

MONDAY, MARCH 25, 1985

2241

JOURNAL OF THE HOUSE

Forty-ninth Legislative Assembly

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FIFTY-THIRD DAY

The House convened at 9:00 a.m., with Speaker R. Hausauer presiding. Bismarck, March 25, 1985

The prayer was offered by Reverend Pat Moore, St. Alexius Medical Center Chaplain, Bismarck, North Dakota.

ROLL CALL

The roll was called and all Representatives were present, except Representatives R. Anderson, R. Berg, Goetz, Gullickson, Kingsbury, Payne, Riley, C. Williams.

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 Fifty-second Day and recommends that the same be corrected as follows and when so corrected, recommends that the same be approved:

On page 2217, delete lines 40 through 46

On page 2218, delete lines 2 through 6

On page 2204, after line 34, insert the following:

MESSAGE TO THE SENATE
HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to inform you that the House does not concur in the Senate amendments to HB 1013, HB 1243, HB 1250, and HB 1446 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1013: Reps. Kingsbury, Unhjem, Laughlin
HB 1243: Reps. Kingsbury, Unhjem, Stofferahn
HB 1250: Reps. Kingsbury, Gunsch, Graba
HB 1446: Reps. Hamerlik, Larson, DeMers

ROY GILBREATH, Chief Clerk

On page 2218, line 35, after the word "a", insert the word "new"
REP. KENT, Chairman

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

COMMUNICATIONS

State of North Dakota
EXECUTIVE OFFICE
Bismarck

March 22, 1985

The Honorable Roy Hausauer
Speaker of the House
North Dakota House of Representatives
State Capitol
Bismarck, North Dakota 58505

Dear Mr. Speaker:

Almost every North Dakota retailer would, with or without this bill, stay below the 18% interest rate on revolving charge accounts.

Basically, it is the low and middle income citizen, who must buy on credit, who would lose protection under this bill. If it is necessary to raise allowable interest rates, it is equally important that there be some legal restraint on those rates. This bill removes all such restraints. If a bill were presented to me which increased the amount of interest allowed, with a reasonable maximum amount, I would sign the bill. This bill does not do so.

Therefore, I veto House Bill 1305.

Sincerely,

GEORGE A. SINNER
Governor

State of North Dakota
EXECUTIVE OFFICE
Bismarck

March 22, 1985

The Honorable Roy Hausauer
Speaker of the House
North Dakota House of Representatives
State Capitol
Bismarck, North Dakota 58505

Dear Mr. Speaker:

During the 48th Legislative Assembly we first provided reimbursement for retailers who file monthly sales and use tax reports. We provided reimbursement in amounts of up to \$1,000

per year. Prior to that time, retailers were not reimbursed at all. Many other states still provide no reimbursement.

This bill would raise that amount and would have a negative revenue impact of up to \$785,000. Much of that would go to retailers outside of North Dakota.

While higher compensation for retailers is a worthwhile goal, at this time of extremely tight revenues, it is inappropriate.

Therefore, I veto House Bill 1375.

Sincerely,

GEORGE A. SINNER
Governor

DOCTOR OF THE DAY SCHEDULE

March 26 - Irene Martin, M.D.	- Bismarck
Family Practice	
March 27 - Erling Martinson, M.D.	- Grand Forks
Family Practice	
March 28 - Knute Thorsgard, M.D.	- Grand Forks
Family Practice	
March 29 - Knute Thorsgard, M.D.	- Grand Forks
Family Practice	

REPORTS OF CONFERENCE COMMITTEES

MR. SPEAKER: Your Conference Committee to which was referred HB 1233 has had the same under consideration and recommends that the HOUSE ACCEDE to the amendments as found on page 1333 of the Senate Journal:

For the Senate: Sens. Ingstad, Olson, Dotzenrod
For the House: Reps. Lang, Shaw, Dotzenrod

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

HB 1233 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Conference Committee to which was referred HB 1242 has had the same under consideration and recommends that the SENATE RECEDE from its amendments as found on page 1780 of the House Journal and that HB 1242 be amended as follows:

On page 2, line 2, overstrike the word "such" and insert immediately thereafter the words "a retired or terminated"

On page 2, line 10, after the period insert the following sentence: "A member or former member of the legislative assembly may elect to continue membership in the uniform group within the applicable time limitations after either

termination of eligible employment as a member of the legislative assembly or termination of other eligible employment."

And renumber the lines and pages accordingly.

For the Senate: Sens. Mutch, Parker, Kelsh

For the House: Reps. Retzer, Whalen, Lloyd

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

HB 1242 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MOTION

REP. STRINDEN MOVED that SB 2001, SB 2371, and SCR 4071 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 SB 2001 as recommended by the Committee on Appropriations as printed on pages 2237-2238 of the House Journal be adopted, and when so adopted, recommends that SB 2001 DO PASS, which motion prevailed.

SB 2001 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MOTION

REP. STRINDEN MOVED that the rules be suspended and that SB 2001 be placed on the Fourteenth order on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2001: A BILL for an Act to appropriate money for the expenses of the legislative branch of government; and declaring 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 87 YEAS, 10 NAYS, 9 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Belter; Berg, G.; Cleveland; Conny; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Mertens; Meyer; Moore;

Myrdal; Nalewaja; Nicholas; Nowatzki; Oban; O'Connell;
 Olsen, D.; Olson, A.; Olson, V.; Opedahl; Peterson, J.;
 Retzer; Rice; Richard; Riehl; Rydell; Sauter;
 Schindler; Schmidt; Schneider; Shaw; Shide; Skjerven;
 Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn;
 Strinden; Timm; Tollefson; Ulmer; Unhjem; Wald; Wentz;
 Williams, A.; Williams, W.; Winkelman; Wold;
 Speaker Hausauer, R.

