

JOURNAL OF THE SENATE

Forty-eighth Legislative Assembly

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SIXTY-SEVENTH DAY

Bismarck, April 11, 1983

The Senate convened at 8:00 a.m., with President Sands presiding.

The prayer was offered by Senator Donald Moore.

Let us pray. Our Father, we thank You for the many blessings that You have bestowed upon each of us; and we are each aware of the tremendous responsibility that You have placed upon each of us in asking us to serve Thy will as we represent the people of the great state of North Dakota. Now we ask Your divine guidance as we exercise that great responsibility which Thou has bestowed upon us. As we now are entering areas in which each of us must compromise our various viewpoints as we interpret that will which Thou has asked us to exercise. We ask You to give us the guidance that is necessary as we work out those problems. We ask that we work with cool and level heads, we ask that we each represent the viewpoint that will best represent not special interests, but all the interests of the state of North Dakota. We ask for all the strength which Thou may give us, in Thy Name, we pray. Amen.

ROLL CALL

The roll was called and all members were present, except Senators Goodman, Hilken, Leibhan and Mutch.

A quorum was declared by the President.

REVISION AND CORRECTION OF THE JOURNAL

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

SEN. TWETEN, Chairman

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

MESSAGES TO THE HOUSE  
SENATE CHAMBER

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

SB 2026, SB 2108, SB 2408, SB 2491

Very respectfully,  
LEO LEIDHOLM, Secretary

## SENATE CHAMBER

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

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

Very respectfully,  
LEO LEIDHOLM, Secretary

## SIGNING OF BILLS AND RESOLUTIONS

THE SECRETARY ANNOUNCED that the President signed the following:

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

LEO LEIDHOLM, Secretary

## MOTION

SEN. NETHING MOVED that the Senate stand in recess until 9:30 a.m., which motion prevailed.

THE SENATE RECONVENED pursuant to recess taken, with President Sands presiding.

MESSAGE FROM THE HOUSE  
HOUSE CHAMBER

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

SB 2029: Reps. Mertens, Mushik, Strinden

Very respectfully,  
CHARLES FLEMING, Chief Clerk

## APPOINTMENT OF CONFERENCE COMMITTEE

SEN. NETHING MOVED that the President appoint a committee of three to act with a like committee from the House as a new Conference Committee on SB 2029, which motion prevailed.

THE PRESIDENT APPOINTED as a new Conference Committee on SB 2029:

Sens. Nething, Nelson, Redlin

MESSAGE TO THE HOUSE  
SENATE CHAMBER

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

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

Very respectfully,  
LEO LEIDHOLM, Secretary

REPORT OF PROCEDURAL COMMITTEE

MR. PRESIDENT: Your Committee on Enrollment and Engrossment respectfully report that the following bills were delivered to the Governor for his approval at the hour of 9:41 a.m., April 11, 1983:

SB 2032, SB 2150, SB 2187, SB 2205, SB 2206, SB 2394

SEN. FRITZELL, Chairman

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

MOTION

SEN. NETHING MOVED that the Senate stand in recess until 11:00 a.m., which motion prevailed.

THE SENATE RECONVENED pursuant to recess taken, with President Sands presiding.

MESSAGES FROM THE HOUSE  
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 2092, SB 2173

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 1429, HB 1528

Very respectfully,  
CHARLES FLEMING, Chief Clerk

REPORTS OF CONFERENCE COMMITTEES

MR. PRESIDENT: Your Conference Committee to which was referred HB 1429 has had the same under consideration and recommends that the SENATE RECEDE from its amendments as found on pages 1788-1791 of the Senate Journal and that HB 1429 be amended as follows:

On page 1 of the engrossed bill, line 2, after the second comma insert the numerals "54-06-09,"

- On page 2 of the engrossed bill, line 24, remove the overstrike over the word "~~five~~", and delete the words "~~six~~" and the words "~~and fifty cents~~"
- On page 2 of the engrossed bill, line 26, remove the overstrike over the word "~~eight~~", delete the word "~~ten~~", and remove the overstrike over the words "~~and fifty~~"
- On page 2 of the engrossed bill, line 27, remove the overstrike over the word "~~cents~~"
- On page 5 of the engrossed bill, after line 2, insert the following new section:

