

JOURNAL OF THE HOUSE

Forty-ninth Legislative Assembly

* * * * *

FIFTY-FOURTH DAY

Bismarck, March 26, 1985

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

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

ROLL CALL

The roll was called and all Representatives were present, except Representatives Cleveland, Conmy, Gullickson, Gunsch, Kingsbury, Koland, Kuchera, J. Peterson, Richard, Rydell.

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-third Day and finds the same to be correct.

REP. KENT, Chairman

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

FIRST READING OF A SENATE CONCURRENT RESOLUTION

Sens. Nething, Heigaard and Reps. Strinden, Mertens, R. Hausauer introduced:

(Approved by the Committee on Delayed Bills)

SCR 4077: A concurrent resolution commemorating the 100th anniversary of the first meeting of the Dakota Territorial Legislative Assembly in Bismarck and the 50th anniversary of the first session of the North Dakota Legislative Assembly in the present State Capitol.

Was read the first time.

MOTION

REP. STRINDEN MOVED that the rules be suspended, that SCR 4077 not be printed, not be referred to committee, be read in its entirety, be printed in the Journal, and placed on the calendar for second reading and final passage, which motion prevailed.

Sens. Nething, Heigaard and Reps. Strinden, Mertens, R. Hausauer introduced:

SENATE CONCURRENT RESOLUTION NO. 4077

A concurrent resolution commemorating the 100th anniversary of the first meeting of the Dakota Territorial Legislative Assembly

in Bismarck and the 50th anniversary of the first session of the North Dakota Legislative Assembly in the present State Capitol.

WHEREAS, the Dakota Territorial Legislative Assembly first met in Bismarck in 1885 after meeting in Yankton, South Dakota, from the creation of Dakota Territory in 1861 until 1885; and

WHEREAS, after a disastrous fire destroyed the original State Capitol, the North Dakota Legislative Assembly first met in the present State Capitol for the Twenty-fourth Legislative Assembly in 1935; and

WHEREAS, 1985 marks the 100th anniversary of the first meeting of the Dakota Territorial Legislative Assembly in Bismarck and the 50th anniversary of the first meeting of the North Dakota Legislative Assembly in the present State Capitol; and

WHEREAS, the commemoration of these historic events deserves the attention and participation of members of the Legislative Assembly and other leaders and citizens of this state;

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

That the members of the Forty-ninth Legislative Assembly will commemorate the 100th anniversary of the first meeting of the Dakota Territorial Legislative Assembly in Bismarck and the 50th anniversary of the first meeting of the North Dakota Legislative Assembly in the present State Capitol with appropriate programs on Thursday, March 28, 1985, beginning at 3:30 p.m. in the respective legislative chambers; and

BE IT FURTHER RESOLVED, that the Secretary of State send copies of this resolution to the Governor, the Chief Justice, former governors, former lieutenant governors, and former members of the Supreme Court.

SECOND READING OF A SENATE CONCURRENT RESOLUTION
SCR 4077: A concurrent resolution commemorating the 100th anniversary of the first meeting of the Dakota Territorial Legislative Assembly in Bismarck and the 50th anniversary of the first session of the North Dakota Legislative Assembly in the present State Capitol.

Which has been read.

The question being on the final adoption of the resolution.

SCR 4077 was declared adopted on a voice vote.

MOTION

REP. STRINDEN MOVED that the rules be suspended and that SCR 4077 be messaged to the Senate immediately, which motion prevailed.

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 1083, HB 1290, HB 1363, HB 1378, and HB 1537 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 2016, SCR 4044

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 2111, SB 2414, SB 2424

ROY GILBREATH, Chief Clerk

FIRST READING OF A HOUSE CONCURRENT RESOLUTION

Rep. Hamerlik introduced:

(Approved by the Committee on Delayed Bills)

HCR 3099: A concurrent resolution directing the Legislative Council to study state funds, and specifically profits of the Bank of North Dakota, which may be available for providing financial aid to students attending postsecondary educational institutions and to determine the feasibility of initiating new state programs to provide financial aid to those students.

Was read the first time.

MOTION

REP. STRINDEN MOVED that the rules be suspended, that HCR 3099 be printed, not be referred to committee, be read in its entirety, and placed on the calendar for second reading and final passage, which motion prevailed.

SECOND READING OF A HOUSE CONCURRENT RESOLUTION

HCR 3099: A concurrent resolution directing the Legislative Council to study state funds, and specifically profits of the Bank of North Dakota, which may be available for providing financial aid to students attending postsecondary educational institutions and to determine the feasibility of initiating new state programs to provide financial aid to those students.

Which has been read.

ROLL CALL

The question being on the final adoption of the resolution, the roll was called and there were 81 YEAS, 14 NAYS, 11 ABSENT AND NOT VOTING.

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

NAYS: Anderson, C.; Belter; Dotzenrod; Enget; Gunsch; Hanson, O.; Melby; Olsen, D.; Opedahl; Pederson, R.; Retzer; Shockman; Solberg, O.; Watne

ABSENT AND NOT VOTING: Anderson, R.; Cleveland; Conmy; Goetz; Gullickson; Hughes; Koland; Murphy; Richard; Rydell; Schmidt

HCR 3099 was declared adopted.

MOTION

REP. STRINDEN MOVED that the rules be suspended and that HCR 3099 be messaged to the Senate immediately, which motion prevailed.

REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER: Your procedural Committee on Delayed Bills recommends that the following be introduced:

HB 3100, HB 3101

REP. STRINDEN, Chairman

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

FIRST READING OF A HOUSE CONCURRENT RESOLUTION

Committee on Appropriations introduced:

(Approved by the Committee on Delayed Bills)

HCR 3100: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of combining the North Dakota Council on the Arts and the North Dakota Council on Humanities, and using the Tourism Division of the Economic Development Commission to help promote the continued development of arts and humanities in the state.

Was read the first time.

MOTION

REP. STRINDEN MOVED that the rules be suspended, that HCR 3100 be printed, not be referred to committee, be read in its entirety, and placed on the calendar for second reading and final passage, which motion prevailed.

SECOND READING OF A HOUSE CONCURRENT RESOLUTION

HCR 3100: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of combining the North Dakota Council on the Arts and the North Dakota Council on Humanities, and using the Tourism Division of the Economic Development Commission to help promote the continued development of arts and humanities in the state.

Which has been read.

ROLL CALL

The question being on the final adoption of the resolution, the roll was called and there were 93 YEAS, 0 NAYS, 13 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Belter; Berg, G.; Berg, R.; 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; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; Myrdal; Nalewaja; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Peterson, J.; Retzer; Rice; Riehl; Riley; Sauter; Schindler; 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: None

ABSENT AND NOT VOTING: Anderson, R.; Brokaw; Cleveland; Conmy; Goetz; Gullickson; Hughes; Koland; Murphy; Richard; Rydell; Schmidt; Whalen

HCR 3100 was declared adopted.

MOTION

REP. STRINDEN MOVED that the rules be suspended and that HCR 3100 be messaged to the Senate immediately, which motion prevailed.

FIRST READING OF A HOUSE CONCURRENT RESOLUTION

Committee on Appropriations introduced:
(Approved by the Committee on Delayed Bills)

HCR 3101: A concurrent resolution directing the Legislative Council to study alternative organizational and administrative structures for the Workmen's Compensation Bureau.

Was read the first time.

MOTION

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

SECOND READING OF A HOUSE CONCURRENT RESOLUTION

HCR 3101: A concurrent resolution directing the Legislative Council to study alternative organizational and administrative structures for the Workmen's Compensation Bureau.

Which has been read.

ROLL CALL

The question being on the final adoption of the resolution, the roll was called and there were 94 YEAS, 0 NAYS, 12 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Belter; Berg, G.; Berg, R.; Brokaw; 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; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; Myrdal; Nalewaja; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Peterson, J.; Retzer; Rice; Riehl; Riley; Sauter; Schindler; 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: None

ABSENT AND NOT VOTING: Anderson, R.; Cleveland; Conmy; Goetz; Cullickson; Hughes; Koland; Murphy; Richard; Rydell; Schmidt; Whalen

HCR 3101 was declared adopted.

MOTION

REP. STRINDEN MOVED that the rules be suspended and that HCR 3101 be messaged to the Senate immediately, which motion prevailed.

REPORTS OF CONFERENCE COMMITTEES

MR. SPEAKER: Your Conference Committee to which was referred Engrossed HB 1070 has had the same under consideration and recommends that the SENATE RECEDE from its amendments as found on page 2032 of the House Journal and that Engrossed HB 1070 be further amended as follows:

On page 1 of the engrossed bill, line 4, delete the numerals "20.1-01-05, 20.1-01-07,"

On page 1 of the engrossed bill, line 5, after the third comma insert the numerals "20.1-01-26,"

On page 1 of the engrossed bill, line 12, after the word "violations" insert the words "and the suspension of hunting, trapping, or fishing privileges"

On page 1 of the engrossed bill, delete lines 16 through 28

On page 2 of the engrossed bill, delete lines 1 through 31

On page 3 of the engrossed bill, after line 33, insert the following new section:

"SECTION 5. AMENDMENT. Section 20.1-01-26 of the 1983 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

20.1-01-26. Suspension of hunting, trapping, or fishing privileges - Surrender and return of license. In addition to the penalty provided upon conviction under this title, the court may suspend the defendant's hunting, trapping, or fishing privileges for up to two years. The court may not

suspend the defendant's privileges for a noncriminal violation if the defendant has not been convicted for a violation of this title in the last three years. Upon conviction for a violation of section 20.1-01-18, the court shall suspend the defendant's hunting, fishing, and trapping privileges for a period of at least six months. At the time of the suspension, the court shall determine whether the defendant must successfully complete the hunter education course provided for in section 20.1-03-01.1, as prescribed by the proper state or provincial natural resources or wildlife management agency, before the defendant may purchase a new or obtain the return of a valid hunting license.

Upon imposition of such suspension, the court shall take any hunting, trapping, or fishing license or permit held by the defendant and forward it, together with a certified copy of the suspension order, to the commissioner. ~~Upon~~ Except as otherwise provided in this section, upon expiration of the suspension, the commissioner shall return the defendant's person's license or permit if it is still valid. No person shall may purchase, or attempt to purchase, a hunting, trapping, or fishing license or permit during a suspension period. If the court so ordered, no person who has had a hunting license suspended may purchase or attempt to purchase a hunting license nor may the commissioner return a valid hunting license until the person has successfully completed the course provided for in section 20.1-03-01.1 and as prescribed by the proper state or provincial natural resources or wildlife management agency. A certificate of completion for a similar course issued by any other state or province of Canada is sufficient to meet this requirement. The person shall file proof of that completion with the court.

For the purpose of this section, the term "conviction" includes an admission or adjudication of a noncriminal violation."

On page 4 of the engrossed bill, line 28, delete the numeral "6" and insert in lieu thereof the numeral "5"

On page 5 of the engrossed bill, line 14, delete the numeral "6" and insert in lieu thereof the numeral "5", and delete the numeral "7" and insert in lieu thereof the numeral "6"

And renumber the lines, sections, and pages accordingly

For the Senate: Sens. Todd, Freborg, Maixner

For the House: Reps. Kretschmar, Koland, L. Hanson

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

Engrossed HB 1070 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 Engrossed HB 1071 has had the same under consideration and recommends that the HOUSE ACCEDE to the amendments as found on page 1611 of the House Journal.

For the Senate: Sens. Todd, Freborg, Maixner

For the House: Reps. Kretschmar, Koland, L. Hanson

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

Engrossed HB 1071 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 Reengrossed HB 1077 has had the same under consideration and recommends that the SENATE RECEDE from its amendments as found on pages 1870-1874 of the House Journal and that Reengrossed HB 1077 be amended as follows:

On page 1 of the reengrossed bill, line 2, delete the word "and"

On page 1 of the reengrossed bill, line 4, after the word "compact" insert the words "; and to provide an appropriation"

On page 2 of the reengrossed bill, line 6, delete the word "encourage" and insert in lieu thereof the word "require"

On page 2 of the reengrossed bill, line 19, after the word "amended" insert the words "and in effect on January 1, 1985"

On page 3 of the reengrossed bill, after line 13, insert the following new subsection:

"9. "Institutional control period" means that period of time in which the facility license is transferred to the site owner for long-term observation and maintenance following the postclosure period in compliance with appropriate regulations."

On page 3 of the reengrossed bill, line 18, after the word "amended" insert the words "and in effect on January 1, 1985"

On page 3 of the reengrossed bill, after line 32, insert the following:

"14. "Postclosure period" means that period of time after completion of closure of a disposal site during which the licensee shall observe, monitor, and carry out necessary maintenance and repairs at the disposal site to assure that the disposal site will remain stable and will not need ongoing active maintenance. This period ends with the beginning of the institutional control period."

On page 4 of the reengrossed bill, line 14, delete the word "may" and insert in lieu thereof the word "must"

On page 4 of the reengrossed bill, line 15, delete the word "or" and insert in lieu thereof the word "and"

On page 4 of the reengrossed bill, line 24, delete the word "in"

On page 4 of the reengrossed bill, line 25, delete the words "substantially similar form" and insert in lieu thereof the words "and federal ratification"

On page 4 of the reengrossed bill, line 28, after the period insert the following new sentence: "Ratification of this compact by an eligible state in substantially the same language contained herein and in full agreement with the provisions contained herein is a complete and legally effective ratification."

On page 5 of the reengrossed bill, line 30, delete the word "revocations" and insert in lieu thereof the word "revocation"

On page 6 of the reengrossed bill, after line 2, insert the following new subsection:

"6. If a party state withdraws from this compact or if its membership is revoked pursuant to this article, that state's representatives to the commission cease to be members when the withdrawal or revocation takes effect."

