

FRIDAY, MARCH 1, 1985

1495

JOURNAL OF THE HOUSE

Forty-ninth Legislative Assembly

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THIRTY-SEVENTH DAY

Bismarck, March 1, 1985

The House convened at 12:30 p.m., with Speaker R. Hausauer presiding.

The prayer was offered by Reverend Dale Drown, Bismarck Wesleyan Church, Bismarck, North Dakota.

ROLL CALL

The roll was called and all Representatives were present, except Representatives Gullickson, Retzer.

A quorum was declared by the Speaker.

REVISION AND CORRECTION OF THE JOURNAL

MR. SPEAKER: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Thirty-sixth Day and recommends that the same be corrected as follows and when so corrected, recommends that the same be approved:

On page 1443, lines 26 and 27, delete all the Senate Concurrent Resolution numbers

REP. KENT, Chairman

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

MOTIONS

REP. J. PETERSON MOVED that the House reconsider its action whereby the committee report was accepted and HB 1031 was placed on the Sixth order of business, which motion prevailed.

REP. J. PETERSON MOVED that HB 1031 be rereferred to the Committee on Appropriations, which motion prevailed.

SPEAKER R. HAUSAUER ANNOUNCED that HB 1031 was referred to the Committee on Appropriations.

MESSAGE TO THE SENATE  
HOUSE CHAMBER

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

SCR 4001, SCR 4012, SCR 4039, SCR 4041, SCR 4045

ROY GILBREATH, Chief Clerk

**MESSAGES FROM THE SENATE  
SENATE CHAMBER**

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

HB 1044, HB 1058, HB 1059, HB 1066, HB 1068, HB 1073,  
 HB 1075, HB 1093, HB 1095, HB 1101, HB 1107, HB 1111,  
 HB 1113, HB 1117, HB 1118, HB 1121, HB 1122, HB 1124,  
 HB 1125, HB 1132, HB 1136, HB 1137, HB 1150, HB 1160,  
 HB 1162, HB 1164, HB 1181, HB 1184, HB 1238, HB 1346,  
 HB 1529, HCR 3006, HCR 3007, HCR 3008, HCR 3009, HCR 3010  
 LEO LEIDHOLM, Secretary

**SENATE CHAMBER**

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

HB 1086, HB 1172, HB 1197, HB 1200, HB 1209, HB 1236,  
 HB 1252, HB 1253, HB 1279, HB 1291, HB 1311  
 LEO LEIDHOLM, Secretary

**SENATE CHAMBER**

**MR. SPEAKER:** I have the honor to return herewith the following which the Senate has failed to pass:

HB 1064, HB 1165

LEO LEIDHOLM, Secretary

**REPORT OF PROCEDURAL COMMITTEE**

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

HB 1020, HB 1021, HB 1028, HB 1515

REP. HEDSTROM, Chairman

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

**REPORT OF STANDING COMMITTEE**

**MR. SPEAKER:** Your Committee on Appropriations to which was referred HB 1031 has had the same under consideration and recommends by a vote of 19 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 18, delete the numerals "7,513,911" and insert in lieu thereof the numerals "7,238,528"

On page 1, line 19, delete the numerals "3,490,090" and insert in lieu thereof the numerals "4,380,090"

On page 1, line 22, delete the numerals "11,910,861" and insert in lieu thereof the numerals "12,525,478"

On page 1, line 24, delete the numerals "11,644,703" and insert in lieu thereof the numerals "12,259,320"

On page 1, line 27, delete the numerals "1,023,814" and insert in lieu thereof the numerals "999,537"

On page 2, line 3, delete the numerals "5,896,240" and insert in lieu thereof the numerals "5,871,963"

On page 2, line 4, delete the numerals "11,644,703" and insert in lieu thereof the numerals "12,259,320"

On page 2, line 5, delete the numerals "6,162,398" and insert in lieu thereof the numerals "6,138,121"

On page 2, line 6, delete the numerals "17,807,101" and insert in lieu thereof the numerals "18,397,441"

On page 2, after line 11, insert the following new section:

"SECTION 3. LEGISLATIVE INTENT - AUTHORIZATION. It is the intent of the legislative assembly that if the North Dakota state penitentiary annual rodeo fails to generate sufficient revenue to meet rodeo expenses due to unforeseen circumstances, the state penitentiary is authorized to use funds in its operating expenses line item to meet any such deficit."

And renumber the lines, sections, and pages accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

##### State Penitentiary

The salaries and wages line item is reduced by \$175,383 from the general fund. This will allow funds for average salary increases of 5.5 percent the first year of the biennium (these funds are to continue the cost of an average increase of 5.5 percent on May 1, 1985) and average salary increases of four percent the second year of the biennium. Funds are allowed to provide a minimum increase of \$50 per month for each year of the biennium. The salary increases are to be based on merit, performance, or equity adjustments, and are not intended to be across-the-board salary increases.

The salaries and wages line item is further reduced by \$250,000 from the general fund to delete funds that would have related to adjustments for experience and merit.

The salaries and wages line item is increased by \$150,000 from the general fund to provide temporary salaries during Phase II construction at the State Penitentiary.

The operating expenses line item is increased by \$320,000 from the general fund to provide sufficient funds for operating expenses. In addition, the operating expenses line item is increased by \$570,000 from the general fund to provide funds for contracting with other jail facilities for the housing of inmates.

A new section is added to allow the State Penitentiary to use funds appropriated in the operating expenses line item to pay for financial losses of the State Penitentiary rodeo due to unforeseen circumstances.

#### Roughrider Industries

The salaries and wages line item is reduced by \$24,277 from other funds. This will allow funds for average salary increases of 5.5 percent the first year of the biennium (these funds are to continue the cost of an average increase of 5.5 percent on May 1, 1985) and average salary increases of four percent the second year of the biennium. Funds are allowed to provide a minimum increase of \$50 per month for each year of the biennium. The salary increases are to be based on merit, performance, or equity adjustments, and are not intended to be across-the-board salary increases.

REP. J. PETERSON, Chairman

HB 1031 was placed on the Sixth order of business on the calendar for this legislative day.

#### MOTIONS

REP. OBAN MOVED that the House reconsider its action whereby HCR 3072 failed to pass, which motion lost on a verification vote.

REP. STRINDEN MOVED that the rules be suspended and that after action taken on the Sixth order that HB 1001, HB 1002, HB 1003, HB 1006, HB 1010, HB 1016, HB 1025, HB 1027, HB 1029, HB 1031, HB 1035, HB 1043, HB 1048, HB 1049, HB 1241, HB 1243, HB 1250, HB 1267, HB 1403, HB 1558, and HB 1562 be deemed properly engrossed and be placed on the Eleventh order on the calendar, as amended, for second reading and final passage, which motion prevailed.

#### SIXTH ORDER OF BUSINESS

REP. J. PETERSON MOVED that the amendments to HB 1001 as recommended by the Committee on Appropriations as printed on pages 1444-1452 of the House Journal be adopted, and when so adopted, recommends that HB 1001 DO PASS, which motion prevailed.

#### SECOND READING OF HOUSE BILL

HB 1001: A BILL for an Act making an appropriation for defraying the expenses of various elected and appointed officials 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 102 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kingsbury; Kloubec; Klundt; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Mertens; Meyer; Moore; Myrdal; Nalewaja; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Peterson, J.; Retzler; Rice; Richard; Riehl; Riley; Rydell; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Shockman; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn; Strinden; Thompson; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Wald; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

**NAYS:** Melby; Murphy

**ABSENT AND NOT VOTING:** Gullickson; Knudson

HB 1001 passed and the title was agreed to.

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### MOTION

REP. STRINDEN MOVED that HB 1002, HB 1048, and HB 1049 be placed at the top of the Sixth order on the calendar, which motion prevailed.

### REPORT OF PROCEDURAL COMMITTEE

MR. 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 1:09 p.m., March 1, 1985:

HB 1086, HB 1172, HB 1197, HB 1200, HB 1209, HB 1236,  
HB 1252, HB 1253, HB 1278, HB 1291, HB 1311

REP. HEDSTROM, Chairman

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

## SIXTH ORDER OF BUSINESS

REP. J. PETERSON MOVED that the amendments to HB 1049 as recommended by the Committee on Appropriations as printed on page 1315 of the House Journal be adopted, and when so adopted, recommends that HB 1049 DO PASS, which motion prevailed on a verification vote.

## MOTION

REP. R. ANDERSON MOVED the previous question, which motion prevailed.

## SECOND READING OF HOUSE BILL

HB 1049: A BILL for an Act to amend and reenact section 15-40.1-16 of the North Dakota Century Code, relating to state transportation aid payments to schools.

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

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, R.; Cleveland; Conny; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Gates; Gerntholz; Goetz; Graba; Gunsch; Hamerlik; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hughes; Kelly; Kent; Kingsbury; Kloubec; Koland; Kuchera; Larson; Lindgren; Lipsiea; Martin; Martinson; Melby; Moore; Myrdal; Nalewaja; Nicholas; Olsen, D.; Olson, A.; Olson, V.; Payne; Pederson, R.; Peterson, J.; Retzer; Rice; Riley; Rydell; Schmidt; Schneider; Shaw; Shide; Shockman; Smette; Strinden; Thompson; Timm; Tollefson; Unhjem; Wald; Wentz; Whalen; Williams, C.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: Berg, G.; Brokaw; Enget; Frey; Halmrast; Hanson, L.; Hill; Hoffner; Keller; Klundt; Kretschmar; Lang; Laughlin; Lautenschlager; Linderman; Lloyd; Mertens; Meyer; Murphy; Nowatzki; Oban; O'Connell; Opedahl; O'Shea; Richard; Riehl; Sauter; Schindler; Skjerven; Solberg, O.; Solberg, R.; Starke; Stofferahn; Ulmer; Vander Vorst; Watne; Williams, A.; Williams, W.

ABSENT AND NOT VOTING: Gullickson; Knudson

HB 1049 passed and the title was agreed to.

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## SIXTH ORDER OF BUSINESS

REP. J. PETERSON MOVED that the amendments to HB 1048 as recommended by the Committee on Appropriations as printed on page 1473 of the House Journal be adopted, and when so adopted, recommends that HB 1048 DO PASS, which motion prevailed.

## SECOND READING OF HOUSE BILL

HB 1048: A BILL for an Act to amend and reenact section 15-40.1-06 of the North Dakota Century Code, relating to the educational support for elementary and secondary 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 64 YEAS, 39 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, R.; Cleveland; Conmy; Dalrymple; Dorso; Dotzenrod; Eckroth; Gates; Gerntholtz; Goetz; Gunsch; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hughes; Kelly; Kent; Kingsbury; Kloubec; Knudson; Koland; Kretschmar; Kuchera; Larson; Lindgren; Lipsiea; Martin; Martinson; Melby; Moore; Myrdal; Nalewaja; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Pederson, R.; Peterson, J.; Retzer; Rice; Riley; Rydell; Schindler; Schmidt; Shaw; Shide; Smette; Strinden; Thompson; Timm; Tollefson; Unhjem; Vander Vorst; Wald; Wentz; Whalen; Winkelman; Wold; Speaker Hausauer, R.

NAYS: Berg, G.; Brokaw; DeMers; Enget; Frey; Graba; Halmrast; Hamerlik; Hanson, L.; Hill; Hoffner; Keller; Klundt; Lang; Laughlin; Lautenschlager; Linderman; Lloyd; Mertens; Meyer; Murphy; Oban; O'Connell; Opedahl; Richard; Riehl; Sauter; Schneider; Shockman; Skjerven; Solberg, O.; Solberg, R.; Starke; Stofferahn; Ulmer; Watne; Williams, A.; Williams, C.; Williams, W.

ABSENT AND NOT VOTING: Cullickson; Nicholas; Nowatzki

HB 1048 passed and the title was agreed to.

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## POINT OF PERSONAL PRIVILEGE

REP. O'SHEA: Mr. Speaker: I rise on a point of personal privilege and request that my remarks be printed in the Journal.

I voted incorrectly on HB 1048 and wish the record to show that I voted "nay".

## SIXTH ORDER OF BUSINESS

REP. J. PETERSON MOVED that the amendments to HB 1002 as recommended by the Committee on Appropriations as printed on pages 1303-1307 of the House Journal be adopted, and when so adopted, recommends that HB 1002 DO PASS, which motion prevailed.

