, line 18, delete the numerals "4,045,212" and insert in lieu thereof the numerals "4,042,542"

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Highway Patrol

The salaries and wages line item has a net increase of \$6,647, of which \$7,530 is a reduction from the general fund and \$14,177 is an increase from other funds. This will allow funds equivalent to the state's provision of 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 \$66,055 over the executive budget for health insurance premiums.

The operating expenses line item of the Highway Patrol is increased by \$64,838 from the State Highway Fund for Truck Regulatory positions which were transferred from the Highway Department. This amount was inadvertently omitted from both the Highway Patrol and Highway Department budgets.

The appropriation is reduced by a budget adjustment of \$275,980 (two percent), of which \$187,846 is from the general fund and \$88,134 is from other funds. The superintendent 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 \$275,980 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. Streibel, Tweten, Heigaard
For the House: Reps. Mushik, Solberg, Hausauer

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

SECOND READING OF HOUSE BILL

HB 1028: A BILL for an Act making an appropriation for defraying the expenses of the highway patrol 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 93 YEAS, 7 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Aubol; Backes; Boyle; Brokaw; Conmy; DeMers; Dotzenrod; DuBord; Erdman; Gates; Goetz; Gorder; Gullickson; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Hughes; Jacobson; Keller; Kent; Knudson; Koehn; Koski; Kretschmar; Kuchera; Lang; Lardy; Larson, B.; Larson, R.; Laughlin; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, C.; Martin, G.; Martinson; Meiers, R.; Melby; Mertens; Meyer, R.; Meyer, W.; 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; Timm; Vig; Watne; Wentz; Whalen; Williams, A.; Williams, W.; Wold; Speaker Kelly

NAYS: Black; Gerl; Kingsbury; Meier, A.; Murphy; Thompson; Vander Vorst

ABSENT AND NOT VOTING: Eagles; Gunsch; Kloubec; Peterson; Unhjem; Williams, C.

HB 1028 passed and the title was agreed to.

REPORT OF CONFERENCE COMMITTEE

MADAM SPEAKER: Your Conference Committee to which was referred Engrossed HB 1029 has had the same under consideration and

recommends that the SENATE RECEDE from its amendments as found on pages 2141 and 2142 of the House Journal and that Engrossed HB 1029 be amended as follows:

- On page 1 of the engrossed bill, line 13, delete the numerals "52,093,661" and insert in lieu thereof the numerals "52,669,152"
- On page 1 of the engrossed bill, line 14, delete the numerals "41,591,389" and insert in lieu thereof the numerals "50,792,089"
- On page 1 of the engrossed bill, line 15, delete the numerals "1,251,966" and insert in lieu thereof the numerals "1,547,266"
- On page 1 of the engrossed bill, line 16, delete the numerals "6,299,567" and insert in lieu thereof the numerals "6,439,217"
- On page 1 of the engrossed bill, line 17, delete the numerals "2,855,150" and insert in lieu thereof the numerals "3,589,150"
- On page 1 of the engrossed bill, line 20, delete the numerals "348,958,793" and insert in lieu thereof the numerals "359,903,934"
- On page 1 of the engrossed bill, after line 20, insert the following new line:
- | | |
|-------------------------|------------|
| "Less budget adjustment | 2,228,954" |
|-------------------------|------------|
- On page 1 of the engrossed bill, line 21, delete the numerals "348,840,345" and insert in lieu thereof the numerals "357,558,901"
- On page 1 of the engrossed bill, line 22, delete the numerals "118,448" and insert in lieu thereof the numerals "116,079"

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

State Highway Department

The salaries and wages line item is increased by \$575,491 from other funds. Of the total, \$231,803 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 \$383,139 over the executive budget for health

insurance premiums. Salaries and wages are further increased by \$344,408 from other funds to provide \$24,536 for one existing secretary position deleted in the executive budget and \$319,872 for four hearing officers, two clerical positions, and one program director necessary to carry out the provisions of Senate Bill No. 2373 relating to violations of operating motor vehicles including driving while intoxicated.

The operating expenses are increased by \$9,200,700 from other funds to provide \$200,700 to carry out the provisions of Senate Bill No. 2373 and \$9,000,000 to carry out the provisions of Senate Bill No. 2062, relating to the creation of a central management system for state motor vehicles.

Data processing is increased by \$295,300 from other funds, equipment is increased by \$139,650 from other funds, and grants are increased by \$734,000 from other funds to provide funds to carry out the provisions of Senate Bill No. 2373.