On page 6 of the reengrossed bill, line 16, after the word "state" insert the words "for a disposal facility"

On page 6 of the reengrossed bill, line 22, delete the word "commission" and insert in lieu thereof the words "governor of any other party state"

On page 6 of the reengrossed bill, line 23, after the word "state's" insert the word "initial"

On page 6 of the reengrossed bill, line 25, after the period insert the following new sentence: "If a commissioner or

alternate is replaced after the commission is formed, the governor shall notify the commission of the replacement."

- On page 7 of the reengrossed bill, line 11, after the word "public" insert the words ", except any meeting that deals with sensitive personnel issues or which involves attorney-client communications, to the extent a meeting dealing with sensitive personnel issues or attorney-client communications can be closed by law of the state in which the meeting is held"
- On page 7 of the reengrossed bill, line 34, after the word "accountant" insert the word "annually", and delete the word "annually"
- On page 8 of the reengrossed bill, line 21, delete the word "a" and insert in lieu thereof the word "the"
- On page 9 of the reengrossed bill, line 4, after the period insert the following: "These liabilities continue through the postclosure period and the institutional control period of the regional facility. However, during the institutional control period, such liability is secondary to any fund set aside by the commission or the host state for use during the institutional control period."
- On page 9 of the reengrossed bill, line 8, after the word "of" insert the words "low-level radioactive"
- On page 10 of the reengrossed bill, line 15, after the word "for" insert the words "low-level radioactive"
- On page 10 of the reengrossed bill, after line 19, insert the following two new subsections:
- "18. The commission may authorize siting and establishment of a monitorable depository for exclusive disposal of low-level radioactive waste generated within the member states. This authority may be exercised only under the provisions outlined in this compact.
 19. The commission may authorize a multistate or multicomact low-level radioactive waste disposal site that must remain under the ownership and control of the host state and under the continuing authority of the commission. This authority may be exercised only under the provisions outlined in this compact."
- On page 10 of the reengrossed bill, line 30, delete the word "site" and insert in lieu thereof the word "facility"
- On page 10 of the reengrossed bill, delete lines 32 through 35

On page 11 of the reengrossed bill, delete lines 1 through 9

On page 11 of the reengrossed bill, line 10, delete the words "all records of operators of" and insert in lieu thereof the words "any necessary financial records of an operator of a regional facility pertaining to any assessment or collection of any charge or surcharge by an operator on behalf of the commission or a host state"

On page 11 of the reengrossed bill, delete lines 11 and 12

On page 11 of the reengrossed bill, line 13, delete the words "or surcharge"

On page 12 of the reengrossed bill, line 3, after the period insert the following new sentence: "Neither the commission nor any party state may approve or license a second disposal facility as long as any approved licensed disposal facility is operating within the region."

On page 12 of the reengrossed bill, after line 15, insert the following new subdivision:

"d. An environmental impact report on the selected site, to be prepared by the United States geological survey pursuant to a contract with that agency or, if no such contract agreement is forthcoming, pursuant to a contract with any other appropriate, equivalent public or private entity having sufficient expertise. The report must meet the requirements of the nuclear regulatory commission's health and safety standards, procedural requirements, and environmental reviews."

On page 12 of the reengrossed bill, after line 21, insert the following new subsection:

"3. A host state may not abdicate its proprietary role, but may transfer its operational functions to a separate commercial enterprise."

On page 13 of the reengrossed bill, after line 3, insert the following new subsections:

"6. The host state shall approve or disapprove any fees, charges, or surcharges to be levied by a facility operator or the political subdivision where the facility is located against generators or transporters using the facility.

7. The host state may examine all records of operators of regional facilities pertaining to

operating costs, profits, or assessment or collection of any fee, charge, or surcharge."

- On page 13 of the reengrossed bill, line 4, after the word "ensure" insert the words "through enforcement procedures", after the first comma insert the word "and", and delete the second comma and insert in lieu thereof the word "and"
- On page 13 of the reengrossed bill, line 5, delete the comma and insert in lieu thereof the words "of a facility,", and after the second word "and" insert the words "shall ensure"
- On page 13 of the reengrossed bill, line 22, after the first word "state" insert the words "if appropriate legal action against low-level radioactive waste generators, transporters, or operators associated with the facility provides insufficient funding for such purposes", and delete the words "ensure the" and insert in lieu thereof the word "require"
- On page 13 of the reengrossed bill, line 29, after the word "satisfy" insert the words "and limit"
- On page 13 of the reengrossed bill, line 34, after the word "laws" insert the words "or the ability of the host state to use for remedial action under its laws any financial assurance established with respect to the facility"
- On page 14 of the reengrossed bill, line 1, delete the words "All fees, charges, and surcharges imposed by a host state" and insert in lieu thereof the words "Fees, charges, and surcharges must be imposed equitably by a host state upon all party state users of a regional facility"
- On page 14 of the reengrossed bill, delete line 2
- On page 14 of the reengrossed bill, line 3, delete the word "commission"
- On page 14 of the reengrossed bill, line 16, delete the words "A host state shall approve fee schedules to be charged by"
- On page 14 of the reengrossed bill, delete lines 17 and 18
- On page 14 of the reengrossed bill, line 19, delete the words "in this subsection, fee schedules" and insert in lieu thereof the word "Fees"
- On page 14 of the reengrossed bill, line 25, delete the words "These fee"
- On page 14 of the reengrossed bill, delete lines 26 and 27

- On page 14 of the reengrossed bill, line 34, delete the words "The surcharge may not be established unless the"
- On page 15 of the reengrossed bill, delete lines 1 and 2
- On page 15 of the reengrossed bill, line 7, after the comma insert the words "host state and", and after the word "and" insert the words "host state and"
- On page 15 of the reengrossed bill, line 9, delete the words "and must not be imposed unless the commission"
- On page 15 of the reengrossed bill, line 10, delete the words "has reviewed and approved the proposed surcharge"
- On page 15 of the reengrossed bill, line 11, delete the words "shall ensure that a" and insert in lieu thereof the words "may not take action to close any"
- On page 15 of the reengrossed bill, line 12, delete the words "remains operational"
- On page 15 of the reengrossed bill, line 14, after the word "for" insert the words "reasons of public peace, health, safety, or welfare or for"
- On page 15 of the reengrossed bill, line 15, after the period insert the following new sentence: "The host state may transfer its responsibility for long-term care of a closed site to the United States department of energy pursuant to subtitle D, section 151 of the Nuclear Waste Policy Act of 1982."
- On page 15 of the reengrossed bill, line 16, after the word "state" insert the words ", through enforcement and appropriate financial arrangements,"
- On page 15 of the reengrossed bill, line 18, after the word "state" insert the word ", similarly,"
- On page 16 of the reengrossed bill, line 10, delete the words "After January 1, 1986, if no" and insert in lieu thereof the words "Until a"
- On page 16 of the reengrossed bill, line 11, after the word "state" insert the words "and the commission and the host state have authorized a low-level radioactive waste disposal facility that accepts low-level radioactive waste from outside the region pursuant to article IV"
- On page 16 of the reengrossed bill, line 20, after the word "unless" insert the word "so", and delete the words "by the host state" and insert in lieu thereof the words "pursuant to article IV"

- On page 16 of the reengrossed bill, line 31, after the period insert the following new sentence: "However, the provisions of chapter 240 of the 1984 Session Laws of South Dakota may not be construed to be in conflict with any provisions of this compact and may not be superseded by it."
- On page 17 of the reengrossed bill, line 14, after the word "licensing" insert the words "agency in the designation, siting, or licensing"
- On page 17 of the reengrossed bill, line 17, delete the word "enforcing" and insert in lieu thereof the words "its own enforcement of"
- On page 17 of the reengrossed bill, line 24, delete the word "will"
- On page 17 of the reengrossed bill, line 26, delete the words "Each party state shall adopt practices which require" and insert in lieu thereof the word "Any"
- On page 17 of the reengrossed bill, line 27, delete the word "shipments" and insert in lieu thereof the word "shipment", and delete the word "its" and insert in lieu thereof the words "any state"
- On page 17 of the reengrossed bill, line 28, delete the word "borders", and delete the words "another party" and insert in lieu thereof the words "a host"
- On page 17 of the reengrossed bill, line 29, delete the first word "to" and insert in lieu thereof the word "shall"
- On page 17 of the reengrossed bill, line 31, delete the word "practices" and insert in lieu thereof the words "requirements and regulations"
- On page 19 of the reengrossed bill, line 11, before the word "Nothing" insert the numeral "2."
- On page 19 of the reengrossed bill, line 15, before the word "Nothing" insert the numeral "3."
- On page 19 of the reengrossed bill, line 19, after the word "amended" insert the words "and in effect on January 1, 1985"
- On page 19 of the reengrossed bill, after line 26, insert the following new section:

"SECTION 3. APPROPRIATION. There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of

\$50,000, or so much thereof as may be necessary, to the state department of health for the purpose of paying the state's share of the administrative expenses of the Dakota interstate low-level radioactive waste management commission for the biennium beginning July 1, 1985, and ending June 30, 1987."

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

For the Senate: Sens. Moore, Todd, Maixner
For the House: Reps. A. Olson, Watne, Schindler

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

Reengrossed HB 1077 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 1493 has had the same under consideration and recommends that the SENATE RECEDE from its amendments as found on page 1484 of the Senate Journal.

For the Senate: Sens. Kilander, Moore, Waldera (refused to sign)
For the House: Reps. Gates, Kent, Riehl

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

MOTION

REP. STRINDEN MOVED that HB 1659, SB 2031, SB 2301, and SB 2491 be placed at the top of the Sixth order on the calendar, which motion prevailed.

SIXTH ORDER OF BUSINESS

REP. LANG MOVED that the amendments to HB 1659 as recommended by the Committee on Political Subdivisions as printed on page 2269 of the House Journal be adopted, and when so adopted, recommends that HB 1659 DO NOT PASS, which motion prevailed.

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

MOTION

REP. STRINDEN MOVED that the rules be suspended and that after action taken on the Sixth order, that SB 2031, SB 2301, and SB 2491 be placed on the Fourteenth order as amended for second reading and final passage, which motion prevailed.

SIXTH ORDER OF BUSINESS

REP. J. PETERSON MOVED that the amendments to SB 2031 as recommended by the Committee on Appropriations as printed on

page 2270 of the House Journal be adopted, and when so adopted, recommends that SB 2031 DO PASS, which motion prevailed.

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

REP. A. HAUSAUER MOVED that the amendments to SB 2301 as recommended by the **Committee on Finance and Taxation** as printed on page 2271-2273 of the House Journal be adopted, and when so adopted, recommends that SB 2301 DO PASS, which motion prevailed.

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

REP. A. HAUSAUER MOVED that the amendments to SB 2491 as recommended by the **Committee on Finance and Taxation** as printed on page 2273 of the House Journal be adopted, and when so adopted, recommends that SB 2491 DO PASS, which motion prevailed.

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

SECOND READING OF SENATE BILLS

SB 2031: A BILL for an Act making an appropriation for defraying the expenses of job service North Dakota and 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 96 YEAS, 1 NAY, 9 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hoffner; Hughes; Keller; Kelly; Kent; Kingsbury; Kloubec; Klundt; Knudson; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Martinson; 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; Riehl; Riley; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Shockman; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn; Strinden; Thompson; Timm; Tollefson; Ulmer; Vander Vorst; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: Melby

ABSENT AND NOT VOTING: Cleveland; Conmy; Gullickson;
Hill; Koland; Richard; Rydell; Umhjem; Wald

SB 2031 passed, the title was agreed to, and the emergency clause was declared carried.

SB 2301: A BILL for an Act 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; to amend and reenact sections 5-03-01, 5-03-04, and 39-08-18 of the North Dakota Century Code, relating to state wholesale beer or liquor licensees, wholesale beer or liquor tax exemption for certain sales, and the penalty for consuming alcoholic beverages in motor vehicles on public highways; 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 94 YEAS, 2 NAYS, 10 ABSENT AND NOT VOTING.

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

NAYS: Hanson, O.; O'Connell

ABSENT AND NOT VOTING: Cleveland; Conmy; Gullickson;
Hill; Koland; Meyer; Richard; Rydell; Umhjem; Wald

SB 2301 passed and the title was agreed to.

SB 2491: A BILL for an Act to amend and reenact subsection 9 of section 57-02-08 of the North Dakota Century Code, relating to the exemption from taxation of property of religious corporations or organizations; and to provide an effective 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 97 YEAS, 0 NAYS, 9 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Berg, G.; Berg, R.; Brokaw; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hoffner; Hughes; Keller; Kelly; Kent; Kingsbury; Kloubec; Klundt; Knudson; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Melby; Mertens; 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; Riehl; Riley; Rydell; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Shockman; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn; Strinden; Thompson; Timm; Tollefson; Umer; Unhjem; Vander Vorst; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: None

ABSENT AND NOT VOTING: Belter; Cleveland; Conmy; Gullickson; Hill; Koland; Meyer; Richard; Wald

SB 2491 passed and the title was agreed to.

MOTION

REP. STRINDEN MOVED that the rules be suspended and that SB 2031, SB 2301, and SB 2491 be messaged to the Senate immediately, which motion prevailed.

REQUEST

REP. GUNSCH REQUESTED that the record show that he would have voted "Aye" on SB 2257, which request was granted. He was absent attending an Appropriations Committee meeting.

