

JOURNAL OF THE HOUSE

Forty-eighth Legislative Assembly

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SEVENTY-THIRD DAY

Bismarck, April 18, 1983

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

The prayer was offered by Rev. Robert Paul, McCabe United Methodist Church, Bismarck.

ROLL CALL

The roll was called and all members were present, except Representatives Black, Brokaw, Eagles, Gerl, Goetz, Gorder, Gunsch, Horgan, Keller, Kent, Kloubec, B. Larson, Martinson, R. Meyer, W. Meyer, Rued, Shockman, and Wold.

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 Seventy-second 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 9:00 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 report that the following bills were delivered to the Governor for his approval at the hour of 9:10 a.m., April 18, 1983:

HB 1008, HB 1013, HB 1015, HB 1016, HB 1018, HB 1019,  
HB 1034, HB 1035, HB 1037, HB 1429, HB 1528

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 bills were delivered to the Secretary of State at the hour of 9:13 a.m., April 18, 1983:

HCR 3091, HCR 3097, HCR 3099, HCR 3100

REP. G. MARTIN, Chairman

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

MESSAGES TO THE SENATE  
HOUSE CHAMBER

MR. PRESIDENT: I have the honor to inform you that the House has adopted the conference committee reports on HB 1052 and SB 2012, and the Speaker has appointed as a new conference committee to act with a like committee from the Senate on:

HB 1052: Reps. Sinner, Koski, R. Anderson

SB 2012: Reps. G. Martin, Horgan, Unhjem

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 reports and subsequently passed the same:

SB 2008, SB 2015, SB 2021, SB 2033, SB 2067

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 1022, HB 1027, HB 1028, HB 1029, HB 1036, HB 1724

Very respectfully,  
CHARLES FLEMING, Chief Clerk

MESSAGES FROM THE SENATE  
SENATE CHAMBER

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

HB 1030, HB 1031

Very respectfully,  
LEO LEIDHOLM, Secretary

SENATE CHAMBER

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

HCR 3101

Very respectfully,  
LEO LEIDHOLM, Secretary

## SIGNING OF BILLS AND RESOLUTIONS

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following:

HB 1001, HB 1010, HB 1020, HB 1021, HB 1023, HB 1024,  
 HB 1032, HB 1033, HB 1038, HB 1539, SB 2003, SB 2006,  
 SB 2014, SB 2023, SB 2024, SB 2030, SB 2040, SB 2106,  
 SB 2227, SB 2313, SB 2322, SB 2007, SB 2010, SB 2025,  
 SB 2034, SB 2035, SB 2036, SB 2122, SB 2277, SB 2068,  
 SB 2144, SB 2011, SB 2013, SB 2502

CHARLES FLEMING, Chief Clerk

MESSAGES TO THE SENATE  
HOUSE CHAMBER

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

SB 2003, SB 2006, SB 2014, SB 2023, SB 2024, SB 2030,  
 SB 2040, SB 2106, SB 2227, SB 2313, SB 2322, SB 2007,  
 SB 2010, SB 2025, SB 2034, SB 2035, SB 2036, SB 2122,  
 SB 2277, SB 2011, SB 2013, SB 2502, SB 2068, SB 2144

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 1001, HB 1010, HB 1020, HB 1021, HB 1023, HB 1024,  
 HB 1032, HB 1033, HB 1038, HB 1539

Very respectfully,  
 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.

## REPORT 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 1006, HB 1011, HB 1014, HB 1687

REP. G. MARTIN, Chairman

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

MESSAGE 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 report and subsequently passed the same:

SB 2031

Very respectfully,  
LEO LEIDHOLM, Secretary

SIGNING OF BILLS AND RESOLUTIONS

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following:

HB 1006, HB 1011, HB 1014, HB 1687

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.

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 1006, HB 1011, HB 1014, HB 1687

Very respectfully,  
CHARLES FLEMING, Chief Clerk

MESSAGES FROM THE SENATE  
SENATE CHAMBER

MADAM SPEAKER: I have the honor to inform you that the Senate has adopted the conference committee report on HB 1052, and the President has appointed as a new conference committee to act with a like committee from the House on:

HB 1052: Sens. Adams, Lee, Matchie

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 2027, SB 2029, SB 2095, SB 2197

Very respectfully,  
LEO LEIDHOLM, Secretary

MONDAY, APRIL 18, 1983

2857

SENATE CHAMBER

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

HB 1001, HB 1010, HB 1020, HB 1021, HB 1023, HB 1024,  
HB 1032, HB 1033, HB 1038, HB 1539

Very respectfully,  
LEO LEIDHOLM, Secretary

SENATE CHAMBER

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

HB 1006, HB 1011, HB 1014, HB 1687

Very respectfully,  
LEO LEIDHOLM, Secretary

MOTION

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 CONFERENCE COMMITTEE

MADAM SPEAKER: Your Conference Committee to which was referred Engrossed HB 1004 has had the same under consideration and recommends that the SENATE RECEDE from its amendments as found on pages 2727 and 2728 of the House Journal and that Engrossed HB 1004 be amended as follows:

On page 1 of the engrossed bill, line 21, delete the numerals "866,702" and insert in lieu thereof the numerals "861,906"

On page 1 of the engrossed bill, after line 24, insert the following new line:

"Contingency 350,000"

On page 1 of the engrossed bill, line 28, delete the numerals "2,639,982" and insert in lieu thereof the numerals "2,985,186"

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

"Less budget adjustment 22,004"

On page 2 of the engrossed bill, line 2, delete the numerals "2,239,982" and insert in lieu thereof the numerals "2,563,182"

On page 3 of the engrossed bill, line 6, delete the numerals "4,916,911" and insert in lieu thereof the numerals "5,240,111"

On page 3 of the engrossed bill, line 8, delete the numerals "6,316,911" and insert in lieu thereof the numerals "6,640,111"

And renumber the lines accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

Board of Higher Education

The salaries and wages line item has a net reduction of \$4,796 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 \$6,489 over the executive budget for health insurance premiums.

The amendment also adds a \$350,000 contingency line item from the general fund to be used by the board, if necessary, to cover the unforeseen expenses at the institutions under the board's control.

The appropriation is reduced by a budget adjustment of \$22,004 (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 \$22,004 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. Lips, Streibel (refused to sign), Tallackson  
For the House: Reps. Mertens, G. Martin, Peterson

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

**SECOND READING OF SENATE BILL**

HB 1004: A BILL for an Act to amend and reenact section 4 of chapter 208 of the 1979 Session Laws of North Dakota as amended by section 1 of chapter 175 of the 1981 Session Laws of North Dakota, authorizing the board of university and school lands to invest in property development related to the Dickinson experiment station land transfers; and

making an appropriation for defraying the expenses of the board of higher education and various divisions thereof 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 76 YEAS, 20 NAYS, 10 ABSENT AND NOT VOTING.

**YEAS:** Aubol; Backes; Black; Boyle; Conmy; DeMers; DuBord; Erdman; Gates; Gerl; Goetz; Gullickson; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Jacobson; Keller; Kent; Kloubec; Knudson; Koski; Kretschmar; Kuchera; Lardy; Larson, B.; Larson, R.; Laughlin; Lautenschlager; Linderman; Lloyd; Martin, C.; Martin, G.; Meier, A.; Meiers, R.; Mertens; Meyer, R.; Moore; Mushik; Nalewaja; Nicholas; Nowatzki; O'Connell; Opedahl; O'Shea; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Rice; Richard; Riehl; Sanstead; Schindler; Schneider; Schoenwald; Shockman; Sinner; Solberg; Stofferahn; Strinden; Swiontek; Timm; Unhjem; Vig; Wentz; Williams, A.; Williams, C.; Wold; Speaker Kelly

**NAYS:** Anderson, C.; Anderson, R.; Dotzenrod; Gorder; Gunsch; Hanson, O.; Hughes; Kingsbury; Koehn; Melby; Murphy; Olafson; Olsen, D.; Olson, A.; Peltier; Retzer; Shide; Thompson; Vander Vorst; Whalen

**ABSENT AND NOT VOTING:** Brokaw; Eagles; Lang; Lipsiea; Martinson; Meyer, W.; Riley; Rued; Watne; Williams, W.

HB 1004 passed and the title was agreed to.