The cost of implementing the provisions of Senate Bill No. 2373 is expected to be funded as follows: \$714,058 from federal funds (subject to eligibility), and \$1 million from funds estimated to be collected due to a \$25 fee for reinstatement of driver's licenses.

The total appropriation, after the above adjustments, is reduced by a budget adjustment of \$2,228,954 (two percent). Of this reduction, \$2,226,585 is from other funds and \$2,369 is from the general fund. The Highway 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 \$2,228,954 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. Streibel, Tennesfos, Heigaard

For the House: Reps. Mushik, Solberg, Hausauer

REP. MUSHIK MOVED that the report be adopted, which motion failed.

MOTION

REP. BACKES MOVED that a new conference committee be appointed on HB 1029, which motion prevailed.

THE SPEAKER APPOINTED as a new Conference Committee on HB 1029:

Reps. Mushik, Solberg, Hausauer

MESSAGE TO THE GOVERNOR'S OFFICE
HOUSE CHAMBER

THE HONORABLE ALLEN I. OLSON: The House respectfully requests the return of HB 1724.

Very respectfully,
CHARLES FLEMING, Chief Clerk

MOTION

REP. MERTENS MOVED that consideration of HB 1034 be laid over one legislative day, which motion prevailed.

PRESENTATION OF PETITIONS AND COMMUNICATIONS

Allen I. Olson
Governor

April 12, 1983

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

Dear Madam Speaker:

Pursuant to the request of the Chief Clerk of the House, returned herewith is House Bill 1724.

Sincerely,

ALLEN I. OLSON
Governor

MOTION

REP. MERTENS MOVED that consideration of HB 1035, HB 1036, and HB 1037 be laid over one legislative day, which motion prevailed.

REPORT OF CONFERENCE COMMITTEE

MADAM SPEAKER: Your Conference Committee to which was referred Engrossed SB 2106 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on page 1525 of the House Journal and that Engrossed SB 2106 be amended as follows:

On page 1 of the engrossed bill, line 18, delete the words "as provided in" and insert in lieu thereof the words "without charge under"

On page 1 of the engrossed bill, line 21, delete the word "these"

On page 1 of the engrossed bill, line 22, after the first word "licenses" insert the words "issued without"

charge under this section", and delete the word "total"

On page 1 of the engrossed bill, line 23, delete the word "each" and insert in lieu thereof the word "the", and after the word "proclamation" and before the comma insert the words "less any licenses which are otherwise designated to be issued with a charge under this section"

On page 1 of the engrossed bill, line 24, after the word "licenses" insert the words "to be issued without charge"

On page 1 of the engrossed bill, line 25, after the period insert the words "If the number of licenses prescribed for the district or unit in the governor's proclamation exceeds fifty and if the number of applications for these licenses exceeds the number of licenses prescribed for the district or unit in the governor's proclamation, then one-half of the licenses exceeding fifty will be issued by lottery as prescribed in the governor's proclamation and may not be issued to landowners without charge."

And renumber the lines and pages accordingly

For the Senate: Sens. Moore, Maixner, D. Meyer

For the House: Reps. L. Hanson, A. Meier, Kretschmar

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

SECOND READING OF SENATE BILL

SB 2106: A BILL for an Act to create and enact a new subsection to section 20.1-03-11 of the North Dakota Century Code, relating to licenses to hunt antelope on one's land; and to amend and reenact subsection 3 of section 20.1-03-11 of the North Dakota Century Code, relating to licenses to hunt deer on one's land.

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 83 YEAS, 13 NAYS, 10 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Aubol; Backes; Black; Boyle; Conmy; DeMers; Dotzenrod; DuBord; Eagles; Gates; Gerl; Goetz; Gorder; Gullickson; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer; Hjelle; Hoffner; Serenus; Hoffner, S. F.; Hughes; Jacobson; Keller; Kent; Kingsbury; Knudson; Koehn; Koski; Kretschmar; Kuchera;

Lang; Lardy; Larson, B.; Larson, R.; Laughlin; Linderman; Lipsiea; Lloyd; Martin, C.; Martin, G.; Martinson; Meier, A.; Meiers, R.; Melby; Mertens; Meyer, R.; Meyer, W.; Moore; Murphy; Mushik; Nowatzki; O'Connell; Olsen, D.; Opedahl; Peltier; Pomeroy, G.; Rayl; Rice; Richard; Riehl; Rued; Schindler; Schneider; Schoenwald; Shide; Shockman; Sinner; Solberg; Stofferahn; Strinden; Swiontek; Timm; Vander Vorst; Vig; Watne; Williams, A.; Williams, C.; Williams, W.; Wold; Speaker Kelly

NAYS: Anderson, R.; Hanson, O.; Hill; Lautenschlager; Nalewaja; Olafson; Olson, A.; O'Shea; Riley; Sanstead; Thompson; Wentz; Whalen

ABSENT AND NOT VOTING: Brokaw; Erdman; Gunsch; Horgan; Kloubec; Nicholas; Peterson; Pomeroy, E.; Retzer; Unhjem

SB 2106 passed and the title was agreed to.