SIXTH ORDER OF BUSINESS

REP. D. OLSEN MOVED that the amendments to HB 1168 as recommended by the Conference Committee as printed on page 1662

of the House Journal be adopted, and when so adopted, recommends that HB 1168 DO PASS, which motion prevailed.

HB 1168 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. MOORE MOVED that the amendments to HB 1204 as recommended by the Conference Committee as printed on page 2198 of the House Journal be adopted, and when so adopted, recommends that HB 1204 DO PASS, which motion prevailed.

HB 1204 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. LANG MOVED that the amendments to HB 1233 as recommended by the Conference Committee as printed on page 1887 of the House Journal be adopted, and when so adopted, recommends that HB 1233 DO PASS, which motion prevailed.

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

REP. RETZER MOVED that the amendments to HB 1242 as recommended by the Conference Committee as printed on page 1780 of the House Journal be adopted, and when so adopted, recommends that HB 1242 DO PASS, which motion prevailed.

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

REP. CLEVELAND MOVED that the amendments to HB 1295 as recommended by the Conference Committee as printed on pages 1999-2000 of the House Journal be adopted, and when so adopted, recommends that HB 1295 DO PASS, which motion prevailed.

HB 1295 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

CONSIDERATION OF MESSAGES FROM SENATE

REP. UNHJEM MOVED that the House do concur in the Senate amendments to HB 1015, which motion prevailed.

HB 1015 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. KINGSBURY MOVED that the House do concur in the Senate amendments to HB 1020, which motion prevailed.

HB 1020 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. KUCHERA MOVED that the House do concur in the Senate amendments to HB 1025, which motion prevailed.

HB 1025 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

**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 1318: Sens. Christensen, Kelly, Heinrich
 HB 1528: Sens. Christensen, Stenehjelm, Maixner
 HB 1588: Sens. Olson, Stenehjelm, Maixner

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 2369, SB 2373, SB 2432, and SCR 4051 and the President has appointed as a conference committee to act with a like committee from the House on:

SB 2369: Sens. Christensen, Kelly, Matchie
 SB 2373: Sens. Olson, Holmberg, Redlin
 SB 2432: Sens. Stenehjelm, Olson, Redlin
 SCR 4051: Sens. Wright, Kilander, Satrom

LEO LEIDHOLM, Secretary

SENATE CHAMBER

MR. SPEAKER: I have the honor to inform you that the Senate has concurred in the House amendments to SB 2167, SB 2170, SB 2201, SB 2214, SB 2228, SB 2250, SB 2300, SB 2342, SB 2364, SB 2430, SB 2435, SB 2442, SB 2495, and SB 2498 and subsequently passed the same.

LEO LEIDHOLM, Secretary

SENATE CHAMBER

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

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

LEO LEIDHOLM, Secretary

MESSAGES TO THE SENATE
HOUSE CHAMBER

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

SB 2031, SB 2301, SB 2491

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

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

SCR 4077

ROY GILBREATH, Chief Clerk

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:

HCR 3099, HCR 3100, HCR 3101

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to transmit herewith the following on which the House has adopted the conference committee report on HB 1493.

ROY GILBREATH, Chief Clerk

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 12:07 p.m., March 26, 1985:

HB 1098, HB 1104, HB 1140, HB 1247, HB 1271, HB 1372,
HB 1416, HB 1425

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 the following bills were delivered to the Governor for his approval at the hour of 12:07 p.m., March 26, 1985:

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.

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 12:07 p.m., March 26, 1985:

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 the following bills were delivered to the Governor for his approval at the hour of 12:07 p.m., March 26, 1985:

HB 1390, HB 1648, HB 1649
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 the following bills were delivered to the Governor for his approval at the hour of 12:07 p.m., March 26, 1985:

HB 1382, HB 1402, HB 1418, HB 1441, HB 1607, HB 1651
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 the following bills were delivered to the Governor for his approval at the hour of 12:07 p.m., March 26, 1985:

HB 1480, HB 1515, HB 1546, HB 1639, HB 1657
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 the following bills were delivered to the Governor for his approval at the hour of 12:07 p.m., March 26, 1985:

HB 1157, HB 1244, HB 1257, HB 1279, HB 1339, HB 1438,
HB 1538, HB 1554, HB 1592, HB 1618, HB 1621, HB 1650

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 the following bills were delivered to the Governor for his approval at the hour of 12:07 p.m., March 26, 1985:

HB 1094, HB 1171, HB 1352, HB 1383, HB 1420, HB 1468,
HB 1475, HB 1484, HB 1496, HB 1503, HB 1510, HB 1535,
HB 1551, HB 1564, HB 1590, HB 1595, HB 1610

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 the following bills were delivered to the Governor for his approval at the hour of 12:07 p.m., March 26, 1985:

HB 1128, HB 1384

REP. HEDSTROM, Chairman

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

MOTION

REP. STRINDEN 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.

MESSAGE FROM THE SENATE
SENATE CHAMBER

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

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,

TUESDAY, MARCH 26, 1985

2299

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

LEO LEIDHOLM, Secretary

COMMUNICATION

State of North Dakota
EXECUTIVE OFFICE
Bismarck

March 25, 1985

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

Dear Mr. Speaker:

This is to inform you that on March 22, 1985, I signed the following:

HB 1014, HB 1040, HB 1047, HB 1050, HB 1062, HB 1063,
HB 1076, HB 1087, HB 1144, HB 1235, HB 1263, HB 1277,
HB 1289, HB 1369, HB 1370, HB 1374, HB 1381, HB 1387,
HB 1392, HB 1413, HB 1424, HB 1428, HB 1435, HB 1447,
HB 1451, HB 1512, HB 1532, HB 1555, HB 1561, HB 1569,
HB 1600, HB 1619, HB 1623.

Sincerely,

GEORGE A. SINNER
Governor

MOTION

REP. STRINDEN MOVED that HB 1067 be laid over one legislative day, which motion prevailed.

SECOND READING OF HOUSE BILLS

HB 1354: A BILL for an Act to amend and reenact section 50-11.1-04 of the North Dakota Century Code, relating to prerequisites for the issuance of a child care license; and to provide an effective 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 73 YEAS, 6 NAYS, 27 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Belter; Berg, R.; Brokaw; Cleveland;
Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget;

Frey; Gates; Goetz; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Keller; Kent; Kloubec; Klundt; Knudson; Koland; Kretschmar; Lang; Larson; Lindgren; Lloyd; Martin; Martinson; Mertens; Meyer; Moore; Myrdal; Nalewaja; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Pederson, R.; Retzer; Riehl; Riley; Rydell; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Skjerven; Solberg, R.; Starke; Strinden; Timm; Tollefson; Ulmer; Vander Vorst; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Speaker Hausauer, R.

NAYS: Anderson, R.; Hughes; Linderman; Melby; Murphy; Shockman

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

HB 1354 passed and the title was agreed to.

HB 1464: A BILL for an Act to create and enact chapter 39-30 of the North Dakota Century Code, relating to operation, registration, and use of all-terrain vehicles; to provide for first registration of all-terrain vehicles under this Act; to provide a penalty; 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 74 YEAS, 5 NAYS, 27 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Berg, R.; Brokaw; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Goetz; Halmrast; Hamerlik; Hanson, L.; Haugland; Hedstrom; Hill; Hoffner; Hughes; Keller; Kent; Kloubec; Klundt; Knudson; Koland; Kretschmar; Lang; Larson; Linderman; Lindgren; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; Myrdal; Nalewaja; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Pederson, R.; Retzer; 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: Anderson, R.; Belter; Cleveland; Hausauer, A.;
Murphy

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

HB 1464 passed, the title was agreed to, and the emergency clause was declared carried.

HB 1625: A BILL for an Act to amend and reenact section 15-38-18 of the North Dakota Century Code, relating to the duties of the teachers' professional practices commission.

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; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Goetz; 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; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Pederson, R.; Retzer; 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.; Conmy; Gerntholz;
Graba; Gullickson; Gunsch; Hanson, O.; Kelly;
Kingsbury; Kuchera; Laughlin; Lautenschlager; Lipsiea;
Nicholas; Nowatzki; Opedahl; Peterson, J.; Rice;
Richard; Smette; Solberg, O.; Stofferahn; Thompson;
Unhjem; Wald; Winkelman; Wold

HB 1625 passed and the title was agreed to.

MOTION

REP. KLOUBEC MOVED that the House waive the reading of the title to HB 1153, which motion prevailed.

HB 1153: A BILL for an Act to create and enact sections 41-08-07.1, 41-08-36.1, 41-08-43, 41-08-44, and a new subsection to section 41-09-03 of the North Dakota Century Code, relating to investment securities and a revision of article 8 of the Uniform Commercial Code with appropriate changes in article 9; and to amend and reenact subsections 5, 14, and 20 of section 41-01-11, subsection 2 of section 41-05-14, sections 41-08-02, 41-08-03, 41-08-04, 41-08-05, 41-08-06, 41-08-07, 41-08-09, 41-08-10, 41-08-11, 41-08-12, 41-08-13, 41-08-14, 41-08-15, 41-08-16, 41-08-17, 41-08-18, 41-08-20, 41-08-21, 41-08-22, 41-08-23, 41-08-24, 41-08-25, 41-08-26, 41-08-27, 41-08-28, 41-08-29, 41-08-30, 41-08-31, 41-08-32, 41-08-33, 41-08-34, 41-08-35, 41-08-36, 41-08-37, 41-08-38, 41-08-39, 41-08-40, 41-08-41, 41-08-42, subdivision a of subsection 3 of section 41-09-03, subdivision i of subsection 1 of section 41-09-05, subsection 1 of section 41-09-16, subsection 1 of section 41-09-23, sections 41-09-25, 41-09-26, 41-09-30, and subsection 7 of section 41-09-33 of the North Dakota Century Code, relating to investment securities and a revision of article 8 of the Uniform Commercial Code with appropriate changes to articles 1, 5, and 9.

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, 13 NAYS, 28 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, R.; Cleveland; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Goetz; Halmrast; Hamerlik; Hanson, L.; Haugland; Hill; Hoffner; Hughes; Keller; Kent; Kloubec; Klundt; Knudson; Koland; Kretschmar; Lang; Larson; Linderman; Lindgren; Lloyd; Martin; Martinson; Moore; Murphy; Myrdal; Oban; Olson, V.; O'Shea; Payne; Retzer; Riehl; Riley; Rydell; Sauter; Schindler; Schmidt; Schneider; Shaw; Skjerven; Solberg, R.; Starke; Strinden; Timm; Tollefson; Ulmer; Vander Vorst; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Speaker Hausauer, R.

NAYS: Brokaw; Hausauer, A.; Hedstrom; Melby; Mertens; Meyer; O'Connell; Olsen, D.; Olson, A.; Pederson, R.; Shide; Shockman; Watne

ABSENT AND NOT VOTING: Berg, G.; Conmy; Gerntholz; Graba; Gullickson; Gunsch; Hanson, O.; Kelly;

Kingsbury; Kuchera; Laughlin; Lautenschlager; Lipsiea; Nalewaja; Nicholas; Nowatzki; Opedahl; Peterson, J.; Rice; Richard; Smette; Solberg, O.; Stofferahn; Thompson; Unhjem; Wald; Winkelman; Wold

HB 1153 passed and the title was agreed to.

HB 1170: A BILL for an Act to amend and reenact sections 50-11-06.1 and 50-11-06.3 of the North Dakota Century Code, relating to the definition of foster family care home for adults and the requirement that such homes be licensed.

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 77 YEAS, 3 NAYS, 26 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, R.; Brokaw; Cleveland; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Goetz; Halmrast; Hamerlik; Hanson, L.; Haugland; Hedstrom; Hill; Hoffner; Hughes; Keller; Kent; Kloubec; Klundt; Knudson; Koland; Kretschmar; Lang; Larson; Linderman; Lindgren; Lloyd; Martin; Martinson; Meyer; Moore; Murphy; Myrdal; Nalewaja; Nicholas; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Pederson, R.; Retzer; 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: Hausauer, A.; Melby; Mertens

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

HB 1170 passed and the title was agreed to.

HB 1195: A BILL for an Act to create and enact two new sections to chapter 14-09 of the North Dakota Century Code, relating to enforcement of child support orders; to amend and reenact subsection 2 of section 14-08-07 and subsections 1, 2, and 3 of section 14-09-09.1 of the North Dakota Century

Code, relating to the procedure for an action for support and transcription of child support orders, and to wage assignments for child support.

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, 1 NAY, 26 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, R.; Brokaw; Cleveland; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Goetz; 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; Malby; Mertens; Meyer; Moore; Murphy; Myrdal; Nalewaja; Nicholas; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Pederson, R.; Retzer; Riehl; Riley; Rydell; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Shockman; Skjerven; Solberg, R.; Starke; Strinden; Timm; Tollefson; Vander Vorst; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Speaker Hausauer, R.

NAYS: Ulmer

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

HB 1195 passed and the title was agreed to.

MOTIONS

REP. STRINDEN MOVED that the rules be suspended and that HB 1168, HB 1204, HB 1233, HB 1242, and HB 1295 be placed on the Eleventh order, as amended, for second reading and final passage, which motion prevailed.

REP. STRINDEN MOVED that HB 1168 be laid over until 4:00 p.m., which motion prevailed.

SECOND READING OF HOUSE BILLS

HB 1204: A BILL for an Act to amend and reenact section 57-02-08.3 of the North Dakota Century Code, relating to state payment for the homestead credit for special

assessments and the lien for payment of the homestead credit for special assessments.

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 72 YEAS, 8 NAYS, 26 ABSENT AND NOT VOTING.

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

NAYS: Enget; Frey; Hanson, L.; Klundt; O'Connell; Skjerven; Solberg, R.; Williams, W.