"SECTION 4. AMENDMENT. Section 54-06-09 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

54-06-09. Mileage and travel expense of state officers and employees. State officials, whether elective or appointive, and their deputies, assistants, and clerks, or other state employees, entitled by law to be reimbursed for mileage or travel expense, shall be allowed and paid for mileage and travel expense the following amounts:

1. The sum of ~~twenty-five~~ twenty cents per mile [1.61 kilometers] for each mile [1.61 kilometers] actually and necessarily traveled in the performance of official duty when such travel is by motor vehicle. The sum of thirty cents per mile [1.61 kilometers] for each mile [1.61 kilometers] actually and necessarily traveled in the performance of official duty when such travel is by private airplane. Mileage by private aircraft shall be computed by actual air mileage when only one state employee or official is traveling; if two or more state employees or officials are traveling by private aircraft, the actual mileage shall be based on the road mileage between the geographical points. Reimbursement for private airplane travel shall be calculated as follows:
  - a. If reimbursement is for one properly authorized and reimbursable passenger, reimbursement shall be paid on a per-mile basis as provided in this subsection.

- b. If reimbursement is claimed for a chartered private aircraft, reimbursement may not exceed the cost of regular coach fare on a commercial flight, if one is scheduled between the point of departure, point of destination, and return, for each properly authorized and reimbursable passenger on the charter flight; or, where there is no such regularly scheduled commercial flight, the actual cost of the charter.

No reimbursement shall be paid for leased private aircraft. In order to be reimbursed for the chartering of a private aircraft pursuant to subdivision b, the charter agreement must receive prior approval from the director of the office of management and budget who shall take comparable travel costs and the savings of time into account in making his decision. If only one person shall engage in such travel in a motor vehicle exceeding at any geographical point one hundred fifty miles [241.40 kilometers] beyond the borders of this state, reimbursement shall be limited to eighteen cents per mile [1.61 kilometers] for the out-of-state portion of the travel beyond the first one hundred fifty miles [241.40 kilometers]. When official travel is by motor vehicle or airplane owned by the state or by any department or political subdivision thereof, no allowance shall be made or paid for such mileage.

2. Except as provided in subsection 1, when travel is by rail or certificated air taxi commercial operator or other common carrier, including regularly scheduled flights by airlines, the amount actually and necessarily expended therefor in the performance of official duties.
3. Notwithstanding the other provisions of this section, state employees permanently located outside the state or on assignments outside the state for an indefinite period of time, exceeding at least thirty consecutive days, shall be allowed and paid ~~twenty-five~~ twenty cents per mile [1.61 kilometers] for each mile [1.61 kilometers] actually and necessarily traveled in the

performance of official duty when such travel is by motor vehicle, and the one hundred fifty mile [241.40 kilometer] restriction imposed by subsection 1 shall not apply.

Before any allowance for any such mileage or travel expenses shall be made, the official, deputy, assistant, clerk, or other employee shall file with the director of the office of management and budget an itemized statement showing the mileage traveled, the hour of departure and return, the days when and how traveled, the purpose thereof, and such other information and documentation as may be prescribed by rule of the office of the budget or specifically requested by such office, verified by his certification. The statement shall be submitted to the office of the budget for approval and shall be paid only when approved by the office of the budget. ~~The head of any department, institution, or agency of this state may, for any person or persons under his authority, set a rate of no less than twenty cents per mile [1.61 kilometers] and no more than twenty-five cents per mile [1.61 kilometers]."~~

And renumber the lines, sections, and pages accordingly

For the Senate: Sens. Thane, Streibel, Tallackson

For the House: Reps. R. Meyer, Watne, Martinson

HB 1429 was placed on the Seventh order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Conference Committee to which was referred HB 1528 has had the same under consideration and recommends that the SENATE RECEDE from its amendments as found on page 1507 of the Senate Journal and that HB 1528 be amended as follows:

On page 1 of the engrossed bill, line 24, delete the word "Private"

On page 1 of the engrossed bill, delete lines 25 through 28

On page 2 of the engrossed bill, delete lines 1 through 8

On page 2 of the engrossed bill, line 9, delete the words "and health services." and insert in lieu thereof the following:

"Consultation services provided to an organization or an agency are not considered to be the private practice of social work.