## SECOND READING OF HOUSE BILL

HB 1002: A BILL for an Act making an appropriation for defraying the expenses of the superintendent of public instruction of the state of North Dakota; and providing for transfers of funds from the federal revenue sharing and displaced homemaker funds.

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 78 YEAS, 25 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, R.; Brokaw; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Gates; Gerntholz; Goetz; Graba; Gunsch; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hughes; Kelly; Kent; Kingsbury; Kloubec; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Moore; Murphy; Myrdal; Nalewaja; Olsen, D.; Olson, A.; Olson, V.; Opedahl; Payne; Pederson, R.; Peterson, J.; Retzer; Rice; Richard; Riley; Rydell; Sauter; Schmidt; Schneider; Shaw; Shide; Smette; Solberg, O.; Stofferahn; Strinden; Thompson; Timm; Tollefson; Unhjem; Vander Vorst; Wald; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: Berg, G.; Enget; Frey; Halmrast; Hill; Hoffner; Keller; Klundt; Laughlin; Lautenschlager; Linderman; Melby; Mertens; Meyer; Oban; O'Connell; O'Shea; Riehl; Schindler; Shockman; Skjerven; Solberg, R.; Starke; Ulmer; Watne

ABSENT AND NOT VOTING: Gullickson; Nicholas; Nowatzki

HB 1002 passed and the title was agreed to.

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## MOTION

REP. KUCHERA MOVED that the House reconsider its action whereby HB 1565 was passed.

## REQUEST

REP. MERTENS REQUESTED a recorded roll call vote on the motion to reconsider the action whereby HB 1565 was passed, which request was granted.

## ROLL CALL

The question being on the motion to reconsider the action whereby HB 1565 was passed, the roll was called and there were 41 YEAS, 62 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, R.; Dalrymple; Dorso; Gates; Gerntholz; Goetz; Hanson, O.; Hughes; Kent; Kingsbury; Kloubec; Knudson; Koland; Kretschmar; Kuchera; Larson; Lipsiea; Melby; Moore; Myrdal; Nalewaja; Olson, A.; Olson, V.; Payne; Pederson, R.; Rice; Riley; Schmidt; Shide; Strinden; Thompson; Timm; Tollefson; Vander Vorst; Wald; Whalen; Wold; Speaker Hausauer, R.

NAYS: Berg, G.; Brokaw; Cleveland; Conny; DeMers; Dotzenrod; Eckroth; Enget; Frey; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Keller; Kelly; Klundt; Lang; Laughlin; Lautenschlager; Linderman; Lindgren; Lloyd; Martin; Martinson; Mertens; Meyer; Murphy; Nowatzki; Oban; O'Connell; Olsen, D.; Opedahl; O'Shea; Peterson, J.; Retzer; Richard; Riehl; Rydell; Sauter; Schindler; Schneider; Shaw; Shockman; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn; Ulmer; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Winkelman

ABSENT AND NOT VOTING: Gullickson; Nicholas; Unhjem

So the motion to reconsider the action whereby HB 1565 was passed failed.

## MOTIONS

REP. KRETSCHMAR MOVED that the House waive the reading of the titles to all bills and resolutions on the Eleventh order today, which motion prevailed.

REP. STRINDEN MOVED that HB 1394 be placed at the top of the calendar on the Eleventh order, which motion prevailed.

## SECOND READING OF HOUSE BILL

HB 1394: A BILL for an Act to prohibit the sale of fresh or frozen fish or fish products from Canada in North Dakota, and to create the authority for North Dakota to participate in an international basin fish pathogen and biota study commission; to provide a penalty; to provide an appropriation; and to provide an effective date.

Which has been read.

## MOTION

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

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 69 YEAS, 35 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Conmy; Dalrymple; Dorso; Eckroth; Frey; Gates; Gerntholz; Goetz; Hamerlik; Haugland; Hausauer, A.; Hedstrom; Hughes; Keller; Kent; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang; Laughlin; Lautenschlager; Lipsiea; Lloyd; Martin; Melby; Mertens; Moore; Myrdal; Nalewaja; Nicholas; Nowatzki; Olsen, D.; Olson, A.; Olson, V.; Opedahl; Payne; Peterson, J.; Retzer; Rice; Richard; Riley; Schmidt; Shide; Shockman; Skjerven; Smette; Solberg, O.; Starke; Stofferahn; Strinden; Timm; Tollefson; Unhjem; Vander Vorst; Wald; Watne; Wentz; Wold; Speaker Hausauer, R.

NAYS: DeMers; Dotzenrod; Enget; Graba; Gunsch; Halmrast; Hanson, L.; Hanson, O.; Hill; Hoffner; Kelly; Kingsbury; Larson; Linderman; Lindgren; Meyer; Murphy; Oban; O'Connell; O'Shea; Pederson, R.; Riehl; Rydell; Sauter; Schindler; Schneider; Shaw; Solberg, R.; Thompson; Ulmer; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman

ABSENT AND NOT VOTING: Cullickson; Martinson

HB 1394 passed and the title was agreed to.

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## SIXTH ORDER OF BUSINESS

REP. J. PETERSON MOVED that the amendments to HB 1003 as recommended by the Committee on Appropriations as printed on pages 1452-1455 of the House Journal be adopted, and when so adopted, recommends that HB 1003 DO PASS, which motion prevailed.

## SECOND READING OF HOUSE BILL

HB 1003: A BILL for an Act making an appropriation for defraying the expenses of the various divisions under the supervision of the director of the office of management and budget of the state of North Dakota; to amend and reenact section 54-14-03.1 of the North Dakota Century Code, relating to the office of the budget reporting irregularities to the budget committee of the legislative council; and providing for an exemption.

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, 7 NAYS, 10 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Conmy; Dalrymple; DeMers; Dorso; Eckroth; Enget; Frey; Gates; Gerntoiz; Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kingsbury; Klundt; Koland; Kretschar; Kuchera; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Martinson; Meyer; Myrdal; Nalewaja; Nicholas; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Peterson, J.; Retzer; Rice; Richard; Riehl; Riley; Rydell; Sauter; Schmidt; Schneider; Shaw; Shide; Shockman; Skjerve; Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn; Thompson; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Wald; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: Cleveland; Dotzenrod; Kloubec; Melby; Murphy; Schindler; Whalen

ABSENT AND NOT VOTING: Brokaw; Gullickson; Knudson; Lang; Martin; Mertens; Moore; Nowatzki; Pederson, R.; Strinden

HB 1003 passed and the title was agreed to.

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## SIXTH ORDER OF BUSINESS

REP. J. PETERSON MOVED that the amendments to H5 1006 as recommended by the Committee on Appropriations as printed on pages 1455-1457 of the House Journal be adopted, and when so adopted, recommends that HB 1006 DO PASS, which motion prevailed.

## SECOND READING OF HOUSE BILL

HB 1006: A BILL for an Act making an appropriation for defraying the expenses of various divisions under the supervision of the director of institutions of the state of North Dakota.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 88 YEAS, 6 NAYS, 12 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Cleveland; Conmy; Dalrymple; DeMers; Dorso;

Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Keller; Kelly; Kent; Kloubec; Knudson; Koland; Kretschmar; Kuchera; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Martinson; Mertens; Meyer; Myrdal; Nalewaja; Nicholas; Oban; O'Connell; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Peterson, J.; Retzer; Rice; Richard; Riehl; Riley; Rydell; Sauter; Schmidt; Shaw; Shide; Shockman; Skjerven; Smette; Solberg, O.; Solberg, R.; Stofferahn; Strinden; Thompson; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Wald; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Hausauer, R.

NAYS: Dotzenrod; Hughes; Klundt; Melby; Murphy; Schindler

ABSENT AND NOT VOTING: Brokaw; Gullickson; Gunsch; Kingsbury; Lang; Martin; Moore; Nowatzki; Olsen, D.; Schneider; Starke; Wold

HB 1006 passed and the title was agreed to.

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#### SIXTH ORDER OF BUSINESS

REP. J. PETERSON MOVED that the amendments to HB 1010 as recommended by the Committee on Appropriations as printed on pages 1457-1459 of the House Journal be adopted, and when so adopted, recommends that HB 1010 DO PASS, which motion prevailed.

#### SECOND READING OF HOUSE BILL

HB 1010: A BILL for an Act making an appropriation for defraying the expenses of the Grafton state school, San Haven, state hospital, protection and advocacy project, and deinstitutionalization court monitor 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, 6 NAYS, 11 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Keller; Kelly; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lloyd;

Martin; Martinson; Mertens; Meyer; Moore; Nalewaja;  
 Nicholas; Oban; O'Connell; Olson, A.; Olson, V.;  
 Opedahl; O'Shea; Payne; Pederson, R.; Peterson, J.;  
 Retzer; Rice; Richard; Riehl; Riley; Sauter; Schmidt;  
 Schneider; Shaw; Shide; Shockman; Skjerven; Smette;  
 Solberg, R.; Starke; Stofferahn; Strinden; Thompson;  
 Tollefson; Ulmer; Unhjem; Vander Vorst; Wald; Watne;  
 Wentz; Williams, A.; Williams, C.; Williams, W.;  
 Winkelman; Speaker Hausauer, R.

NAYS: Hanson, O.; Hughes; Melby; Murphy; Schindler;  
 Whalen

ABSENT AND NOT VOTING: Gullickson; Gunsch; Lang;  
 Lipsiea; Myrdal; Nowatzki; Olsen, D.; Rydell;  
 Solberg, O.; Timm; Wold

HB 1010 passed and the title was agreed to.

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#### SIXTH ORDER OF BUSINESS

REP. J. PETERSON MOVED that the amendments to HB 1016 as recommended by the Committee on Appropriations as printed on pages 1459-1461 of the House Journal be adopted, and when so adopted, recommends that HB 1016 DO PASS, which motion prevailed.

#### SECOND READING OF HOUSE BILL

HB 1016: A BILL for an Act making an appropriation for defraying the expenses of the adjutant general of the state of North Dakota; and providing for an appropriation and transfer of funds from the Vietnam bonus sinking fund and national guard tuition trust 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 93 YEAS, 3 NAYS, 10 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.;  
 Berg, R.; Brokaw; Cleveland; Conmy; Dalrymple; DeMers;  
 Dorso; Dotzenrod; Eckroth; Enget; Gates; Gerntholz;  
 Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.;  
 Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill;  
 Hoffner; Hughes; Keller; Kelly; Kent; Kingsbury;  
 Kloubec; Knudson; Koland; Kretschmar; Kuchera; Larson;  
 Laughlin; Lautenschlager; Linderman; Lindgren; Lloyd;  
 Martin; Martinson; Melby; Mertens; Moore; Murphy;  
 Myrdal; Nalewaja; Nicholas; Oban; O'Connell; Olson, A.;  
 Olson, V.; Opedahl; O'Shea; Pederson, R.; Peterson, J.;  
 Retzer; Rice; Richard; Riehl; Rydell; Sauter;  
 Schindler; Schmidt; Schneider; Shaw; Shide; Shockman;

Skjerven; Smette; Starke; Stofferahn; Strinden; Thompson; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Wald; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Hausauer, R.

NAYS: Frey; Klundt; Solberg, R.

ABSENT AND NOT VOTING: Gullickson; Lang; Lipsiea; Meyer; Nowatzki; Olsen, D.; Payne; Riley; Solberg, O.; Wold

HB 1016 passed and the title was agreed to.

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#### MOTIONS

REP. KRETSCHMAR MOVED that HB 1025 be placed at the bottom of the Sixth order on the calendar, which motion prevailed.

REP. KRETSCHMAR MOVED that HB 1025 be placed at the top of the Sixth order on the calendar, which motion prevailed.

#### SIXTH ORDER OF BUSINESS

REP. J. PETERSON MOVED that the amendments to HB 1025 as recommended by the Committee on Appropriations as printed on pages 1461-1463 of the House Journal be adopted, and when so adopted, recommends that HB 1025 DO PASS, which motion prevailed.

#### MOTION

REP. KRETSCHMAR MOVED that HB 1025 be placed at the bottom of the Eleventh order on the calendar, which motion prevailed.

#### SIXTH ORDER OF BUSINESS

REP. J. PETERSON MOVED that the amendments to HB 1027 as recommended by the Committee on Appropriations as printed on pages 1463-1466 of the House Journal be adopted, and when so adopted, recommends that HB 1027 DO PASS, which motion prevailed.