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

HB 1204 passed and the title was agreed to.

HB 1233: A BILL for an Act to amend and reenact section 24-05-04 of the North Dakota Century Code, relating to value of county contracts for use of road machinery for which competitive bidding is required.

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 63 YEAS, 17 NAYS, 26 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, R.; Cleveland; Dalrymple; Dotzenrod; Eckroth; Enget; Gates; Goetz; Halmrast; Haugland; Hausauer, A.; Hedstrom; Hoffner; Kent; Kloubec; Klundt; Knudson; Koland;

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

NAYS: Brokaw; DeMers; Dorso; Frey; Hamerlik; Hanson, L.;
 Hill; Hughes; Keller; Linderman; Lindgren;
 Pederson, R.; Sauter; Schneider; Shockman; Watne; Wentz

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

HB 1233 passed and the title was agreed to.

HB 1242: A BILL for an Act to amend and reenact section
 54-52.1-03 of the North Dakota Century Code, relating to
 membership in the state employees' uniform group insurance
 program by former members of the legislative assembly.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended,
 the roll was called and there were 80 YEAS, 0 NAYS, 26 ABSENT AND
 NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, R.;
 Brokaw; Cleveland; Dalrymple; DeMers; Dorso; Dotzenrod;
 Eckroth; Enget; Frey; Gates; Goetz; 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; 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.; Conmy; Gerntholz;
 Graba; Gullickson; Gunsch; Hanson, O.; Kelly;
 Kingsbury; Kuchera; Laughlin; Lautenschlager; Lipsiea;
 Nowatzki; Opedahl; Peterson, J.; Rice; Richard; Smette;
 Solberg, O.; Stofferahn; Thompson; Unhjem; Wald;
 Winkelman; Wold

HB 1242 passed and the title was agreed to.

HB 1295: A BILL for an Act to amend and reenact section 27-09.1-02, subsection 1 of section 27-09.1-07, and subsection 2 of section 27-09.1-08 of the North Dakota Century Code, relating to disqualification from jury service by physical disability or inability to communicate and understand English given reasonable accommodations.

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, 1 NAY, 26 ABSENT AND NOT VOTING.

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

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

HB 1295 passed and the title was agreed to.

MOTION

REP. STRINDEN MOVED that the rules be suspended and that HB 1204, HB 1233, HB 1242, and HB 1295 be messaged to the Senate immediately, which motion prevailed.

SECOND READING OF HOUSE BILLS

HB 1285: A BILL for an Act to create and enact a new section to chapter 28-21 of the North Dakota Century Code, relating to levy on personal property.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 80 YEAS, 0 NAYS, 26 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, R.; Brokaw; Cleveland; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Goetz; 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; 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.; Conmy; Gerntholz; Graba; Gullickson; Gunsch; Hanson, O.; Kelly; Kingsbury; Kuchera; Laughlin; Lautenschlager; Lipsiea; Nowatzki; Opedahl; Peterson, J.; Rice; Richard; Smette; Solberg, O.; Stofferahn; Thompson; Unhjem; Wald; Winkelman; Wold

HB 1285 passed and the title was agreed to.

HB 1287: A BILL for an Act to create and enact a new subsection to section 39-06.1-05 and a new paragraph to subdivision b of subsection 3 of section 39-06.1-10 of the North Dakota Century Code, relating to traffic violations excluded from treatment as noncriminal and to points assigned against an operator's license; to amend and reenact section 39-08-20 of the North Dakota Century Code, to provide a penalty for driving without liability insurance; and to repeal

subsection 6 of section 39-06.1-06 and paragraph 25 of subdivision a of subsection 3 of section 39-06.1-10 of the North Dakota Century Code, relating to noncriminal disposition of the offense of driving without liability insurance.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 67 YEAS, 11 NAYS, 28 ABSENT AND NOT VOTING.

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

NAYS: Brokaw; Dotzenrod; Kent; Linderman; O'Connell; Shockman; Solberg, R.; Timm; Ulmer; Watne; Williams, W.

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

HB 1287 passed and the title was agreed to.

HB 1341: A BILL for an Act to create and enact a new subdivision to subsection 5 of section 27-20-02 of the North Dakota Century Code, relating to the definition of "deprived child"; and to amend and reenact subdivision h of subsection 1 of section 27-20-06, subsection 1 of section 27-20-13, subdivision a of subsection 1 of section 27-20-15, section 27-20-16, subsections 1 and 2 of section 27-20-17, and subsection 1 of section 27-20-22 of the North Dakota Century Code, relating to juvenile courts and detention and shelter care children.

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, 0 NAYS, 28 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, R.; Brokaw; Cleveland; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Goetz; 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; Oban; O'Connell; Olsen, D.; Olson, V.; O'Shea; Payne; Pederson, R.; Retzer; 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.; Conmy; Gerntholz; Graba; Gullickson; Gunsch; Hanson, O.; Kelly; Kingsbury; Kuchera; Laughlin; Lautenschlager; Lipsiea; Nicholas; Nowatzki; Olson, A.; Opedahl; Peterson, J.; Rice; Richard; Smette; Solberg, O.; Stofferahn; Thompson; Unhjem; Wald; Winkelman; Wold

HB 1341 passed and the title was agreed to.

HB 1399: A BILL for an Act to amend and reenact sections 38-08.1-06 and 38-08.1-06.1 of the North Dakota Century Code, relating to the plugging of drill holes for subsurface mineral exploration; and to provide a penalty.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 80 YEAS, 0 NAYS, 26 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, R.; Brokaw; Cleveland; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Goetz; 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; 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.; Conmy; Gerntholz; Graba; Gullickson; Gunsch; Hanson, O.; Kelly; Kingsbury; Kuchera; Laughlin; Lautenschlager; Lipslea; Nowatzki; Opedahl; Peterson, J.; Rice; Richard; Smette; Solberg, O.; Stofferahn; Thompson; Unhjem; Wald; Winkelman; Wold

HB 1399 passed and the title was agreed to.

HB 1408: A BILL for an Act to create and enact a new subsection to section 54-35-02 of the North Dakota Century Code, to provide that the Legislative Council may appoint or retain legal counsel to protect the interests of the legislative branch in actions and proceedings.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 55 YEAS, 25 NAYS, 26 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, R.; Cleveland; Dalrymple; Dorso; Dotzenrod; Eckroth; Enget; Gates; Goetz; Hamerlik; Haugland; Hausauer, A.; Hedstrom; Hughes; Kent; Kloubec; Knudson; Koland; Kretschmar; Lang; Larson; Lindgren; Martin; Martinson; Melby; Meyer; Moore; Murphy; Myrdal; Nalewaja; Nicholas; Olsen, D.; Olson, A.; Olson, V.; Payne; Pederson, R.; Retzer; Riley; Rydell; Schindler; Schmidt; Shaw; Shide; Shockman; Solberg, R.; Strinden; Timm; Tollefson; Vander Vorst; Wentz; Whalen; Speaker Hausauer, R.

NAYS: Brokaw; DeMers; Frey; Halmrast; Hanson, L.; Hill; Hoffner; Keller; Klundt; Linderman; Lloyd; Mertens; Oban; O'Connell; O'Shea; Riehl; Sauter; Schneider; Skjerven; Starke; Ulmer; Watne; Williams, A.; Williams, C.; Williams, W.

ABSENT AND NOT VOTING: Berg, G.; Conmy; Gerntholz; Graba; Gullickson; Gunsch; Hanson, O.; Kelly;

Kingsbury; Kuchera; Laughlin; Lautenschlager; Lipsiea; Nowatzki; Opedahl; Peterson, J.; Rice; Richard; Smette; Solberg, O.; Stofferahn; Thompson; Unhjem; Wald; Winkelman; Wold

HB 1408 passed and the title was agreed to.

HB 1536: A BILL for an Act to create and enact a new section to chapter 43-20 of the North Dakota Century Code, relating to notice for address changes of dental hygienists; and to amend and reenact sections 43-20-06, 43-20-07, 43-20-10, and 43-20-12 of the North Dakota Century Code, relating to fees, reciprocity, board member compensation, and dental auxiliary supervision.

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, 2 NAYS, 26 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, R.; Brokaw; Cleveland; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Goetz; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kent; Kloubec; Klundt; Knudson; Koland; Kretschmar; Lang; Larson; Linderman; Lindgren; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; Nalewaja; Nicholas; Oban; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Pederson, R.; Retzer; 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: Lloyd; O'Connell

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

HB 1536 passed and the title was agreed to.

HB 1547: A BILL for an Act to amend and reenact section 10-06-01 of the North Dakota Century Code, relating to disposal of agricultural land and mineral interests by certain corporations.

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 72 YEAS, 6 NAYS, 28 ABSENT AND NOT VOTING.

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

NAYS: Hausauer, A.; Kretschmar; Meyer; O'Connell; Timm; Watne

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

HB 1547 passed and the title was agreed to.

HB 1565: A BILL for an Act to amend and reenact section 65-05-09.1, subsection 1 of section 65-05-17, and sections 65-05.2-01 and 65-05.2-02 of the North Dakota Century Code, relating to the social security offset, to workmen's compensation death benefits and to supplementary workmen's compensation benefits.

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, 2 NAYS, 28 ABSENT AND NOT VOTING.

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

NAYS: Lloyd; Schneider

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

HB 1565 passed and the title was agreed to.

HB 1596: A BILL for an Act to create and enact a new section to chapter 35-05 of the North Dakota Century Code, relating to limitations on crop liens; and to amend and reenact subsection 1 of section 41-09-17 and subsection 2 of section 41-09-42 of the North Dakota Century Code, relating to after-acquired property and the duration of financing statement filings.

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, 1 NAY, 27 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, R.; Brokaw; Cleveland; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Goetz; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kent; Kloubec; Klundt; Knudson; Koland; Kretschmar; 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; Riehl; Riley; Rydell; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide;

Shockman; Skjerven; Solberg, R.; Starke; Strinden;
Timm; Tollefson; Ulmer; Vander Vorst; Watne; Wentz;
Williams, A.; Williams, C.; Williams, W.;
Speaker Hausauer, R.

NAYS: Lang

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

HB 1596 passed and the title was agreed to.

HB 1615: A BILL for an Act to amend and reenact subsection 5 of section 12-1-27.1-01 of the North Dakota Century Code, relating to dissemination of obscene material.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 67 YEAS, 12 NAYS, 27 ABSENT AND NOT VOTING.

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

NAYS: Anderson, C.; Cleveland; Dorso; Gates; Hanson, L.;
Lindgren; Lloyd; Mertens; Sauter; Schneider; Timm;
Williams, W.

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

HB 1615 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM SENATE

REP. KRETSCHMAR MOVED that the House do concur in the Senate amendments to HB 1486, which motion prevailed.

HB 1486 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

APPOINTMENTS OF CONFERENCE COMMITTEES

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2374:

Reps. Dalrymple, Gates, DeMers

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2369:

Reps. Dalrymple, Gates, DeMers

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2373:

Reps. Kretschmar, Conmy, Ulmer

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2432:

Reps. Lindgren, Murphy, Keller

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SCR 4051:

Reps. Kent, Gates, Enget

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 FROM THE SENATE
SENATE CHAMBER

MR. SPEAKER: I have the honor to return HB 1007, HB 1010, HB 1012, HB 1019, HB 1028, and HB 1035 which the Senate has amended:

SENATE AMENDMENTS TO ENGROSSED HB 1007

On page 1 of the engrossed bill, line 15, delete the numerals "1,016,362" and insert in lieu thereof the numerals "1,002,765"

On page 1 of the engrossed bill, line 19, delete the numerals "5,322,499" and insert in lieu thereof the numerals "5,308,902"

On page 1 of the engrossed bill, line 21, delete the numerals "3,848,941" and insert in lieu thereof the numerals "3,835,344"

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

State Industrial School

The operating expenses line item is decreased from \$1,016,362 to \$1,002,765, a decrease of \$13,597. This net decrease to operating expenses is composed of the following changes:

	Increase (Decrease)
Utilities	\$(14,609)
Postage	229
Professional services	(4,229)
Office supplies	408
Food/clothing/household supplies	2,246
Buildings/equipment/maintenance supplies	2,596
Other expenses	____(238)
Total	\$(13,597)

The changes were made to reflect expected needs for the 1985-87 biennium.

The salaries and wages line item allows funds to continue 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.

SENATE AMENDMENTS TO ENGROSSED HB 1010

On page 1 of the engrossed bill, line 2, delete the words "state hospital,"

On page 1 of the engrossed bill, line 19, delete the numerals "6,504,458" and insert in lieu thereof the numerals "6,469,204"

On page 1 of the engrossed bill, line 23, delete the numerals "51,383,937" and insert in lieu thereof the numerals "51,348,683"

On page 1 of the engrossed bill, line 24, delete the numerals "26,523,074" and insert in lieu thereof the numerals "26,516,869"

On page 1 of the engrossed bill, line 25, delete the numerals "24,860,863" and insert in lieu thereof the numerals "24,831,814"

On page 2 of the engrossed bill, line 21, delete the numerals "30,870,828" and insert in lieu thereof the numerals "30,841,779"

On page 2 of the engrossed bill, line 22, delete the numerals "36,967,772" and insert in lieu thereof the numerals "36,961,567"

On page 2 of the engrossed bill, line 23, delete the numerals "67,838,600" and insert in lieu thereof the numerals "67,803,346"

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Grafton State School

The salaries and wages line item provides for the continuation of a 5.5 percent increase the first year of the biennium (\$50/month minimum) and a four percent increase the second year of the biennium (\$50/month minimum).