NAYS: Brokaw; Hanson, O.; Melby; Murphy; O'Shea;
 Pederson, R.; Shockman; Thompson; Vander Vorst; Watne

ABSENT AND NOT VOTING: Anderson, R.; Berg, R.; Goetz;
 Gullickson; Lautenschlager; Payne; Riley; Whalen;
 Williams, C.

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

SIXTH ORDER OF BUSINESS

REP. J. PETERSON MOVED that the amendments to SB 2371 as recommended by the Committee on Appropriations as printed on page 2239 of the House Journal be adopted, and when so adopted, recommends that SB 2371 DO PASS.

REQUEST

REP. STOFFERAHN REQUESTED a recorded roll call vote on the motion to adopt the proposed amendments to SB 2371, which request was granted.

ROLL CALL

The question being on the motion to adopt the amendments to SB 2371, the roll was called and there were 45 YEAS, 50 NAYS, 11 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Belter; Dalrymple; Dorso; Dotzenrod;
 Eckroth; Enget; Gerntholz; Gunsch; Hanson, O.;
 Kingsbury; Kloubec; Klundt; Koland; Kuchera; Lang;
 Lautenschlager; Linderman; Lipsiea; Melby; Moore;
 Murphy; Myrdal; Nalewaja; Nicholas; O'Shea;
 Pederson, R.; Retzer; Rice; Schindler; Shide; Skjerven;
 Smette; Solberg, O.; Solberg, R.; Strinden; Thompson;
 Timm; Tollefson; Vander Vorst; Wald; Whalen;
 Williams, A.; Winkelman; Speaker Hausauer, R.

NAYS: Berg, G.; Brokaw; Cleveland; DeMers; Frey; Gates;
 Graba; Halmrast; Hamerlik; Hanson, L.; Haugland;
 Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent;
 Knudson; Kretschmar; Larson; Laughlin; Lindgren; Lloyd;
 Martin; Martinson; Mertens; Meyer; Nowatzki; Oban;
 O'Connell; Olson, A.; Olson, V.; Opedahl; Peterson, J.;
 Richard; Rydell; Sauter; Schmidt; Schneider; Shaw;

Shockman; Starke; Stofferahn; Ulmer; Unhjem; Watne; Wentz; Williams, W.; Wold

ABSENT AND NOT VOTING: Anderson, R.; Berg, R.; Conmy; Goetz; Gullickson; Hausauer, A.; Olsen, D.; Payne; Riehl; Riley; Williams, C.

The motion to adopt the amendments to SB 2371 failed to pass.

SB 2371 without amendments was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MOTION

REP. STRINDEN MOVED that the House be on the Fourteenth order of business, which motion prevailed.

SECOND READING OF SENATE BILLS

SB 2012: A BILL for an Act making an appropriation for defraying the expenses of the state laboratories department of the state of North Dakota; and to amend and reenact section 19-01-07 of the North Dakota Century Code, relating to fees paid the state laboratories department for contract services.

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, 2 NAYS, 11 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Belter; Berg, G.; Brokaw; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; 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; Lloyd; Martin; Martinson; Mertens; Meyer; Moore; Myrdal; Nalewaja; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahll; O'Shea; Pederson, R.; Peterson, J.; Retzer; Rice; Richard; Rydell; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Shockman; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn; Strinden; Thompson; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Watne; Wentz; Whalen; Williams, A.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: Melby; Murphy

ABSENT AND NOT VOTING: Anderson, R.; Berg, R.; Goetz; Gullickson; Knudson; Lipsiea; Payne; Riehl; Riley; Wald; Williams, C.

SB 2012 passed and the title was agreed to.

SB 2015: A BILL for an Act making an appropriation for defraying the expenses of the department of banking and financial institutions of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 95 YEAS, 3 NAYS, 8 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Belter; Berg, G.; Brokaw; Cleveland; Conny; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Keller; Kelly; Kent; Kingsbury; Kloubec; Klundt; Knudson; 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; Pederson, R.; Peterson, J.; Retzer; Rice; Richard; 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, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: Hughes; Melby; Murphy

ABSENT AND NOT VOTING: Anderson, R.; Berg, R.; Goetz; Gullickson; Payne; Riehl; Riley; Williams, C.

SB 2015 passed and the title was agreed to.

SB 2018: A BILL for an Act making an appropriation for defraying the expenses of the milk stabilization board 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, 10 NAYS, 8 ABSENT AND NOT VOTING.

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

NAYS: Conmy; Dotzenrod; Hughes; Melby; Murphy; O'Connell; Olson, A.; Richard; Shockman; Winkelman

ABSENT AND NOT VOTING: Anderson, R.; Berg, R.; Goetz; Gullickson; Payne; Riehl; Riley; Williams, C.

SB 2018 passed and the title was agreed to.

MESSAGES TO THE SENATE
HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to inform you that the House has concurred in the Senate amendments to HB 1036, HB 1054, HB 1078, HB 1159, HB 1169, HB 1199, HB 1202, HB 1207, HB 1218, HB 1221, HB 1266, HB 1296, HB 1313, HB 1334, HB 1335, HB 1388, HB 1406, HB 1431, HB 1432, HB 1448, HB 1500, HB 1521, HB 1539, HB 1540, HB 1571, HB 1635, HB 1646, HCR 3037, and HCR 3065 and subsequently passed the same.