5. Social work practice consists of the professional application of social work values, principles, and techniques in: helping people obtain tangible services; counseling; psychotherapy with individual, families, and groups; helping communities or groups to improve social and health services; providing social casework; administration of a social work program; social work education; social work research; or any combination of these."

On page 2 of the engrossed bill, line 15, after the word "surgeons," insert the word "nurses,"

On page 2 of the engrossed bill, delete lines 26 through 29 and insert in lieu thereof the following:

- "3. Nothing in this Act shall prevent the employment of, or volunteering by, individuals in nonprofit agencies or community organizations provided these persons do not hold themselves out to the public as being social workers.
4. Nothing in this Act shall prevent the employment of social work designees by hospitals, intermediate care facilities, or nursing homes provided these persons work under the direction of a social worker or social work consultant licensed under this Act."

On page 7 of the engrossed bill, delete lines 8 through 11

On page 7 of the engrossed bill, delete lines 31 through 34

On page 8 of the engrossed bill, delete lines 1 through 15

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

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

For the House: Reps. DeMers, R. Meiers, Peltier

HB 1528 was placed on the Seventh order of business on the calendar for the succeeding legislative day.

#### REPORT OF PROCEDURAL COMMITTEE

MR. PRESIDENT: Your Committee on Enrollment and Engrossment respectfully report that the following bill was delivered to the Secretary of State for his filing at the hour of 9:56 a.m., April 11, 1983:

SMR 3

SEN. FRITZELL, Chairman

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

MESSAGE TO THE HOUSE  
SENATE CHAMBER

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

SB 2029: Sens. Nething, Nelson, Redlin

Very respectfully,  
LEO LEIDHOLM, Secretary

## MOTION

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

THE SENATE RECONVENED pursuant to recess taken, with President Sands presiding.

## REPORT OF STANDING COMMITTEE

MR. PRESIDENT: Your Committee on Finance and Taxation to which was referred SB 2502 has had the same under consideration and recommends that the same DO PASS.

SEN. GOODMAN, Chairman

SB 2502 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MESSAGES FROM THE HOUSE  
HOUSE CHAMBER

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

SB 2033: Reps. Horgan, Mertens, Gunsch

Very respectfully,  
CHARLES FLEMING, Chief Clerk

## HOUSE CHAMBER

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

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

Very respectfully,  
CHARLES FLEMING, Chief Clerk

## HOUSE CHAMBER

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

HB 1044, HB 1370, HB 1400, HB 1421, HB 1583, HB 1661  
Very respectfully,  
CHARLES FLEMING, Chief Clerk

SIGNING OF BILLS AND RESOLUTIONS

THE SECRETARY ANNOUNCED that the President signed the following:

HB 1044, HB 1370, HB 1400, HB 1421, HB 1583, HB 1661  
LEO LEIDHOLM, Secretary

MESSAGE TO THE HOUSE  
SENATE CHAMBER

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

HB 1044, HB 1370, HB 1400, HB 1421, HB 1583, HB 1661  
Very respectfully,  
LEO LEIDHOLM, Secretary

REPORT OF PROCEDURAL COMMITTEE

MR. PRESIDENT: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills and find the same correctly enrolled:

SB 2402, SB 2499

SEN. FRITZELL, Chairman

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

SIGNING OF BILLS AND RESOLUTIONS

THE SECRETARY ANNOUNCED that the President signed the following:

SB 2402, SB 2499

LEO LEIDHOLM, Secretary

MESSAGE TO THE HOUSE  
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 2402, SB 2499

Very respectfully,  
LEO LEIDHOLM, Secretary

REPORT OF PROCEDURAL COMMITTEE

MR. PRESIDENT: Your Committee on Enrollment and Engrossment respectfully report that the following bill was delivered to the Secretary of State for his filing at the hour of 12:46 p.m., April 11, 1983:

SCR 4058

SEN. FRITZELL, Chairman

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

## MOTION

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

THE SENATE RECONVENED pursuant to recess taken, with President Sands presiding.