The operating expenses line item is reduced by \$35,254, \$29,049 from the general fund, for reductions in expected utility costs.

San Haven

The salaries and wages line item provides for the continuation of a 5.5 percent increase the first year of the biennium (\$50/month minimum) and a four percent increase the second year of the biennium (\$50/month minimum).

Protection and Advocacy Project

The salaries and wages line item provides for the continuation of a 5.5 percent increase the first year of the biennium (\$50/month minimum) and a four percent increase the second year of the biennium (\$50/month minimum).

SENATE AMENDMENTS TO ENGROSSED HB 1012

On page 1 of the engrossed bill, line 17, delete the numerals "1,535,611" and insert in lieu thereof the numerals "1,545,207"

On page 1 of the engrossed bill, line 20, delete the numerals "35,363" and insert in lieu thereof the numerals "41,363"

On page 1 of the engrossed bill, line 22, delete the numerals "2,298,375" and insert in lieu thereof the numerals "2,313,971"

On page 2 of the engrossed bill, line 3, delete the numerals "2,656,355" and insert in lieu thereof the numerals "2,671,951"

On page 2 of the engrossed bill, line 4, delete the numerals "2,656,355" and insert in lieu thereof the numerals "2,671,951"

On page 2 of the engrossed bill, line 13, delete the numerals "243,108" and insert in lieu thereof the numerals "252,704"

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Veterans' Home

The salaries and wages line item allows funds to continue the cost of average salary increases of 5.5 percent for the first year and to provide average salary increases of four percent for the second year of the biennium, with funds to provide a minimum increase of \$50 per month for each year of the biennium. The salaries and wages line item is increased by \$9,596 from the veterans' postwar trust fund to allow temporary data input assistance.

The equipment line item is increased by \$6,000 from other funds to allow the home to pay a portion of a firetruck being purchased by the city of Lisbon to furnish fire protection to the Veterans' Home which is located within the city limits.

Veterans' Affairs

The salaries and wages line item allows funds to continue the cost of average salary increases of 5.5 percent for the first year and to provide average salary increases of four percent for the second year of the biennium, with funds to provide a minimum increase of \$50 per month for each year of the biennium.

SENATE AMENDMENTS TO ENGROSSED HB 1019

On page 1 of the engrossed bill, line 26, delete the numerals "397,000" and insert in lieu thereof the numerals "342,000"

On page 1 of the engrossed bill, line 27, delete the numerals "397,000" and insert in lieu thereof the numerals "342,000"

On page 1 of the engrossed bill, line 28, delete the numerals "3,741,630" and insert in lieu thereof the numerals "3,686,630"

On page 2 of the engrossed bill, line 4, delete the numerals "4,529,598" and insert in lieu thereof the numerals "4,474,598"

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

International Peace Garden

The grants, benefits, and claims line item is reduced \$55,000 from the general fund, reflecting the original 1985-87 executive recommendation.

SENATE AMENDMENTS TO ENGROSSED HB 1028

On page 1 of the engrossed bill, line 14, delete the numerals "3,330,278" and insert in lieu thereof the numerals "3,364,953"

On page 1 of the engrossed bill, line 16, delete the numerals "935,562" and insert in lieu thereof the numerals "940,012"

On page 1 of the engrossed bill, line 21, delete the numerals "14,078,256" and insert in lieu thereof the numerals "14,117,381"

On page 2 of the engrossed bill, line 10, delete the numerals "15,578,256" and insert in lieu thereof the numerals "15,617,381"

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

State Game and Fish Department

The salaries and wages line item allows funds to continue 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.

The operating expense line item is increased by \$34,675 from federal funds and the equipment line item is increased by \$4,450 from federal funds. Funding is increased for the hunter education program.

SENATE AMENDMENTS TO ENGROSSED HB 1035

On page 1 of the engrossed bill, line 12, after the word "awarded" insert the words "by the state water commission"

On page 1 of the engrossed bill, line 27, after the period insert the sentence: "This section shall not apply to architect, engineer, professional right of way, and land surveying services."

On page 2 of the engrossed bill, line 3, delete the numerals "2,000,000" and insert in lieu thereof the numerals "500,000"

On page 2 of the engrossed bill, after line 35, insert the following new section:

"SECTION 6. Engineering - Architecture. The state shall select engineering expertise from private engineering or architectural firms on the basis of qualifications and so that at least seventy-five percent of the fees expended for the construction phase engineering services are paid to qualified engineering or architectural firms that have maintained their permanent office or main office in this state for at least two continuous years. For fees paid to firms maintaining offices both within this state and in other states, only the portion of the fees paid for services performed by persons who are residents of this state shall be considered in satisfying the above percentage. The provisions of Senate Bill No. 2442, if enacted by the forty-ninth legislative assembly, shall not be applicable to services for the southwest water pipeline."

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Southwest Water Pipeline Project

The section appropriating general fund money to the Southwest Water Pipeline is decreased from \$2 million to \$500,000, a decrease of \$1.5 million. Total funding for the project is \$20 million, of which \$18 million is from the resources trust fund, \$1.5 million is from the lands and minerals trust fund, and \$500,000 is from the general fund.

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 2178 and SB 2411 and the President has appointed as a conference committee to act with a like committee from the House on:

SB 2178: Sens. Parker, Mutch, Kelsh
SB 2411: Sens. Mutch, Reiten, Krauter

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 2074, SB 2075, SB 2078, SB 2086, SB 2095, SB 2127,
 SB 2144, SB 2164, SB 2194, SB 2234, SB 2275, SB 2282,
 SB 2292, SB 2303, SB 2324, SB 2325, SB 2329, SB 2330,
 SB 2356, SB 2360, SB 2362, SB 2386, SB 2390, SB 2409,
 SB 2444, SB 2466, SB 2471, SB 2478, SB 2480, SCR 4007,
 SCR 4026, SCR 4053

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:

SCR 4077

LEO LEIDHOLM, Secretary

APPOINTMENTS OF CONFERENCE COMMITTEES

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2178:

Reps. Dalrymple, Gates, DeMers

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2411:

Reps. Koland, Larson, Dotzenrod

REQUEST

REP. MEYER REQUESTED that the record show that he voted incorrectly on HB 1547, which request was granted. He voted "nay" and meant to vote "aye".

REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER: Your Committee on Enrollment and Engrossment respectfully report that the following bills were delivered to the Secretary of State for his filing at the hour of 1:00 p.m., March 26, 1985:

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 the following bills were delivered to the Secretary of State for his filing at the hour of 1:00 p.m., March 26, 1985:

TUESDAY, MARCH 26, 1985

2323

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 the following bills were delivered to the Secretary of State for his filing at the hour of 1:00 p.m., March 26, 1985:

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 the following bills were delivered to the Secretary of State for his filing at the hour of 1:00 p.m., March 26, 1985:

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 the following bill was delivered to the Secretary of State for his filing at the hour of 1:00 p.m., March 26, 1985:

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 the following bills were delivered to the Secretary of State for his filing at the hour of 1:00 p.m., March 26, 1985:

HCR 3067, HCR 3092

REP. HEDSTROM, Chairman

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

SIGNING OF BILLS AND RESOLUTIONS

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following:

SCR 4077

ROY GILBREATH, Chief Clerk

MESSAGE TO THE SENATE

HOUSE CHAMBER

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

SCR 4077

ROY GILBREATH, Chief Clerk

MOTION

REP. A. HAUSAUER MOVED that HB 1661 be returned to the House floor from the Committee on Finance and Taxation, which motion prevailed.

REQUEST

REP. MERTENS REQUESTED the unanimous consent of the House to withdraw HB 1661. There being no objection, it was so ordered by the Speaker.

SIGNING OF BILLS AND RESOLUTIONS

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following:

SB 2037, SB 2051, SB 2069, SB 2070, SB 2072, SB 2089,
 SB 2172, SB 2173, SB 2174, SB 2179, SB 2183, SB 2196,
 SB 2198, SB 2259, SB 2262, SB 2293, SB 2308, SB 2311,
 SB 2349, SB 2359, SB 2395, SB 2403, SB 2406, SB 2443,
 SB 2446, SB 2449, SB 2452, SB 2463, SB 2486, SB 2488,
 SB 2494, 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 4036, 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

ROY GILBREATH, Chief Clerk

MESSAGE TO THE SENATE

HOUSE CHAMBER

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

SB 2037, SB 2051, SB 2069, SB 2070, SB 2072, SB 2089,
 SB 2172, SB 2173, SB 2174, SB 2179, SB 2183, SB 2196,
 SB 2198, SB 2259, SB 2262, SB 2293, SB 2308, SB 2311,
 SB 2349, SB 2359, SB 2395, SB 2403, SB 2406, SB 2443,
 SB 2446, SB 2449, SB 2452, SB 2463, SB 2486, SB 2488,

SB 2494, 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 4036, 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

ROY GILBREATH, Chief Clerk

SIGNING OF BILLS AND RESOLUTIONS

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following:

SB 2074, SB 2075, SB 2078, SB 2086, SB 2095, SB 2127,
 SB 2144, SB 2164, SB 2194, SB 2234, SB 2275, SB 2282,
 SB 2292, SB 2303, SB 2324, SB 2325, SB 2329, SB 2330,
 SB 2356, SB 2360, SB 2362, SB 2386, SB 2390, SB 2409,
 SB 2444, SB 2466, SB 2471, SB 2478, SB 2480, SCR 4007,
 SCR 4026, SCR 4053

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 2074, SB 2075, SB 2078, SB 2086, SB 2095, SB 2127,
 SB 2144, SB 2164, SB 2194, SB 2234, SB 2275, SB 2282,
 SB 2292, SB 2303, SB 2324, SB 2325, SB 2329, SB 2330,
 SB 2356, SB 2360, SB 2362, SB 2386, SB 2390, SB 2409,
 SB 2444, SB 2466, SB 2471, SB 2478, SB 2480, SCR 4007,
 SCR 4026, SCR 4053

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to inform you that the House has concurred in the Senate amendments to HB 1153, HB 1170, HB 1195, HB 1285, HB 1341, HB 1354, HB 1399, HB 1408, HB 1464, HB 1536, HB 1547, HB 1565, HB 1596, HB 1615, and HB 1625 and subsequently passed the same.

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to transmit herewith the following on which the House has adopted the conference committee report on HB 1204, HB 1233, HB 1242, and HB 1295 and subsequently passed the same.

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 2178: Reps. Kloubec, Koland, Stofferahn
 SB 2369: Reps. Dalrymple, Gates, DeMers
 SB 2373: Reps. Kretschmar, Conmy, Ulmer

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 2374: Reps. Dalrymple, Gates, DeMers
 SB 2411: Reps. Koland, Larson, Dotzenrod
 SB 2432: Reps. Lindgren, Murphy, Keller
 SCR 4051: Reps. Kent, Gates, Enget

ROY GILBREATH, Chief Clerk

MESSAGE FROM THE SENATE
 SENATE CHAMBER

MR. SPEAKER: I have the honor to return herewith HB 1522 and HB 1523 which the Senate has amended:

SENATE AMENDMENTS TO HB 1522

On page 1, line 1, after the first word "the" insert the word "discretionary", and after the word "revocation" insert the words ", by executive order of the governor,"

On page 1, line 3, after the semicolon insert the words "to provide an expiration date;"

On page 1, line 7, after the word "The" insert the words "governor may, by executive order, revoke the"

On page 1, line 12, delete the words "are hereby revoked", and after the period insert the words "Revocation of the permit and certificate pursuant to this Act by the governor must be based upon relevant statutory guidelines, including the factors considered in the issuance of a certificate of public convenience and necessity and the factors to be considered in evaluating applications and designations of sites, corridors, and routes as provided in section 49-22-09, and upon the governor's determination that the MANDAN project is not consistent with the public convenience and necessity of this state, or is not consistent with the general health and welfare of the citizens of this state."

On page 1, after line 12, insert the following new section:

"SECTION 2. EXPIRATION DATE. This Act is effective through June 30, 1987, and after that date is ineffective."

And renumber the lines, sections, and pages accordingly

SENATE AMENDMENTS TO ENGROSSED HB 1523

On page 1 of the engrossed bill, line 19, after the period insert the following sentence: "This section shall not apply to any transmission facility for which a route permit and certificate of corridor compatibility has been issued prior to the effective date of this Act, or any extension thereof issued after the effective date of this Act."

And renumber the lines accordingly

LEO LEIDHOLM, Secretary

MOTION

REP. HEDSTROM MOVED that the House reconsider its action whereby HB 1606 was passed.

REQUEST

REP. HEDSTROM REQUESTED a recorded roll call vote on the motion to reconsider the action whereby HB 1606 was passed.

ROLL CALL

The question being on the motion to reconsider the action whereby HB 1606 was passed, the roll was called and there were 44 YEAS, 57 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Belter; Berg, G.; Brokaw; Dalrymple; Dorso; Gerntholz; Halmrast; Hanson, L.; Haugland; Hedstrom; Hill; Keller; Kloubec; Klundt; Kretschmar; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Martin; Martinson; Melby; Mertens; Moore; O'Connell; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Riley; Schmidt; Schneider; Shockman; Solberg, R.; Stofferahn; Vander Vorst; Watne; Wentz; Williams, A.; Williams, W.; Wold

NAYS: Anderson, R.; Berg, R.; Cleveland; DeMers; Dotzenrod; Eckroth; Enget; Frey; Gates; Goetz; Graba; Gunsch; Hamerlik; Hanson, O.; Hausauer, A.; Hoffner; Hughes; Kelly; Kent; Kingsbury; Knudson; Koland; Kuchera; Lang; Lipsiea; Lloyd; Meyer; Myrdal; Nalewaja; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; Retzer; Rice; Richard; Riehl; Rydell; Sauter; Schindler; Shaw; Shide; Skjerven; Smette; Solberg, O.; Starke; Strinden; Timm; Tollefson; Ulmer; Unhjem; Wald; Whalen; Williams, C.; Winkelman; Speaker Hausauer, R.