#### SECOND READING OF HOUSE BILL

HB 1027: 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; and to amend and reenact sections 27-02-02 and 27-05-03 of the North Dakota Century Code, relating to the salaries of the judges of the supreme and district courts.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 93 YEAS, 9 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Cleveland; Conmy; Dalrymple; DeMers; Dorso;

Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz;  
 Coetz; Graba; Halmraast; Hamerlik; Hanson, L.;  
 Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill;  
 Hoffner; Hughes; Keller; Kelly; Kent; Kingsbury;  
 Kloubec; Knudson; Koland; Kretschmar; Kuchera; Lang;  
 Larson; Laughlin; Lautenschlager; Linderman; Lindgren;  
 Lipsiea; Lloyd; Martin; Martinson; Mertens; Myrdal;  
 Nalewaja; Nicholas; Nowatzki; Oban; O'Connell;  
 Olson, A.; Olson, V.; Opedahl; O'Shea; Payne;  
 Pederson, R.; Peterson, J.; Retzer; Rice; Richard;  
 Riley; Rydell; Sauter; Schmidt; Schneider; Shaw; Shide;  
 Shockman; Skjerven; Smette; Solberg, O.; Starke;  
 Stofferahn; Strinden; Thompson; Timm; Tollefson; Ulmer;  
 Unhjem; Vander Vorst; Wald; Watne; Wentz; Williams, A.;  
 Williams, C.; Williams, W.; Winkelman; Wold;  
 Speaker Hausauer, R.

NAYS: Gunsch; Klundt; Meiby; Meyer; Murphy; Riehl;  
 Schindler; Solberg, R.; Whalen

ABSENT AND NOT VOTING: Brokaw; Gullickson; Moore;  
 Olsen, D.

HB 1027 passed and the title was agreed to.

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#### MOTION

REP. STRINDEN MOVED that the rules be suspended and that  
 HB 1049, HB 1048, HB 1001, HB 1002, HB 1003, HB 1006, HB 1010,  
 HB 1016, and HB 1394 be messaged to the Senate immediately, which  
 motion prevailed.

#### MESSAGE FROM THE SENATE SENATE CHAMBER

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

SB 2038, SB 2441, SB 2475, SCR 4037

LEO LEIDHOLM, Secretary

#### SIXTH ORDER OF BUSINESS

REP. J. PETERSON MOVED that the amendments to HB 1029 as  
 recommended by the Committee on Appropriations as printed on pages  
 1467-1468 of the House Journal be adopted, and when so adopted,  
 recommends that HB 1029 DO PASS, which motion prevailed.

#### SECOND READING OF HOUSE BILL

HB 1029: A BILL for an Act making an appropriation for defraying  
 the expenses of the energy development impact office of the  
 state of North Dakota, and providing for a transfer of  
 funds from the lands and minerals trust fund and the coal  
 development impact fund; and to amend and reenact

subsection 1 of section 57-62-02 of the North Dakota Century Code, relating to the allocation of moneys in the coal development 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 76 YEAS, 27 NAYS, 3 ABSENT AND NOT VOTING.

**YEAS:** Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Conmy; Dorso; Dotzenrod; Eckroth; Gates; Gerntholz; Goetz; Graba; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hughes; Kelly; Kent; Kloubec; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Lindgren; Lipslea; Martin; Martinson; Meyer; Moore; Murphy; Myrdal; Nalewaja; Nowatzki; Oban; Olsen, D.; Olson, A.; Olson, V.; Opedahl; Payne; Pederson, R.; Peterson, J.; Retzer; Rice; Riley; Rydell; Sauter; Schindler; Shaw; Shide; Skjerven; Smette; Solberg, O.; Strinden; Thompson; Timm; Tollefson; Unhjem; Vander Vorst; Wald; Wentz; Whalen; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

**NAYS:** Dalrymple; DeMers; Enget; Frey; Gunsch; Halmrast; Hill; Hoffner; Keller; Kingsbury; Klundt; Linderman; Lloyd; Melby; Mertens; O'Connell; O'Shea; Richard; Riehl; Schmidt; Schneider; Shockman; Solberg, R.; Starke; Stofferahn; Ulmer; Williams, A.

**ABSENT AND NOT VOTING:** Gullickson; Nicholas; Watne

HB 1029 passed and the title was agreed to.

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#### SIXTH ORDER OF BUSINESS

REP. J. PETERSON **MOVED** that the amendments to HB 1031 as recommended by the **Committee on Appropriations** as printed on pages 1468-1470 of the House Journal be adopted, and when so adopted, recommends that HB 1031 **DO PASS**, which motion prevailed.

#### SECOND READING OF HOUSE BILL

HB 1031: A **BILL** for an Act making an appropriation for defraying the expenses of the state penitentiary 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 100 YEAS, 2 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Erockaw; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Mertens; Moore; Myrdal; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Peterson, J.; Retzer; Rice; Richard; Riehl; Riley; Rydell; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Shockman; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn; Strinden; Thompson; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Wald; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: Melby; Murphy

ABSENT AND NOT VOTING: Gullickson; Meyer; Nalewaja; Nicholas

HB 1031 passed and the title was agreed to.

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## SIXTH ORDER OF BUSINESS

REP. J. PETERSON MOVED that the amendments to HB 1035 as recommended by the Committee on Appropriations as printed on pages 1470-1472 of the House Journal be adopted, and when so adopted, recommends that HB 1035 DO PASS, which motion prevailed.

## SECOND READING OF HOUSE BILL

HB 1035: A BILL for an Act to create and enact a new section to chapter 48-02 of the North Dakota Century Code, relating to the award of pipeline, labor, and service contracts for the southwest water pipeline project; and to make an appropriation for defraying the expenses of the southwest water pipeline project 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 95 YEAS, 9 NAYS, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson, C.; Anderson, R.; Eelter; Berg, G.; Berg, R.; Brokaw; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Frey; Gates; Gerntholz; Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hughes; Keller; Kent; Kingsbury; Kloubec; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Meyer; Moore; Murphy; Myrdal; Nalewaja; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Peterson, J.; Retzer; Rice; Richard; Rydell; Sauter; Schmidt; Schneider; Shaw; Shide; Shockman; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn; Strinden; Thompson; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Wald; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

**NAYS:** Enget; Hoffner; Kelly; Klundt; Melby; Mertens; Riehl; Riley; Schindler

**ABSENT AND NOT VOTING:** Gullickson; Nicholas

HB 1035 passed and the title was agreed to.

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## SIXTH ORDER OF BUSINESS

REP. J. PETERSON MOVED that the amendments to HB 1043 as recommended by the Committee on Appropriations as printed on page 1472 of the House Journal be adopted, and when so adopted, recommends that HB 1043 DO PASS, which motion prevailed.

## SECOND READING OF HOUSE BILL

HB 1043: A BILL for an Act to create and enact a new section to chapter 4-01 of the North Dakota Century Code, relating to an advisory board to aid the commissioner of agriculture in determining eligibility for beginning farmer program applicants; to amend and reenact sections 6-09-15.5, 6-09.8-01, 6-09.8-04, 6-09.8-06, subdivision m of subsection 1 of section 57-38-01.2, and section 57-38-67 of the North Dakota Century Code, relating to beginning farmer programs, loan guarantees, loan funds, and tax exemptions; to provide an appropriation; and to declare an emergency.

Which has been read.

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ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 96 YEAS, 7 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Brokaw; Cleveland; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gertholz; Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; Martin; Martinson; Melby; Mertens; Meyer; Moore; Myrdal; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Peterson, J.; Retzer; Rice; Richard; Riehl; Riley; Rydell; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Shockman; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Strinden; Timm; Tollefson; Ulmer; Unhjem; Wald; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: Berg, R.; Conmy; Lloyd; Murphy; Nalewaja; Thompson; Vander Vorst

ABSENT AND NOT VOTING: Gullickson; Nicholas; Stofferahn

HB 1043 passed, the title was agreed to, and the emergency clause was declared carried.

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MOTION

REP. STRINDEN MOVED that the House stand in recess for fifteen minutes, which motion prevailed.

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

REPORT OF PROCEDURAL COMMITTEE

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

HB 1025

REP. HEDSTROM, Chairman

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

## POINT OF PERSONAL PRIVILEGE

REP. LLOYD: Mr. Speaker: I rise on a point of personal privilege and request that my remarks be printed in the Journal.

I would like the record to show that I intended to vote "aye" on HB 1043.

## MOTION

REP. STRINDEN MOVED that the rules be suspended and that the crossover deadline for all bills and resolutions to be passed to the other house be extended until the House has completed its action, which motion prevailed.

## SIXTH ORDER OF BUSINESS

REP. J. PETERSON MOVED that the amendments to HB 1241 as recommended by the Committee on Appropriations as printed on pages 1473-1475 of the House Journal be adopted, and when so adopted, recommends that HB 1241 DO PASS, which motion prevailed.

## SECOND READING OF HOUSE BILL

HB 1241: A BILL for an Act to create the education students' revolving loan fund to be administered by the state board of higher education to provide loans to postsecondary students enrolled in elementary or secondary mathematics, science, or special education programs; and to provide an appropriation.

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, 56 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Belter; Berg, G.; Brokaw; DeMers; Dotzenrod; Enget; Frey; Gates; Graba; Halmrast; Hamerlik; Hill; Hoffner; Kelly; Klundt; Laughlin; Lautenschlager; Linderman; Lloyd; Martin; Mertens; Meyer; Moore; Nalewaja; Nowatzki; Oban; O'Connell; O'Shea; Payne; Pederson, R.; Riehl; Rydell; Sauter; Schindler; Schneider; Shockman; Skjerven; Solberg, R.; Starke; Stofferahn; Ulmer; Watne; Williams, A.; Williams, C.; Williams, W.; Winkelman

NAYS: Anderson, C.; Anderson, R.; Berg, R.; Cleveland; Conmy; Dalrymple; Dorso; Eckroth; Gerntholz; Goetz; Gunsch; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hughes; Keller; Kingsbury; Kloubec; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Lindgren; Lipsiea; Martinson; Melby; Murphy; Myrdal; Olsen, D.; Olson, A.; Olson, V.; Opedahl; Peterson, J.; Retzer; Rice; Richard; Riley; Schmidt; Shaw; Shide; Smette; Solberg, O.; Thompson; Timm; Tollefson; Unhjem

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Vander Vorst; Wald; Wentz; Whalen; Wold;  
Speaker Hausauer, R.

ABSENT AND NOT VOTING: Gullickson; Kent; Nicholas;  
Strinden

HB 1241 was declared lost.

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#### MOTION

REP. J. PETERSON MOVED that SB 2495 be returned to the House floor from the Committee on Appropriations and be rereferred to the Committee on Agriculture, which motion prevailed.

SPEAKER R. HAUSAUER ANNOUNCED that SB 2495 was rereferred to the Committee on Agriculture.

#### SIXTH ORDER OF BUSINESS

REP. J. PETERSON MOVED that the amendments to HB 1243 as recommended by the Committee on Appropriations as printed on pages 1475-1476 of the House Journal be adopted, and when so adopted, recommends that HB 1243 DO PASS.

#### REQUEST

REP. GUNSCH REQUESTED that the question of the adoption of the amendments to HB 1243 be divided to have the sections voted on separately in the following manner, which request was granted as per Rule 316 which states that the Division of the Question must be supported by twelve members.

#### DIVISION A

- On page 2, line 9, delete the words "one hundred" and insert in lieu thereof the word "ninety", after the word "a" insert the words "for each calendar", remove the overstrike over the "day"
- On page 2, line 12, delete the word "as" and insert in lieu thereof the words "to a maximum of six hundred dollars per calendar month at the rates and in the manner"
- On page 2, line 31, remove the overstrike over the words "~~one hundred eighty~~" and delete the words "two hundred"
- On page 3, line 18, remove the overstrike over the words "~~sixty-two~~" and delete the words "seventy-five"
- On page 3, line 19, remove the overstrike over the words "~~and fifty cents~~"

#### DIVISION B

- On page 2, line 9, after the word "as" insert the words "through December 31, 1986, and the sum of one hundred

dollars for each calendar day on and after January 1, 1987,"

On page 2, line 32, after the word "month" insert the words "through December 31, 1986, and the sum of two hundred dollars per month on and after January 1, 1987"

On page 3, after line 11, insert the following new paragraph:

"The legislative assembly at each session shall set the rates of legislative compensation and expense reimbursement for members of the next session of the legislative assembly."