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#### REPORT OF CONFERENCE COMMITTEE

**MADAM SPEAKER:** Your Conference Committee to which was referred Engrossed SB 2031 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on pages 2099 and 2100 of the House Journal and that Engrossed SB 2031 be amended as follows:

On page 1 of the engrossed bill, line 14, delete the numerals "3,797,969" and insert in lieu thereof the numerals "3,882,441"

On page 1 of the engrossed bill, line 19, delete the words "all funds", and delete the numerals "7,380,689" and insert in lieu thereof the numerals "7,465,161"

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

"Less budget adjustment 102,983"

On page 1 of the engrossed bill, line 20, delete the numerals "911,900" and insert in lieu thereof the numerals "1,409,982"

On page 1 of the engrossed bill, line 21, delete the numerals "6,468,789" and insert in lieu thereof the numerals "5,952,196"

On page 1 of the engrossed bill, line 24, delete the numerals "500,000" and insert in lieu thereof the numerals "1,000,000", and delete the comma

On page 1 of the engrossed bill, delete line 25

On page 1 of the engrossed bill, line 26, delete the words "the forty-eighth legislative assembly,"

And renumber the lines accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

##### State Water Commission

The salaries and wages line item is increased by \$84,472 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 \$21,965 over the executive budget for health insurance premiums.

The general fund appropriation is decreased by \$500,000 with a corresponding increase to the estimated income line item to reflect a \$500,000 increase in funding from the resources trust fund. This provides for a total of \$1 million to be transferred from the resources trust fund to the Water Commission operating fund to be used for the Contracts line item.

The total appropriation is reduced by a budget adjustment of \$102,983 (two percent), of which \$101,065 is from the general fund and \$1,918 from other funds. The Water Commission 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 \$102,983 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. Tweten, Thane, Tallackson (refused to sign)  
For the House: Reps. Rayl, G. Martin, Peterson (refused to sign)

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

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2031:

Reps. Rayl, G. Martin, Peterson

MOTION

REP. BACKES MOVED that the House stand in recess until 2:00 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 transmit herewith the following on which the House has adopted the conference committee report and subsequently passed the same:

HB 1004

Very respectfully,  
CHARLES FLEMING, Chief Clerk

HOUSE CHAMBER

MR. PRESIDENT: I have the honor to inform you that the House has not adopted the conference committee report on Engrossed SB 2031, and the Speaker has appointed as a new conference committee to act with a like committee from the Senate on:

SB 2031: Reps. Rayl, G. Martin, Peterson

Very respectfully,  
CHARLES FLEMING, Chief Clerk

SIGNING OF BILLS AND RESOLUTIONS

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following:

SB 2027, SB 2029, SB 2095, SB 2197

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 2027, SB 2029, SB 2095, SB 2197

Very respectfully,  
CHARLES FLEMING, Chief Clerk

## 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 1:48 p.m., April 18, 1983:

HB 1006, HB 1011, HB 1014, HB 1687

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 bills were delivered to the Governor for his approval at the hour of 1:48 p.m., April 18, 1983:

HB 1001, HB 1010, HB 1020, HB 1021, HB 1023, HB 1024,  
HB 1032, HB 1033, HB 1038, HB 1539

REP. G. MARTIN, Chairman

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

## SIXTH ORDER OF BUSINESS

REP. MERTENS MOVED that the amendments to SB 2501 as recommended by the Committee on Appropriations as printed on pages 2846-2849 of the House Journal be adopted, which motion prevailed on a verification vote.

## MOTION

REP. BACKES MOVED that the rules be suspended, that SB 2501 be deemed properly engrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

## SECOND READING OF SENATE BILL

SB 2501: A BILL for an Act for a conditional transfer of funds to a state capital construction fund; to provide an appropriation for construction, remodeling, and equipping of, or for additions to, buildings and other projects of state agencies, departments, and institutions; and to provide for interim financing of authorized construction projects by loans from the Bank 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 55 YEAS, 49 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Aubol; Backes; Black; Boyle; Conmy; DeMers; DuBord; Eagles; Erdman; Gerl; Gullickson; Hamerlik; Haugland; Hausauer; Hjelle; Jacobson; Kretschmar; Kuchera; Lang;

Lardy; Larson, R.; Laughlin; Lautenschlager; Martin, G.; Mertens; Meyer, R.; Mushik; Nalewaja; Nicholas; Nowatzki; O'Connell; Opedahl; Peltier; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Rice; Richard; Rued; Sanstead; Schneider; Schoenwald; Sinner; Solberg; Stofferahn; Strinden; Swiontek; Timm; Unhjem; Watne; Wentz; Williams, A.; Williams, C.; Speaker Kelly

NAYS: Anderson, C.; Anderson, R.; Brokaw; Dotzenrod; Gates; Goetz; Gorder; Gunsch; Halmrast; Hanson, L.; Hanson, O.; Hill; Hoffner, Serenus; Hoffner, S. F.; Horgan; Hughes; Keller; Kent; Kingsbury; Kloubec; Knudson; Koehn; Koski; Larson, B.; Linderman; Lipslea; Lloyd; Martin, C.; Martinson; Meier, A.; Melby; Moore; Murphy; Olafson; Olsen, D.; Olson, A.; O'Shea; Retzer; Riehl; Riley; Schindler; Shide; Shockman; Thompson; Vander Vorst; Vig; Whalen; Williams, W.; Wold

ABSENT AND NOT VOTING: Meiers, R.; Meyer, W.

SB 2501 passed and the title was agreed to.

MOTION

REP. BACKES MOVED that the vote by which SB 2501 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

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MESSAGE 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 2031: Sens. Tweten, Thane, Tallackson

Very respectfully,  
LEO LEIDHOLM, Secretary

SECOND READING OF SENATE BILL

SB 2005: A BILL for an Act making an appropriation for the distribution of funds for the replacement of personal property taxes.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended, the roll was called and there were 98 YEAS, 0 NAYS, 8 ABSENT AND NOT VOTING.

YEAS: 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;  
 Hoffner, S. F.; Horgan; Hughes; Jacobson; Keller;  
 Kingsbury; Knudson; Koehn; Koski; Kretschmar; Lang;  
 Lardy; Larson, B.; Larson, R.; Laughlin;  
 Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, C.;  
 Martin, G.; Meier, A.; Melby; Mertens; Meyer, R.;  
 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; Schindler; Schneider; Schoenwald; Shide;  
 Shockman; Sinner; Solberg; Stofferahn; Swiontek;  
 Thompson; Timm; Unhjem; Vander Vorst; Vig; Watne;  
 Wentz; Whalen; Williams, A.; Williams, C.;  
 Williams, W.; Wold; Speaker Kelly

**NAYS:** None

**ABSENT AND NOT VOTING:** Kent; Kloubec; Kuchera;  
 Martinson; Meiers, R.; Meyer, W.; Moore; Strinden

SB 2005 passed and the title was agreed to.

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#### CONSIDERATION OF MESSAGE FROM SENATE

REP. MERTENS MOVED that the House do concur in the Senate amendments to HB 1009, which motion prevailed.

#### MOTION

REP. BACKES MOVED that the rules be suspended, that HB 1009 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 1009: A BILL for an Act making an appropriation for defraying the expenses of the extension division and the experiment stations of North Dakota state university of agriculture and applied science; an appropriation for defraying the expenses of the agricultural products utilization commission; and providing for a transfer of funds from the coal development impact fund.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill as amended, the roll was called and there were 95 YEAS, 5 NAYS, 6 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;  
 Hoffner, S. F.; Horgan; Jacobson; Keller; Kent;  
 Kingsbury; Knudson; Koehn; Koski; Kretschmar; Kuchera;  
 Lang; Lardy; Larson, B.; Larson, R.; Laughlin;  
 Lautenschlager; Linderman; Lloyd; Martin, C.;  
 Martin, G.; Meier, A.; Melby; Mertens; Meyer, R.;  
 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;  
 Schindler; Schneider; Schoenwald; Shide; Sinner;  
 Solberg; Stofferahn; Thompson; Timm; Unhjem;  
 Vander Vorst; Vig; Watne; Wentz; Whalen; Williams, A.;  
 Williams, C.; Williams, W.; Wold; Speaker Kelly

NAYS: Hughes; Lipsiea; Murphy; Shockman; Swiontek

ABSENT AND NOT VOTING: Kloubec; Martinson; Meiers, R.;  
 Meyer, W.; Moore; Strinden

HB 1009 passed and the title was agreed to.