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

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

SB 2181, SB 2287, SB 2289, SB 2316, SB 2381, SB 2400,
SB 2417, SB 2475, SB 2479, SCR 4011, SCR 4021, SCR 4060,
SCR 4069

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

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

SB 2038, SB 2063, SB 2217, SCR 4037, SCR 4059, SCR 4063
 ROY GILBREATH, Chief Clerk

MESSAGES FROM THE SENATE
 SENATE CHAMBER

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

HB 1013: Sens. Wenstrom, Tweten, Walsh
 HB 1069: Sens. Holmberg, Olson, Redlin
 HB 1243: Sens. Thane, Tennefos, Mushik
 HB 1250: Sens. Naaden, Tweten, Shea

LEO LEIDHOLM, Secretary

SENATE CHAMBER

MR. SPEAKER: I have the honor to inform you that the Senate does not concur in the House amendments to SB 2062, SB 2186, SB 2245, SB 2260 and SB 2354 and the President has appointed as a conference committee to act with a like committee from the House on:

SB 2062: Sens. Peterson, Freborg, Heinrich
 SB 2186: Sens. Adams, Moore, Waldera
 SB 2245: Sens. Christensen, Holmberg, Redlin
 SB 2260: Sens. Stenehjem, Olson, J. Meyer
 SB 2354: Sens. Mutch, Parker, Langley

LEO LEIDHOLM, Secretary

SENATE CHAMBER

MR. SPEAKER: I have the honor to inform you that the Senate does not concur in the House amendments to SB 2405, SB 2410, SB 2413, SB 2477, and SB 2489 and the President has appointed as a conference committee to act with a like committee from the House on:

SB 2405: Sens. Kilander, Parker, Langley
 SB 2410: Sens. Kelly, Stenehjem, J. Meyer
 SB 2413: Sens. Parker, Reiten, Langley
 SB 2477: Sens. Todd, Parker, Kelsh
 SB 2489: Sens. Holmberg, Stenehjem, Maixner

LEO LEIDHOLM, Secretary

SECOND READING OF SENATE BILLS

SB 2024: A BILL for an Act making an appropriation for defraying the expenses of the highway department of the state of North Dakota.

Which has been read.

ROLL CALL

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

YEAS: Belter; Berg, G.; Brokaw; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Graba; Halmrast; Hamerlik; Hanson, L.; 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; Meyer; Moore; Myrdal; Nalewaja; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Pederson, R.; Peterson, J.; Retzer; Rice; Richard; Rydell; Sauter; Schindler; Schmidt; Schneider; Shaw; Shockman; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Stoferahn; Strinden; Thompson; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Wald; Watne; Wentz; Whalen; Williams, A.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: Anderson, C.; Gunsch; Hanson, O.; Melby; Murphy; Shide

ABSENT AND NOT VOTING: Anderson, R.; Berg, R.; Goetz; Gullickson; Payne; Riehl; Riley; Williams, C.

SB 2024 passed and the title was agreed to.

SB 2026: A BILL for an Act making an appropriation for defraying the expenses of the motor vehicle department of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 94 YEAS, 2 NAYS, 10 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Belter; Berg, G.; Brokaw; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; 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; Meyer; Moore; Myrdal; Nalewaja; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.;

Olson, A.; Olson, V.; Opedahl; O'Shea; Pederson, R.; Peterson, J.; Retzer; Rice; Richard; Rydell; Sauter; Schindler; Schmidt; Schneider; 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, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: Melby; Murphy

ABSENT AND NOT VOTING: Anderson, R.; Berg, R.; Goetz; Gullickson; Mertens; Payne; Riehl; Riley; Starke; Williams, C.

SB 2026 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 1094, HB 1171, HB 1352, HB 1383, HCR 3030

REP. HEDSTROM, Chairman

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

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:

HE 1157, HB 1257, HB 1279, HB 1438, HB 1592

REP. HEDSTROM, Chairman

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

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 1104, HB 1140, HB 1247

REP. HEDSTROM, Chairman

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

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 enrolled:

HB 1128, HB 1384

REP. HEDSTROM, Chairman

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

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 enrolled:

HB 1094, HB 1171, HC 1352, HB 1383, HB 1420, HB 1468,
 HB 1475, HB 1484, HB 1496, HB 1503, HB 1510, HB 1535,
 HB 1551, HB 1564, HE 1590, HB 1595, HB 1610, HCR 3030,
 HCR 3085

REP. HEDSTROM, Chairman

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

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 enrolled:

HB 1157, HB 1244, HB 1257, HB 1279, HB 1339, HB 1438,
 HB 1538, HB 1554, HB 1592, HB 1618, HB 1621, HB 1650,
 HCR 3019, HCR 3035, HCR 3046, HCR 3050, HCR 3052, HCR 3058,
 HCR 3062, HCR 3077, HCR 3093

REP. HEDSTROM, Chairman

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

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 enrolled:

HB 1480, HB 1515, HB 1546, HB 1639, HB 1657, HCR 3024,
 HCR 3069, HCR 3075

REP. HEDSTROM, Chairman

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

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 enrolled:

HB 1382, HB 1402, HB 1418, HB 1441, HB 1607, HB 1651,
HCR 3020, HCR 3022, HCR 3034, HCR 3036, HCR 3051, HCR 3056,
HCR 3070, HCR 3078, HCR 3080, HCR 3082, HCR 3083, HCR 3084,
HCR 3086, HCR 3087, HCR 3089, HCR 3090

REP. HEDSTROM, Chairman

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

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 enrolled:

HMR C

REP. HEDSTROM, Chairman

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

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 enrolled:

HB 1135, HB 1143, HB 1211, HB 1284, HB 1426, HB 1454

REP. HEDSTROM, Chairman

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

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 enrolled:

HB 1098, HB 1104, HB 1140, HB 1247, HB 1271, HB 1372,
HB 1416, HB 1425, HCR 3067, HCR 3092

REP. HEDSTROM, Chairman

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

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 enrolled:

HB 1123, HB 1191, HB 1483, HB 1509, HB 1525, HB 1586
 REP. HEDSTROM, Chairman

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

SIXTH ORDER OF BUSINESS

REP. NICHOLAS MOVED that the amendments to SCR 4071 as recommended by the Committee on Agriculture as printed on page 2239 of the House Journal be adopted, and when so adopted, recommends that SCR 4071 BE PLACED ON THE CONSENT CALENDAR, which motion prevailed.