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

So the motion to reconsider the action whereby HB 1606 was passed failed.

CONSIDERATION OF MESSAGE FROM SENATE

REP. STRINDEN MOVED that the House do not concur in the Senate amendments to HB 1522 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 1522:

Reps. Strinden, Martinson, Mertens

CONSIDERATION OF MESSAGE FROM SENATE

REP. STRINDEN MOVED that the House do not concur in the Senate amendments to HB 1523 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 1523:

Reps. Strinden, Martinson, Mertens

MOTION

REP. MYRDAL MOVED that the House reconsider its action whereby SB 2352 failed to pass for want of a Constitutional majority.

REQUEST

REP. DEMERS REQUESTED a recorded roll call vote on the motion to reconsider the action whereby SB 2352 failed to pass for want of a Constitutional majority.

ROLL CALL

The question being on the motion to reconsider the action whereby SB 2352 failed to pass for want of a Constitutional majority, the roll was called and there were 67 YEAS, 34 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Berg, G.; Berg, R.; Brokaw; Cleveland; DeMers; Eckroth; Enget; Frey; Gates; Gerntholz; Graba; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer, A.; Hill; Hoffner; Keller; Kelly; Kingsbury; Klundt; Kretschmar; Larson; Lautenschlager; Linderman; Lindgren; Lloyd; Martin; Martinson; Mertens; Meyer; Moore; Myrdal; Nalewaja; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Opedahl; O'Shea; Peterson, J.; Retzer; Richard; Riehl; Rydell; Sauter; Schindler; Schneider; Shaw; Shockman; Skjerven; Solberg, O.; Solberg, R.; Starke; Stofferahn; Tollefson; Ulmer; Unhjem; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Hausauer, R.

NAYS: Anderson, C.; Anderson, R.; Belter; Dalrymple; Dorso; Dotzenrod; Goetz; Gunsch; Hanson, O.; Hedstrom; Hughes; Kent; Kloubec; Knudson; Koland; Lang; Laughlin; Melby; Murphy; Nicholas; Olson, V.; Payne; Pederson, R.; Rice; Riley; Schmidt; Shide; Smette; Timm; Vander Vorst; Wald; Whalen; Wold

ABSENT AND NOT VOTING: Conmy; Gullickson; Lipsiea; Strinden; Thompson

So the motion to reconsider the action whereby SB 2352 failed to pass for want of a Constitutional majority prevailed.

SECOND READING OF SENATE BILL

SB 2352: A BILL for an Act to provide a State and Political Subdivision Employees Relations Act; and to provide a penalty.

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, 3 ABSENT AND NOT VOTING.

YEAS: Berg, G.; Berg, R.; Brokaw; Cleveland; DeMers; Eckroth; Enget; Frey; Gates; Gerntholz; Graba; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer, A.; Hill; Hoffner; Keller; Kelly; Kingsbury; Klundt; Kretschmar; Kuchera; Larson; Lautenschlager; Linderman; Lindgren; Lloyd; Martin; Martinson; Mertens; Meyer; Myrdal; Nalewaja; Nicholas; Nowatzki; Oban; O'Connell; Opedahl; O'Shea; Peterson, J.; Retzer; Richard; Riehl; Rydell; Sauter; Schneider; Shaw; Shockman; Skjerven; Solberg, O.; Solberg, R.; Starke; Stofferahn; Tollefson; Ulmer; Unhjem; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Hausauer, R.

NAYS: Anderson, C.; Anderson, R.; Belter; Dalrymple; Dorso; Dotzenrod; Goetz; Gunsch; Hanson, O.; Hedstrom; Hughes; Kent; Kloubec; Knudson; Koland; Lang; Laughlin; Lipsiea; Melby; Moore; Murphy; Olsen, D.; Olson, A.; Olson, V.; Payne; Pederson, R.; Rice; Riley; Schindler; Schmidt; Shide; Smette; Strinden; Timm; Vander Vorst; Wald; Whalen; Wold

ABSENT AND NOT VOTING: Conmy; Gullickson; Thompson

SB 2352 passed and the title was agreed to.

MESSAGES FROM THE SENATE
SENATE CHAMBER

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

HB 1008, HB 1016, HB 1022, HB 1024, HB 1026, HB 1033,
HB 1034, HB 1037, HB 1038, HB 1085, HB 1145, HB 1267,
HB 1349, HB 1427, HB 1507, HB 1583, HB 1654, HCR 3045,
HCR 3071, HCR 3076, HCR 3079

LEO LEIDHOLM, Secretary

SENATE CHAMBER

MR. SPEAKER: I have the honor to return herewith HB 1587 which the Senate has amended:

SENATE AMENDMENTS TO HB 1587

On page 1, line 11, delete the first word "of" and insert in lieu thereof the word "or"

On page 1, line 12, delete the words "thirty tons [27215.54" and insert in lieu thereof the words "six thousand gallons [22712.47 liters]"

On page 1, line 13, delete the word "kilograms]"

On page 2, line 10, delete the words "thirty tons [27215.54 kilograms]" and insert in lieu thereof the words "six thousand gallons [22712.47 liters]"

On page 3, delete lines 24 through 29

On page 4, line 15, after the second word "of" insert the word "excess", and after the word "Any" insert the word "excess"

And renumber the lines, sections, and pages accordingly

LEO LEIDHOLM, Secretary

SENATE CHAMBER

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

HB 1057

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:

SB 2507

LEO LEIDHOLM, Secretary

MOTION

REP. D. OLSEN MOVED that the House reconsider its action whereby the amendments to SB 2371 failed to pass, which motion failed on a verification vote.

CONSIDERATION OF MESSAGE FROM SENATE

REP. KNUDSON MOVED that the House do not concur in the Senate amendments to HB 1048 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 1048:

Reps. Schindler, Shaw, Hoffner

CONSIDERATION OF MESSAGE FROM SENATE

REP. KNUDSON MOVED that the House do not concur in the Senate amendments to HB 1049 and that a conference committee be appointed to meet with a like committee from the Senate.

REQUEST

REP. HOFFNER REQUESTED a recorded roll call vote on the motion to not concur in the Senate amendments to HB 1049, which request was granted.

ROLL CALL

The question being on the motion to not concur in the Senate amendments to HB 1049, the roll was called and there were 63 YEAS, 39 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, R.; Cleveland; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Gates; Gerntholz; Goetz; Gunsch; Hamerlik; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hughes; Kelly; Kent; Kingsbury; Kloubec; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Lindgren; Lipsiea; Martinson; Moore; Murphy; Nalewaja; Nicholas; Olsen, D.; Olson, A.; Olson, V.; Payne; Retzer; Rice; Richard; Riley; Rydell; Schindler; Schmidt; Schneider; Shaw; Shide; Smette; Strinden; Timm; Tollefson; Unhjem; Vander Vorst; Wald; Wentz; Whalen; Winkelman; Wold; Speaker Hausauer, R.

NAYS: Berg, G.; Brokaw; Enget; Frey; Graba; Halmrast; Hanson, L.; Hill; Hoffner; Keller; Klundt; Laughlin; Lautenschlager; Linderman; Lloyd; Martin; Melby; Mertens; Meyer; Myrdal; Nowatzki; Oban; O'Connell; Opedahl; O'Shea; Pederson, R.; Riehl; Sauter; Shockman; Skjerven; Solberg, O.; Solberg, R.; Starke; Stofferahn; Ulmer; Watne; Williams, A.; Williams, C.; Williams, W.

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

So the motion to not concur in the Senate amendments to HB 1049 prevailed.

APPOINTMENT OF A CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1049:

Reps. Schindler, Shaw, Hoffner

REQUEST

REP. RICHARD REQUESTED that the record show that he voted incorrectly on the motion to not concur in the Senate amendments to HB 1049, which request was granted. He intended to vote "nay" and voted "aye".

MESSAGE FROM THE SENATE

SENATE CHAMBER

MR. SPEAKER: I have the honor to inform you that the Senate does not concur in the House amendments to SB 2012 and SB 2301 and the President has appointed as a conference committee to act with a like committee from the House on:

SB 2012: Sens. Naaden, Streibel, Walsh
SB 2301: Sens. Olson, Holmberg, Lashkowitz

LEO LEIDHOLM, Secretary

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2301:

Reps. R. Anderson, A. Hausauer, Enget

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 2059, SB 2067, SB 2143, SB 2161, SB 2209, SB 2232,
 SB 2242, SB 2281, SB 2286, SB 2319, SB 2332, SB 2357,
 SB 2389, SB 2425, SB 2426, SB 2427, SB 2451, SB 2472,
 SB 2476, SCR 4032, SCR 4040, SCR 4061, SCR 4067

LEO LEIDHOLM, Secretary

SENATE CHAMBER

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

SB 2068, SB 2116, SB 2153, SB 2251, SB 2279, SB 2470

LEO LEIDHOLM, Secretary

REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER: Your procedural Committee on Delayed Bills recommends that the following be introduced:

HCR 3102

REP. STRINDEN, Chairman

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

FIRST READING OF A HOUSE CONCURRENT RESOLUTION

Reps. J. Peterson, Martinson, Mertens, Rydell introduced:
(Approved by the Committee on Delayed Bills)

HCR 3102: A concurrent resolution urging the National Guard to name the proposed new National Guard armory in Bismarck after Brigadier General Raymond J. Bohn.
Was read the first time.

MOTION

REP. STRINDEN MOVED that the rules be suspended, that HCR 3102 not be printed, not be referred to committee, be read in its entirety, be printed in the Journal, and placed on the calendar for second reading and final passage, which motion prevailed.

Reps. J. Peterson, Martinson, Mertens, Rydell introduced:

HOUSE CONCURRENT RESOLUTION NO. 3102

A concurrent resolution urging the National Guard to name the proposed new National Guard armory in Bismarck after Brigadier General Raymond J. Bohn.

WHEREAS, the Deputy Adjutant General of the State of North Dakota, Brigadier General Raymond J. Bohn died on Thursday, March 7, 1985, at the age of 55; and

WHEREAS, Brigadier General Raymond J. Bohn served this Nation and State as a member of the North Dakota Army National Guard since September 21, 1950, as State Director of the Selective Service System, as Deputy Adjutant General, and in other responsible positions; and

WHEREAS, Brigadier General Raymond J. Bohn was awarded the United States Legion of Merit and also the North Dakota Legion of Merit, along with other awards and recognitions, for his services; and

WHEREAS, Brigadier General Raymond J. Bohn was held in the highest esteem by the men and women of the Army National Guard with whom he served, and by the people of this state for whom he served; and

WHEREAS, through his many years of service Brigadier General Raymond J. Bohn made a significant and lasting

contribution to the National Guard, to the state, and to his community; and

WHEREAS, the construction of a new National Guard armory in Bismarck has been proposed; and

WHEREAS, the naming of this new armory after Brigadier General Raymond J. Bohn would be an appropriate and lasting expression of gratitude for the service he gave to his state and to his country;

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

That the Forty-ninth Legislative Assembly urges the National Guard to give lasting recognition to one of its distinguished officers by naming the proposed National Guard armory in Bismarck after Brigadier General Raymond J. Bohn; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded by the Secretary of State to the North Dakota Congressional Delegation, the National Guard Bureau of the United States, and the Adjutant General of the North Dakota National Guard.

SECOND READING OF A HOUSE CONCURRENT RESOLUTION

HCR 3102: A concurrent resolution urging the National Guard to name the proposed new National Guard armory in Bismarck after Brigadier General Raymond J. Bohn.

Which has been read.

The question being on the final adoption of the resolution.

HCR 3102 was declared adopted on a voice vote.

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 1522 and HB 1523 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1522: Reps. Strinden, Martinson, Mertens

HB 1523: Reps. Strinden, Martinson, Mertens

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to inform you that the House does not concur in the Senate amendments to HB 1048 and HB 1049

and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1048: Reprs. Schindler, Shaw, Hoffner

HB 1049: Reprs. Schindler, Shaw, Hoffner

ROY GILBREATH, Chief Clerk

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:

HCR 3102

ROY GILBREATH, Chief Clerk

SIGNING OF BILLS AND RESOLUTIONS

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following:

SB 2059, SB 2067, SB 2143, SB 2161, SB 2209, SB 2232,
 SB 2242, SB 2281, SB 2286, SB 2319, SB 2332, SB 2357,
 SB 2389, SB 2425, SB 2426, SB 2427, SB 2451, SB 2472,
 SB 2476, SCR 4032, SCR 4040, SCR 4061, SCR 4067

ROY GILBREATH, Chief Clerk

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., Wednesday, March 27, 1985, which motion prevailed.

REPORTS OF STANDING COMMITTEES

MR. SPEAKER: Your Committee on Joint Constitutional Revision to which was referred HCR 3003 has had the same under consideration and recommends by a vote of 7 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, delete lines 15 through 17 and insert in lieu thereof the words "The tax commissioner must be elected on a no-party ballot and must be nominated and elected in the manner now provided for the nomination and election of the superintendent of public instruction."