On page 3, line 19, after the word "day" insert the words "through December 31, 1986, and at the rate of seventy-five dollars per day on and after January 1, 1987,"

And renumber the lines and pages accordingly

#### REQUEST

REP. D. OLSEN REQUESTED a recorded roll call vote on the motion to adopt the Division A amendments to HB 1243, which request was granted.

#### ROLL CALL

The question being on the motion to adopt the Division A amendments to HB 1243, the roll was called and there were 87 YEAS, 16 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Belter; Berg, G.; Berg, R.; Cleveland; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Gansch; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Keller; Kent; Kingsbury; Kloubec; Klundt; Knudson; Kretschmar; Kuchera; Lang; Larson; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Melby; Mertens; Moore; Murphy; Myrdal; Malewaja; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; Opedahl; Payne; Peterson, J.; Retzer; Rice; Richard; Riley; Rydell; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Shockman; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn; Strinden; Thompson; Timm; Tollefson; Ulmer; Wald; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: Anderson, R.; Brokaw; Conmy; Dalrymple; Halmrast; Hughes; Kelly; Koland; Laughlin; O'Connell; Olson, V.; O'Shea; Pederson, R.; Unhjem; Vander Vorst; Watne

ABSENT AND NOT VOTING: Gullickson; Meyer; Riehl

So the motion to adopt the Division A amendments to HB 1243 prevailed.

#### REQUEST

REP. MERTENS REQUESTED a recorded roll call vote on the motion to adopt the Division B amendments to HB 1243, which request was granted.

#### ROLL CALL

The question being on the motion to adopt the Division B amendments to HB 1243, the roll was called and there were 50 YEAS, 53 NAYS, 3 ABSENT AND NOT VOTING.

**YEAS:** Anderson, R.; Berg, C.; Berg, R.; Brokaw; Cleveland; Conmy; DeMers; Enget; Frey; Gates; Graba; Halmrast; Hanson, L.; Haugland; Hill; Keller; Kelly; Klundt; Kuchera; Larson; Laughlin; Lautenschlager; Linderman; Lloyd; Martin; Mertens; Meyer; Nowatzki; O'Connell; Opedahl; O'Shea; Retzer; Riehl; Sauter; Schmidt; Shockman; Skjerven; Solberg, O.; Solberg, R.; Starke; Stofferahn; Ulmer; Unhjem; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Hausauer, R.

**NAYS:** Anderson, C.; Belter; Dalrymple; Dorso; Dotzenrod; Eckroth; Gerntholz; Goetz; Gunsch; Hamerlik; Hanson, O.; Hausauer, A.; Hedstrom; Hoffner; Hughes; Kent; Kingsbury; Kloubec; Knudson; Koland; Kretschmar; Lang; Lindgren; Lipsiea; Martinson; Melby; Moore; Murphy; Myrdal; Malewaja; Nicholas; Oban; Olsen, D.; Olson, A.; Olson, V.; Payne; Pederson, R.; Peterson, J.; Rice; Riley; Rydell; Schindler; Schneider; Shaw; Shide; Smette; Strinden; Thompson; Timm; Tollefson; Vander Vorst; Whalen; Wold

**ABSENT AND NOT VOTING:** Gullickson; Richard; Wald

So the motion to adopt the Division B amendments to HB 1243 failed.

The question then was on the adoption of the amendments to HB 1243, including Division A, and excluding Division B, with title amended appropriately and lines, sections, and pages renumbered accordingly.

The proposed amendments to HB 1243, including Division A, and excluding Division B, to HB 1243 were adopted.

#### SECOND READING OF HOUSE BILL

HB 1243: A BILL for an Act to amend and reenact sections 54-03-10, 54-03-20, and 54-35-10 of the North Dakota Century Code, relating to compensation and expense reimbursement for members of the legislative assembly; to repeal section 54-03-20.1 of the North Dakota Century Code

and chapter 551 of the 1983 Session Laws of North Dakota, relating to compensation and expense reimbursement for members of the legislative assembly; to provide an effective date; and to declare an emergency.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 93 YEAS, 12 NAYS, 1 ABSENT AND NOT VOTING.

**YEAS:** Anderson, C.; Anderson, R.; Berg, G.; Berg, R.; Brokaw; Cleveland; Conmy; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Gunsch; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; Nalewaja; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Opedahl; O'Shea; Payne; Peterson, J.; Retzer; Richard; Riehl; Riley; Rydell; Sauter; Schindler; Schmidt; Schneider; Shockman; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn; Strinden; Thompson; Timm; Tollefson; Ulmer; Unhjem; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

**NAYS:** Belter; Dalrymple; Halmrast; Laughlin; Olson, V.; Pederson, R.; Rice; Shaw; Shide; Vander Vorst; Wald; Watne

**ABSENT AND NOT VOTING:** Gullickson

HB 1243 passed, the title was agreed to, and the emergency clause was declared carried.

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#### SIXTH ORDER OF BUSINESS

REP. J. PETERSON MOVED that the amendments to HB 1250 as recommended by the Committee on Appropriations as printed on pages 1476-1478 of the House Journal be adopted, and when so adopted, recommends that HB 1250 DO PASS, which motion prevailed.

#### SECOND READING OF HOUSE BILL

HB 1250: A BILL for an Act to amend and reenact sections 44-08-04 and 54-06-09 of the North Dakota Century Code, relating to mileage, meals, and lodging expense allowances for state employees.

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 102 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kingsbury; Kloubec; Klundt; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; Nalewaja; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opsdahl; O'Shea; Payne; Pederson, R.; Retzer; Rice; Richard; Riehl; Riley; Rydell; Sauter; Schindler; Schmidt; Schneider; Shide; Shockman; Skjervan; Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn; Strinden; Thompson; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Wald; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: None

ABSENT AND NOT VOTING: Gullickson; Knudson;  
Peterson, J.; Shaw

HB 1250 passed and the title was agreed to.

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#### SIXTH ORDER OF BUSINESS

REP. J. PETERSON MOVED that the amendments to HB 1267 as recommended by the Committee on Appropriations as printed on pages 1478-1479 of the House Journal be adopted, and when so adopted, recommends that HB 1267 DO PASS, which motion prevailed.

#### SECOND READING OF HOUSE BILL

HB 1267: A BILL for an Act to provide for the administration of recreational leadership grants and facilities grants.

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 69 YEAS, 34 NAYS, 3 ABSENT AND NOT VOTING.

**YEAS:** Anderson, C.; Berg, G.; Brokaw; Cleveland; Conny; Dalrymple; DeMers; Enget; Frey; Gerntholz; Goetz; Graba; Halmrast; Hamerlik; Hanson, L.; Hausauer, A.; Hill; Hoffner; Hughes; Keller; Kelly; Klundt; Knudson; Koland; Kretschmar; Lang; Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Mertens; Meyer; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; Opedahl; O'Shea; Peterson, J.; Richard; Riehl; Rydell; Sauter; Schindler; Schneider; Shide; Shockman; Skjerven; Solberg, O.; Solberg, R.; Starke; Stofferahn; Timm; Unhjem; Vander Vorst; Wald; Watne; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

**NAYS:** Anderson, R.; Belter; Berg, R.; Dorso; Dotzenrod; Eckroth; Gates; Gunsch; Hanson, C.; Haugland; Hedstrom; Kent; Kingsbury; Kloubec; Larson; Melby; Moore; Murphy; Myrdal; Nalewaja; O'Connell; Olson, V.; Fayne; Pederson, R.; Retzer; Rice; Riley; Schmidt; Shaw; Smette; Stranden; Thompson; Tollefson; Wentz

**ABSENT AND NOT VOTING:** Gullickson; Kuchera; Ulmer

HB 1267 passed and the title was agreed to.

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#### SIXTH ORDER OF BUSINESS

**REP. J. PETERSON** MOVED that the amendments to HB 1403 as recommended by the Committee on Appropriations as printed on pages 1479-1480 of the House Journal be adopted, and when so adopted, recommends that HB 1403 DO PASS, which motion prevailed.

#### SECOND READING OF HOUSE BILL

**HB 1403:** A BILL for an Act to amend and reenact section 15-59-07.2 of the North Dakota Century Code, relating to state reimbursement for special education boarding care costs; and to repeal section 15-59-07.1 of the North Dakota Century Code, relating to the state reimbursement of out-of-state boarding care costs.

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 104 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Conny; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent;

Kingsbury; Kloubec; Klundt; Knudson; Koland;  
 Kretschmar; Kuchera; Lang; Larson; Laughlin;  
 Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd;  
 Martin; Martinson; Melby; Mertens; Meyer; Moore;  
 Murphy; Myrdal; Nalewaja; Nicholas; Nowatzki; Oban;  
 O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl;  
 O'Shea; Payne; Pederson, R.; Peterson, J.; Retter;  
 Rice; Riehl; Kiley; Kydell; Sauter; Schindler; Schmidt;  
 Schneider; Shaw; Shide; Shockman; Skjerven; Smette;  
 Solberg, O.; Solberg, R.; Starke; Stofferahn; Strinden;  
 Thompson; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst;  
 Wald; Watne; Wentz; Whalen; Williams, A.; Williams, C.;  
 Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: None

ABSENT AND NOT VOTING: Gullickson; Richard

HB 1403 passed and the title was agreed to.

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#### REPORT OF PROCEDURAL COMMITTEE

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

HB 1001, HB 1002, HB 1003, HB 1006, HB 1010, HB 1016,  
 HB 1048, HB 1049

REP. HEDSTROM, Chairman

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

#### SIXTH ORDER OF BUSINESS

REP. J. PETERSON MOVED that the amendments to HB 1558 as recommended by the Committee on Appropriations as printed on pages 1480-1481 of the House Journal be adopted, and when so adopted, recommends that HB 1558 DO PASS, which motion prevailed.

#### REQUEST

REP. J. PETERSON REQUESTED that the question of the final passage of HB 1558 be Divided to have the sections voted on separately in the following manner, which request was granted.

#### DIVISION A

SECTION 1. Definitions. As used in this Act, unless the context or subject matter requires otherwise:

1. "Commission" means the industrial commission acting as the North Dakota building authority created under this Act.

2. "Evidences of indebtedness" means bonds, notes, debentures, and other evidences of indebtedness issued by the commission on behalf of the state of North Dakota to evidence money owed or borrowed.
3. "Project" or "projects" means any building or buildings primarily for the use of the state, including related structures, parking facilities, equipment, improvements, real and personal property or any interest therein, including lands under water, space rights and air rights, and other appurtenances and facilities necessary or convenient to the use or operation of the building or buildings, acquired, owned, constructed, reconstructed, extended, rehabilitated, or improved by the commission.
4. "Project cost" means the total cost of acquisition and construction of a project or projects and all costs of issuance, financing, and interest during construction included in the principal amount of evidences of indebtedness issued.
5. "State" means any branch of North Dakota government or any office, department, board, commission, bureau, division, public authority or corporation, agency, or instrumentality of the state.

**SECTION 2. Commission - Evidence of indebtedness issuance.** The commission is a North Dakota instrumentality empowered, subject to legislative authorization, to issue evidences of indebtedness to make funds available for a project or projects as directed by the legislative assembly.

**SECTION 3. Powers.** Except as otherwise limited by this Act, the commission may:

1. Enter into agreements with respect to its projects, operation, properties, and facilities, subject to agreements with holders of evidences of indebtedness.
2. Sue and be sued.
3. Make and enter into all contracts and all agreements necessary or incidental to the performance of its duties and the exercise of its powers.
4. Acquire, own, hold, assign, exchange, lease, mortgage, or pledge or grant security interests in a project or projects in the exercise of its powers and the performance of its duties.
5. Acquire, construct, reconstruct, rehabilitate, improve, alter, or repair, or provide for the acquisition, construction, reconstruction, improvement, alteration,

or repair of any project and let, award, and enter into construction contracts, purchase orders, and other contracts with respect thereto in the manner determined by the commission.