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MOTION

REP. BACKES MOVED that the consideration of the conference committee report on HB 1025 be laid over one legislative day, which motion prevailed.

CONSIDERATION OF MESSAGE FROM SENATE

REP. NOWATZKI MOVED that the conference committee report on HB 1386 as printed on pages 2850-2852 of the House Journal be adopted.

REQUEST

REP. D. OLSEN REQUESTED a division of the vote on HB 1386, which request was granted.

The motion to adopt the conference committee report on HB 1386 prevailed on a division vote.

MOTION

REP. BACKES MOVED that the rules be suspended, that HB 1386 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 1386: A BILL for an Act to create and enact a new subdivision to subsection 6 of section 53-06.1-01 of the North Dakota Century Code, relating to eligibility of chambers of commerce to receive proceeds from games of chance; to amend and reenact subsection 1 of section 53-06.1-03 of the North Dakota Century Code, relating to licensing requirements for

conducting sports pools; and to amend and reenact the new section to chapter 53-06.1 of the North Dakota Century Code as created and enacted by section 5 of Senate Bill No. 2067, as approved by the forty-eighth legislative assembly, relating to times when games of chance may be conducted.

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 67 YEAS, 36 NAYS, 3 ABSENT AND NOT VOTING.

**YEAS:** Anderson, R.; Aubol; Backes; Black; Conmy; DeMers; Dotzenrod; DuBord; Eagles; Goetz; Gullickson; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Hughes; Jacobson; Keller; Kent; Kloubec; Koski; Kretschmar; Kuchera; Larson, B.; Larson, R.; Laughlin; Linderman; Lipsiea; Lloyd; Martin, C.; Martin, G.; Meier, A.; Mertens; Murphy; Mushik; Nalewaja; Nicholas; Nowatzki; O'Connell; Opedahl; O'Shea; Peltier; Peterson; Pomeroy, E.; Pomeroy, G.; Rice; Richard; Riley; Rued; Sanstead; Schneider; Sinner; Strinden; Swiontek; Timm; Unhjem; Vander Vorst; Watne; Whalen; Williams, W.; Wold; Speaker Kelly

**NAYS:** Anderson, C.; Boyle; Brokaw; Erdman; Gates; Gerl; Gorder; Gunsch; Hanson, O.; Hill; Kingsbury; Knudson; Koehn; Lang; Lardy; Lautenschlager; Meiers, R.; Melby; Meyer, R.; Olafson; Olsen, D.; Olson, A.; Rayl; Retzer; Riehl; Schindler; Schoenwald; Shide; Shockman; Solberg; Stofferahn; Thompson; Vig; Wentz; Williams, A.; Williams, C.

**ABSENT AND NOT VOTING:** Martinson; Meyer, W.; Moore

HB 1386 passed and the title was agreed to.

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#### MESSAGES TO THE SENATE HOUSE CHAMBER

**MR. PRESIDENT:** I have the honor to inform you that the House has concurred in the Senate amendments to HB 1009 and HB 1728, and subsequently passed the same.

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 2005

Very respectfully,  
CHARLES FLEMING, Chief Clerk

HOUSE CHAMBER

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

SB 2501

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 report and subsequently passed the same:

HB 1386

Very respectfully,  
CHARLES FLEMING, Chief Clerk

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

Allen I. Olson  
Governor

April 18, 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 18, 1983, I signed HB 1693.

Sincerely,

ALLEN I. OLSON  
Governor

MOTION

REP. BACKES MOVED that the House stand in recess until 5:00 p.m., which motion prevailed.

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

POINT OF PERSONAL PRIVILEGE

REP. HUGHES: Madam Speaker: I rise to a point of personal privilege and request that my remarks be printed in the Journal.

Madam Speaker and members of this assembly: The Medical Center Rehabilitation Hospital and the Grand Forks County Extension Service will be sponsoring a conference July 21 and 22, 1983.

The conference is removing barriers for disabled farmers. The conference is designed for handicapped farmers and spouses, extension service staff, vocational rehabilitation counselors, third party payers, rehabilitation personnel, and physicians. This conference will familiarize the participant with technological resources available to the handicapped farmer.

I will have a copy of this brochure placed at your desk for your use and I would hope that each of you would inform your people in your respective districts.

I might add that the North Dakota Pork Producers are full sponsors and will be providing the meal on Thursday evening, July twenty-first.

As a member of the board of directors of the Medical Center Rehabilitation Hospital, I am happy to make this announcement.

MESSAGE 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 report and subsequently passed the same:

SB 2001, SB 2012, SB 2016, SB 2018, SB 2038

Very respectfully,  
LEO LEIDHOLM, Secretary

MOTION

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

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

REPORT OF CONFERENCE COMMITTEE

MADAM SPEAKER: Your Conference Committee to which was referred Engrossed SB 2001 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on

pages 2469-2480 of the House Journal and that Engrossed SB 2001 be amended as follows:

On page 1 of the engrossed bill, line 3, after the word "Dakota" and before the semicolon insert the words "and for the state waterbank program"

On page 1 of the engrossed bill, line 3, delete the words "providing for a transfer of funds from the coal development"

On page 1 of the engrossed bill, line 4, delete the words "impact fund;"

On page 2 of the engrossed bill, line 3, delete the numerals "845,840" and insert in lieu thereof the numerals "862,847"

On page 2 of the engrossed bill, line 9, delete the words "general fund appropriation", and delete the numerals "1,135,809" and insert in lieu thereof the numerals "1,152,816"

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

"Less budget adjustment	<u>21,060</u>
Total general fund appropriation	\$1,131,756"

On page 2 of the engrossed bill, line 24, delete the numerals "58,881" and insert in lieu thereof the numerals "62,260"

On page 2 of the engrossed bill, line 27, delete the words "general fund appropriation", and delete the numerals "66,681" and insert in lieu thereof the numerals "70,060"

On page 2 of the engrossed bill, after line 27, insert the following new lines:

"Less budget adjustment	<u>1,349</u>
Total general fund appropriation	\$68,711"

On page 2 of the engrossed bill, line 30, delete the numerals "660,153" and insert in lieu thereof the numerals "699,749"

On page 2 of the engrossed bill, line 31, delete the numerals "79,600" and insert in lieu thereof the numerals "97,500"

On page 2 of the engrossed bill, line 35, delete the numerals "3,000" and insert in lieu thereof the numerals "5,000"

On page 3 of the engrossed bill, line 1, delete the words "general fund appropriation", and delete the numerals "953,101" and insert in lieu thereof the numerals "1,012,597"

On page 3 of the engrossed bill, after line 1, insert the following new lines:

"Less budget adjustment	<u>19,052</u>
Total general fund appropriation	\$993,545"

On page 3 of the engrossed bill, line 5, delete the words "general fund appropriation"

On page 3 of the engrossed bill, after line 5, insert the following new lines:

"Less budget adjustment	<u>4,362</u>
Total general fund appropriation	\$213,738"

On page 3 of the engrossed bill, delete lines 6 through 12

On page 3 of the engrossed bill, line 15, delete the numerals "3,824,885" and insert in lieu thereof the numerals "3,885,547"

On page 3 of the engrossed bill, line 20, delete the numerals "200,000" and insert in lieu thereof the numerals "500,000"

On page 3 of the engrossed bill, line 22, delete the words "all funds", and delete the numerals "5,930,445" and insert in lieu thereof the numerals "6,291,107"

On page 3 of the engrossed bill, after line 22, insert the following new line:

"Less budget adjustment	114,742"
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On page 3 of the engrossed bill, line 24, delete the numerals "5,730,445" and insert in lieu thereof the numerals "5,976,365"

On page 3 of the engrossed bill, line 27, delete the numerals "2,282,082" and insert in lieu thereof the numerals "2,328,322"