REPORT OF CONFERENCE COMMITTEE

MADAM SPEAKER: Your Conference Committee to which was referred Engrossed SB 2227 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on page 2076 of the House Journal and that Engrossed SB 2227 be amended as follows:

On page 1 of the engrossed bill, line 19, after the word "the" insert the words "director of the office of management and budget and"

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment provides that the State Tax Commissioner and the Director of Office of Management and Budget must certify the amount of anticipated general fund revenues.

For the Senate: Sens. Lips, Thane, Walsh

For the House: Reprs. G. Martin, Horgan, Peterson

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

SECOND READING OF SENATE BILL

SB 2227: A BILL for an Act to amend and reenact section 6-09-15.1 of the North Dakota Century Code, relating to loans by the Bank of North Dakota to the state general fund; to provide a continuing appropriation; 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 88 YEAS, 10 NAYS, 8 ABSENT AND NOT VOTING.

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

NAYS: Anderson, C.; Hanson, O.; Kent; Kingsbury; Lipsiea; Melby; Murphy; Olafson; Thompson; Whalen

ABSENT AND NOT VOTING: Gunsch; Kloubec; Kretschmar; Nicholas; Peterson; Retzer; Strinden; Unhjem

SB 2227 passed, the title was agreed to, and the emergency clause carried.

REPORT OF CONFERENCE COMMITTEE

MADAM SPEAKER: Your Conference Committee to which was referred Engrossed SB 2277 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on pages 2105 and 2106 of the House Journal and that Engrossed SB 2277 be amended as follows:

On page 1 of the engrossed bill, line 1, after the word "to" insert the words "create and enact subsection 23 to section 15-29-08 of the North Dakota Century Code, relating to the general powers and duties of school boards; and to", delete the word "section" and insert in lieu thereof the word "sections", and after the numerals "15-40.1-07" insert the words "and 15-41-06"

On page 1 of the engrossed bill, line 3, after the word "payments" and before the period insert the words

"and coursework requirements for high school students"

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

"SECTION 1. Subsection 23 of section 15-29-08 of the North Dakota Century Code is hereby created and enacted to read as follows:

23. To adopt alternative high school senior curriculum plans in accordance with section 15-41-06 under which high school students in their fourth year of standard high school coursework may be enrolled in fewer than four academic units."

On page 2 of the engrossed bill, line 34, delete the words "of their fourth year", and after the word "work" and before the comma insert the words "who are in their fourth year of high school coursework and who are enrolled in approved alternative high school curriculum programs"

On page 3 of the engrossed bill, after line 18, insert the following new section:

"SECTION 3. AMENDMENT. Section 15-41-06 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

15-41-06. High school courses - Requirements - Credits - Alternative curriculum plans. Four units of high school work shall be considered the minimum number of any year from the ninth grade to through the twelfth grade. However, students in their fourth year of standard high school coursework may be enrolled in fewer than four units if the students require fewer than four units for graduation and if the school board of their school district of attendance has adopted an alternative high school senior curriculum plan. An alternative high school senior curriculum plan may be adopted by board action, and must contain specifically described criteria under which high school seniors may be enrolled in fewer than four units. An alternative high school curriculum plan of coursework shall become effective only following formal approval by the superintendent of public instruction, and no student shall be eligible to be enrolled in fewer than four units of coursework in his or her twelfth-grade year unless that student can graduate during that same school year while carrying fewer than four units. A school board is not obligated to adopt an alternative high school senior

curriculum plan, but once having adopted such a plan, a district must permit high school seniors satisfying criteria set forth in the plan to be enrolled in fewer than four units in accordance with this section. All unit courses shall be taught a minimum of forty minutes a day for at least one hundred eighty days, subject to the provisions of section 15-47-33, except that all natural science courses shall exceed forty minutes to such an extent as may be determined by the superintendent of public instruction. In all high schools and in all schools maintaining any of the grades from the ninth to the twelfth and doing high school work, it shall be made possible for each grade to complete four units of work each year. The work which is done by pupils in any school which does not conform to the requirements contained in this section shall not be accredited by the superintendent of public instruction through state high school examinations or otherwise."