SCR 4071 was placed on the Consent Calendar.

MOTION

REP. STRINDEN MOVED that the rules be suspended and that SCR 4071 be removed from the Consent Calendar, and be placed on the Fourteenth order of the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4071: A concurrent resolution urging the Congress of the United States, the Secretary of Agriculture, and the board of directors of the Commodity Credit Corporation to allow rotation of commodities held as collateral on Commodity Credit Corporation loans at earlier dates.

Which has been read.

The question being on the final adoption of the resolution, as amended.

SCR 4071 was declared adopted on a voice vote.

MOTION

REP. STRINDEN MOVED that the rules be suspended and that SB 2001, SB 2012, SB 2015, SB 2018, SB 2024, SB 2026, and SCR 4071 be messaged to the Senate immediately, which motion prevailed.

CONSIDERATION OF MESSAGES FROM SENATE

REP. KLOUBEC MOVED that the House do concur in the Senate amendments to HB 1153, which motion prevailed.

HB 1153 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. CONMY MOVED that the House do not concur in the Senate amendments to HB 1588 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed.

APPOINTMENTS OF CONFERENCE COMMITTEES

THE SPEAKER APPOINTED as a Conference Committee on HB 1588:

Reps. Kretschmar, Wentz, R. Solberg

THE SPEAKER APPOINTED as a Conference Committee on SB 2438:

Reps. Murphy, Eckroth, Ulmer

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2186:

Reps. Moore, Martin, Sauter

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2245:

Reps. Lindgren, Dalrymple, R. Solberg

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2260:

Reps. Kretschmar, Schmidt, Keller

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2489:

Reps. Dalrymple, Cleveland, Shockman

MESSAGES TO THE SENATE HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to inform you that the House does not concur in the Senate amendments to HB 1588 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1588: Reps. Kretschmar, Wentz, R. Solberg

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

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

SB 2001, SB 2012, SB 2015, SB 2018, SB 2024, SB 2026,
SCR 4071

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

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

SB 2186: Reps. Moore, Martin, Sauter
 SB 2245: Reps. Lindgren, Dalrymple, R. Solberg
 SB 2260: Reps. Kretschmar, Schmidt, Keller
 SB 2438: Reps. Murphy, Eckroth, Ulmer
 SB 2489: Reps. Dalrymple, Cleveland, Shockman

ROY GILBREATH, Chief Clerk

MOTION

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

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

SIXTH ORDER OF BUSINESS

REP. A. HAUSAUER MOVED that the amendments to SB 2257 as recommended by a majority of the Committee on Finance and Taxation as printed on page 2104 of the House Journal be adopted, and when so adopted, recommends that SB 2257 DO PASS, which motion prevailed.

SB 2257 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MOTION

REP. STRINDEN MOVED that the rules be suspended and that SB 2257 be placed on the Fourteenth order on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILLS

SB 2257: A BILL for an Act to amend and reenact subsection 4 of section 57-60-01 and subsection 4 of section 57-60-02 of the North Dakota Century Code, relating to the definition of "gross receipts" for purposes of the privilege tax on coal conversion facilities and relating to the rate of tax on coal conversion facilities; and to provide an effective date and an expiration date.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 81 YEAS, 0 NAYS, 25 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, R.; Brokaw; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kent; Kloubec; Klundt;

Knudson; Koland; Kretschmar; Lang; Larson; Linderman; Lindgren; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; Nalewaja; Nicholas; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Pederson, R.; Retzer; Richard; Riehl; Riley; Rydell; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Shockman; Skjerven; Solberg, R.; Starke; Strinden; Timm; Tollefson; Ulmer; Vander Vorst; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Speaker Hausauer, R.

NAYS: None

ABSENT AND NOT VOTING: Berg, G.; Gerntholz; Goetz; Graba; Gullickson; Gunsch; Hanson, O.; Kelly; Kingsbury; Kuchera; Laughlin; Lautenschlager; Lipsiea; Nowatzki; Opedahl; Peterson, J.; Rice; Smette; Solberg, O.; Stofferahn; Thompson; Unhjem; Wald; Winkelman; Wold

SB 2257 passed and the title was agreed to.

SB 2036: A BILL for an Act to transfer a portion of motor vehicle fuel tax revenue to the general fund for the purpose of defraying the cost of administering the motor vehicle fuel tax laws.

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 79 YEAS, 0 NAYS, 27 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, R.; Brokaw; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kent; Kloubec; Klundt; Kretschmar; Lang; Larson; Linderman; Lindgren; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; Nalewaja; Nicholas; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Pederson, R.; Retzer; Richard; Riehl; Riley; Rydell; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Shockman; Skjerven; Solberg, R.; Starke; Strinden; Timm; Tollefson; Ulmer; Vander Vorst; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Speaker Hausauer, R.

NAYS: None

ABSENT AND NOT VOTING: Berg, G.; Gerntholz; Goetz;
 Graba; Gullickson; Gunsch; Hanson, O.; Kelly;
 Kingsbury; Knudson; Koland; Kuchera; Laughlin;
 Lautenschlager; Lipsiea; Nowatzki; Opedahl;
 Peterson, J.; Rice; Smette; Solberg, O.; Stofferahn;
 Thompson; Unhjem; Wald; Winkelman; Wold

SB 2036 passed and the title was agreed to.

MOTIONS

REP. STRINDEN MOVED that the rules be suspended and that SB 2036 and SB 2257 be messaged to the Senate immediately, which motion prevailed.

REP. KLOUBEC MOVED that the House reconsider its action whereby the House did not concur in the Senate amendments to HB 1287, and that the Conference Committee on HB 1287 be dissolved, which motion prevailed.

SPEAKER A. HAUSAUER ANNOUNCED that the Conference Committee on HB 1287 was dissolved.