- On page 3 of the engrossed bill, line 28, delete the numerals "340,660" and insert in lieu thereof the numerals "388,960"
- On page 3 of the engrossed bill, line 29, delete the numerals "21,774" and insert in lieu thereof the numerals "31,550"
- On page 3 of the engrossed bill, line 31, delete the words "general fund appropriation", and delete the numerals "2,648,126" and insert in lieu thereof the numerals "2,752,442"
- On page 3 of the engrossed bill, after line 31, insert the following new lines:
- |                                  |               |
|----------------------------------|---------------|
| "Less budget adjustment          | <u>55,049</u> |
| Total general fund appropriation | \$2,697,393"  |
- On page 3 of the engrossed bill, line 34, delete the numerals "476,086" and insert in lieu thereof the numerals "485,221"
- On page 4 of the engrossed bill, line 3, delete the words "general fund appropriation", and delete the numerals "554,217" and insert in lieu thereof the numerals "563,352"
- On page 4 of the engrossed bill, after line 3, insert the following new lines:
- |                                  |               |
|----------------------------------|---------------|
| "Less budget adjustment          | <u>11,267</u> |
| Total general fund appropriation | \$552,085"    |
- On page 4 of the engrossed bill, line 6, delete the numerals "5,827,522" and insert in lieu thereof the numerals "6,775,974"
- On page 4 of the engrossed bill, line 7, delete the numerals "1,511,439" and insert in lieu thereof the numerals "1,900,429"
- On page 4 of the engrossed bill, line 8, delete the numerals "1,210,300" and insert in lieu thereof the numerals "1,399,567"
- On page 4 of the engrossed bill, line 9, delete the numerals "25,876" and insert in lieu thereof the numerals "60,011"
- On page 4 of the engrossed bill, line 10, delete the words "general fund appropriation", and delete the numerals

"8,575,137" and insert in lieu thereof the numerals "10,135,981"

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

"Less budget adjustment	<u>202,720</u>
Total general fund appropriation	\$9,933,261"

On page 4 of the engrossed bill, line 13, delete the numerals "933,022" and insert in lieu thereof the numerals "1,024,030"

On page 4 of the engrossed bill, line 14, delete the numerals "118,238" and insert in lieu thereof the numerals "161,038"

On page 4 of the engrossed bill, line 16, delete the numerals "6,583" and insert in lieu thereof the numerals "7,383"

On page 4 of the engrossed bill, line 17, delete the words "appropriation from state bonding fund", and delete the numerals "1,097,892" and insert in lieu thereof the numerals "1,232,500"

On page 4 of the engrossed bill, after line 17, insert the following new lines:

"Less budget adjustment	<u>24,650</u>
Total appropriation from state	\$1,207,850
bonding fund"	

On page 4 of the engrossed bill, line 20, delete the numerals "339,105" and insert in lieu thereof the numerals "345,021"

On page 4 of the engrossed bill, line 21, delete the numerals "151,550" and insert in lieu thereof the numerals "165,775"

On page 4 of the engrossed bill, line 22, delete the words "all funds" and delete the numerals "490,655" and insert in lieu thereof the numerals "510,796"

On page 4 of the engrossed bill, after line 22, insert the following new line:

"Less budget adjustment	10,216"
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On page 5 of the engrossed bill, after line 7, insert the following new line:

"Less budget adjustment 45,399"

On page 5 of the engrossed bill, line 8, delete the numerals "193,896" and insert in lieu thereof the numerals "191,638"

On page 5 of the engrossed bill, line 9, delete the numerals "2,378,701" and insert in lieu thereof the numerals "2,332,908"

On page 5 of the engrossed bill, line 10, delete the numerals "27,000,635" and insert in lieu thereof the numerals "28,484,809"

On page 5 of the engrossed bill, line 11, delete the numerals "6,092,107" and insert in lieu thereof the numerals "6,648,239"

On page 5 of the engrossed bill, line 12, delete the numerals "33,092,742" and insert in lieu thereof the numerals "35,133,048"

On page 5 of the engrossed bill, after line 26, insert the following new section:

"SECTION 4. APPROPRIATION. There is hereby appropriated out of any moneys, public or private, received by the commissioner of agriculture for the state waterbank program, not exceeding \$1,000,000 in aggregate total, and not otherwise appropriated, or so much thereof as may be necessary, to the commissioner of agriculture for the purpose of implementing and administering the provisions of the state waterbank program for the biennium beginning July 1, 1983, and ending June 30, 1985. No contract shall be entered into by the commissioner unless there are moneys on hand and appropriated to pay for all of the lease payments for the duration of the contract."

On page 7 of the engrossed bill, line 24, delete the word "five-member" and insert in lieu thereof the word "three-member"

On page 7 of the engrossed bill, line 26, delete the words "university of North" and insert in lieu thereof the words "coal-producing counties"

On page 7 of the engrossed bill, line 27, delete the first word "Dakota", after the word "from" insert the word "the", delete the words "state university" and insert

- in lieu thereof the words "lignite council", and after the second comma insert the word "and"
- On page 7 of the engrossed bill, line 28, after the first word "the" insert the words "reclamation staff of the", and delete the words ", and two representatives from the"
- On page 7 of the engrossed bill, line 29, delete the words "lignite industry who are involved in the reclamation process"
- On page 7 of the engrossed bill, line 31, delete the words "and a technical four-year degree in the earth"
- On page 7 of the engrossed bill, line 32, delete the words "or natural sciences"
- On page 8 of the engrossed bill, line 13, after the word "all" insert the words "past and current", and delete the words "to prevent" and insert in lieu thereof the word "projects"
- On page 8 of the engrossed bill, line 14, delete the word "duplication,"
- On page 8 of the engrossed bill, line 15, after the comma insert the words "to prevent duplication,", and delete the words "prioritize all" and insert in lieu thereof the words "establish priorities for"
- On page 8 of the engrossed bill, line 16, delete the word "criteria" and insert in lieu thereof the word "objectives"
- On page 8 of the engrossed bill, line 17, delete the numeral "13" and insert in lieu thereof the numeral "14"
- On page 8 of the engrossed bill, line 18, delete the word "future" and insert in lieu thereof the word "proposed", and after the word "projects" insert the words "administered by the commission"
- On page 8 of the engrossed bill, line 22, after the word "budgets" insert the words "administered by the commission", and delete the word "for"
- On page 8 of the engrossed bill, line 23, delete the words "inclusion in the commission's budget"
- On page 8 of the engrossed bill, line 25, delete the word "any" and insert in lieu thereof the word "all"

- On page 8 of the engrossed bill, line 30, delete the words "Advisory committee reclamation" and insert in lieu thereof the word "Reclamation", and delete the word "criteria" and insert in lieu thereof the word "objectives"
- On page 8 of the engrossed bill, line 32, delete the words "and final decisions"
- On page 8 of the engrossed bill, line 33, delete the words "the coal development" and insert in lieu thereof the words "moneys administered by the commission"
- On page 8 of the engrossed bill, line 34, delete the words "impact fund"
- On page 8 of the engrossed bill, line 35, delete the word "and" and insert in lieu thereof the words "relating to the proposed reclamation research project"
- On page 9 of the engrossed bill, line 1, delete the words "abide by its decisions for funding reclamation research"
- On page 9 of the engrossed bill, line 3, delete the words "reclamation research advisory committee" and insert in lieu thereof the word "commission"
- On page 9 of the engrossed bill, line 4, delete the words "all of"
- On page 9 of the engrossed bill, line 9, delete the words "after mining"
- On page 9 of the engrossed bill, line 10, delete the word "or" and insert in lieu thereof the word "unnecessary"
- On page 9 of the engrossed bill, line 11, delete the word "eliminate", and delete the words "which are not necessary" and insert in lieu thereof the words "and assist"
- On page 9 of the engrossed bill, line 12, delete the words "order to", and delete the word "reclaim" and insert in lieu thereof the word "reclaiming"
- On page 11 of the engrossed bill, line 20, delete the numeral "6" and insert in lieu thereof the numeral "7", and delete the numeral "10" and insert in lieu thereof the numeral "11"
- On page 11 of the engrossed bill, line 21, delete the words "14 through 20, and sections 22 and 23" and insert in

lieu thereof the words "15 through 21, and sections 23 and 24"

On page 11 of the engrossed bill, delete lines 26 through 32 and insert in lieu thereof the following new section:

"SECTION 26. EXEMPTION. The appropriation in subdivision 7 of section 1 of chapter 1 of the 1981 Session Laws for records management and microfilming shall not be subject to the provisions of section 54-44.1-11 of the North Dakota Century Code and shall be available for transfer to the office of management and budget for defraying expenses of the records management and microfilming functions during the biennium beginning July 1, 1983, and ending June 30, 1985."