And renumber the lines, sections, and pages accordingly

For the Senate: Sens. Erickson, Waldera, Bakewell

For the House: Reps. Halmrast, Hill, Swiontek

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

SECOND READING OF SENATE BILL

SB 2277: A BILL for an Act to create and enact subsection 23 to section 15-29-08 of the North Dakota Century Code, relating to the general powers and duties of school boards; and to amend and reenact sections 15-40.1-07 and 15-41-06 of the North Dakota Century Code, relating to high school per-pupil payments and coursework requirements for high school students.

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 70 YEAS, 32 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Backes; Black; Brokaw; DeMers; Dotzenrod; DuBord; Eagles; Gates; Gerl; Goetz; Gorder; Gullickson; Halmrast; Hanson, O.; Haugland; Hill; Hoffner, Serenus; Hoffner, S. F.; Jacobson; Keller; Kingsbury; Knudson; Koehn; Koski; Kretschmar; Kuchera; Lardy; Larson, B.; Larson, R.; Laughlin; Lautenschlager; Linderman; Lloyd; Martin, C.; Martin, G.; Meier, A.; Meiers, R.; Mertens; Meyer, W.; Moore; Mushik; Nalewaja; Nowatzki; Opedahl; O'Shea; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Riley; Rued; Sanstead; Schneider; Schoenwald; Shockman;

Sinner; Strinden; Swiontek; Thompson; Timm; Unhjem;
Vander Vorst; Vig; Watne; Wentz; Whalen; Williams, A.;
Williams, W.; Wold; Speaker Kelly

NAYS: Anderson, C.; Anderson, R.; Aubol; Boyle; Conmy;
Erdman; Hamerlik; Hanson, L.; Hausauer; Hjelle; Horgan;
Hughes; Kent; Lang; Lipsiea; Martinson; Melby;
Meyer, R.; Murphy; O'Connell; Olafson; Olsen, D.;
Olson, A.; Peltier; Retzer; Rice; Riehl; Schindler;
Shide; Solberg; Stofferahn; Williams, C.

ABSENT AND NOT VOTING: Gunsch; Kloubec; Nicholas;
Richard

SB 2277 passed and the title was agreed to.

MESSAGES 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 HB 1029, and the Speaker has appointed as a new conference committee to act with a like committee from the Senate on:

HB 1029: Reps. Mushik, Solberg, Hausauer
Very respectfully,
CHARLES FLEMING, Chief Clerk

HOUSE CHAMBER

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

HB 1008, HB 1013, HB 1015, HB 1016, HB 1018, HB 1019,
HB 1028

Very respectfully,
CHARLES FLEMING, Chief Clerk

MESSAGE FROM THE SENATE
SENATE CHAMBER

MADAM SPEAKER: I have the honor to inform you that the Senate has concurred in the House amendments to SB 2073 and subsequently passed the same.

Very respectfully,
LEO LEIDHOLM, Secretary

REPORTS OF CONFERENCE COMMITTEES

MADAM SPEAKER: Your Conference Committee to which was referred Engrossed HB 1024 has had the same under consideration and recommends that the SENATE RECEDE from its amendments as found on pages 2172 and 2173 of the House Journal.

For the Senate: Sens. Thane, Wenstrom, Walsh
 For the House: Reps. Opedahl, Sanstead, Peterson

REP. OPEDAHL MOVED that the report be adopted, which motion prevailed on a verification vote.

MADAM SPEAKER: Your Conference Committee to which was referred HB 1733 has had the same under consideration and recommends that the HOUSE ACCEDE to the Senate amendments as found on pages 2509-2513 of the House Journal.

For the Senate: Sens. Thane, Tennefos, Heigaard
 For the House: Reps. Mertens, Lardy, Eagles

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

SECOND READING OF HOUSE BILL

HB 1733: A BILL for an Act to provide an appropriation for medical insurance premiums for North Dakota state employees for the period beginning July 1, 1983, and ending June 30, 1985.

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 2 YEAS, 100 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Black; Gerl

NAYS: Anderson, C.; Anderson, R.; Aubol; Backes; Boyle; Brokaw; Conmy; DeMers; Dotzenrod; DuBord; Eagles; Erdman; Gates; Goetz; Gorder; Gullickson; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Hughes; Jacobson; Keller; Kent; Kingsbury; Knudson; Koehn; Koski; Kretschmar; Lang; Lardy; Larson, B.; Larson, R.; Laughlin; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, C.; Martin, G.; Martinson; Meier, A.; Meiers, R.; Melby; Mertens; Meyer, R.; Meyer, W.; Moore; Murphy; Mushik; Nalewaja; Nicholas; Nowatzki; O'Connell; Olafson; Olsen, D.; Olson, A.; Opedahl; O'Shea; Peltier; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Rice; Richard; Riehl; Riley; Rued; Sanstead; 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

ABSENT AND NOT VOTING: Gunsch; Kloubec; Kuchera; Schindler

HB 1733 was declared lost.