## PRESENTATION OF PETITIONS AND COMMUNICATIONS

Allen I. Olson  
Governor

April 11, 1983

The Honorable Ernest M. Sands  
President of the Senate  
Senate Chambers  
State Capitol  
Bismarck, North Dakota 58505

Dear Mr. President:

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

SB 2271, SB 2306, SB 2354.

Sincerely,

ALLEN I. OLSON  
Governor

## REPORT OF PROCEDURAL COMMITTEE

MR. PRESIDENT: 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 11, 1983:

SB 2249, SB 2250, SB 2265, SB 2500

SEN. FRITZELL, Chairman

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

## MOTION

SEN. NETHING MOVED that the Senate stand in recess until 4:00 p.m., which motion prevailed.

THE SENATE RECONVENED pursuant to recess taken, with President Sands presiding.

REPORTS OF CONFERENCE COMMITTEES

MR. PRESIDENT: Your Conference Committee to which was referred SB 2007 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on page 1920 of the Senate Journal and that SB 2007 be amended as follows:

On page 1 of the engrossed bill, line 14, delete the numerals "3,348,205" and insert in lieu thereof the numerals "3,410,843"

On page 1 of the engrossed bill, line 19, delete the words "all funds", and delete the numerals "4,385,302" and insert in lieu thereof the numerals "4,447,940"

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

"Less budget adjustment 87,749"

On page 1 of the engrossed bill, line 20, delete the numerals "1,212,529" and insert in lieu thereof the numerals "1,188,398"

On page 1 of the engrossed bill, line 21, delete the numerals "3,172,773" and insert in lieu thereof the numerals "3,171,793"

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Industrial School

The salaries and wages line item is increased by \$62,638 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 \$11,992 over the executive budget for health insurance premiums.

The total appropriation, after the above adjustment, is reduced by a budget adjustment of \$87,749 (two percent). Of this reduction, \$63,618 is from the general fund and \$24,131 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 \$87,749 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, Fritzell, Grotberg  
 For the House: Reps. Mushik, Erdman, Thompson (no signature)

SB 2007 was placed on the Seventh order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Conference Committee to which was referred SB 2034 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on pages 1933 and 1934 of the Senate journal and that SB 2034 be amended as follows:

On page 1, line 17, delete the numerals "37,331" and insert in lieu thereof the numerals "36,244"

On page 1, line 20, delete the words "appropriation from state bonding fund", and delete the numerals "56,904" and insert in lieu thereof the numerals "55,817"

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

"Less budget adjustment	<u>1,116</u>
Total appropriation from state bonding fund	\$54,701"

On page 1, line 23, delete the numerals "144,925" and insert in lieu thereof the numerals "139,002"

On page 2, line 1, delete the words "appropriation from state fire and", and delete the numerals "227,596" and insert in lieu thereof the numerals "221,673"

On page 2, delete line 2 and insert in lieu thereof the following new lines:

"Less budget adjustment	<u>4,403</u>
Total appropriation from state fire and	\$217,270
tornado fund"	

On page 2, line 3, delete the numerals "284,500" and insert in lieu thereof the numerals "271,971"

And renumber the lines accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

##### Bonding Fund

The salaries and wages line item has a net reduction of \$1,087 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 \$525 over the executive budget for health insurance premiums.

The appropriation is reduced by a budget adjustment of \$1,116 (two percent) from other funds. The manager 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 \$1,116 budget reduction. Line items other than salaries and wages, operating expenses, data processing, and equipment are not to be affected by the budget reduction.

#### Fire and Tornado Fund

The salaries and wages line item has a net reduction of \$5,923 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 \$590 over the executive budget for health insurance premiums.

The appropriation is reduced by a budget adjustment of \$4,403 (two percent) from other funds. The manager 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 \$4,403 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, Stromme

**For the House:** Reps. Lardy, Lipsiea, Rayl

SB 2034 was placed on the Seventh order of business on the calendar for the succeeding legislative day.