On page 11 of the engrossed bill, line 35, delete the words "6 through 10, sections 14 through 20, and sections 22" and insert in lieu thereof the words "7 through 11, sections 15 through 21, and sections 23"

On page 12 of the engrossed bill, line 1, delete the words "and 23" and insert in lieu thereof the words "through 26"

On page 12 of the engrossed bill, after line 2, insert the following new section:

"SECTION 28. STATE TAX COMMISSIONER - AUDITING ENHANCEMENT PROGRAM - LEGISLATIVE COUNCIL REVIEW. The state tax commissioner, while establishing the auditing enhancement program for which funds are provided in subdivision 11 of this bill, shall report quarterly on the progress made in collecting additional tax revenues to the Legislative Council or such persons or committees as the council may designate.

And renumber the lines, subdivisions, sections, and pages accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

##### Governor's Office

The salaries and wages line item has an increase of \$17,007 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 \$5,508 over the executive budget for health insurance premiums.

The appropriation is reduced by a budget adjustment of \$21,060 (two percent). The Governor's office 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 \$21,060 budget reduction. Line items other than salaries and wages, operating expenses, data processing, and equipment are not to be affected by the budget reduction.

#### Lieutenant Governor's Office

The salaries and wages line item has a net increase of \$3,379 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 appropriation is reduced by a budget adjustment of \$1,349 (two percent) from the general fund. The Lieutenant Governor 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 \$1,349 budget reduction. Line items other than salaries and wages, operating expenses, data processing, and equipment are not to be affected by the budget reduction.

#### Secretary of State

The salaries and wages line item has a net increase of \$39,596 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 \$9,035 over the executive budget for health insurance premiums. The increase to salaries and wages also includes a \$23,364 general fund increase for one clerk-typist position approved by the Emergency Commission.

The operating expenses line item is increased by \$17,900 from the general fund to provide additional operating funds needed for the 1983-85 biennium.

The equipment line item is increased by \$2,000 from the general fund to provide funds for the purchase of equipment including the replacement of typewriters.

The appropriation is reduced by a budget adjustment of \$19,052 (two percent after the above adjustments) from the general fund. The Secretary of State 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 \$19,052 budget reduction. Line items other than salaries and wages, operating expenses, data processing, and equipment are not to be affected by the budget reduction.

Secretary of State - Public Printing

The appropriation is reduced by a budget adjustment of \$4,362 (two percent). The Secretary of State 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 \$4,362 budget reduction. Line items other than salaries and wages, operating expenses, data processing, and equipment are not to be affected by the budget reduction.

Records Management/Central Microfilm

The appropriation for the Records Management/Central Microfilm Division is deleted and a new section is added which allows the Office of Management and Budget to carryover to the 1983-85 biennium and transfer funds unspent from the 1981-83 appropriation for the records management and microfilming functions in the Secretary of State's office to OMB to defray expenses of these functions during the 1983-85 biennium. The amendment is consistent with section 22 of the bill which authorizes the transfer of the records management function to OMB.

Attorney General

The salaries and wages line item has a net increase of \$60,662 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 \$22,769 over the executive budget for health insurance premiums.

The gaming enforcement line item is increased by \$300,000 to provide total enhancements of \$500,000 for gaming enforcement.

The appropriation is reduced by a budget adjustment of \$114,742 (two percent). The Attorney General 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 \$114,742 budget reduction. Line items other than salaries and wages, operating expenses, data processing, and equipment are not to be affected by the budget reduction.

State Auditor

The salaries and wages line item has a net increase of \$46,240 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 \$13,699 over the executive budget for health insurance premiums.

The operating expenses line item is increased by \$48,300 to provide additional travel funds for the joint mineral lease audit program.

The data processing line item is increased by \$9,776 to restore data processing to requested level.

The appropriation is reduced by a budget adjustment of \$55,049 (two percent). The State Auditor 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 \$55,049 budget reduction. Line items other than salaries and wages, operating expenses, data processing, and equipment are not to be affected by the budget reduction.

State Treasurer

The salaries and wages line item has a net increase of \$9,135 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 \$2,488 over the executive budget for health insurance premiums.

The appropriation is reduced by a budget adjustment of \$11,267 (two percent after the above adjustment) from the general fund. The State Treasurer 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 \$11,267 budget reduction. Line items other than salaries and wages, operating expenses, data processing, and equipment are not to be affected by the budget reduction.

State Tax Commissioner

The salaries and wages line item has a net increase of \$948,452 from the general fund. An increase of \$65,981 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 \$37,612 over the executive budget for health insurance premiums. An increase of \$563,159 relates to 16 new positions for the "Auditing Enhancement" program. The new positions are expected to bring in \$10,106,870 of additional revenue during the 1983-85 biennium. An increase of \$168,300 relates to reclassifications of Tax Department audit positions. An additional increase of \$113,400 for one compliance officer, two clerk III, and one data entry operator relates to the administration of House Bill No. 1727 which provides for monthly collections of sales taxes and oil and gas taxes.

The operating expenses line item is increased by \$388,990, which includes \$378,190 for expenses related to the "Auditing Enhancement" program and \$10,800 for expenses related to the administration of House Bill No. 1727.

The data processing line item is increased by \$189,267 for expenses related to the administration of House Bill No. 1727.

The equipment line item is increased by \$34,135, which includes \$19,655 for expenses related to the "Auditing Enhancement" program and \$14,480 for expenses related to the administration of House Bill No. 1727.

The new positions for the "Auditing Enhancement" program and their related costs and projected revenue are as follows:

<u>Priority</u>	<u>Positions</u>	<u>Total Position Cost</u>	<u>Position Projected Revenue</u>
Level One			
1	Corporate Income Tax Auditor III	\$ 92,590	\$ 1,900,000
2	Attorney I	48,380	0
3	Oil and Gas Tax Auditor I	34,991	400,000
4	Sales Tax Auditor II	85,850	880,000
5	Sales Tax Auditor II	85,850	880,000
6	Individual Income Tax Auditor II	44,995	290,000
7	Sales Tax Field Inspector	60,067	325,000
8	Tax Collections Officer I	<u>31,610</u>	<u>581,870</u>
	Total - Level One	<u>\$484,333</u>	<u>\$ 5,256,870</u>
Level Two			
9	Corporate Income Tax	87,595	1,700,000

	Auditor II		
10	Corporate Income Tax	25,109	0
	Clerk III		
11	Sales Tax Auditor II	85,850	880,000
12	Sales Tax Auditor II	85,850	880,000
13	Individual Income Tax	44,085	290,000
	Auditor II		
14	Individual Income Tax	26,014	0
	(Withholding) Clerk III		
15	Sales Tax Clerk II	22,787	0
16	Oil & Gas Tax Auditor IV	<u>99,381</u>	<u>1,100,000</u>
	Total - Level Two	<u>\$476,671</u>	<u>\$ 4,850,000</u>
	Total Program	<u>\$961,004</u>	<u>\$10,106,870</u>

The appropriation is reduced by a budget adjustment of \$202,720 (two percent after the above adjustment) from the general fund. The State Tax 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 \$202,720 budget reduction. Line items other than salaries and wages, operating expenses, data processing, and equipment are not to be affected by the budget reduction.

A new section is added which requires the Tax Commissioner to report quarterly to the Legislative Council on the status of the "Auditing Enhancement" program.

#### Insurance Commissioner

The salaries and wages line item has a net increase of \$91,008 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 \$7,688 over the executive budget for health insurance premiums and \$74,000 for an accountant and clerk for assistance in administering the quarterly collection of the insurance premium tax as required by Senate Bill No. 2493.

In addition, \$42,800 is added to operating expenses and \$800 to equipment relating to administration of the quarterly collections. The increase of \$42,800 to operating expenses includes \$40,000 to be used to microfilm or microfiche records in the least expensive alternative.