MESSAGE 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 2219, SB 2373

Very respectfully,
LEO LEIDHOLM, Secretary

REPORT OF STANDING COMMITTEE

MADAM SPEAKER: Your Committee on Finance and Taxation to which was referred Engrossed SB 2502 has had the same under consideration and recommends by a vote of 9 YEAS, 5 NAYS, 3 ABSENT AND NOT VOTING that the same DO PASS.

REP. SINNER, Chairman

MOTION

REP. BACKES MOVED that the rules be suspended, and that SB 2502 be placed on the calendar for second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILL

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.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 74 YEAS, 27 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Anderson, R.; Aubol; Black; Boyle; Brokaw; Conmy; DeMers; Dotzenrod; DuBord; Eagles; Erdman; Gates; Gerl; Goetz; Halmrast; Hamerlik; Haugland; Hausauer; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Hughes; Jacobson; Kent; Knudson; Koehn; Koski; Kretschmar; Kuchera; Lang; Larson, R.; Lautenschlager; Lipsiea; Lloyd; Martin, C.; Martin, G.; Meier, A.; Meiers, R.; Mertens; Meyer, W.; Moore; Mushik; Nalewaja; Nicholas; Nowatzki; Olsen, D.; Opedahl; Peltier; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Retzer; Rice; Riehl; Riley; Sanstead; Schindler; Schneider; Schoenwald; Shide; Shockman; Sinner; Strinden; Swiontek; Unhjem; Vander Vorst; Watne; Wentz; Williams, A.; Williams, C.; Wold; Speaker Kelly

NAYS: Anderson, C.; Backes; Gorder; Gullickson; Hanson, L.; Hanson, O.; Hill; Keller; Kingsbury; Lardy; Larson, B.; Laughlin; Linderman; Melby; Meyer, R.; Murphy; O'Connell; Olafson; Olson, A.; O'Shea; Richard; Rued; Solberg; Stofferahn; Thompson; Vig; Williams, W.

ABSENTE AND NOT VOTING: Gunsch; Kloubec; Martinson; Timm; Whalen

SB 2502 passed and the title was agreed to.

REPORT OF PROCEDURAL COMMITTEE

MADAM SPEAKER: Your procedural Committee on Delayed Bills respectfully reports that it has considered a request for the introduction of House Bill No. 1737 and House Concurrent Resolution No. 3101, which request has been approved.

REP. BACKES, Chairman

FIRST READING OF HOUSE BILL

Reps. Schneider, Boyle, Moore, Wold introduced:

(Approved by the Committee on Delayed Bills)

HB 1737: A BILL for an Act relating to state employee compensation for the biennium ending June 30, 1985.

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

FIRST READING OF HOUSE CONCURRENT RESOLUTION

Rep. Strinden introduced:

(Approved by the Committee on Delayed Bills)

HCR 3101: A concurrent resolution directing the Legislative Council to study funding to offset coal development impact.

Was read the first time.

MOTION

REP. BACKES MOVED that the rules be suspended, that HCR 3101 be read in its entirety, not be referred to committee, be printed in the Journal, and placed on the calendar for second reading and final passage, which motion prevailed.

Rep. Strinden introduced:

HOUSE CONCURRENT RESOLUTION NO. 3101

A concurrent resolution directing the Legislative Council to study funding to offset coal development impact.

WHEREAS, the impact of the coal industry on political subdivisions of the state creates a need for funds to offset such impact which will vary according to future levels of coal industry activity; and

WHEREAS, state law presently provides that 35 percent of all revenues in the coal development fund are credited to a special fund for distribution through grants by the Energy Development Impact Office to coal-impacted political subdivisions; and

WHEREAS, it is essential for the Legislative Assembly to determine whether current coal impact funding levels meet or exceed present and future impact needs; and

WHEREAS, alternatives for distribution of revenues from a special fund or by appropriations from the general fund should be examined;

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

That the Legislative Council study current and future needs for funds to offset coal development impact with emphasis on the need for a special fund in the state treasury for coal impact grant moneys; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Forty-ninth Legislative Assembly.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3101: A concurrent resolution directing the Legislative Council to study funding to offset coal development impact.