REP. KLOUBEC MOVED that the House do concur in the Senate amendments to HB 1287, which motion prevailed.

HB 1287 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MESSAGE FROM THE SENATE SENATE CHAMBER

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

HB 1446: Sens. Christensen, Stenehjem, J. Meyer
 LEO LEIDHOLM, Secretary

CONSIDERATION OF MESSAGES FROM SENATE

REP. ULMER MOVED that the House do concur in the Senate amendments to HB 1170, which motion prevailed.

HB 1170 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. GATES MOVED that the House do not concur in the Senate amendments to HB 1318 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed.

APPOINTMENT OF A CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1318:

Reps. Gates, D. Olsen, DeMers

CONSIDERATION OF MESSAGES FROM SENATE

REP. ULMER MOVED that the House do concur in the Senate amendments to HB 1341, which motion prevailed.

HB 1341 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. A. OLSON MOVED that the House do concur in the Senate amendments to HB 1399, which motion prevailed.

HB 1399 was placed on the Eleventh order of business for the succeeding legislative day.

REP. TIMM MOVED that the House do not concur in the Senate amendments to HB 1528 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed.

APPOINTMENT OF A CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1528:

Reps. Timm, A. Hausauer, Richard

CONSIDERATION OF MESSAGES FROM SENATE

REP. DEMERS MOVED that the House do concur in the Senate amendments to HB 1536, which motion prevailed.

HB 1536 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. NICHOLAS MOVED that the House do concur in the Senate amendments to HB 1547, which motion prevailed.

HB 1547 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. RETZER MOVED that the House do concur in the Senate amendments to HB 1565, which motion prevailed.

HB 1565 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. NICHOLAS MOVED that the House do concur in the Senate amendments to HB 1596, which motion prevailed.

HB 1596 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. HAUGLAND MOVED that the House do concur in the Senate amendments to HB 1195, which motion prevailed.

HB 1195 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. A. HAUSAUER MOVED that the House do concur in the Senate amendments to HB 1285, which motion prevailed.

HB 1285 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. CONMY MOVED that the House do concur in the Senate amendments to HB 1408, which motion prevailed.

HB 1408 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. CONMY MOVED that the House do concur in the Senate amendments to HB 1615, which motion prevailed.

HB 1615 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

APPOINTMENTS OF CONFERENCE COMMITTEES

THE SPEAKER APPOINTED as a Conference Committee on SB 2062:

Reps. Schindler, D. Olsen, Hill

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2413:

Reps. R. Anderson, A. Hausauer, Frey

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2477:

Reps. Moore, Hughes, Linderman

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2405:

Reps. Dorso, Goetz, C. Williams

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2354:

Reps. Kent, Beiter, C. Williams

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2410:

Reps. Nalewaja, Hamerlik, Oban

MOTION

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

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

MESSAGES TO THE SENATE

HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to inform you that the House does not concur in the Senate amendments to HB 1318 and HB 1528 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1318: Reps. Gates, D. Olsen, DeMers
 HB 1528: Reps. Timm, A. Hausauer, Richard

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

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

SB 2062: Reps. Schindler, D. Olsen, Hill
 SB 2354: Reps. Kent, Belter, C. Williams
 SB 2405: Reps. Dorso, Goetz, C. Williams

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

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

SB 2410: Reps. Nalewaja, Hamerlik, Oban
 SB 2413: Reps. R. Anderson, A. Hausauer, Frey
 SB 2477: Reps. Moore, Hughes, Linderman

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

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

SB 2036, SB 2257

ROY GILBREATH, Chief Clerk

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 enrolled:

HB 1390, HB 1648, HB 1649, HCR 3074

REP. HEDSTROM, Chairman

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

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 enrolled:

HB 1005 (Veto sustained)

REP. HEDSTROM, Chairman

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

SIGNING OF BILLS AND RESOLUTIONS

THE CHIEF CLERK ANNOUNCED that the Speaker was about to sign the certification by which HB 1005 failed to pass the House over the Governor's veto, and the Speaker signed the same:

HB 1005

ROY GILBREATH, Chief Clerk

REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER: Your Committee on Enrollment and Engrossment respectfully report that the following bill was delivered to the Secretary of State for his filing at the hour of 3:25 p.m., March 25, 1985:

HB 1005, which has failed to pass the House of Representatives over the Governor's veto, also a copy of the Governor's objections as well as the certificate of the presiding officers of the House of Representatives as to the final action of that body with reference to the passage of this bill.

REP. HEDSTROM, Chairman

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

SECOND READING OF SENATE BILLS

SB 2159: A BILL for an Act to amend and reenact subsection 1 of section 52-06-04 and section 52-06-05 of the North Dakota Century Code, relating to unemployment compensation weekly benefit amount and benefit duration.

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, 33 NAYS, 4 ABSENT AND NOT VOTING.

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

Eckroth; Enget; Gates; Gerntholz; Goetz; Gunsch; Hamerlik; Hanson, O.; Hausauer, A.; Hedstrom; Hughes; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lindgren; Lipsiea; Martin; Martinson; Melby; Moore; Murphy; Myrdal; Nalewaja; Nicholas; Nowatzki; Olsen, D.; Olson, A.; Olson, V.; Payne; Pederson, R.; Retzer; Rice; Riley; Rydell; Schindler; Schmidt; Shide; Smette; Solberg, R.; Starke; Stofferahn; Strinden; Thompson; Timm; Tollefson; Vander Vorst; Wald; Whalen; Williams, C.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: Brokaw; DeMers; Frey; Graba; Halmrast; Hanson, L.; Haugland; Hill; Hoffner; Keller; Kelly; Lautenschlager; Linderman; Lloyd; Mertens; Meyer; Oban; O'Connell; Opedahl; O'Shea; Richard; Riehl; Sauter; Schneider; Shaw; Shockman; Skjerven; Solberg, O.; Ulmer; Watne; Wentz; Williams, A.; Williams, W.