The appropriation is reduced by a budget adjustment of \$24,650 (two percent after the above adjustment) from other funds. The Insurance 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 \$24,650 budget reduction. Line items other than salaries and wages, operating expenses, data processing, and equipment are not to be affected by the budget reduction.

Labor Commissioner

The salaries and wages line item has a net increase of \$5,916 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 \$784 over the executive budget for health insurance premiums.

The operating expenses line item is increased by \$14,225 from the general fund to provide additional in-state travel funds for the department.

The appropriation is reduced by a budget adjustment of \$10,216; \$8,376 from the general fund (two percent). The Labor 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 \$10,216 budget reduction. Line items other than salaries and wages, operating expenses, data processing, and equipment are not to be affected by the budget reduction.

Public Service Commission

The salaries and wages line item has a net increase of \$70,167, of which \$58,245 is from the general fund and \$11,922 is 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 \$34,694 over the executive budget for health insurance premiums.

The operating expenses line item is increased by \$37,412, of which \$31,792 is from the general fund and \$5,620 is from other funds. This increase is to provide additional funding for travel and vehicle maintenance and operations for several divisions of the commission.

The data processing line item is increased by \$13,518 from other funds for the Abandoned Mine Lands Division of the commission.

The appropriation is reduced by a budget adjustment of \$164,072 (two percent after the above adjustments), of which \$83,284 is from the general fund and \$80,788 is from other funds. The Public Service Commission 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 \$164,072 budget reduction. Line items other than salaries and wages, operating expenses, data processing, and equipment are not to be affected by the budget reduction.

The amendments also revise the composition of the Reclamation Research Advisory Committee which was established in the Senate. The objectives and responsibilities of the committee are also revised.

The amendments also remove a \$500,000 appropriation for coal reclamation research grants from the coal development impact fund which was added by the Senate.

#### Agriculture Commissioner

The salaries and wages line item of the Agriculture Commissioner has a net increase of \$31,059, of which \$29,406 is from the general fund and \$1,653 is 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 \$9,776 over the executive budget for health insurance premiums.

The operating expenses line item is increased by \$16,289 from the general fund for additional funding for laboratory costs for the dairy division.

The amendments also remove \$50,000 from the general fund for marketing activities which was added by the Senate.

The appropriation is reduced by a budget adjustment of \$45,399, of which \$41,488 is from the general fund and \$3,911 is from other funds (two percent). 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 \$45,399 budget reduction. Line items other than salaries and wages, operating expenses, data processing, and equipment are not to be affected by the budget reduction.

The amendments also provide for a new section which appropriates \$1 million from public or private sources for the state waterbank program if funds become available during the biennium.

For the Senate: Sens. Streibel, Tennefos, Heigaard  
For the House: Reps. Boyle, Sanstead, Unhjem

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

#### SECOND READING OF SENATE BILL

SB 2001: A BILL for an Act making an appropriation for defraying the expenses of various elected and appointed officials of the state of North Dakota and for the state waterbank program; to create and enact three new sections to chapter 38-14.1 and one new section to chapter 54-46 of the North Dakota Century Code, relating to a reclamation research advisory committee and a transfer of records management functions; to amend and reenact sections 4-01-21, 15-21-02, 26-01-03, 34-05-01.2, 49-01-05, 54-07-04, 54-08-03, 54-09-05, 54-10-10, 54-11-13, 54-12-11, and 57-01-04 of the North Dakota Century Code as amended by chapter 480 of the 1977 Session Laws of North Dakota, and section 26.1-01-09 of the North Dakota Century Code as created by House Bill No. 1054, as approved by the forty-eighth legislative assembly, relating to salaries of elected state officials; to repeal chapter 481 of the 1977 Session Laws of North Dakota and chapter 521 of the 1981 Session Laws of North Dakota, relating to salaries of elected state officials; providing an effective date; and declaring an emergency.

Which has been read.

#### MOTION

REP. BACKES MOVED that the House waive the reading of the title to SB 2001, which motion prevailed.

#### ROLL CALL

The question being on the final passage of the bill as amended, the roll was called and there were 81 YEAS, 21 NAYS, 4 ABSENT AND NOT VOTING.

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

NAYS: Anderson, C.; Anderson, R.; Aubol; Gorder; Gunsch; Halmrast; Hanson, O.; Hughes; Kingsbury; Koehn;

Larson, R.; Meier, A.; Melby; Murphy; Olafson;  
Olson, A.; Retzer; Rued; Thompson; Vander Vorst; Whalen

ABSENT AND NOT VOTING: Hanson, L.; Meyer, W.; Nicholas;  
Unhjem

SB 2001 passed, the title was agreed to, and the emergency clause carried.

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REPORT OF CONFERENCE COMMITTEE

MADAM SPEAKER: Your Conference Committee to which was referred Engrossed SB 2012 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on page 2062 of the House Journal and that Engrossed SB 2012 be amended as follows:

On page 1 of the engrossed bill, line 14, delete the numerals "861,973" and insert in lieu thereof the numerals "875,903"

On page 1 of the engrossed bill, line 18, delete the numerals "1,040,000" and insert in lieu thereof the numerals "1,150,000"

On page 1 of the engrossed bill, line 19, delete the numerals "2,571,605" and insert in lieu thereof the numerals "2,695,535"

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

"Less budget adjustment 30,911"

On page 1 of the engrossed bill, line 20, delete the numerals "806,040" and insert in lieu thereof the numerals "790,919"

On page 1 of the engrossed bill, line 21, delete the numerals "1,765,565" and insert in lieu thereof the numerals "1,873,705"

On page 2 of the engrossed bill, line 2, delete the numerals "990,000" and insert in lieu thereof the numerals "1,100,000"

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

State Library

The salaries and wages line item has a net increase of \$13,930 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 \$9,323 over the executive budget for health insurance premiums.

The grants, benefits, and claims line item of the State Library is increased by \$110,000 from the general fund for aid to public libraries. This would increase the funding to \$1.1 million which is the same level of funding as the 1981-83 biennium.

The appropriation is reduced by a budget adjustment of \$30,911 (two percent), of which \$15,790 is from the general fund and \$15,121 is from other funds. The State Librarian 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 \$30,911 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: Reps. G. Martin, Horgan, Unhjem

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

#### SECOND READING OF SENATE BILL

SB 2012: A BILL for an Act making an appropriation for defraying the expenses of the state library 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 89 YEAS, 12 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Anderson, R.; Aubol; Backes; Black; Boyle; Brokaw; Conmy; DeMers; Dotzenrod; DuBord; Eagles; Erdman; Gates; Gerl; Goetz; Gullickson; Gunsch; Halmrast; Hamerlik; Haugland; Hausauer; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Hughes; Jacobson; Keller; Kent; Kloubec; Knudson; Koehn; Koski; Kretschmar; Kuchera; Lang; Larson, B.; Larson, R.; Laughlin; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, C.; Martin, G.; Martinson; Meier, A.; Meiers, R.; Mertens; Meyer, R.; Moore; Mushik; Nalewaja; Nowatzki; O'Connell; Olafson; Olson, A.;

Opedahl; O'Shea; Peltier; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Rice; Richard; Riehl; Riley; Sanstead; Schindler; Schneider; Schoenwald; Shockman; Sinner; Solberg; Stofferahn; Strinden; Swiontek; Thompson; Timm; Vig; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Wold; Speaker Kelly

NAYS: Anderson, C.; Gorder; Hanson, O.; Kingsbury; Melby; Murphy; Olsen, D.; Retzer; Rued; Shide; Vander Vorst; Whalen

ABSENT AND NOT VOTING: Hanson, L.; Lardy; Meyer, W.; Nicholas; Unhjem

SB 2012 passed and the title was agreed to.