On page 2, line 21, after the comma insert the word "tax commissioner,"

On page 4, line 14, after the word "resolution" insert the words "or as provided by law"

On page 4, line 20, after the word "pardons" insert the words "as provided by law"

On page 4, line 21, delete the words "in a manner" and insert in lieu thereof the word "as"

On page 5, line 10, delete the words "veto items in an appropriation bill" and insert in lieu thereof the words "disapprove of any item or items, or part or parts of any bill making appropriations of money or property embracing distinct items"

On page 5, after line 27, insert the following new section:

"SECTION 10. A new section to a new article V of the Constitution of the State of North Dakota is hereby created and enacted to read as follows:

Any governor of this state who asks, receives, or agrees to receive any bribe upon any understanding that the governor's official opinion, judgment, or action shall be influenced thereby, or who gives or offers, or promises the governor's official influence in consideration that any member of the legislative assembly shall give the member's official vote or influence on any particular side of any question or matter upon which the member may be required to act in the member's official capacity, or who menaces any member by the threatened use of the governor's veto power, or who offers or promises any member that the governor will appoint any particular person or persons to any office created or thereafter to be created, in consideration that any member shall give the member's official vote or influence on any matter pending or thereafter to be introduced into either house of the legislative assembly, or who threatens any member that the governor will remove any person or persons from office or position with intent in any manner to influence the action of that member, must be punished in the manner now, or that may hereafter be, provided by law, and upon conviction thereof forfeits all right to hold or exercise any office of trust or honor in this state."

And renumber the lines, sections, and pages accordingly

REP. MARTIN, Cochairman

HCR 3003 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 2009 has had the same under consideration and recommends by a vote of 21 YEAS, 2 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 of the engrossed bill, line 3, after the semicolon insert the following: "to amend and reenact sections 38-14.1-04.2 and 38-14.1-04.3 of the North Dakota Century Code, relating to the reclamation research advisory committee;"
- On page 1 of the engrossed bill, line 20, delete the numerals "3,343,294" and insert in lieu thereof the numerals "3,571,646"
- On page 1 of the engrossed bill, line 21, delete the numerals "274,511" and insert in lieu thereof the numerals "333,192"
- On page 1 of the engrossed bill, line 22, delete the numerals "21,150,519" and insert in lieu thereof the numerals "21,437,552"
- On page 1 of the engrossed bill, line 24, delete the numerals "8,924,756" and insert in lieu thereof the numerals "9,211,789"
- On page 2 of the engrossed bill, line 13, delete the numerals "324,917" and insert in lieu thereof the numerals "390,917"
- On page 2 of the engrossed bill, line 15, delete the numerals "161,700" and insert in lieu thereof the numerals "201,000"
- On page 2 of the engrossed bill, line 16, delete the numerals "594,417" and insert in lieu thereof the numerals "699,717"
- On page 2 of the engrossed bill, line 17, delete the numerals "100,500" and insert in lieu thereof the numerals "166,500"
- On page 2 of the engrossed bill, line 18, delete the numerals "493,917" and insert in lieu thereof the numerals "533,217"
- On page 2 of the engrossed bill, line 23, delete the numerals "1,000,000" and insert in lieu thereof the numerals "1,560,000"
- On page 2 of the engrossed bill, line 24, delete the numerals "32,505,841" and insert in lieu thereof the numerals "33,065,841"
- On page 2 of the engrossed bill, line 26, delete the numerals "20,521,678" and insert in lieu thereof the numerals "21,081,678"
- On page 2 of the engrossed bill, line 27, delete the numerals "445,000" and insert in lieu thereof the numerals "770,000"
- On page 2 of the engrossed bill, line 28, delete the numerals "20,966,678" and insert in lieu thereof the numerals "21,851,678"

- On page 2 of the engrossed bill, line 33, delete the numerals "46,000" and insert in lieu thereof the numerals "116,000"
- On page 2 of the engrossed bill, line 34, delete the numerals "1,108,524" and insert in lieu thereof the numerals "1,178,524"
- On page 3 of the engrossed bill, line 1, delete the numerals "888,224" and insert in lieu thereof the numerals "958,224"
- On page 3 of the engrossed bill, line 2, delete the numerals "22,000" and insert in lieu thereof the numerals "37,000"
- On page 3 of the engrossed bill, line 3, delete the numerals "910,224" and insert in lieu thereof the numerals "995,224"
- On page 3 of the engrossed bill, line 8, delete the numerals "113,000" and insert in lieu thereof the numerals "152,000"
- On page 3 of the engrossed bill, line 9, delete the words "all funds" and insert in lieu thereof the words "operating budget", and delete the numerals "782,520" and insert in lieu thereof the numerals "821,520"
- On page 3 of the engrossed bill, after line 10, insert the following new lines:
- | | |
|-----------------------|------------|
| "Net operating budget | \$ 721,520 |
| Capital improvements | 30,000" |
- On page 3 of the engrossed bill, line 11, delete the numerals "682,520" and insert in lieu thereof the numerals "751,520"
- On page 3 of the engrossed bill, line 16, delete the numerals "42,450" and insert in lieu thereof the numerals "103,900"
- On page 3 of the engrossed bill, line 17, delete the numerals "535,249" and insert in lieu thereof the numerals "596,699"
- On page 3 of the engrossed bill, line 19, delete the numerals "411,249" and insert in lieu thereof the numerals "472,699"
- On page 3 of the engrossed bill, line 20, delete the numerals "7,500" and insert in lieu thereof the numerals "17,500"
- On page 3 of the engrossed bill, line 21, delete the numerals "418,749" and insert in lieu thereof the numerals "490,199"
- On page 3 of the engrossed bill, line 25, delete the numerals "152,700" and insert in lieu thereof the numerals "164,700"
- On page 3 of the engrossed bill, line 26, delete the numerals "65,200" and insert in lieu thereof the numerals "95,200"

- On page 3 of the engrossed bill, line 27, delete the numerals "559,676" and insert in lieu thereof the numerals "601,676"
- On page 3 of the engrossed bill, line 29, delete the numerals "479,676" and insert in lieu thereof the numerals "521,676"
- On page 3 of the engrossed bill, line 30, delete the numerals "30,000" and insert in lieu thereof the numerals "43,000"
- On page 3 of the engrossed bill, line 31, delete the numerals "509,676" and insert in lieu thereof the numerals "564,676"
- On page 4 of the engrossed bill, line 1, delete the numerals "56,900" and insert in lieu thereof the numerals "85,900"
- On page 4 of the engrossed bill, line 2, delete the words "all funds" and insert in lieu thereof the words "operating budget", and delete the numerals "626,887" and insert in lieu thereof the numerals "655,887"
- On page 4 of the engrossed bill, after line 3, insert the following new lines:
- | | |
|-----------------------|----------------|
| "Net operating budget | \$ 366,178 |
| Capital improvements | <u>90,000"</u> |
- On page 4 of the engrossed bill, line 4, delete the numerals "337,178" and insert in lieu thereof the numerals "456,178"
- On page 4 of the engrossed bill, line 9, delete the numerals "30,000" and insert in lieu thereof the numerals "70,000"
- On page 4 of the engrossed bill, line 10, delete the words "all funds" and insert in lieu thereof the words "operating budget", and delete the numerals "542,424" and insert in lieu thereof the numerals "582,424"
- On page 4 of the engrossed bill, after line 11, insert the following new lines:
- | | |
|-----------------------|----------------|
| "Net operating budget | \$ 476,424 |
| Capital improvements | <u>12,000"</u> |
- On page 4 of the engrossed bill, line 12, delete the numerals "436,424" and insert in lieu thereof the numerals "488,424"
- On page 4 of the engrossed bill, line 17, delete the numerals "49,000" and insert in lieu thereof the numerals "98,000"
- On page 4 of the engrossed bill, line 18, delete the numerals "1,152,956" and insert in lieu thereof the numerals "1,201,956"

- On page 4 of the engrossed bill, line 20, delete the numerals "767,956" and insert in lieu thereof the numerals "816,956"
- On page 4 of the engrossed bill, line 22, delete the numerals "777,956" and insert in lieu thereof the numerals "826,956"
- On page 4 of the engrossed bill, line 28, delete the numerals "58,000" and insert in lieu thereof the numerals "158,000"
- On page 4 of the engrossed bill, line 29, delete the numerals "728,685" and insert in lieu thereof the numerals "828,685"
- On page 5 of the engrossed bill, line 1, delete the numerals "34,458,078" and insert in lieu thereof the numerals "36,169,861"
- On page 5 of the engrossed bill, line 2, delete the numerals "28,625,254" and insert in lieu thereof the numerals "30,091,254"
- On page 5 of the engrossed bill, line 3, delete the numerals "63,083,332" and insert in lieu thereof the numerals "66,261,115"
- On page 6 of the engrossed bill, line 10, delete the word "TRANSFER" and insert in lieu thereof the words "APPROPRIATION - TRANSFER"
- On page 7 of the engrossed bill, after line 16, insert the following new sections:

"SECTION 5. AMENDMENT. Section 38-14.1-04.2 of the 1983 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

38-14.1-04.2. Advisory committee responsibilities. The committee, after consultation with the commission, shall adopt procedures under which it is to operate. The responsibilities of the committee, with the administrative and staff assistance and accounting of all funds to be provided by the commission, include:

1. An inventory and brief description and analysis of the conclusions from all reclamation research projects in this state that have been conducted to date as well as an inventory and brief description of all ongoing projects.
2. A review of all past and current reclamation research projects to identify all existing or future research needs and objectives, to prevent duplication, and to establish priorities for future reclamation research according to the objectives established in section 38-14.1-04.3.

3. A review of all proposed reclamation research projects administered by the commission and a determination of which reclamation research projects should be funded and the proper funding levels for the projects.
4. ~~Preparation of~~ Recommend to the commission future reclamation research budgets to be administered by the commission.
5. Preparation of yearly reports to the legislative council on the status of all reclamation research projects, conclusions reached, and future goals and objectives.

SECTION 6. AMENDMENT. Section 38-14.1-04.3 of the 1983 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

38-14.1-04.3. Reclamation research objectives. The reclamation research advisory committee shall make all recommendations on the specific reclamation research projects that are to be funded from moneys administered by the commission. Prior to awarding reclamation research funds, the commission must ~~receive~~ consider the recommendations of the committee relating to the proposed reclamation research project. For any reclamation research project to be approved for funding by the commission, each proposed project must meet the following criteria:

1. Development of data and conclusions that will assist in returning the land to its original or better productivity.
2. Development of data and conclusions that will assist in returning the land to an approved post-mining land use as soon as possible.
3. Development of data and conclusions that will reduce unnecessary regulatory costs and assist in effectively reclaiming the land to its original or better productivity.

SECTION 7. STORAGE FACILITIES. Structures for storage of agricultural products may be authorized for construction by the state board of higher education when such structures do not exceed \$50,000 in cost.

SECTION 8. APPROPRIATION. There is hereby appropriated \$300,000 to the main experiment station, out of any funds available from the sale of animals by the experiment stations due to adverse climate conditions, for the purpose of purchasing replacement animals at the

respective experiment stations during the biennium beginning July 1, 1985, and ending June 30, 1987.

SECTION 9. RESEARCH/EXTENSION CONSTRUCTION - APPROPRIATION. Provision is hereby made in this section for the main agricultural experiment station or any of its branch stations to accept a gift dedicated to the construction of a facility to house research and extension service staff. The facility is to be constructed at or near the station headquarters site. The total construction cost shall not exceed \$1,000,000. Any funds received are hereby appropriated, but shall not be expended pursuant to this section without the approval of the legislative council's budget section."

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Extension Division

The operating expenses line item is increased by \$228,352 from the general fund to provide for restoration to the current service level of operation.

The equipment line item is increased by \$58,681 from the general fund to provide for restoration to the current service level.

The salaries and wages line item allows funds to continue average salary increases of 9.5 percent for faculty and senior administrative staff and 5.5 percent (\$50 per month minimum) for other employees the first year of the biennium and to provide average salary increases of four percent (\$50 per month minimum) the second year of the biennium.

Northern Crops Institute

The salaries and wages line item is increased by \$66,000 from other funds to provide funding for one FTE laboratory technician and one FTE administrative secretary. These two positions will be funded from other than state sources and will be terminated if nongeneral fund moneys are unavailable.

The equipment line item is increased by \$39,300 from the general fund to provide for partial restoration of the current service level.

The salaries and wages line item allows funds to continue average salary increases of 9.5 percent for faculty and senior administrative staff and 5.5 percent (\$50 per month minimum) for other employees the first year of the biennium and to provide average salary increases of four percent (\$50 per month minimum) the second year of the biennium.

Main Experiment Station

The equipment line item is increased by \$560,000 from the general fund to provide for partial restoration of the current service level.

The capital improvements line item is increased by \$325,000 from the general fund to provide additional funds for maintenance of existing facilities.

The salaries and wages line item allows funds to continue average salary increases of 9.5 percent for faculty and senior administrative staff and 5.5 percent (\$50 per month minimum) for other employees the first year of the biennium and to provide average salary increases of four percent (\$50 per month minimum) the second year of the biennium.

The new sections appropriate \$300,000 from the sale of animals due to adverse climate conditions, for purchase of replacement animals, and \$1,000,000 of gift funds for construction of a staff facility.

Dickinson Experiment Station

The equipment line item is increased by \$70,000 from the general fund to provide for partial restoration of the current service level.

The capital improvements line item is increased by \$15,000 from the general fund to provide funds for office building renovation.

The salaries and wages line item allows funds to continue average salary increases of 9.5 percent for faculty and senior administrative staff and 5.5 percent (\$50 per month minimum) for other employees the first year of the biennium and to provide average salary increases of four percent (\$50 per month minimum) the second year of the biennium.