ABSENT AND NOT VOTING: Conmy; Gullickson; Peterson, J.; Unhjem

SB 2159 passed and the title was agreed to.

SB 2160: A BILL for an Act to amend and reenact subsection 16 of section 52-06-02 of the North Dakota Century Code, relating to reduction of unemployment compensation benefits due to receipt of pensions.

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; 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.; 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: None

ABSENT AND NOT VOTING: Conmy; Gullickson

SB 2160 passed and the title was agreed to.

SIGNING OF BILLS AND RESOLUTIONS

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following:

HB 1094, HB 1098, HB 1104, HB 1123, HB 1128, HB 1135,
HB 1140, HB 1143, HB 1157, HB 1171, HB 1191, HB 1211,
HB 1244, HB 1247, HB 1257, HB 1271, HB 1279, HB 1284,
HB 1339, HB 1352, HB 1372, HB 1382, HB 1383, HB 1384,
HB 1390, HB 1402, HB 1416, HB 1418, HB 1420, HB 1425,
HB 1426, HB 1438, HB 1441, HB 1454, HB 1468, HB 1475,
HB 1480, HB 1483, HB 1484, HB 1496, HB 1503, HB 1509,
HB 1510, HB 1515, HB 1525, HB 1535, HB 1538, HB 1546,
HB 1551, HB 1554, HB 1564, HB 1586, HB 1590, HB 1592,
HB 1595, HB 1607, HB 1610, HB 1618, HB 1621, HB 1639,
HB 1648, HB 1649, HB 1650, HB 1651, HB 1657

ROY GILBREATH, Chief Clerk

SIGNING OF BILLS AND RESOLUTIONS

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following:

HCR 3019, HCR 3020, HCR 3022, HCR 3024, HCR 3030, HCR 3034,
HCR 3035, HCR 3036, HCR 3046, HCR 3050, HCR 3051, HCR 3052,
HCR 3056, HCR 3058, HCR 3062, HCR 3067, HCR 3069, HCR 3070,
HCR 3074, HCR 3075, HCR 3077, HCR 3078, HCR 3080, HCR 3082,
HCR 3083, HCR 3084, HCR 3085, HCR 3086, HCR 3087, HCR 3089,
HCR 3090, HCR 3092, HCR 3093, HMR C

ROY GILBREATH, Chief Clerk

MESSAGES TO THE SENATE HOUSE CHAMBER

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

HB 1094, HB 1098, HB 1104, HB 1123, HB 1128, HB 1135,
HB 1140, HB 1143, HB 1157, HB 1171, HB 1191, HB 1211,
HB 1244, HB 1247, HB 1257, HB 1271, HB 1279, HB 1284,
HB 1339, HB 1352, HB 1372, HB 1382, HB 1383, HB 1384,
HB 1390, HB 1402, HB 1416, HB 1418, HB 1420, HB 1425,
HB 1426, HB 1438, HB 1441, HB 1454, HB 1468, HB 1475,
HB 1480, HB 1483, HB 1484, HB 1496, HB 1503, HB 1509,

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HB 1510, HB 1515, HB 1525, HB 1535, HB 1538, HB 1546,
HB 1551, HB 1554, HB 1564, HB 1586, HB 1590, HB 1592,
HB 1595, HB 1607, HB 1610, HB 1618, HB 1621, HB 1639,
HB 1648, HB 1649, HB 1650, HB 1651, HB 1657

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

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

HCR 3019, HCR 3020, HCR 3022, HCR 3024, HCR 3030, HCR 3034,
HCR 3035, HCR 3036, HCR 3046, HCR 3050, HCR 3051, HCR 3052,
HCR 3056, HCR 3058, HCR 3062, HCR 3067, HCR 3069, HCR 3070,
HCR 3074, HCR 3075, HCR 3077, HCR 3078, HCR 3080, HCR 3082,
HCR 3083, HCR 3084, HCR 3085, HCR 3086, HCR 3087, HCR 3089,
HCR 3090, HCR 3092, HCR 3093

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to inform you that the House has reconsidered its action whereby it did not concur in the Senate amendments to HB 1287, and now wishes to inform you that it does now concur in the Senate amendments to HB 1287. Also, the House has dissolved the House Conference Committee on HB 1287.

ROY GILBREATH, Chief Clerk

REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER: Your Committee on Enrollment and Engrossment respectfully report that the following bill was delivered to the Secretary of State for his filing at the hour of 4:17 p.m., March 25, 1985:

HMR C

REP. HEDSTROM, Chairman

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

MOTIONS

REP. STRINDEN MOVED that the rules be suspended and that SB 2159 and SB 2160 be messaged to the Senate immediately, which motion prevailed.

REP. STRINDEN MOVED that the rules be suspended, and that SB 2352 and HB 1606 be held at the desk for possible reconsideration by a simple Constitutional majority on tomorrow's business, which motion prevailed.

MESSAGES 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 2510

LEO LEIDHOLM, Secretary

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:

SCR 4077

LEO LEIDHOLM, Secretary

SENATE CHAMBER

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

HB 1032, HB 1545

LEO LEIDHOLM, Secretary

SENATE CHAMBER

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

SB 2081, SB 2200

LEO LEIDHOLM, Secretary

SENATE CHAMBER

MR. SPEAKER: I have the honor to return HB 1048 and HB 1049 which the Senate has amended:

SENATE AMENDMENTS TO ENGROSSED HB 1048

On page 1 of the engrossed bill, line 27, remove the overstrike over the word "~~four~~", delete the word "~~three~~", delete the word "seventy" and insert in lieu thereof the word "eight"

On page 2 of the engrossed bill, line 2, delete the word "seventy-five" and insert in lieu thereof the word "forty-three"

On page 2 of the engrossed bill, immediately following line 17, insert the following subsections:

"4. No school district shall receive foundation payments beyond the October payment unless the following reports have been filed with the superintendent of public instruction:

a. Annual average daily membership report.