**MR. PRESIDENT:** Your Conference Committee to which was referred SB 2035 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on page 1934 of the Senate Journal and that SB 2035 be amended as follows:

On page 1, line 14, delete the numerals "39,738" and insert in lieu thereof the numerals "38,089"

On page 1, line 17, delete the words "appropriation from unsatisfied", and delete the numerals "47,289" and insert in lieu thereof the numerals "45,640"

On page 1, delete line 18 and insert in lieu thereof the following new lines:

"Less budget adjustment

913

Total appropriation from unsatisfied judgment fund" \$44,727

And renumber the lines accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

The salaries and wages line item of the Unsatisfied Judgment Fund has a net reduction of \$1,649 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 \$590 over the executive budget for health insurance premiums.

The appropriation is reduced by a budget adjustment of \$913 (two percent) from other funds. 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 \$913 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 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 \$87,749 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, Grotberg

**For the House:** Reps. Boyle, Sanstead, Thompson (no signature)

SB 2035 was placed on the Seventh order of business on the calendar for the succeeding legislative day.

**MR. PRESIDENT:** Your Conference Committee to which was referred SB 2040 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on page 1981 of the Senate Journal and that SB 2040 be amended as follows:

On page 1 of the engrossed bill, line 14, delete the numerals "5,318,089" and insert in lieu thereof the numerals "5,420,707"

On page 1 of the engrossed bill, line 22, delete the words "appropriation from game and fish fund", and delete the numerals "12,171,395" and insert in lieu thereof the numerals "12,274,013"

On page 1 of the engrossed bill, after line 22, insert the following new lines:

"Less budget adjustment	<u>186,385</u>
Total appropriation from game and fish fund"	\$12,087,628

On page 2 of the engrossed bill, line 11, delete the numerals "13,671,395" and insert in lieu thereof the numerals "13,587,628"

And renumber the lines accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

The salaries and wages line item of the State Game and Fish Department has a net increase of \$102,618 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 \$40,594 over the executive budget for health insurance premiums.

The appropriation is reduced by a budget adjustment of \$186,385 (two percent) from other funds. 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 \$186,385 budget reduction. Line items other than salaries and wages, operating expenses, data processing, and equipment are not to be affected by the budget reduction.

For the Senate: Sens. Nelson, Fritzell, Walsh  
For the House: Reps. Lardy, Peterson, G. Martin

SB 2040 was placed on the Seventh order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Conference Committee to which was referred SB 2122 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on page 1494 of the Senate Journal and that SB 2122 be amended as follows:

On page 2, line 24, overstrike the word "and", delete the word "unless" and insert in lieu thereof the word "Unless"

On page 2, line 26, overstrike the word "at"

On page 2, line 27, overstrike the words "least fourteen days prior to the hearing"

On page 2, line 29, after the period, insert the sentence "All rules must provide for at least fourteen days' notice before the hearing except in cases of emergency."

And renumber the lines accordingly

**For the Senate:** Sens. Holmberg, Maixner, Christensen  
**For the House:** Reps. Keller, Murphy, Linderman

SB 2122 was placed on the Seventh order of business on the calendar for the succeeding legislative day.

**MR. PRESIDENT:** Your Conference Committee to which was referred SB 2322 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on page 1809 of the Senate Journal and that SB 2322 be amended as follows:

In lieu of the first Conference Committee amendments, as printed on pages 2033 and 2034 of the Senate Journal and on page 2496 of the House Journal, that the House recede from its amendments and that engrossed SB 2322 be amended as follows:

On page 1 of the engrossed bill, line 2, delete the word "sections" and insert in lieu thereof the word "section"

On page 1 of the engrossed bill, line 2, after the numeral "20.1-01-17" delete the following: "and 20.1-01-19"

On page 2 of the engrossed bill, delete lines 3 through 10

And renumber the lines and pages accordingly

**For the Senate:** Sens. Parker, Moore, Maixner  
**For the House:** Reps. Lautenschlager, Gullickson, Timm

SB 2322 was placed on the Seventh order of business on the calendar for the succeeding legislative day.