6. Sell, lease, assign, transfer, convey, exchange, mortgage, or otherwise dispose of or encumber any project or other property no longer necessary to carry out the public purposes of the commission and, in the case of the sale of any project or property, to accept a purchase money mortgage in connection therewith; and to lease, repurchase, or otherwise acquire and hold any project or property which the commission has sold, let, or otherwise conveyed, transferred, or disposed of.
7. Grant options to purchase any project or to renew any lease entered into by it in connection with any of its projects, on terms and conditions it deems advisable.
8. Acquire by purchase, lease, or otherwise, on terms and conditions and in a manner as it determines to be proper, or by the exercise of the power of eminent domain, except with respect to lands owned by the state or any public lands, any land and other property or equipment, which it may determine is reasonably necessary for any project.
9. Sell, lease, rent, sublease, or otherwise dispose of, to any person, firm, or corporation, any surplus space in any project over and above that sold, leased, rented, subleased, or otherwise disposed of to the state and establish and revise the purchase price, rents, or charges for the surplus space.
10. Manage or operate any project or real or personal property or equipment related to a project whether owned or leased by the commission or any state agency, and enter into agreements with any state agency, any political subdivision, any local governmental agency, or with any person, firm, association, partnership, or corporation, either public or private, for the management of a project or related property.
11. Consent to any modification, amendment, or revision of any contract, lease, or agreement to which the commission is a party, subject to the provisions of any contract with holders of evidences of indebtedness.
12. Issue its evidences of indebtedness and to secure the same and provide for the rights of the holders thereof as provided in this Act.
13. Invest moneys of the commission not required for immediate use, including proceeds from the sale of any

evidences of indebtedness in securities and other investments including evidences of indebtedness as the commission determines to be prudent, subject to any agreement with holders of evidences of indebtedness.

14. Procure insurance against any loss in connection with its property and other assets and operations in such amounts and from such insurers as it deems desirable.
15. Purchase evidences of indebtedness issued by the commission out of any funds or money not pledged to or necessary for some other purpose and hold, cancel, or resell such evidences of indebtedness, subject to any agreement with holders of evidences of indebtedness.

**SECTION 4. Purpose of commission.** The public purpose of the commission is to promote the general welfare of the citizens of this state by providing projects for use by the state in providing public services by altering, repairing, maintaining, or constructing buildings primarily for use by the state and making any improvements connected to those buildings or pertaining to those buildings and necessary to the use of those buildings in providing services to the public.

**SECTION 5. Transfer of state property to commission - Services by state agencies.** The state may transfer jurisdiction of or title to any property under its control to the commission. All state agencies may render any and all services to the commission as are within the area of their respective governmental functions and as may be required by the commission, including acting as agent for the commission in furtherance of performing its duties.

**SECTION 6. Lease of facilities and sites to state agencies authorized - Commencement of payments under lease.** The commission may lease any project to the state. The leases may be entered into contemporaneously with any financing to be done by the commission and payments under the terms of the lease shall begin at any time after execution of the lease.

**SECTION 7. Terms, conditions, and rental under leases - Automatic biennial extension provisions.** Leases may be entered into by the commission:

1. Upon terms, conditions, and lease rentals, subject to available appropriations, as in the judgment of the commission are in the public interest; and
2. For an original term of not to exceed two years, with an automatic extension of the term of the lease, unless specifically rejected by the legislative assembly, for a term of two years from the expiration of the original term of the lease and for two years from the expiration of each extended term of the lease, until the original term of the lease has been extended for a total number

of years to be agreed upon by the parties at a lease rental which, if paid for the original term and for each of the full number of years for which the term of the lease may be extended, will amortize the total project cost of the project.

The lease rental must be paid at the times agreed upon by the parties to the lease.

**SECTION 8. State's option to purchase - Conveyance on exercise of option.** The lease must provide that the state may, at the expiration of the original or any extended term, purchase the project at a stated price, which must be the balance of the total project cost not amortized by the payment of rents previously made by the state. The lease must provide that if the option to purchase the project has been exercised or if the lease has been extended for the full number of years which it may be extended, and all rents and payments provided for in the lease have been made and all project costs have been paid, the commission shall convey its interest in the project to the lessee.

**SECTION 9. Insurance and credit enhancements added to rental payments.** The lease may provide that the state shall provide insurance or, as additional rent for the leased project, pay the cost of insuring the project against loss or damage in such sum agreed to by the parties. The lease may also provide for payment of the cost of such credit enhancements as in the judgment of the commission may be required for sale of the evidences of indebtedness, including bond insurance or letters of credit.

**SECTION 10. Appropriations and funds from which rent payable and right to project upon nonpayment - Commission's power to use or sell facilities for other purposes on nonpayment of rent.** The lease must provide that rents are payable solely from appropriations to be made by the legislative assembly for the payment of the lease rent or money available to the lessee not requiring appropriation, money generated from charges made for use of the project, any revenues derived by the commission from the operation of the project, or any combination of such moneys. The commission upon nonpayment of lease rents is immediately entitled to the peaceable possession, access, and occupancy of the project and all appurtenances and easements appertaining thereto, and may maintain and operate the project or execute leases for the project or sell the project to political subdivisions of the state or private persons or entities for any purpose.

**SECTION 11. Costs and reserves to be covered by rent and charges.** Lease rentals for a project must be sufficient at all times to pay the maintenance and operation costs for the project, unless maintenance and operation costs are otherwise provided for under a lease, the principal of and interest on any evidence of indebtedness, and a proportion of the administrative expenses of the commission as provided for by each lease, and the reserves as

may be provided in the resolutions authorizing the issuance of evidences of indebtedness.

**SECTION 12. Tax exemption of commission's property.** All property owned by the commission is exempt from taxation.

**SECTION 13. Resolutions for evidences of indebtedness authorized - Maximum amount outstanding - Legislative approval required.** The commission may at any time provide by resolution for the issuance of evidences of indebtedness for the purpose of paying all or any part of the cost of one or any combination of projects; provided, however, that no project may be leased by the commission to the state, nor any evidences of indebtedness be sold to raise the funds for payment, acquisition, or construction of a project until the legislative assembly by law authorizes the specific project or projects and declares the project or projects to be in the public interest.

**SECTION 14. Purposes for which evidences of indebtedness issue - Refunding and refinancing - Pledge of income.** To accomplish its purposes, the commission may borrow and issue and sell evidences of indebtedness in an amount or amounts as the commission may determine, but not in excess of legislative authorization, plus costs of issuance, financing, interest during construction, and any evidences of indebtedness funded reserve funds required by agreements with or for the benefit of holders of evidences of indebtedness for the purpose of acquiring, constructing, completing, or remodeling, maintaining, or equipping any project or projects. The commission may refund and refinance the evidences of indebtedness from time to time as often as it is advantageous and in the public interest to do so; and may pledge any and all income of the commission, and any revenues derived by the commission or the state from a project or any combination thereof, to secure payment or redemption of the evidences of indebtedness.

**SECTION 15. Evidences of indebtedness authorized - Interest rates - Exemption from taxation - Term.** The commission, pursuant to legislative authorization, may, by resolution, authorize preparation, sale, and issuance of evidences of indebtedness of the commission in amounts and at such times, in fully registered form, with final maturity of not more than thirty years. The evidences of indebtedness may bear the fixed or variable rate or rates of interest and may be sold at the price or prices as the commission may provide at an average net interest cost not in excess of twelve percent per annum for evidences of indebtedness sold at private sale, except that there is no interest rate ceiling on issues sold at public sale or to the state. The evidences of indebtedness are not subject to taxation by the state or by any county, municipality, or political subdivision in the state. The evidences of indebtedness are not indebtedness of the state or of any officer or agent of the state within the meaning of any statutory or constitutional provision.

**SECTION 16. Revenues, appropriations, funds, and income from which evidences of indebtedness payable.** Evidences of indebtedness are payable solely from:

1. Revenues to be derived by the commission from the operation of a project or projects;
2. Income to be derived from rentals paid pursuant to leases to the state, or from leases to others as provided by this Act;
3. Funds appropriated by the legislative assembly; and
4. Any other revenue, income, or funds available to the commission.

**SECTION 17. Covenants and contracts with holders of evidences of indebtedness.** In any resolution of the commission relating to the issuance of any evidence of indebtedness, the commission may provide by covenants with the holders of the evidences of indebtedness, to:

1. Secure the evidences of indebtedness.
2. Covenant against pledging all or any part of its revenues, receipts, or proceeds, or against mortgaging or leasing all or any part of its real or personal property when owned or thereafter acquired or against permitting or suffering any lien. Any pledge of revenues, receipts, moneys, funds, levies, sales agreements, service contracts, or other property or instruments made by the commission are valid and binding from the time the pledge is made. The revenues, receipts, moneys, funds, or other property pledged and thereafter received by the commission are immediately subject to the lien of the pledge without any physical delivery or further act, and the lien of any pledge is valid and binding as against all parties having claims of any kind in tort, contract, or otherwise against the commission irrespective of whether the parties have notice of the claim. Neither the resolution nor any other instrument by which a pledge under this section is created need be filed or recorded except in the records of the commission.
3. Covenant as to any evidences of indebtedness to be issued and the limitations on the evidence of indebtedness and their terms and conditions as to the custody, application, investment, and disposition of their proceeds, as to the sources and methods of the payment, and as to the rank or priority of the evidence of indebtedness.

4. Provide for the replacement of lost, stolen, destroyed, or mutilated evidences of indebtedness.
5. Provide for the rights and liabilities, power and duties arising upon the breach of any covenant, condition, or obligation; prescribe the events of default and the terms and conditions upon which any or all of the evidences of indebtedness of the commission become or may be declared due and payable before maturity; and provide the terms and conditions upon which the declaration and its consequences may be waived.
6. Vest in a trustee or trustees within or without the state such property, rights, powers, and duties in trust as the commission may determine.
7. Make covenants other than or in addition to the covenants authorized by this Act of like or different character, and to make the covenants to do or refrain from doing acts and things as may be necessary, or convenient and desirable, to better secure evidences of indebtedness or which, in the absolute discretion of the commission will tend to make its evidences of indebtedness more marketable, notwithstanding that the covenants, acts, or things may not be enumerated in this Act.

**SECTION 18. Validity of signature by officers.** Evidences of indebtedness must be executed by a member or members of the commission as designated by the commission, or by facsimile signature and the manual signature of a designated authenticating agent. Any evidences of indebtedness bearing the signature of members in office at the date of signing are valid and binding for all purposes notwithstanding that before delivery any person whose signature appears on the evidences of indebtedness has ceased to be a member.

**SECTION 19. Restrictions on obligation stated on face of evidences of indebtedness.** Evidences of indebtedness must state upon their face that they are payable solely from revenues derived by the commission as provided in this Act, including revenues from the operation of projects acquired, constructed, completed, remodeled, or equipped in whole or in part with the proceeds of the sale of such evidences of indebtedness, including income to be derived from rental leases as provided by this Act. Evidences of indebtedness must state upon their face that they do not constitute an obligation of the state within the meaning of any statutory or constitutional provision.

**SECTION 20. Disposition of income - Building authority fund.** The proceeds of and any revenue derived from the sale of evidences of indebtedness, charges, fees, or rentals, and all other revenue derived from any project undertaken pursuant to this Act must be

held in trust for the purposes of this Act, in a special fund known as the building authority fund. Disbursements shall be made from the fund upon the resolution of the commission. The building authority fund established by this Act may contain such accounts as authorized by the commission.