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REPORT OF CONFERENCE COMMITTEE

MADAM SPEAKER: Your Conference Committee to which was referred Engrossed SB 2016 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on pages 2355 and 2356 of the House Journal and that Engrossed SB 2016 be amended as follows:

On page 1 of the engrossed bill, line 13, delete the numerals "15,121" and insert in lieu thereof the numerals "15,293"

On page 1 of the engrossed bill, line 15, delete the numerals "300,000" and insert in lieu thereof the numerals "500,000"

On page 1 of the engrossed bill, line 16, delete the words "general fund appropriation", and delete the numerals "340,409" and insert in lieu thereof the numerals "540,581"

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

"Less budget adjustment	<u>812</u>
Total general fund appropriation	\$539,769"

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Educational Broadcasting Council

The salaries and wages line item has a net increase of \$172 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 \$1,128 under the executive budget for health insurance premiums.

The grants line item is increased by \$200,000 to provide matching grants to public television membership contributions.

The appropriation is reduced by a budget adjustment of \$812 (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 \$812 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, Naaden, Grotberg

For the House: Reps. Horgan (refused to sign), Lardy, Kuchera

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

#### SECOND READING OF SENATE BILL

SB 2016: A BILL for an Act making an appropriation for defraying the expenses of the educational broadcasting council 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 71 YEAS, 33 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Aubol; Backes; Black; Boyle; Brokaw; Conmy; DeMers; Dotzenrod; DuBord; Eagles; Erdman; Gates; Gerl; Goetz; Gullickson; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. E.; Jacobson; Keller; Koski; Kretschmar; Kuchera; Lardy; Larson, R.; Laughlin; Lautenschlager; Linderman; Lloyd; Martin, C.; Martin, G.; Martinson; Meiers, R.; Mertens; Meyer, R.; Mushik; Nalewaja; Nowatzki; O'Connell; Opedahl; O'Shea; Peltier; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Richard; Riehl; Sanstead; Schneider; Schoenwald; Shide; Sinner; Stofferahn; Strinden; Swilontek; Unhjem; Vig; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Wold; Speaker Kelly

NAYS: Anderson, C.; Anderson, R.; Gorder; Gunsch; Hanson, O.; Horgan; Hughes; Kent; Kingsbury; Kloubec; Knudson; Koehn; Lang; Larson, B.; Lipsiea; Meier, A.;

Melby; Moore; Murphy; Olafson; Olsen, D.; Olson, A.;  
Retzer; Rice; Riley; Rued; Schindler; Shockman;  
Solberg; Thompson; Timm; Vander Vorst; Whalen

ABSENT AND NOT VOTING: Meyer, W.; Nicholas

SB 2016 passed and the title was agreed to.

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#### REPORT OF CONFERENCE COMMITTEE

MADAM SPEAKER: Your Conference Committee to which was referred SB 2018 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on pages 2290 and 2291 of the House Journal.

For the Senate: Sens. Lips, Nelson, Tallackson

For the House: Reps. Mertens, Solberg, Peterson

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

#### SECOND READING OF SENATE BILL

SB 2018: A BILL for an Act making an appropriation for defraying the unforeseen expenses of the various agencies and institutions of the state of North Dakota.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 97 YEAS, 5 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Anderson, R.; Aubol; Backes; Black; Boyle; Brokaw;  
Conmy; DeMers; Dotzenrod; DuBord; Eagles; Erdman;  
Gates; Goetz; Gorder; Gullickson; Gunsch; Halmrast;  
Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer;  
Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan;  
Jacobson; Keller; Kent; Kloubec; Knudson; Koski;  
Kretschmar; Kuchera; Lang; Lardy; Larson, B.;  
Larson, R.; Laughlin; Lautenschlager; Linderman;  
Lipsiea; Lloyd; Martin, C.; Martin, G.; Martinson;  
Meier, A.; Meiers, R.; Melby; Mertens; Meyer, R.;  
Moore; Murphy; Mushik; Nalewaja; 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;  
Schindler; Schneider; Schoenwald; Shide; Shockman;  
Sinner; Solberg; Stofferahn; Swiontek; Thompson; Timm;  
Vander Vorst; Vig; Watne; Wentz; Whalen; Williams, A.;  
Williams, C.; Williams, W.; Wold; Speaker Kelly

NAYS: Anderson, C.; Gerl; Hughes; Kingsbury; Koehn

ABSENT AND NOT VOTING: Meyer, W.; Nicholas; Strinden; Unhjem

SB 2018 passed and the title was agreed to.

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REPORT OF CONFERENCE COMMITTEE

MADAM SPEAKER: Your Conference Committee to which was referred Engrossed SB 2038 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on pages 2357-2359 of the House Journal and that Engrossed SB 2038 be amended as follows:

On page 1 of the engrossed bill, line 16, delete the numerals "2,856,908" and insert in lieu thereof the numerals "2,824,184"

On page 1 of the engrossed bill, line 17, delete the numerals "728,286" and insert in lieu thereof the numerals "694,286"

On page 1 of the engrossed bill, line 21, delete the numerals "3,865,358" and insert in lieu thereof the numerals "3,798,634"

On page 1 of the engrossed bill, line 23, delete the numerals "3,845,358" and insert in lieu thereof the numerals "3,778,634"

On page 1 of the engrossed bill, line 26, delete the numerals "8,741,844" and insert in lieu thereof the numerals "8,763,385"

On page 1 of the engrossed bill, line 27, delete the numerals "3,648,519" and insert in lieu thereof the numerals "3,610,519"

On page 2 of the engrossed bill, line 1, delete the numerals "228,915" and insert in lieu thereof the numerals "128,915"

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

"Total	\$13,028,453
Less budget adjustment	<u>250,000"</u>

On page 2 of the engrossed bill, line 3, delete the numerals "13,144,912" and insert in lieu thereof the numerals "12,778,453"

- On page 2 of the engrossed bill, line 6, delete the numerals "122,782" and insert in lieu thereof the numerals "110,276"
- On page 2 of the engrossed bill, line 7, delete the numerals "95,450" and insert in lieu thereof the numerals "90,450"
- On page 2 of the engrossed bill, line 9, delete the numerals "229,032" and insert in lieu thereof the numerals "211,526"
- On page 2 of the engrossed bill, line 10, delete the numerals "127,015" and insert in lieu thereof the numerals "75,000"
- On page 2 of the engrossed bill, line 11, delete the numerals "102,017" and insert in lieu thereof the numerals "136,526"
- On page 2 of the engrossed bill, line 12, delete the numerals "17,092,287" and insert in lieu thereof the numerals "16,693,613"
- On page 2 of the engrossed bill, line 13, delete the numerals "147,015" and insert in lieu thereof the numerals "95,000"
- On page 2 of the engrossed bill, line 14, delete the numerals "17,239,302" and insert in lieu thereof the numerals "16,788,613"

And renumber the lines accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

##### Supreme Court

The salaries and wages line item is decreased by \$32,724 from the general fund. Of the total, an increase of \$47,276 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 \$16,459 over the executive budget for health insurance premiums. Also, salaries and wages are decreased by \$80,000 to delete funds for one staff attorney position.

The operating expenses line item is decreased by \$34,000 from the general fund. Of this amount, \$30,000 is a decrease in funds for out-of-state travel and \$4,000 is a decrease to reflect in-state mileage at 20 cents a mile rather than 25 cents a mile.

District Courts

The salaries and wages line item is increased by \$21,541 from the general fund. Of the total, an increase of \$144,281 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 \$49,902 over the executive budget for health insurance premiums. Also, the salaries and wages line item is decreased by \$122,740 to delete funds for three new positions, including one probation officer, one secretary, and one law clerk.

The operating expenses line item is decreased by \$38,000 from the general fund to reflect in-state mileage reimbursement at 20 cents rather than 25 cents a mile.

The equipment line item is decreased by \$100,000 from the general fund.

After the above adjustments, the appropriation is reduced by a budget adjustment of \$250,000. The district courts 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 \$250,000 budget reduction. Line items other than salaries and wages, operating expenses, data processing, and equipment are not to be affected by the budget reduction. If the amount of the budget adjustment is determined to be unattainable, the district courts are to request a deficiency appropriation from the Forty-ninth Legislative Assembly.

Judicial Qualifications Commission

The salaries and wages line item has a net reduction of \$12,506, of which \$6,253 is from other funds, and \$6,253 from the general fund. Of the total, an increase of \$2,527 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. Also, the salaries and wages line item is decreased by \$15,033 to reflect a lower salary for the attorney position. This position was filled by a different person since the original budget was submitted.