Which has been read.

The question being on the final adoption of the resolution.

HCR 3101 was declared adopted on a voice vote.

MOTIONS

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

REP. BACKES MOVED that the House be on the Seventh order of business, and at the conclusion of the Seventh order, the House stand adjourned until 8:00 a.m., Wednesday, April 13, 1983, which motion prevailed.

REPORTS OF CONFERENCE COMMITTEES

MADAM SPEAKER: Your Conference Committee to which was referred Engrossed HB 1001 has had the same under consideration and recommends that the SENATE RECEDE from its amendments as found on

pages 2410 and 2411 of the House Journal and that Engrossed HB 1001 be amended as follows:

On page 1 of the engrossed bill, line 15, delete the numerals "1,724,645" and insert in lieu thereof the numerals "1,672,940"

On page 1 of the engrossed bill, line 16, delete the numerals "2,643,642" and insert in lieu thereof the numerals "2,572,944"

On page 1 of the engrossed bill, line 20, delete the numerals "4,449,433" and insert in lieu thereof the numerals "4,327,030"

On page 1 of the engrossed bill, after line 20, insert the following new lines:

| | |
|----------------------------------|---------------|
| "Less budget adjustment | <u>85,434</u> |
| Total general fund appropriation | \$4,241,596" |

On page 1 of the engrossed bill, line 23, delete the numerals "1,938,972" and insert in lieu thereof the numerals "1,918,126"

On page 1 of the engrossed bill, line 24, delete the numerals "1,465,964" and insert in lieu thereof the numerals "1,343,964"

On page 1 of the engrossed bill, line 26, delete the numerals "3,415,236" and insert in lieu thereof the numerals "3,272,390"

On page 1 of the engrossed bill, after line 26, insert the following new lines:

| | |
|----------------------------------|---------------|
| "Less budget adjustment | <u>65,447</u> |
| Total general fund appropriation | \$3,206,943" |

On page 1 of the engrossed bill, line 27, delete the words "Total general fund" and insert in lieu thereof the words "Grand total general fund appropriation", and delete the numerals "7,864,669" and insert in lieu thereof the numerals "7,448,539"

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Legislative Assembly

The salaries and wages line item is reduced by \$51,705 to adjust salaries for legislators and legislative employees. The adjustment provides funds for a Forty-ninth Legislative Assembly session of 90 calendar days and provides \$27,597 in additional health insurance premiums.

The operating expenses line item is reduced by \$70,698. The reduction provides expense reimbursement for legislators for a session of 90 calendar days and reduces mileage reimbursement from 25¢/mile to 20¢/mile.

Legislative Council

The salaries and wages line item has a net reduction of \$20,846 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 \$11,287 over the executive budget for health insurance premiums.

The operating expenses line item is adjusted by a net reduction of \$122,000. This adjustment consists of a reduction of \$150,000; \$45,400 to maintain meals and lodging reimbursement at the current rates, \$46,000 to reduce mileage reimbursement for 25¢/mile to 20¢/mile and \$58,600 to reflect adjustments to the interim committee structure, and an increase of \$28,000 to reflect an increase in lodging reimbursements from \$25/day to \$30/day as provided in House Bill No. 1429.

The appropriation for the legislative branch is reduced by a budget adjustment of \$150,881 (two percent); \$85,434 for the Legislative Assembly and \$65,447 for the Legislative Council. The chairman of the Legislative Council shall take such administrative action as may be necessary to spend less than the total of the line items in the Legislative Council appropriation to achieve the \$65,447 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. Streibel, Tweten, Stromme
For the House: Reps. Mertens, Boyle, Hausauer

Engrossed HB 1001 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 1010 has had the same under consideration and recommends that the SENATE RECEDE from its amendments as found on pages 2136 and 2137 of the House Journal and that Engrossed HB 1010 be amended as follows:

On page 1 of the engrossed bill, line 14, delete the numerals "12,026,413" and insert in lieu thereof the numerals "11,964,323"

On page 1 of the engrossed bill, line 15, delete the numerals "11,151,271" and insert in lieu thereof the numerals "11,126,271"

On page 1 of the engrossed bill, line 19, delete the numerals "29,999,600" and insert in lieu thereof the numerals "29,912,510"

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

"Less budget adjustment 480,308"

On page 1 of the engrossed bill, line 20, delete the numerals "21,051,894" and insert in lieu thereof the numerals "20,696,130"

On page 1 of the engrossed bill, line 21, delete the numerals "8,947,706" and insert in lieu thereof the numerals "8,736,072"

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Health Department

The salaries and wages line item has a net reduction of \$62,090; \$30,877 from the general fund and \$31,213 from other funds. 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 \$65,950 over the executive budget for health insurance premiums.