- b. Annual school district financial report.
 - c. The September tenth fall enrollment report.
 - d. The personnel report forms for certified and noncertified employees.
5. No school district shall receive the January foundation payment unless the taxable valuation and mill levy certifications are on file with the department of public instruction by December fifteenth."

And renumber the lines and pages accordingly

SENATE AMENDMENTS TO REENGROSSED HB 1049

- On page 2 of the reengrossed bill, line 16, delete the words "In no event may the annual payments provided for in this"
- On page 2 of the reengrossed bill, delete lines 17 through 19
- On page 2 of the reengrossed bill, line 20, delete the words "five school years."
- On page 2 of the reengrossed bill, line 24, after the period insert the following: "The superintendent of public instruction shall do an onsite audit of the books and records, regarding transportation cost, pupils transported and miles traveled, of at least ten school districts each fiscal year to verify compliance with section 15-40.1-16."

And renumber the lines and pages accordingly

LEO LEIDHOLM, Secretary

SENATE CHAMBER

MR. SPEAKER: I have the honor to return herewith HB 1486 which the Senate has amended:

SENATE AMENDMENTS TO HB 1486

- On page 1, line 4, after the word "removing" insert the word "certain" On page 1, line 14, delete the words "money judgment within a"
- On page 1, line 17, delete the first word "the" and insert in lieu thereof the word "a", and delete the word "not", and after the word "entitled" insert the word "only", and after the third word "the" insert the word "absolute"
- On page 1, line 18, delete the word and numerals "chapter 28-22" and insert in lieu thereof the word and numerals "section 28-22-02"
- On page 1, line 23, delete the words "a money judgment within"

On page 1, line 25, delete the word "the" and insert in lieu thereof the word "a"

On page 1, line 26, delete the word "not" and after the word "entitled" insert the word "only"

On page 1, line 27, delete the word and numerals "chapter 28-22" and insert in lieu thereof the word and numerals "section 28-22-02"

And renumber the lines and pages accordingly

LEO LEIDHOLM, Secretary

SIGNING OF BILLS AND RESOLUTIONS

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following:

SB 2081, SB 2200

ROY GILBREATH, Chief Clerk

MESSAGES TO THE SENATE

HOUSE CHAMBER

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

SB 2081, SB 2200

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

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

SB 2159, SB 2160

ROY GILBREATH, Chief Clerk

MESSAGES FROM THE SENATE

SENATE CHAMBER

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

SB 2172, SB 2174, SB 2179, SB 2349, SB 2443

LEO LEIDHOLM, Secretary

SENATE CHAMBER

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

SB 2051, SB 2069, SB 2070, SB 2072, SB 2089, SB 2198,
SB 2259, SB 2293, SB 2308, SB 2403, SB 2449, SB 2452,
SB 2486, SB 2494

LEO LEIDHOLM, Secretary

SENATE CHAMBER

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

SB 2037, SB 2173, SB 2183, SB 2196, SB 2262, SB 2311,
 SB 2359, SB 2395, SB 2406, SB 2446, SB 2463, SB 2488,
 SB 2499, SCR 4004, SCR 4006, SCR 4008, SCR 4009, SCR 4013,
 SCR 4017, SCR 4024, SCR 4030, SCR 4031, SCR 4034, SCR 4035,
 SCR 3036, SCR 4038, SCR 4042, SCR 4046, SCR 4047, SCR 4050,
 SCR 4052, SCR 4054, SCR 4055, SCR 4058, SCR 4062, SCR 4064,
 SCR 4065, SCR 4068

LEO LEIDHOLM, Secretary

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 be on the Thirteenth order of business, and at the conclusion of the Thirteenth order, the House stand adjourned until 9:00 a.m., Tuesday, March 26, 1985, which motion prevailed.

REPORTS OF STANDING COMMITTEES

MR. SPEAKER: Your Committee on Political Subdivisions to which was referred HB 1659 has had the same under consideration and recommends by a vote of 12 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO NOT PASS:

- On page 1, line 2, immediately after the numerals "32-12.1-02," insert the word "and", and delete the word and numeral " , subsection 2"
- On page 1, line 3, delete the words and numerals "of section 32-12.1-04, and sections 32-12.1-05 and 32-12.1-07"
- On page 1, line 12, delete the word "that"
- On page 1, delete line 13
- On page 1, line 14, delete the numeral "39-04"
- On page 1, line 24, immediately after the word "when" insert the word "only"
- On page 1, line 25, delete the words "that is subject to the"
- On page 1, line 26, delete the words "registration requirements of chapter 39-04"
- On page 2, line 3, overstrike the comma

On page 2, line 5, overstrike the words "under circumstances where the political"

On page 2, overstrike line 6

On page 2, line 7, overstrike the word "claimant"

On page 3, delete line 6 through 33

On page 4, delete line 1 through 19

And renumber the lines and pages accordingly

REP. LANG, Chairman

HB 1659 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Appropriations to which was referred Engrossed SB 2031 has had the same under consideration and recommends by a vote of 22 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1 of the engrossed bill, line 16, delete the numerals "22,753,361" and insert in lieu thereof the numerals "22,323,005"

On page 1 of the engrossed bill, line 19, delete the numerals "28,438,170" and insert in lieu thereof the numerals "28,007,814"

On page 1 of the engrossed bill, line 22, delete the numerals "234,850" and insert in lieu thereof the numerals "231,208"

On page 1 of the engrossed bill, line 25, delete the numerals "339,150" and insert in lieu thereof the numerals "335,508"

On page 1 of the engrossed bill, line 27, delete the numerals "28,777,320" and insert in lieu thereof the numerals "28,343,322"

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Job Service North Dakota

The salaries and wages line item is reduced by \$430,356 from other funds. This will allow funds for average salary increases of 5.5 percent the first year of the biennium 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.