**SECTION 21. PROJECT AUTHORIZATION.** The commission may construct and acquire and issue evidences of indebtedness as necessary to defray project costs of the following projects during the biennium beginning July 1, 1985, and ending June 30, 1987:

## MAJOR CAPITAL CONSTRUCTION

NAME OF AGENCY, DEPARTMENT, OR INSTITUTION	TYPE OF FACILITY	STATE FUNDS
<b>DIVISION B</b>		
North Dakota state university	Computer center	\$ 4,733,600
<b>DIVISION C</b>		
State school of science	Agricultural mechanics building	2,589,797
<b>DIVISION D</b>		
University of North Dakota	Abbott hall addition and renovation	4,500,000
<b>DIVISION E</b>		
State fair association	Exhibition building	1,800,000
<b>DIVISION F</b>		
University of North Dakota	Purchase united hospital-north unit	2,200,000
<b>DIVISION G</b>		
Minot state college	Library building	6,000,000
<b>DIVISION H</b>		
North Dakota state university	Animal care and research center	4,300,000
<b>DIVISION I</b>		
State penitentiary	Phase II construction and renovation project	15,000,000
<b>DIVISION J</b>		
State hospital	Central store building	1,250,000
<b>PLANT IMPROVEMENTS</b>		
<b>DIVISION K</b>		
State industrial school	Kitchen and dining room project	825,000

## DIVISION L

Bismarck junior college	200,504
Lake region community college	110,000
UND-Williston	27,559

## DIVISION M

University of North Dakota	Coal-fired boiler and heating plant improvements	5,400,000
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## DIVISION N

State school of science	1,848,000
Dickinson state college	1,744,905
Mayville state college	501,000
Minot state college	2,019,000
Valley City state college	494,000
NDSU-Bottineau branch	405,000

## DIVISION O

State hospital	Medical center and central dining air conditioning	1,210,000
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## DIVISION P

Main experiment station	1,209,700
Dickinson experiment station	52,000
Central grasslands experiment station	60,000
Hettinger experiment station	17,500
Langdon experiment station	50,000
North central experiment station	90,000
Williston experiment station	12,000
Carrington experiment station	10,000
Agronomy seed farm	158,000
Total plant improvements	\$ 16,443,168
Total major capital construction and plant improvements	\$ 58,816,565

It is the intent of the legislative assembly that the commission fund all of the projects enumerated in this section during the 1985-87 biennium, either from proceeds of and any revenue derived from the sale of evidences of indebtedness, charges, fees, or rentals, or from other transfers of revenues as provided in this Act.

## DIVISION Q

SECTION 22. 1985 TRANSFER - APPROPRIATION. If the cash balance in the general fund of the state treasury as of the close of business on June 30, 1985, less outstanding financial obligations for the biennium ending June 30, 1985, to be paid after June 30, 1985, exceeds \$139,400,000, the director of the office of management and budget shall direct the state treasurer to transfer from the general fund to the building authority fund the sum of \$58,816,565, or so much thereof as may be necessary, or the amount by which the cash balance in the general fund on

the close of business on June 30, 1985, less outstanding financial obligations for the biennium ending June 30, 1985, to be paid after June 30, 1985, exceeds \$139,400,000, whichever is less. Funds transferred pursuant to this section are hereby appropriated and shall be expended to reduce the amount of evidences of indebtedness which must be issued for the projects authorized in section 21 of this Act.

**SECTION 23. 1986 TRANSFER - APPROPRIATION.** If the cash balance in the general fund of the state treasury as of the close of business on June 30, 1986, exceeds \$106,000,000, the director of the office of management and budget shall direct the state treasurer to transfer from the general fund to the building authority fund the sum of \$58,816,565, or so much thereof as may be necessary, less any amounts transferred pursuant to section 22 of this Act, or the amount by which the cash balance in the general fund on the close of business on June 30, 1986, exceeds \$106,000,000, whichever is less. Funds transferred pursuant to this section are hereby appropriated and shall be expended by the commission for any of the following purposes that in the judgment of the commission best serves the interests of the state regarding the evidences of indebtedness issued to fund the project cost of the projects authorized by section 21:

1. To call evidences of indebtedness pursuant to the call provisions set out in the agreement between the holders and the commission.
2. To purchase outstanding evidences of indebtedness in the open market.
3. To defease outstanding evidences of indebtedness in whole or in part.
4. To create reserve funds.

**SECTION 24. APPROPRIATION - MINOT STATE COLLEGE.** There is hereby appropriated \$1,200,000, or so much thereof as may become available, from private and other funds to Minot state college in addition to other moneys appropriated in this Act for a regional library at Minot state college.

**SECTION 25. EMERGENCY.** This Act is hereby declared to be an emergency measure and is in effect from and after its passage and approval.

The question then was on the passage of Division A of the divided question.

**MOTION**

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

## ROLL CALL

The roll was called and there were 36 YEAS, 67 NAYS, 3 ABSENT AND NOT VOTING.

**YEAS:** Berg, G.; Berg, R.; Cleveland; DeMers; Frey; Gates; Gerntholz; Graba; Halmrast; Haugland; Kelly; Koland; Kretschmar; Kuchera; Lautenschlager; Lindgren; Lloyd; Martinson; Mertens; Nalewaja; Nicholas; Nowatzki; Opedahl; Peterson, J.; Sauter; Solberg, O.; Stofferahn; Strinden; Timm; Ulmer; Unhjem; Wentz; Williams, C.; Winkelman; Wold; Speaker Hausauer, R.

**NAYS:** Anderson, C.; Anderson, R.; Belter; Brokaw; Conny; Dalrymple; Dorso; Dotzenrod; Eckroth; Enget; Goetz; Gunsch; Hanson, L.; Hanson, O.; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kent; Kingsbury; Kloubec; Klundt; Knudson; Lang; Larson; Laughlin; Linderman; Lipsiea; Martin; Melby; Meyer; Murphy; Myrdal; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Pederson, R.; Retzer; Rice; Richard; Riehl; Riley; Rydell; Schindler; Schmidt; Schneider; Shaw; Shide; Shockman; Skjerven; Smette; Solberg, R.; Starke; Thompson; Tollefson; Vander Vorst; Wald; Watne; Whalen; Williams, A.; Williams, W.

**ABSENT AND NOT VOTING:** Gullickson; Hamerlik; Moore

So Division A was declared lost.

## MOTION

REP. STRINDEN MOVED that the rules be suspended, that we reconsider the action by which the House divided the question on the final passage of HB 1558 and that HB 1558 in its entirety be placed on the Eleventh order for second reading and final passage at this time, which motion prevailed.

## SECOND READING OF HOUSE BILL

HB 1558: A BILL for an Act to establish the industrial commission as the North Dakota building authority and to set out its powers and duties; to provide for a conditional transfer of funds to a state building authority fund; to provide authorization for construction and plant improvements for various buildings and facilities of state agencies, departments, and institutions; to provide an 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 25 YEAS, 79 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Berg, R.; Cleveland; DeMers; Frey; Garnholz; Graba; Haugland; Kelly; Koland; Kretschmar; Kuchera; Lautenschlager; Lindgren; Mertens; Nalawaja; Nicholas; Opedahl; Peterson, J.; Stofferahn; Strinden; Timm; Unhjem; Wentz; Williams, C.; Speaker Hausauer, R.

NAYS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Brokaw; Conmy; Dalrymple; Dorso; Dotzenrod; Eckroth; Enget; Gates; Goetz; Gunsch; Halmrast; Hanson, L.; Hanson, O.; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kent; Kingsbury; Kloubec; Klundt; Knudson; Lang; Larson; Laughlin; Linderman; Lipsiea; Lloyd; Martin; Martinson; Melby; Meyer; Moore; Murphy; Myrdal; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Pederson, R.; Retzer; Rice; Richard; Riehl; Riley; Rydell; Sauter; Schindler; Schmidt; Schneider; Sh w; Shide; Shockman; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Thompson; Tollefson; Ulmer; Vander Vorst; Wald; Watne; Whalen; Williams, A.; Williams, W.; Winkelman; Wold

ABSENT AND NOT VOTING: Gullickson; Hamerlik

HB 1558 was declared lost.

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#### SIXTH ORDER OF BUSINESS

REP. J. PETERSON MOVED that the amendments to HB 1562 as recommended by the Committee on Appropriations as printed on pages 1481-1482 of the House Journal be adopted, and when so adopted, recommends that HB 1562 DO NOT PASS, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

HB 1562: A BILL for an Act to create and enact five new sections to chapter 54-35 of the North Dakota Century Code, relating to the powers of the budget section of the legislative council; to amend and reenact sections 15-10-12.1, 38-08-04.2, 54-10-01.1, 54-16-01, 54-16-04, 54-16-09, 54-16-11, 54-27-10, and 54-27-23, and subsection 7 of section 55-08-03 of the North Dakota Century Code, relating to the authority of the emergency commission to authorize transfers of funds; to repeal sections 54-16-03, 54-16-05, 54-16-10, 54-16-11.1, and 54-16-12 of the North Dakota Century Code, relating to the authority of the emergency commission to authorize transfers of funds; and to provide a penalty.

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

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 24 YEAS, 79 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Belter; Dalrymple; Gates; Gunsch; Hanson, O.; Hedstrom; Kingsbury; Kloubec; Kuchera; Laughlin; Melby; Moore; Murphy; Nicholas; Payne; Pederson, R.; Schindler; Skjerven; Smette; Strinden; Thompson; Ulmer; Vander Vorst; Whalen

NAYS: Anderson, C.; Anderson, R.; Berg, G.; Berg, R.; Brokaw; Cleveland; Conmy; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gerntholz; Goetz; Graba; Halmrast; Hanson, L.; Haugland; Hausauer, A.; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Klundt; Knudson; Koland; Kretschmar; Lang; Larson; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Mertens; Meyer; Nalewaja; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Peterson, J.; Retzer; Rice; Richard; Riehl; Riley; Rydell; Sauter; Schmidt; Schneider; Shaw; Shide; Shockman; Solberg, O.; Solberg, R.; Starke; Stofferahn; Timm; Tollefson; Unhjem; Wald; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

ABSENT AND NOT VOTING: Gullickson; Hamerlik; Myrdal

HB 1562 was declared lost.

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HB 1324: A BILL for an Act to provide financial assistance to tribally controlled community colleges located in this state to defray the costs of education attributable to non-Indian students enrolled in such institutions; and to provide an appropriation.

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

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 39 YEAS, 62 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Berg, R.; Brokaw; DeMers; Enget; Frey; Halmrast; Hill; Hoffner; Keller; Klundt; Koland; Lang; Laughlin; Lindgren; Lloyd; Mertens; Meyer; Murphy; Myrdal; Nalewaja; Oban; O'Connell; O'Shea; Pederson, R.; Richard; Riehl; Rydell; Sauter; Schneider; Shockman; Solberg, O.; Solberg, R.; Starke; Watne; Williams, A.;

Williams, C.; Williams, W.; Winkelman;  
Speaker Hausauer, R.

NAYS: Anderson, C.; Anderson, R.; Belter; Berg, G.;  
Cleveland; Conmy; Dalrymple; Dorso; Dotzenrod; Eckroth;  
Gates; Gerntholz; Goetz; Graba; Gunsch; Hanson, L.;  
Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hughes;  
Kelly; Kent; Kingsbury; Kloubec; Knudson; Kretschmar;  
Kuchera; Larson; Lautenschlager; Linderman; Lipsiea;  
Martin; Martinson; Melby; Moore; Nicholas; Nowatzki;  
Olson, D.; Olson, A.; Olson, V.; Opedahl; Payne;  
Retzer; Rice; Schmidt; Shaw; Shide; Skjerven; Smette;  
Stofferahn; Strinden; Thompson; Timm; Tollefson; Ulmer;  
Unhjem; Vander Vorst; Wald; Wentz; Whalen; Wold

ABSENT AND NOT VOTING: Gullickson; Hamerlik;  
Peterson, J.; Riley; Schindler

HB 1324 was declared lost.

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HB 1545: A BILL for an Act to create and enact a new chapter to  
the North Dakota Century Code, relating to the development  
of a new program for chemical abuse problems in North  
Dakota schools; and to provide an appropriation.

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 51 YEAS, 50 NAYS, 5 ABSENT AND  
NOT VOTING.

YEAS: Belter; Berg, G.; Berg, R.; Brokaw; Cleveland;  
Conmy; Dalrymple; DeMers; Eckroth; Enget; Frey;  
Halmrast; Hanson, L.; Hausauer, A.; Hill; Hoffner;  
Keller; Kelly; Klundt; Knudson; Laughlin;  
Lautenschlager; Lloyd; Martin; Martinson; Moore;  
Nicholas; Nowatzki; Oban; O'Connell; Olson, V.; O'Shea;  
Richard; Riley; Rydell; Sauter; Schneider; Shaw;  
Smette; Solberg, R.; Starke; Stofferahn; Tollefson;  
Ulmer; Unhjem; Watne; Wentz; Williams, C.;  
Williams, W.; Winkelman; Wold

NAYS: Anderson, C.; Anderson, R.; Dorso; Dotzenrod;  
Gates; Gerntholz; Goetz; Graba; Gunsch; Hanson, O.;  
Haugland; Hedstrom; Hughes; Kent; Kingsbury; Kloubec;  
Koland; Kretschmar; Kuchera; Lang; Larson; Linderman;  
Lindgren; Lipsiea; Melby; Murphy; Myrdal; Nalewaja;  
Olson, D.; Olson, A.; Opedahl; Payne; Pederson, R.;  
Peterson, J.; Retzer; Rice; Riehl; Schindler; Schmidt;  
Shide; Shockman; Skjerven; Solberg, O.; Strinden;

Thompson; Timm; Vander Vorst; Whalen; Williams, A.;  
Speaker Hausauer, R.