Central Grasslands Experiment Station

The equipment line item is increased by \$39,000 from the general fund to provide for partial restoration of the current service level.

A capital improvements line item is added in the amount of \$30,000 from the general fund for the livestock handling facility.

The salaries and wages line item allows funds to continue average salary increases of 9.5 percent for faculty and senior administrative staff and 5.5 percent (\$50 per month minimum) for other employees the first year of the biennium and to provide average salary increases of four percent (\$50 per month minimum) the second year of the biennium.

Hettinger Experiment Station

The equipment line item is increased by \$61,450 from the general fund to provide for partial restoration of the current service level.

The capital improvements line item is increased by \$10,000 from the general fund to provide funds for confinement barn renovation.

The salaries and wages line item allows funds to continue average salary increases of 9.5 percent for faculty and senior administrative staff and 5.5 percent (\$50 per month minimum) for other employees the first year of the biennium and to provide average salary increases of four percent (\$50 per month minimum) the second year of the biennium.

Langdon Experiment Station

The operating expenses line item is increased by \$12,000 from the general fund to provide for partial restoration of the current service level of operation.

The equipment line item is increased by \$30,000 from the general fund to provide for partial restoration of the current service level.

The capital improvements line item is increased by \$13,000 from the general fund to provide funds for general maintenance and for metal siding on an existing storage building.

The salaries and wages line item allows funds to continue average salary increases of 9.5 percent for faculty and senior administrative staff and 5.5 percent (\$50 per month minimum) for other employees the first year of the biennium and to provide average salary increases of four percent (\$50 per month minimum) the second year of the biennium.

North Central Experiment Station

The equipment line item is increased by \$29,000 from the general fund to provide for partial restoration of the current service level.

A capital improvements line item is added in the amount of \$90,000 from the general fund to provide funds to construct a superintendent's residence.

The salaries and wages line item allows funds to continue average salary increases of 9.5 percent for faculty and senior administrative staff and 5.5 percent (\$50 per month minimum) for other employees the first year of the biennium and to provide average salary increases of four percent (\$50 per month minimum) the second year of the biennium.

Williston Experiment Station

The equipment line item is increased by \$40,000 from the general fund to provide for partial restoration of the current service level.

A capital improvements line item is added in the amount of \$12,000 from the general fund to replace shingles on certain buildings and for maintenance of the entrance road.

The salaries and wages line item allows funds to continue average salary increases of 9.5 percent for faculty and senior administrative staff and 5.5 percent (\$50 per month minimum) for other employees the first year of the biennium and to provide average salary increases of four percent (\$50 per month minimum) the second year of the biennium.

Carrington Experiment Station

The equipment line item is increased by \$45,000 from the general fund to provide for partial restoration of the current service level.

The salaries and wages line item allows funds to continue average salary increases of 9.5 percent for faculty and senior administrative staff and 5.5 percent (\$50 per month minimum) for other employees the first year of the biennium and to provide average salary increases of four percent (\$50 per month minimum) the second year of the biennium.

Agronomy Seed Farm

The capital improvements line item is increased by \$100,000 from other funds to provide funding for a microwave grain dryer and Prosper site improvements.

The salaries and wages line item allows funds to continue average salary increases of 9.5 percent for faculty and senior administrative staff and 5.5 percent (\$50 per month minimum) for other employees the first year of the biennium and to provide average salary increases of four percent (\$50 per month minimum) the second year of the biennium.

SUMMARY OF HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2009

<u>Agency</u>	<u>Salaries and Wages</u>	<u>Operating Expenses</u>	<u>Equipment</u>	<u>Capital Improvements</u>	<u>General Fund</u>	<u>Estimated Income</u>
Extension Division	\$ 0	\$228,352	\$ 58,681	\$ 0	\$ 287,033	\$ 0
Extension Division - Food and Nutrition					0	0
Extension Division - Energy Service					0	0
Northern Crops Institute	66,000		39,300		39,300	66,000
Main Experiment Station			560,000	325,000	885,000	
Dickinson Experiment Station			70,000	15,000	85,000	
Central Grasslands Experiment Station			39,000	30,000	69,000	
Hettinger Experiment Station			61,450	10,000	71,450	
Langdon Experiment Station		12,000	30,000	13,000	55,000	
North Central Experiment Station			29,000	90,000	119,000	
Williston Experiment Station			40,000	12,000	52,000	
Carrington Experiment Station			49,000		49,000	
Agromony Seed Farm				100,000		100,000
Subtotal	566,000	\$240,352	\$ 976,431	\$ 595,000	\$1,711,783	\$ 166,000
New sections:						
Main Experiment Station Purchase of animals Staff facility			300,000	1,000,000		300,000 1,000,000
Total amendments to engrossed Senate Bill No. 2009	<u>566,000</u>	<u>\$240,352</u>	<u>\$1,276,431</u>	<u>\$1,595,000</u>	<u>\$1,711,783</u>	<u>\$1,466,000</u>

REP. J. PETERSON, Chairman

Engrossed SB 2009 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 SB 2013 has had the same under consideration and recommends by a vote of 23 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

REP. J. PETERSON, Chairman

SB 2013 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Appropriations to which was referred Engrossed SB 2023 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 21, delete the numerals "10,660,857" and insert in lieu thereof the numerals "11,072,046"

On page 1 of the engrossed bill, line 22, delete the numerals "5,453,919" and insert in lieu thereof the numerals "5,042,730"

On page 2 of the engrossed bill, line 14, delete the numerals "10,660,857" and insert in lieu thereof the numerals "11,072,046"

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Highway Patrol

The salaries and wages line item allows funds to continue the cost of average salary increases of 5.5 percent for the first year and to provide average salary increases of four percent for the second year of the biennium, with funds to provide a minimum increase of \$50 per month for each year of the biennium.

The estimated income line item is increased by \$411,189 with a corresponding decrease to the general fund to reflect the funding of a portion of the \$623,014 added by the Senate to the salaries and wages line item from the state highway fund, rather than funding the entire increase from the general fund. The \$623,014 increase provided by the Senate consisted of a \$202,464 increase to continue the four percent additional contribution to retirement approved by the 1983 Legislative Assembly (this amount was inadvertently omitted in the original executive budget), and a \$420,550 increase to provide a 5.7 percent additional state contribution to retirement approved by the House in House Bill No. 1085.

REP. J. PETERSON, Chairman

Engrossed SB 2023 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 2028 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 26, delete the numerals "3,689,931" and insert in lieu thereof the numerals "3,888,331"

On page 1 of the engrossed bill, line 27, delete the numerals "2,326,710" and insert in lieu thereof the numerals "3,062,242"

On page 2 of the engrossed bill, line 2, delete the numerals "12,863,909" and insert in lieu thereof the numerals "13,797,841"

On page 2 of the engrossed bill, line 6, delete the numerals "8,930,205" and insert in lieu thereof the numerals "8,575,650"

On page 2 of the engrossed bill, line 10, delete the numerals "14,340,823" and insert in lieu thereof the numerals "13,986,268"

On page 2 of the engrossed bill, line 21, delete the numerals "59,297,394" and insert in lieu thereof the numerals "59,876,771"

On page 2 of the engrossed bill, line 22, delete the numerals "59,297,394" and insert in lieu thereof the numerals "59,876,771"

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Industrial Commission

The salaries and wages line item provides for the continuation of a 5.5 percent increase the first year of the biennium (\$50/month minimum) and a four percent increase the second year of the biennium (\$50/month minimum).

Bank of North Dakota

The salaries and wages line item provides for the continuation of a 5.5 percent increase the first year of the biennium (\$50/month minimum) and a four percent increase the second year of the biennium (\$50/month minimum).

The operating expenses line item is increased by \$198,400 from other funds. Funding is increased to allow incorporating the use of coupon books in the student loan billing program.

The data processing line item is increased by \$735,532 from other funds. Funding is provided for program enhancement requests relating to hardware and software purchases and programming costs. Major program enhancements include:

Rewrite security safekeeping system on-line revising interest payment procedures and Internal Revenue Service reports	\$ 35,142
Rewrite security analysis system on-line with revisions of the interest calculations and market value reportings	59,808
New data processing system to provide accounting and reporting of the investment portfolios of the State Investment Board and Public Employees	54,054

Retirement System

New data processing system to provide processing of deferred compensation plans for state employees	38,075
Lease of Federal Reserve Bank software and payment of access fees for wire transfers	50,400
Rewrite student loan disbursement system on-line to interface with existing student loan and guaranteed student loan systems and reduce duplication of effort	69,930
Other enhancements	140,885

The increase also includes \$267,238 to provide funds for current operations. The additions provided by this amendment are intended to result in the greater efficiency of the Bank of North Dakota with the result being increased Bank profits and greater transfers to the general fund.

Mill and Elevator Association

The salaries and wages line item is reduced by \$354,555 from other funds. Funding is deleted for the following eight FTE positions:

1 Clerk Typist II	\$ 30,882
1 Mixer	48,297
1 Equipment Operator	48,635
1 Terminal Sweeper	46,024
3 Assistant Bolter Oilers	137,399
1 Warehouse Loader	<u>43,318</u>

Total \$354,555

The salaries and wages line item provides for the continuation of a 5.5 percent increase the first year of the biennium (\$50/month minimum) and a four percent increase the second year of the biennium (\$50/month minimum).

Housing Finance Agency

The salaries and wages line item provides for the continuation of a 5.5 percent increase the first year of the biennium (\$50/month minimum) and a four percent increase the second year of the biennium (\$50/month minimum).

REP. J. PETERSON, Chairman

Engrossed SB 2028 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 rereferred SB 2115 has had the same under consideration and

recommends by a vote of 16 YEAS, 5 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 of the bill, line 3, after the word "students" insert the following words "; and to provide for an expiration date"

On page 2 of the bill, after line 3, insert the following new section:

"SECTION 2. EXPIRATION DATE. This Act is effective through June 30, 1987, and after that date is ineffective."

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

The amendment adds June 30, 1987, as the expiration date so the 50th Legislative Assembly may review the new transportation program implemented through this Act.

REP. J. PETERSON, Chairman

SB 2115 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 Reengrossed SB 2249 has had the same under consideration and recommends by a vote of 21 YEAS, 1 NAY, 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 reengrossed bill, line 24, delete the numerals "5,400,000" and insert in lieu thereof the numerals "4,751,145"

On page 2 of the reengrossed bill, delete lines 5 through 13 and insert in lieu thereof the following:

"SECTION 2. Loan authority. The board of university and school lands is hereby authorized to invest in an amount not to exceed \$4,751,145 from the common school trust fund in the developmentally disabled facility loan fund program no. 3. The term of this investment may not exceed twenty-five years and the rate of interest may not exceed twelve percent. The common school trust fund shall have a security interest in the properties of the lands and minerals trust fund in the amount of the loan."

On page 2 of the reengrossed bill, line 25, after the word "percent" insert the words "for loans relating to facilities for developmentally disabled persons and five percent for loans relating to facilities for physically disabled persons and chronically mentally ill persons"

On page 3 of the reengrossed bill, line 34, delete the word "or" and insert in lieu thereof the words "but not"

On page 4 of the reengrossed bill, line 7, delete the word "may" and insert in lieu thereof the word "shall"

On page 4 of the reengrossed bill, line 8, delete the word "or" and insert in lieu thereof the words "not employed by this state or its political subdivisions, or a"

On page 4 of the reengrossed bill, line 12, after the period insert the following: "The receiver may not liquidate the assets of the treatment or care center."

On page 4 of the reengrossed bill, line 17, delete the words "a discontinuance of" and insert in lieu thereof the words "an election by the owner or owners to discontinue"

On page 4 of the reengrossed bill, line 18, delete the following: ", whichever occurs"

On page 4 of the reengrossed bill, line 19, delete the word "first"

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

These amendments change the amount which the DD loan fund No. 3 may borrow from the common school trust fund from \$5,400,000 to \$4,751,145 to reflect revised facility needs and funds available in DD loan fund No. 1.

Also language is added to allow facilities for the chronically mentally ill and the physically disabled to obtain loans at five percent interest.

REP. J. PETERSON, Chairman

Reengrossed SB 2249 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 2307 has had the same under consideration and recommends by a vote of 20 YEAS, 2 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 11, overstrike the words "Is at least eighteen years of age" and insert immediately thereafter the words "Has worked in the individual's home providing unpaid services for household members"

On page 1 of the engrossed bill, line 12, after the word "been" insert the words "or is"

On page 1 of the engrossed bill, line 13, overstrike the words "been economically dependent on a spouse, parent,"

On page 1 of the engrossed bill, overstrike lines 14 through 16

On page 1 of the engrossed bill, line 17, overstrike the word "e. Lacks", delete the word "basic", and overstrike the words "academic skills to be gainfully"

On page 1 of the engrossed bill, line 18, delete the word "employed" and insert in lieu thereof the words "had or will have difficulty finding employment"

On page 1 of the engrossed bill, line 19, overstrike the letter "f." and insert immediately thereafter the letter "d."

On page 1 of the engrossed bill, line 21, overstrike the words "parent, or legal guardian,"

And renumber the lines and pages accordingly

REP. J. PETERSON, Chairman

Engrossed SB 2307 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 SB 2341 has had the same under consideration and recommends by a vote of 21 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

REP. J. PETERSON, Chairman

SB 2341 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

FIRST READING OF SENATE BILL

SB 2507: A BILL for an Act to grant an appropriation for use in the defense of the litigation entitled Burlington Northern Railroad Company v. State of North Dakota, acting by and through the State Board of Equalization, et al, District Court, South Central Judicial District, Burleigh County Civil No. 35884.

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

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

ROY GILBREATH, Chief Clerk