#### MOTION

**SEN. NOTHING MOVED** that the Senate be on the Eleventh order of business at this time, which motion prevailed.

#### SECOND READING OF A SENATE BILL

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

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 48 YEAS, 0 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Barth; Berube; Christensen; David; Dotzenrod; Erickson; Fritzell; Goodman; Grotberg; Heigaard; Miller Heinrich; Holmberg; Kilander; Krauter; Kusler; Lashkowitz; Lee; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Moore; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Stenehjem; Streibel; Stromme; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Dykshoorn; Hilken; Leibhan; Mutch; Tallackson

SB 2501 passed and the title was agreed to.

SEN. NETHING 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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## MOTION

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

## SECOND READING OF A 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.

SEN. KILANDER MOVED that SB 2502 be amended as follows:

On page 1, line 25, delete the word " , who"

On page 1, line 26, after the first word "property" insert an underscored comma

And renumber the lines and pages accordingly

SEN. KILANDER MOVED that the proposed amendments be adopted, which motion prevailed.

SEN. KILANDER MOVED that the rules be suspended, that SB 2502 be deemed properly engrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

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.

#### ROLL CALL

The question being on the final passage of the bill as amended, the roll was called and there were 48 YEAS, 0 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Barth; Berube; Christensen; David; Dotzenrod; Erickson; Fritzell; Goodman; Grotberg; Heigaard; Miller Heinrich; Holmberg; Kilander; Krauter; Kusler; Lashkowitz; Lee; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Moore; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Stenehjem; Streibel; Stromme; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Dykshoorn; Hilken; Leibhan; Mutch; Tallackson

SB 2502 passed and the title was agreed to.

SEN. NETHING MOVED that the vote by which SB 2502 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

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#### MOTION

SEN. NETHING MOVED that the Senate be on the Fourteenth order of business, which motion prevailed.

#### SECOND READING OF A HOUSE CONCURRENT RESOLUTION

HCR 3091: A concurrent resolution concerning the extension of the Wetlands Loan Act and directing the Legislative Council to study the federal waterfowl production area acquisition program.

Which has been read.

SEN. FRITZELL REQUESTED a recorded roll call vote on the adoption of HCR 3091, which request was granted.

ROLL CALL

The question being on the final adoption of the resolution, the roll was called and there were 31 YEAS, 16 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Barth; Berube; Christensen; David; Dotzenrod; Erickson; Goodman; Grotberg; Krauter; Kusler; Lashkowitz; Lee; Lodoen; Maixner; Meyer, D.; Meyer, J.; Moore; Nething; Olson; Parker; Reiten; Streibel; Stromme; Tennefos; Tweten; Vosper; Walsh; Wenstrom; Wright

NAYS: Fritzell; Miller Heinrich; Holmberg; Kilander; Lips; Matchie; Naaden; Nelson; Peterson; Redlin; Satrom; Stenehjem; Thane; Todd; Waldera; Wogsland

ABSENT AND NOT VOTING: Dykshoorn; Heigaard; Hilken; Leibhan; Mutch; Tallackson

HCR 3091 was declared adopted.

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MESSAGE TO THE HOUSE  
SENATE CHAMBER

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

SB 2501

Very respectfully,  
LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE  
HOUSE CHAMBER

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

Very respectfully,  
CHARLES FLEMING, Chief Clerk

MOTION

SEN. NETHING MOVED that the Senate be on the Seventh order of business, which motion prevailed.

REPORT OF CONFERENCE COMMITTEE

SEN. STENEHJEM MOVED that the conference committee report on SB 2067 as printed on pages 2291-2294 of the Senate Journal be adopted.

SEN. J. MEYER REQUESTED a recorded roll call vote on the motion to adopt the conference committee report on SB 2067, which request was granted.

## ROLL CALL

The question being on the motion to adopt the conference committee report on SB 2067, the roll was called and there were 5 YEAS, 43 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Christensen; Dotzenrod; Meyer, D.; Meyer, J.; Stenehjem

NAYS: Adams; Bakewell; Barth; Berube; David; Erickson; Fritzell; Goodman; Grothberg; Heigaard; Miller Heinrich; Holmberg; Kilander; Krauter; Kusler; Lashkowitz; Lee; Lips; Lodoen; Maixner; Matchie; Moore; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Streibel; Stromme; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

ABSENT AND NOT VOTING: Dykshoorn; Hilken; Leibhan; Mutch; Tallackson

The conference committee report on SB 2067 was not adopted.