The operating expenses line item is decreased by \$5,000, of which \$1,850 is from the general fund and \$3,150 is from other funds, to reflect in-state mileage reimbursement at 20 cents a mile rather than 25 cents a mile.

In addition to these changes, the general fund appropriation is increased by \$42,612 and the estimated income line item is reduced by \$42,612 to reflect an anticipated total level of estimated income of \$75,000.

For the Senate: Sens. Thane, Lips, Heigaard  
 For the House: Reps. Opedahl, Erdman, Unhjem

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

#### SECOND READING OF SENATE BILL

SB 2038: A BILL for an Act making an appropriation for defraying the expenses of the judicial branch of the government 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; Black; Boyle; Conmy; DeMers; Dotzenrod; DuBord; Eagles; Erdman; Gates; Gerl; Goetz; Gullickson; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Horgan; Hughes; Jacobson; Keller; Kent; Kingsbury; Kloubec; Knudson; Koehn; Koski; Kretschmar; Kuchera; Lang; Lardy; Larson, B.; Larson, R.; Laughlin; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin, C.; Martin, G.; Martinson; Meiers, R.; Mertens; Meyer, R.; Moore; Murphy; Mushik; Nalewaja; O'Connell; Opedahl; O'Shea; Peltier; Pomeroy, E.; Pomeroy, G.; Rayl; Rice; Richard; Riehl; Riley; Sanstead; Schindler; Schneider; Schoenwald; Shide; Sinner; Solberg; Stofferahn; Timm; Unhjem; Vig; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Wold; Speaker Kelly

NAYS: Anderson, C.; Anderson, R.; Brokaw; Gorder; Gunsch; Hanson, O.; Meier, A.; Melby; Olafson; Olsen, D.; Olson, A.; Retzer; Rued; Shockman; Swiontek; Thompson; Vander Vorst; Whalen

ABSENT AND NOT VOTING: Backes; Meyer, W.; Nicholas; Nowatzki; Peterson; Strinden

SB 2038 passed and the title was agreed to.

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#### REPORT OF CONFERENCE COMMITTEE

MADAM SPEAKER: Your Conference Committee to which was referred Engrossed HB 1007 has had the same under consideration and

recommends that the SENATE RECEDE from its amendments as found on pages 2494-2496 of the House Journal and that Engrossed HB 1007 be amended as follows:

- On page 1 of the engrossed bill, line 14, delete the numerals "8,844,286" and insert in lieu thereof the numerals "8,401,376"
- On page 1 of the engrossed bill, line 18, delete the numerals "11,819,128" and insert in lieu thereof the numerals "11,376,218"
- On page 1 of the engrossed bill, line 19, delete the numerals "7,650,776" and insert in lieu thereof the numerals "7,603,087"
- On page 1 of the engrossed bill, line 20, delete the numerals "4,168,352" and insert in lieu thereof the numerals "3,773,131"
- On page 1 of the engrossed bill, line 22, delete the numerals "2,942,844" and insert in lieu thereof the numerals "2,842,321"
- On page 1 of the engrossed bill, line 25, delete the numerals "4,200,176" and insert in lieu thereof the numerals "4,099,653"
- On page 1 of the engrossed bill, line 26, delete the numerals "2,504,050" and insert in lieu thereof the numerals "2,474,829"
- On page 1 of the engrossed bill, line 27, delete the numerals "1,696,126" and insert in lieu thereof the numerals "1,624,824"
- On page 2 of the engrossed bill, line 2, delete the numerals "2,549,188" and insert in lieu thereof the numerals "2,404,283"
- On page 2 of the engrossed bill, line 7, delete the numerals "3,650,977" and insert in lieu thereof the numerals "3,506,072"
- On page 2 of the engrossed bill, line 8, delete the numerals "2,363,433" and insert in lieu thereof the numerals "2,285,437"
- On page 2 of the engrossed bill, line 9, delete the numerals "1,287,544" and insert in lieu thereof the numerals "1,220,635"

On page 2 of the engrossed bill, line 10, delete the numerals "7,152,022" and insert in lieu thereof the numerals "6,618,590"

On page 2 of the engrossed bill, line 11, delete the numerals "12,518,259" and insert in lieu thereof the numerals "12,363,353"

On page 2 of the engrossed bill, line 12, delete the numerals "19,670,281" and insert in lieu thereof the numerals "18,981,943"

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Bismarck Junior College

The salaries and wages line item is reduced by \$442,910, of which \$325,224 is from the general fund and \$117,686 is from other funds. The reduction will allow funds equivalent to the contribution to retirement and the medical insurance adjustment provided state employees.

The general fund appropriation is reduced by \$200,000, with a corresponding increase in estimated income, to delete general fund moneys provided by the House for a power plant technology program.

In addition, the general fund appropriation is reduced by \$54,647 (1.5 percent after the above adjustments) with a corresponding increase in estimated income. After this adjustment, estimated income was reduced and the general fund appropriation was increased by \$184,650 for the payment of a portion of retirement and medical insurance benefits from the general fund.

Lake Region Community College

The salaries and wages line item is reduced by \$100,523, which includes a \$110,000 general fund decrease and a \$9,477 increase from other funds. The reduction will allow funds equivalent to the contribution to retirement and the medical insurance adjustment provided state employees.

In addition, the general fund appropriation is reduced by \$23,792 (1.5 percent after the above adjustments) with a corresponding increase in estimated income. After this adjustment, estimated income was reduced by \$62,490 and the general fund appropriation was increased by \$62,490 for the payment of a portion of retirement and medical insurance benefits from the general fund.

UND-Williston

The salaries and wages line item is reduced by \$144,905, of which \$101,986 is from the general fund and \$42,919 is from other funds. The reduction will allow funds equivalent to the contribution to retirement and the medical insurance adjustment provided state employees. In addition, the general fund appropriation is reduced by \$17,783 (1.5 percent after the above adjustments) with a corresponding increase in estimated income. After this adjustment, estimated income was reduced and the general fund appropriation was increased by \$52,860 for the payment of a portion of retirement and medical insurance benefits from the general fund.

For the Senate: Sens. Lips, Wenstrom, Stromme  
 For the House: Reps. G. Martin, Boyle, O. Hanson

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

#### SECOND READING OF HOUSE BILL

HB 1007: A BILL for an Act making an appropriation for defraying the expenses of community or junior colleges.

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 74 YEAS, 29 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Anderson, R.; Aubol; Backes; Black; Boyle; Brokaw; Conmy; DeMers; Dotzenrod; DuBord; Eagles; Erdman; Gerl; Goetz; Gullickson; Halmrast; Hanson, O.; Haugland; Hausauer; Hill; Hjelle; Hoffner, Serenus; Hoffner, S. F.; Hughes; Jacobson; Keller; Kent; Koehn; Koski; Kretschmar; Lang; Larson, B.; Larson, R.; Laughlin; Lautenschlager; Linderman; Lloyd; Martin, C.; Martin, G.; Martinson; Meier, A.; Meiers, R.; Mertens; Meyer, R.; Mushik; Nalewaja; Nowatzki; O'Connell; Opedahl; O'Shea; Peterson; Pomeroy, E.; Pomeroy, G.; Rayl; Rice; Richard; Riehl; Sanstead; Schindler; Schneider; Schoenwald; Shockman; Sinner; Solberg; Stofferahn; Unhjem; Vander Vorst; Vig; Watne; Wentz; Williams, A.; Williams, W.; Wold; Speaker Kelly

NAYS: Anderson, C.; Gates; Gorder; Gunsch; Hamerlik; Hanson, L.; Horgan; Kingsbury; Kloubec; Knudson; Kuchera; Lardy; Lipsiea; Melby; Moore; Murphy; Olafson; Olsen, D.; Olson, A.; Peltier; Retzer; Riley; Rued; Shide; Swiontek; Thompson; Timm; Whalen; Williams, C.

ABSENT AND NOT VOTING: Meyer, W.; Nicholas; Strinden

HB 1007 passed and the title was agreed to.

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MOTIONS

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

REP. BACKES MOVED that the House stand adjourned until 8:00 a.m., Tuesday, April 19, 1983, which motion prevailed.

The House stood adjourned pursuant to Representative Backes' motion.

CHARLES FLEMING, Chief Clerk