The operating expenses line item is reduced by \$25,000 from the general fund to delete the additional travel funds provided by the House for the Environmental Health Division.

The appropriation is reduced by a budget adjustment of \$480,308 (two percent); \$155,757 from the general fund and \$324,551 from other funds. The State Health Officer 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 \$480,308 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, Wenstrom, Grotberg
 For the House: Reps. Mushik, Sanstead, Unhjem

Engrossed HB 1010 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 1011 has had the same under consideration and recommends that the SENATE RECEDE from its amendments as found on pages 2244 and 2245 of the House Journal and that Engrossed HB 1011 be amended as follows:

On page 1 of the engrossed bill, line 13, delete the numerals "157,712" and insert in lieu thereof the numerals "156,976"

On page 1 of the engrossed bill, line 17, delete the numerals "1,024,454" and insert in lieu thereof the numerals "1,023,718"

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

"Less budget adjustment 5,407"

On page 1 of the engrossed bill, line 19, delete the numerals "356,086" and insert in lieu thereof the numerals "349,943"

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Council on the Arts

The salaries and wages line item has a net reduction of \$736 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 general fund appropriation is reduced by a budget adjustment of \$5,407 (two percent). The chairman of the council 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 \$5,407 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, Tweten, Heigaard
 For the House: Reps. Mushik, Rayl, Unhjem

Engrossed HB 1011 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 1020 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 1020 be amended as follows:

On page 1 of the engrossed bill, line 12, delete the numerals "389,127" and insert in lieu thereof the numerals "385,385"

On page 1 of the engrossed bill, line 14, delete the words "general fund appropriation", and delete the numerals "691,067" and insert in lieu thereof the numerals "687,325"

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

| | |
|----------------------------------|---------------|
| "Less budget adjustment | <u>13,747</u> |
| Total general fund appropriation | \$673,578" |

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Predatory Animal Control

The salaries and wages line item has a net reduction of \$3,742 from the general fund. This will allow funds equivalent to the state's provision of 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.

The appropriation is reduced by a budget adjustment of \$13,747 (two percent) from the general fund. The administrator 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 \$13,747 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, Tweten, Tallackson

For the House: Reps. Erdman, Opedahl, Gunsch

Engrossed HB 1020 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 1038 has had the same under consideration and recommends that the SENATE RECEDE from its amendments as found on page 2232 of the House Journal and that Engrossed HB 1038 be amended as follows:

On page 1 of the engrossed bill, line 13, delete the numerals "48,812" and insert in lieu thereof the numerals "48,273"

On page 1 of the engrossed bill, line 17, delete the words "general fund appropriation", and delete the numerals "277,672" and insert in lieu thereof the numerals "277,133"

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

| | |
|----------------------------------|--------------|
| "Less budget adjustment | <u>1,243</u> |
| Total general fund appropriation | \$275,890" |

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Crime Victims Reparations Act

The salaries and wages line item has a net reduction of \$539 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 \$65 over the executive budget for health insurance premiums.

The appropriation is reduced by a budget adjustment of \$1,243 (two percent) from the general fund. The administrator 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 \$1,243 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. Wenstrom, Fritzell, Walsh
For the House: Reps. Sanstead, Boyle, Kuchera

Engrossed HB 1038 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 1539 has had the same under consideration and recommends that the SENATE RECEDE from its amendments as found on

pages 2406 and 2407 of the House Journal and that Engrossed HB 1539 be amended as follows:

On page 1 of the engrossed bill, line 26, overstrike the words "four cents per gallon [3.79 liters]" and insert immediately thereafter an underscored colon, and delete the words "less than"

On page 1 of the engrossed bill, delete line 27 and insert in lieu thereof the following:

"a. Through December 31, 1983, four cents per gallon [3.79 liters] less than the tax imposed under subsection 1.

b. From January 1, 1984, through December 31, 1984, five cents per gallon [3.79 liters] less than the tax imposed under subsection 1.

c. From January 1, 1985, through December 31, 1985, six cents per gallon [3.79 liters] less than the tax imposed under subsection 1.

d. From January 1, 1986, through June 30, 1992, four cents per gallon [3.79 liters] less than the tax imposed under subsection 1.

e. After June 30, 1992, at the same rate as the tax imposed under subsection 1."