## APPOINTMENT OF CONFERENCE COMMITTEES

SEN. NOTHING MOVED that the President appoint a committee of three to act with a like committee from the House as a new Conference Committee on SB 2067, which motion prevailed.

THE PRESIDENT APPOINTED as a new Conference Committee on SB 2067:

Sens. Stenehjem, Christensen, J. Meyer

## REPORT OF CONFERENCE COMMITTEE

SEN. MAIXNER MOVED that the conference committee report on SB 2106 as printed on pages 2130 and 2131 of the Senate Journal be adopted, which motion prevailed.

SEN. MAIXNER MOVED that the rules be suspended, that SB 2106 be deemed properly reengrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

## SECOND READING OF A 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 41 YEAS, 6 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Barth; Berube; Christensen; David; Dotzenrod; Erickson; Fritzell; Goodman; Grotberg; Heigaard; Miller Heinrich; Kilander; Krauter; Kusler; Lashkowitz; Lee; Lips; Lodoen; Matchie; Naaden; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Stenehjsem; Streibel; Stromme; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Wenstrom; Wogsland; Wright

NAYS: Maixner; Meyer, D.; Meyer, J.; Moore; Nelson; Walsh

ABSENT AND NOT VOTING: Dykshoorn; Hilken; Holmberg; Leibhan; Mutch; Tallackson

SB 2106 passed and the title was agreed to.

SEN. NOTHING MOVED that the vote by which SB 2106 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

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REPORT OF CONFERENCE COMMITTEE

SEN. LIPS MOVED that the conference committee report on SB 2227 as printed on page 2283 of the Senate Journal be adopted, which motion prevailed.

SEN. LIPS MOVED that the rules be suspended, that SB 2227 be deemed properly reengrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF A 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 46 YEAS, 2 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Barth; Berube; Christensen; David; Dotzenrod; Erickson; Fritzell; Goodman; Grotberg; Miller Heinrich; Holmberg; Kilander; Krauter; Kusler;

Lashkowitz; Lee; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Moore; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Stenehjem; Streibel; Stromme; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wright

**NAYS:** Heigaard; Wogsland

**ABSENT AND NOT VOTING:** Dykshoorn; Hilken; Leibhan; Mutch; Tallackson

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

**SEN. NETHING MOVED** that the vote by which SB 2227 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

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#### REPORT OF CONFERENCE COMMITTEE

**SEN. ERICKSON MOVED** that the conference committee report on SB 2277 as printed on pages 2283-2285 of the Senate Journal be adopted, which motion prevailed.

**SEN. ERICKSON MOVED** that the rules be suspended, that SB 2277 be deemed properly reengrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

#### SECOND READING OF A 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 48 YEAS, 0 NAYS, 5 ABSENT AND NOT VOTING.

**YEAS:** Adams; Bakewell; Barth; Berube; Christensen; David; Dotzenrod; Erickson; Fritzell; Goodman; Grotberg; Heigaard; Miller Heinrich; Holmberg; Kilander; Krauter; Kusler; Lashkowitz; Lee; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Moore; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Stenehjem; Streibel; Stromme; Tennefos; Thane;

Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom;  
Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Dykshoorn; Hilken; Leibhan;  
Mutch; Tallackson

SB 2277 passed and the title was agreed to.

SEN. NETHING MOVED that the vote by which SB 2277 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

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REPORT OF PROCEDURAL COMMITTEE

MR. PRESIDENT: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill and find the same correctly engrossed:

SB 2502

SEN. FRITZELL, Chairman

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

MESSAGE TO THE HOUSE  
SENATE CHAMBER

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

SB 2502

Very respectfully,  
LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE  
HOUSE CHAMBER

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

SB 2373, SB 2219

Very respectfully,  
CHARLES FLEMING, Chief Clerk

MOTIONS

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

SEN. NOTHING MOVED that the Senate adjourn and convene at 8:00 a.m., Tuesday, April 12, 1983, which motion prevailed.

LEO LEIDHOLM, Secretary