North Dakota OASIS and Social Security

The salaries and wages line item is reduced by \$3,642 from other funds. This will allow funds for average salary increases of 5.5 percent the first year of the biennium 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

Engrossed SB 2031 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Finance and Taxation to which was referred SB 2301 has had the same under consideration and recommends by a vote of 17 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 1, after the word "Act" insert the words "to create and enact a new section to chapter 5-01 of the North Dakota Century Code, relating to a penalty for possession, transportation, or sale of untaxed alcoholic beverages;" and delete the word "section" and insert in lieu thereof the words and numerals "sections 5-03-01, 5-03-04, and"

On page 1, line 2, after the word "to" insert the words "state wholesale beer or liquor licensees, wholesale beer or liquor tax exemption for certain sales, and"

On page 1, line 3, after the word "highways" insert the words "; and to declare an emergency"

On page 1, after line 5, insert the following new sections:

"SECTION 1. A new section to chapter 5-01 of the North Dakota Century Code is hereby created and enacted to read as follows:

Possession, transportation, or sale of untaxed alcoholic beverages - Penalty. Any person who possesses, transports, or sells any alcoholic beverage purchased within this state from a regular retail outlet of any agency or instrumentality of the United States government, on which beer or liquor tax has not been paid, is guilty of a class A misdemeanor. This section does not apply to purchases of alcoholic beverages from a regular retail outlet of any agency or instrumentality of the United

States government for personal use or consumption within this state.

SECTION 2. AMENDMENT. Section 5-03-01 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

5-03-01. State wholesale license required - Qualifications - Penalty. Before any person shall engage in the sale at wholesale of beer or liquor in this state, except for sales by an out-of-state seller at wholesale to agencies or instrumentalities of the United States government, he shall first procure a license from only the state treasurer. Such license shall only allow sale to licensed retailers, licensed wholesalers, and regular retail outlets ~~on federal military reservations~~ of any agency or instrumentality of the United States government. Licensed retailers may only purchase alcoholic beverages from licensed wholesalers. No ~~such~~ wholesale license shall be issued unless the applicant shall file a sworn application, accompanied by the required fee, showing the following qualifications:

1. Applicant, other than corporate, must be a citizen of the United States and a resident of the state of North Dakota and a person of good moral character. If applicant is a corporation, the manager of the licensed premises shall be a resident of the state of North Dakota, a citizen of the United States, and a person of good moral character, and the officers, directors, and stockholders must be citizens of the United States and persons of good moral character. Corporate applicants must first be properly registered with the secretary of state.
2. The state treasurer may require applicant to set forth such other information as is necessary to enable him to determine if a license should be granted.
3. No person shall be eligible for such a license unless he has a warehouse and office in this state in which is kept a complete set of records relative to his alcoholic beverage transactions in North Dakota.

Any person distributing alcoholic beverages in this state without compliance with the provisions of this title is guilty of ~~an infraction~~ a class B misdemeanor.

SECTION 3. AMENDMENT. Section 5-03-04 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

5-03-04. Collection of taxes. The taxes imposed by this chapter shall be paid by wholesalers to the state treasurer on or before the fifteenth day of each month. Liquor wholesalers shall make such payments based on the total gallonage sold the preceding calendar month. Beer wholesalers shall make such payments based on the total gallonage purchased from brewers the preceding calendar month. Sales of beer of an alcoholic content of not more than 3.2 percent by weight to military exchanges or liquor to an agency or instrumentality of the United States government shall be excluded from the computation of gallonage tax due from wholesalers. The taxpayer shall certify to the state treasurer that sales of beer or liquor claimed exempt under this section are to an agency or instrumentality of the United States government. Upon satisfactory proof a tax credit shall be allowed beer wholesalers for beer purchased, but which cannot be sold in North Dakota. A tax credit shall be allowed wholesalers on bad accounts which are charged off for income tax purposes, but a pro rata tax shall again be paid on any accounts subsequently collected. If any wholesaler makes an overpayment of taxes due, the state treasurer shall issue a credit applicable to future obligations or certify such amount to the department of accounts and purchases office of management and budget for a refund. Any remittance within one dollar of the correct amount due may be accepted by the state treasurer as the correct amount due."

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

"SECTION 5. EMERGENCY. Sections 1, 2, and 3 of this Act are hereby declared to be an emergency measure and are in effect from and after their passage and approval."

And renumber the lines, sections, and pages accordingly
 REP. A. HAUSAUER, Chairman

SB 2301 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Finance and Taxation to which was referred SB 2491 has had the same under consideration and recommends by a vote of 16 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

In lieu of the amendments to Senate Bill No. 2491 adopted by the House of Representatives as printed on page 2051 of the House Journal, Senate Bill No. 2491 is amended as follows:

On page 1, line 10, remove the overstrike over the word "two", delete the word "fifteen", and remove the overstrike over the numerals "81"

On page 1, line 11, delete the numerals "6.07"

On page 1, line 20, after the period insert the following sentence: "All real property owned by any religious corporation or organization and used as a parking lot by persons attending religious services is exempt from taxation."

And renumber the lines and pages accordingly

REP. A. HAUSAUER, Chairman

SB 2491 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Joint Constitutional Revision to which was rereferred SCR 4005 has had the same under consideration and recommends by a vote of 10 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

REP. MARTIN, Cochairman

SCR 4005 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

FIRST READING OF SENATE BILL

SB 2510: A BILL for an Act to amend and reenact section 39-04-10.3 of the North Dakota Century Code, relating to the issuance of personalized plates.

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

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

ROY GILBREATH, Chief Clerk