On page 2 of the engrossed bill, line 24, overstrike the words "four cents per gallon"

On page 2 of the engrossed bill, line 25, overstrike the following: "[3.79 liters]" and insert immediately thereafter an underscored colon, and delete the words "less than the tax imposed under"

On page 2 of the engrossed bill, delete line 26 and insert in lieu thereof the following:

"a. Through December 31, 1983, four cents per gallon [3.79 liters] less than the tax imposed under subsection 1.

b. From January 1, 1984, through December 31, 1984, five cents per gallon [3.79 liters] less than the tax imposed under subsection 1.

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- c. From January 1, 1985, through December 31, 1985, six cents per gallon [3.79 liters] less than the tax imposed under subsection 1.
- d. From January 1, 1986, through June 30, 1992, four cents per gallon [3.79 liters] less than the tax imposed under subsection 1.
- e. After June 30, 1992, at the same rate as the tax imposed under subsection 1."

On page 3 of the engrossed bill, line 22, overstrike the words "four cents per"

On page 3 of the engrossed bill, line 23, overstrike the words "gallon [3.79 liters]" and insert immediately thereafter an underscored colon, and delete the words "less than the tax imposed under"

On page 3 of the engrossed bill, delete line 24 and insert in lieu thereof the following:

- "a. Through December 31, 1983, four cents per gallon [3.79 liters] less than the tax imposed under subsection 1.
- b. From January 1, 1984, through December 31, 1984, five cents per gallon [3.79 liters] less than the tax imposed under subsection 1.
- c. From January 1, 1985, through December 31, 1985, six cents per gallon [3.79 liters] less than the tax imposed under subsection 1.
- d. From December 31, 1985, through June 30, 1992, four cents per gallon [3.79 liters] less than the tax imposed under subsection 1.
- e. After June 30, 1992, at the same rate as the tax imposed under subsection 1."

On page 4 of the engrossed bill, line 17, overstrike the words "four cents per gallon"

On page 4 of the engrossed bill, line 18, overstrike the following: "[3.79 liters]" and insert immediately thereafter an underscored colon, and delete the words "less than the tax imposed under"

On page 4 of the engrossed bill, delete line 19 and insert in lieu thereof the following:

- a. Through December 31, 1983, four cents per gallon [3.79 liters] less than the tax imposed under subsection 1.
- b. From January 1, 1984, through December 31, 1984, five cents per gallon [3.79 liters] less than the tax imposed under subsection 1.
- c. From January 1, 1985, through December 31, 1985, six cents per gallon [3.79 liters] less than the tax imposed under subsection 1.
- d. From December 31, 1985, through June 30, 1992, four cents per gallon [3.79 liters] less than the tax imposed under subsection 1.
- e. After June 30, 1992, at the same rate as the tax imposed under subsection 1."

On page 4 of the engrossed bill, delete lines 28 through 35

On page 5 of the engrossed bill, delete lines 1 through 10 and insert in lieu thereof the following:

"SECTION 5. Partial distribution to townships. Notwithstanding any other provision of law, one cent per gallon [3.79 liters] of the tax imposed by this Act shall not be refunded and the proceeds shall be distributed as provided in this section. The tax commissioner shall transfer the proceeds of one cent per gallon [3.79 liters] of the tax imposed by this Act to the state treasurer who shall deposit the proceeds in a township highway aid fund in the state treasury. The state treasurer shall quarterly allocate and distribute all moneys in the township highway aid fund to the counties of the state based on the length of township roads in each county compared to the length of all township roads in the state. To receive any funds under this section, organized townships must provide fifty percent matching funds. The county treasurer shall allocate the funds received to the organized townships in the county which provide fifty percent matching funds based on the length of township roads in each such organized township compared to the length of all township roads in the county. The funds received must be deposited in the township road and bridge fund and used for highway and bridge purposes. If a

county has no organized townships, or has some organized and some unorganized townships, the county shall retain a pro rata portion of the funds received based on the length of roads in unorganized townships compared to the length of township roads in organized townships in the county. Moneys retained by a county for the benefit of unorganized townships under this section must be deposited in the county road and bridge fund. Moneys retained by the county treasurer due to the failure of organized townships to provide required matching funds must be returned to the state treasurer who shall deposit the funds in the highway tax distribution fund."

And renumber the lines and pages accordingly

For the Senate: Sens. Erickson, Dotzenrod, Kilander (refused to sign)

For the House: Reprs. Hjelle, Richard, R. Anderson

Engrossed HB 1539 was placed on the Seventh order of business on the calendar for the succeeding legislative day.

The House stood adjourned pursuant to Representative Backes' motion.

CHARLES FLEMING, Chief Clerk