**ABSENT AND NOT VOTING:** Gullickson; Hamerlik; Mertens;  
Meyer; Wald

HB 1545 was declared lost for want of a Constitutional majority.

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HB 1559: A BILL for an Act making an appropriation to the state board of vocational education for Indian postsecondary institutional grants.

Which has been read and is placed on the calendar without recommendation.

**MOTION**

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

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were 41 YEAS, 58 NAYS, 7 ABSENT AND NOT VOTING.

**YEAS:** Berg, G.; Brokaw; Dalrymple; Enget; Frey; Graba; Halmrast; Hanson, L.; Hoffner; Kelly; Klundt; Knudson; Koland; Kretschmar; Laughlin; Lautenschlager; Lloyd; Martinson; Mertens; Meyer; Myrdal; Nalewaja; Oban; O'Connell; Opedahl; O'Shea; Pederson, R.; Richard; Riehl; Sauter; Schneider; Shockman; Solberg, O.; Solberg, R.; Starke; Stofferahn; Ulmer; Watne; Williams, C.; Williams, W.; Winkelman

**NAYS:** Anderson, C.; Anderson, R.; Belter; Berg, R.; Cleveland; Conmy; DeMers; Dorso; Dotzenrod; Eckroth; Gates; Gerntholz; Goetz; Gunsch; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Keller; Kent; Kingsbury; Kloubec; Kuchera; Larson; Linderman; Lindgren; Lipsiea; Martin; Melby; Moore; Nicholas; Nowatzki; Olsen, D.; Olson, A.; Olson, V.; Payne; Retzer; Rice; Riley; Rydell; Schmidt; Shaw; Shide; Skjerven; Smette; Strinden; Thompson; Timm; Tollefson; Unhjem; Vander Vorst; Wald; Wentz; Whalen; Williams, A.; Wold; Speaker Hausauer, R.

**ABSENT AND NOT VOTING:** Gullickson; Hamerlik; Hughes; Lang; Murphy; Peterson, J.; Schindler

HB 1559 was declared lost.

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HB 1620: A BILL for an Act to require the legislative council to conduct a study of the needs of first-year teachers in this

state; to provide an appropriation; and to provide an expiration date.

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

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 23 YEAS, 74 NAYS, 9 ABSENT AND NOT VOTING.

YEAS: Belter; Brokaw; Cleveland; Enget; Frey; Halmrast; Hill; Hoffner; Klundt; Knudson; Laughlin; Lautenschlager; Mertens; Oban; O'Connell; O'Shea; Shaw; Shockman; Solberg, R.; Starke; Ulmer; Williams, A.; Williams, C.

NAYS: Anderson, C.; Berg, G.; Berg, R.; Conmy; Dalrymple; DeMars; Dorso; Dotzenrod; Eckroth; Gates; Gerntholz; Goetz; Graba; Gunsch; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Keller; Kelly; Kent; Kingsbury; Kloubec; Koland; Kretschmar; Kuchera; Larson; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Melby; Meyer; Moore; Myrdal; Nalewaja; Nicholas; Nowatzki; Olsen, D.; Olson, A.; Olson, V.; Opedahl; Payne; Pederson, R.; Retzer; Rice; Riehl; Riley; Rydell; Sauter; Schmidt; Schneider; Shide; Skjerven; Smette; Solberg, O.; Stofferahn; Strinden; Thompson; Timm; Tollefson; Unhjem; Vander Vorst; Wald; Watne; Wentz; Whalen; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

ABSENT AND NOT VOTING: Anderson, R.; Gullickson; Hamerlik; Hughes; Lang; Murphy; Peterson, J.; Richard; Schindler

HB 1620 was declared lost.

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HB 1627: A BILL for an Act to amend and reenact sections 49-06-23 and 49-22-22 of the North Dakota Century Code, relating to the public utility valuation fund and the deposit of fees charged by the public service commission under the Energy Conversion and Transmission Facility Siting Act; and to declare an emergency.

Which has been read and is placed on the calendar without recommendation.

#### ROLL CALL

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

YEAS: DeMers; Graba; Halmrast; Hanson, L.; Hedstrom; Kelly; Kent; Knudson; Lloyd; Martin; Mertens; Murphy; Olson, A.; Peterson, J.; Schneider; Shockman; Stofferahn; Wold

NAYS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Brockaw; Cleveland; Conmy; Dalrymple; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Hanson, O.; Haugland; Hausauer, A.; Hill; Hoffner; Hughes; Keller; Kingsbury; Kloubec; Klundt; Koland; Kretschmar; Kuchera; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; Martinson; Melby; Meyer; Moore; Myrdal; Nalewaja; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Retzer; Rice; Richard; Riehl; Riley; Rydell; Sauter; Schmidt; Shaw; Shide; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Strinden; Thompson; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Wald; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Hausauer, R.

ABSENT AND NOT VOTING: Gullickson; Gunsch; Hamerlik; Lang; Nicholas; Schindler

HB 1627 was declared lost.

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HB 1327: A BILL for an Act to amend and reenact sections 57-39.2-04.1 and 57-40.2-04.1 of the North Dakota Century Code, to remove the sales and use tax exemption for candy, chewing gum, and carbonated beverages.

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 52 YEAS, 49 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Belter; Brockaw; Cleveland; Dalrymple; DeMers; Enget; Frey; Gates; Graba; Hanson, L.; Haugland; Hill; Hoffner; Keller; Kelly; Kloubec; Klundt; Kretschmar; Kuchera; Laughlin; Linderman; Lloyd; Meyer; Moore; Murphy; Myrdal; Nalewaja; Nicholas; Nowatzki; Oban; Opedahl; O'Shea; Payne; Richard; Riehl; Riley; Sauter; Schneider; Shockman; Skjerven; Solberg, O.; Solberg, R.; Starke; Stofferahn; Strinden; Ulmer; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Wold

**NAYS:** Anderson, C.; Anderson, R.; Berg, G.; Berg, R.; Conmy; Dorso; Dotzenrod; Eckroth; Gerntholz; Goetz; Halmrast; Hanson, O.; Hausauer, A.; Hedstrom; Hughes; Kent; Kingsbury; Knudson; Koland; Larson; Lautenschlager; Lindgren; Lipsiea; Martin; Martinson; Melby; Mertens; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Pederson, R.; Peterson, J.; Retzer; Rice; Rydell; Schmidt; Shaw; Shide; Smette; Thompson; Timm; Tollefson; Unhjem; Vander Vorst; Wald; Whalen; Winkelman; Speaker Hausauer, R.

**ABSENT AND NOT VOTING:** Gullickson; Gunsch; Hamerlik; Lang; Schindler

HB 1327 was declared lost for want of a Constitutional majority.

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#### MOTION

REP. MERTENS MOVED that the House reconsider its action whereby HB 1545 failed to pass for want of a Constitutional majority, which motion prevailed on a verification vote.

#### SECOND READING OF HOUSE BILL

HB 1545: A BILL for an Act to create and enact a new chapter to the North Dakota Century Code, relating to the development of a new program for chemical abuse problems in North Dakota schools; and to provide an appropriation.

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 62 YEAS, 39 NAYS, 5 ABSENT AND NOT VOTING.

**YEAS:** Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Conmy; Dalrymple; DeMers; Eckroth; Enget; Frey; Graba; Halmrast; Hanson, L.; Hill; Hoffner; Keller; Kelly; Klundt; Knudson; Kretschmar; Laughlin; Lautenschlager; Linderman; Lindgren; Lloyd; Martin; Martinson; Mertens; Meyer; Moore; Nalewaja; Nicholas; Nowatzki; Oban; O'Connell; Olson, V.; Opedahl; O'Shea; Pederson, R.; Richard; Riley; Rydell; Sauter; Schmidt; Schneider; Shaw; Shockman; Smette; Solberg, R.; Starke; Stofferahn; Tollefson; Ulmer; Unhjem; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold

**NAYS:** Anderson, C.; Anderson, R.; Dorso; Dotzenrod; Gates; Gerntholz; Goetz; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hughes; Kent; Kingsbury; Kloubec; Koland; Kuchera; Larson; Lipsiea; Melby; Murphy; Myrdal; Olsen, D.; Olson, A.; Payne;

Peterson, J.; Retzer; Rice; Riehl; Shide; Skjerven;  
Solberg, O.; Strinden; Thompson; Timm; Vander Vorst;  
Wald; Whalen; Speaker Hausauer, R.

ABSENT AND NOT VOTING: Gullickson; Gunsch; Hamerlik;  
Lang; Schindler

HB 1545 passed and the title was agreed to.

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#### MOTION

REP. O'CONNELL MOVED that the House reconsider its action whereby HB 1327 failed to pass for want of a Constitutional majority, which motion prevailed on a verification vote.

#### SECOND READING OF HOUSE BILL

HB 1327: A BILL for an Act to amend and reenact sections 57-39.2-04.1 and 57-40.2-04.1 of the North Dakota Century Code, to remove the sales and use tax exemption for candy, chewing gum, and carbonated beverages.

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 56 YEAS, 44 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Belter; Berg, G.; Brokaw; Dalrymple; DeMers; Enget;  
Frey; Gates; Graba; Hanson, L.; Haugland; Hill;  
Hoffner; Keller; Kelly; Kloubec; Klundt; Knudson;  
Kretschmar; Kuchera; Laughlin; Lautenschlager;  
Linderman; Lloyd; Martin; Mertens; Meyer; Moore;  
Murphy; Myrdal; Nowatzki; Oban; O'Connell; Opedahl;  
O'Shea; Payne; Richard; Riehl; Riley; Sauter;  
Schneider; Shockman; Skjerven; Solberg, O.;  
Solberg, R.; Starke; Stofferahn; Strinden; Ulmer;  
Watne; Wentz; Williams, A.; Williams, C.; Williams, W.;  
Wold; Speaker Hausauer, R.

NAYS: Anderson, C.; Anderson, R.; Berg, R.; Cleveland;  
Conmy; Dorso; Dotzenrod; Eckroth; Gerntholz; Goetz;  
Halmrast; Hanson, O.; Hausauer, A.; Hedstrom; Hughes;  
Kent; Kingsbury; Koland; Larson; Lindgren; Lipsiea;  
Martinson; Melby; Nalewaja; Olsen, D.; Olson, A.;  
Olson, V.; Pederson, R.; Peterson, J.; Retzer; Rice;  
Rydell; Schmidt; Shaw; Shide; Smette; Thompson; Timm;  
Tollefson; Unhjem; Vander Vorst; Wald; Whalen;  
Winkelman

ABSENT AND NOT VOTING: Gullickson; Gunsch; Hamerlik;  
Lang; Nicholas; Schindler

HB 1327 passed and the title was agreed to.

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### REQUEST

REP. NALEWAJA REQUESTED that the question of the final passage of Engrossed HB 1025 be divided to have the sections voted on separately in the following manner, which request was granted.

### DIVISION A

#### Subdivision 8.

#### AGRICULTURAL PRODUCTS UTILIZATION COMMISSION

Salaries and wages	\$	111,311
Operating expenses		70,900
Data processing		6,460
Equipment		7,636
Grants, benefits, and claims		326,930
Total appropriation from agriculturally derived fuel tax fund	\$	523,237

### DIVISION B

A BILL for an Act making an appropriation for defraying the expenses of various agricultural councils and commissions of the state of North Dakota.

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

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated from special funds derived from federal funds and other income, to the various agricultural councils and commissions of the state of North Dakota, for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1985, and ending June 30, 1987, as follows:

#### Subdivision 1.

#### EDIBLE BEAN COUNCIL

Operating expenses	\$	400,000
Total appropriation from edible bean fund	\$	400,000

#### Subdivision 2.

#### SUNFLOWER COUNCIL

Salaries and wages	\$	38,480
Operating expenses		1,437,496
Equipment		7,000
Total appropriation from sunflower fund	\$	1,482,976

#### Subdivision 3.

#### HONEY PROMOTION FUND

Operating expenses	\$	32,500
Total appropriation from honey promotion fund	\$	32,500

## Subdivision 4.

## STATE POTATO COUNCIL

Operating expenses	\$ 762,900
Total appropriation from spud fund	\$ 762,900

## Subdivision 5.

## TURKEY FUND

Operating expenses	\$ 30,400
Total appropriation from turkey promotion fund	\$ 30,400

## Subdivision 6.

## STATE WHEAT COMMISSION

Salaries and wages	\$ 498,787
Operating expenses	2,311,389
Data processing	6,483
Equipment	8,000
Contingency	20,000
Total appropriation from wheat promotion fund	\$ 2,844,659

## Subdivision 7.

## STATE BARLEY COUNCIL

Salaries and wages	\$ 237,726
Operating expenses	541,873
Equipment	35,000
Grants, benefits, and claims	100,000
Total appropriation from barley council fund	\$ 914,599
Grand total special funds appropriated H.B. 1025	6,991,271
Grand total all funds appropriated H.B. 1025	6,991,271

**SECTION 2. INTENT, REPEAL, PURPOSE, AND CONSTRUCTION.**

All Acts and parts of Acts that may be in conflict herewith are hereby repealed and if for any reason any specific appropriation for any item should be held by the courts to be unconstitutional or illegal or otherwise unavailable for any cause, such holding shall not affect or be construed to apply to the remaining items of appropriation herein or purpose provided for herein.

**SECTION 3. APPROPRIATION.**

There is hereby appropriated in addition to the appropriations provided in section 1 of this Act, all funds as may be on deposit in the various special funds for which appropriations are made in section 1 for the biennium beginning July 1, 1985, and ending June 30, 1987.

**MOTION**

REP. J. PETERSON MOVED the previous question, which motion prevailed.

The question then was on the passage of Division A of the divided question.

FRIDAY, MARCH 1, 1985

1543

ROLL CALL

The roll was called and there were 73 YEAS, 25 NAYS, 8 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Dalrymple; DeMers; Eckroth; Enget; Frey; Gates; Gerntholz; Graba; Halmrast; Hanson, L.; Hanson, O.; Haugland; Hedstrom; Hill; Hoffner; Keller; Kent; Kingsbury; Klundt; Knudson; Kretschmar; Kuchera; Laughlin; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin; Martinson; Melby; Mertens; Murphy; Myrdal; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Pederson, R.; Peterson, J.; Retzer; Rice; Richard; Riehl; Sauter; Schmidt; Schneider; Shaw; Shide; Skjerven; Smette; Solberg, R.; Starke; Stofferahn; Tollefson; Ulmer; Vander Vorst; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: Berg, R.; Cleveland; Conny; Dorso; Dotzenrod; Goetz; Hausauer, A.; Hughes; Kelly; Kloubec; Koland; Larson; Lindgren; Moore; Nalewaja; Payne; Riley; Rydell; Shockman; Solberg, O.; Strinden; Thompson; Timm; Unhjem; Wald

ABSENT AND NOT VOTING: Brokaw; Gullickson; Gunsch; Hamerlik; Lang; Meyer; Schindler; Whalen

So Division A was declared passed.

The question then was on the passage of Division B of the divided question.

ROLL CALL

The roll was called and there were 96 YEAS, 2 NAYS, 8 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Cleveland; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Halmrast; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Melby; Mertens; Moore; Murphy; Myrdal; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Peterson, J.; Retzer; Rice; Richard; Riehl; Riley; Rydell; Sauter; Schmidt; Schneider; Shaw; Shide; Shockman; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn; Strinden; Thompson; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst;

Wald; Watne; Wentz; Williams, A.; Williams, C.;  
Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

**NAYS:** Conmy; Nalewaja

**ABSENT AND NOT VOTING:** Brokaw; Gullickson; Gunsch;  
Hamerlik; Lang; Meyer; Schindler; Whalen

So Division B was declared passed.

The question then was on the adoption of HB 1025, including Division A and including Division B.

#### ROLL CALL

The roll was called and there were 95 YEAS, 4 NAYS, 7 ABSENT AND NOT VOTING.

**YEAS:** Anderson, C.; Anderson, R.; Belter; Berg, G.;  
Berg, R.; Cleveland; Dalrymple; DeMers; Dorso;  
Dotzenrod; Eckroth; Enget; Frey; Gates; Gertholz;  
Goetz; Graba; Halmrast; Hanson, L.; Hanson, O.;  
Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner;  
Hughes; Keller; Kelly; Kent; Kingsbury; Kloubec;  
Klundt; Knudson; Koland; Kretschmar; Kuchera; Larson;  
Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea;  
Lloyd; Martin; Martinson; Melby; Mertens; Moore;  
Murphy; Myrdal; Nicholas; Nowatzki; Oban; O'Connell;  
Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea;  
Payne; Pederson, R.; Peterson, J.; Retzer; Rice;  
Richard; Riehl; Riley; Rydell; Sauter; Schmidt;  
Schneider; Shaw; Shide; Skjerven; Smette; Solberg, O.;  
Solberg, R.; Starke; Stofferahn; Thompson; Timm;  
Tollefson; Ulmer; Unhjem; Vander Vorst; Wald; Watne;  
Wentz; Whalen; Williams, A.; Williams, C.;  
Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

**NAYS:** Conmy; Nalewaja; Shockman; Strinden

**ABSENT AND NOT VOTING:** Brokaw; Gullickson; Gunsch;  
Hamerlik; Lang; Meyer; Schindler

So HB 1025, including Division A and including Division B, was declared passed and the title was agreed to.

#### REPORT OF PROCEDURAL COMMITTEE

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

HB 1027, HB 1029, HB 1031, HB 1035, HB 1043, HB 1241,  
HB 1243, HB 1250, HB 1267, HB 1403, HB 1558, HB 1562

**REP. HEDSTROM, Chairman**

FRIDAY, MARCH 1, 1985

1545

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

MOTION

REP. STRINDEN MOVED that the rules be suspended, that all House bills acted on favorably today excluding delayed bills be messaged to the Senate immediately, which motion prevailed.

MESSAGE TO THE SENATE  
HOUSE CHAMBER

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

HB 1001, HB 1002, HB 1003, HB 1006, HB 1010, HB 1016,  
HB 1020, HB 1025, HB 1027, HB 1029, HB 1031, HB 1035,  
HB 1043, HB 1048, HB 1049, HB 1243, HB 1250, HB 1267,  
HB 1327, HB 1394, HB 1403, HB 1545, HB 1565

ROY GILBREATH, Chief Clerk

MOTION

REP. KRETSCHMAR MOVED that HB 1001, HB 1002, HB 1003, HB 1006, HB 1010, HB 1016, HB 1027, HB 1029, HB 1031, HB 1035, HB 1394, and HB 1025 be reprinted, which motion prevailed.

DOCTOR OF THE DAY SCHEDULE

March 4 - Kevin Gallagher, M.D. - Fargo  
Internal Medicine  
March 5 - Eugene Evans, M.D. - Fargo  
Family Practice  
March 6 - Mark Carter, M.D. - Grand Forks  
Family Practice  
March 7 - Larry Hughes, M.D. - Fargo  
Family Practice  
March 8 - Darrell Williams, M.D. - Minot  
Ophthalmology

REPORTS OF STANDING COMMITTEES

MR. SPEAKER: Your Committee on Transportation to which was referred HCR 3069 has had the same under consideration and recommends by a vote of 15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 2, delete the word "and" and insert in lieu thereof a comma, and after the word "highway" insert the words ", and air transportation"

On page 1, line 5, delete the word "an", and delete the words "system of streets and highways" and insert in lieu thereof the words "street, highway, and air transportation systems"

On page 1, after line 12, insert the following clause:

"WHEREAS, air transportation is an increasingly vital link between communities within and without the state; and"

- On page 1, line 20, delete the word "and" and insert in lieu thereof a comma, and after the word "highway" insert the words ", and air transportation"
- On page 1, line 27, after the word "vehicles" insert the words "and aircraft", and delete the word "personal"
- On page 2, line 3, delete the word "and" and insert in lieu thereof a comma
- On page 2, line 4, after the word "highway" insert the words ", and air transportation"
- On page 2, line 20, delete the word "and" and insert in lieu thereof a comma, and delete the word "system" and insert in lieu thereof the words ", and air transportation systems"
- On page 2, line 26, delete the first word "and" and insert in lieu thereof a comma, and delete the word "system" and insert in lieu thereof the words ", and air transportation systems"

And renumber the lines and pages accordingly

REP. TIMM, Chairman

HCR 3069 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Agriculture to which was referred SB 2047 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. NICHOLAS, Chairman

SE 2047 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on State and Federal Government to which was referred SB 2051 has had the same under consideration and recommends by a vote of 12 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

- On page 2, line 5, delete the word "Savings" and insert in lieu thereof the words "North Dakota savings", and after the word "association" insert the words "and commercial bank"
- On page 2, line 6, overstrike the words "North Dakota", delete the word "savings", and overstrike the words "and loan

associations," and insert immediately thereafter the word "deposit"

And renumber the lines and pages accordingly

REP. MARTINSON, Chairman

SB 2051 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Transportation to which was referred SB 2094 has had the same under consideration and recommends by a vote of 9 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

REP. TIMM, Chairman

SB 2094 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Social Services and Veterans Affairs to which was referred SB 2112 has had the same under consideration and recommends by a vote of 13 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING that the same DO PASS.

REP. HAUGLAND, Chairman

SB 2112 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Agriculture to which was referred SB 2132 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same DO PASS.

REP. NICHOLAS, Chairman

SB 2132 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Social Services and Veterans Affairs to which was referred SB 2185 has had the same under consideration and recommends by a vote of 13 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same DO PASS.

REP. HAUGLAND, Chairman

SB 2185 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Natural Resources to which was referred SB 2254 has had the same under consideration and recommends by a vote of 16 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

REP. A. OLSON, Chairman

SB 2254 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Social Services and Veterans Affairs to which was referred SB 2277 has had the same under consideration and recommends by a vote of 14 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING that the same DO PASS.

REP. HAUGLAND, Chairman

SB 2277 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Political Subdivisions to which was referred SB 2310 has had the same under consideration and recommends by a vote of 13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

REP. LANG, Chairman

SB 2310 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Political Subdivisions to which was referred SB 2315 has had the same under consideration and recommends by a vote of 11 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

REP. LANG, Chairman

SB 2315 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Social Services and Veterans Affairs to which was referred SE 2344 has had the same under consideration and recommends by a vote of 13 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. HAUGLAND, Chairman

SB 2344 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Agriculture to which was referred Engrossed SB 2349 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same DO PASS and be rereferred to the Committee on Appropriations.

REP. NICHOLAS, Chairman

Engrossed SB 2349 was rereferred to the Committee on Appropriations.

MR. SPEAKER: Your Committee on Political Subdivisions to which was referred Engrossed SB 2372 has had the same under consideration and recommends by a vote of 13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

REP. LANG, Chairman

Engrossed SB 2372 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

FRIDAY, MARCH 1, 1985

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MR. SPEAKER: Your Committee on Political Subdivisions to which was referred Engrossed SB 2393 has had the same under consideration and recommends by a vote of 12 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

REP. LANG, Chairman

Engrossed SB 2393 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Transportation to which was referred SB 2399 has had the same under consideration and recommends by a vote of 15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

REP. TIMM, Chairman

SB 2399 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Agriculture to which was referred Engrossed SB 2483 has had the same under consideration and recommends by a vote of 12 YEAS, 0 NAYS, 5 ABSENT AND NOT VOTING that the same DO PASS.

REP. NICHOLAS, Chairman

Engrossed SB 2483 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Agriculture to which was referred SCR 4017 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same DO PASS.

REP. NICHOLAS, Chairman

SCR 4017 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Social Services and Veterans Affairs to which was referred SCR 4019 has had the same under consideration and recommends by a vote of 11 YEAS, 2 NAYS, 3 ABSENT AND NOT VOTING that the same DO PASS.

REP. HAUGLAND, Chairman

SCR 4019 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Natural Resources to which was referred SCR 4035 has had the same under consideration and recommends by a vote of 13 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING that the same DO PASS.

REP. A. OLSON, Chairman

SCR 4035 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

## MOTIONS

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

REP. KRETSCHMAR MOVED that the House be on the Fifth order of business, and at the conclusion of the Fifth order, the House stand adjourned until 12:30 p.m., Monday, March 4, 1985, which motion prevailed.

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

ROY GILBREATH, Chief Clerk