

WEDNESDAY, APRIL 3, 1985

2691

JOURNAL OF THE HOUSE

Forty-ninth Legislative Assembly

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SIXTIETH DAY

Bismarck, April 3, 1985

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

The prayer was offered by Reverend Roy Erdahl, Our Redeemer Lutheran Church, Minot, North Dakota.

ROLL CALL

The roll was called and all Representatives were present, except Representatives Gates, Goetz, Gullickson, A. Hausauer, Hoffner, Hughes, Kent, Kloubec, Klundt, Laughlin, Linderman, Lipsiea, Martin, Oban, A. Olson, J. Peterson, Richard, Riehl, Sauter, Schneider, Strinden, Timm, C. Williams.

A quorum was declared by the Speaker.

REVISION AND CORRECTION OF THE JOURNAL

MR. SPEAKER: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Fifty-ninth Day and finds the same to be correct.

REP. KENT, Chairman

REP. MELBY 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 8:00 a.m., April 3, 1985:

HCR 3094, HCR 3097, HCR 3098

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 bill was delivered to the Governor for his approval at the hour of 8:04 a.m., April 3, 1985:

HB 1153

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 8:04 a.m., April 3, 1985:

HB 1204, HB 1233, HB 1242, HB 1295, HB 1656

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 bill was delivered to the Governor for his approval at the hour of 8:04 a.m., April 3, 1985:

HB 1606

REP. HEDSTROM, Chairman

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

CONSIDERATION OF MESSAGES FROM SENATE

REP. KINGSBURY MOVED that the House do concur in the Senate amendments to HB 1027, which motion prevailed.

HB 1027 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 1127, which motion prevailed.

HB 1127 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. UNHJEM MOVED that the House do not concur in the Senate amendments to HB 1009 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 1009:

Reps. Unhjem, Winkelman, Kelly

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER: Your Conference Committee to which was referred SB 2019 has had the same under consideration and recommends that your conference committee, having been unable to agree,

recommends that the conference committee be discharged and a new conference committee be appointed.

For the Senate: Sens. Tweten, Nelson, Walsh
For the House: Reps. Winkelman, Unhjem, Graba

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

SIXTH ORDER OF BUSINESS

REP. WOLD MOVED that the amendments to SB 2005 as recommended by the conference committee be adopted, and when so adopted, recommends that SB 2005 DO PASS, which motion prevailed.

SB 2005 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

SECOND READING OF SENATE BILL

SB 2005: A BILL for an Act making an appropriation for defraying the expenses of the state board of vocational education of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 95 YEAS, 2 NAYS, 9 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Conny; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Lautenschlager; Linderman; Lindgren; Lloyd; Martinson; Melby; Mertens; Meyer; 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; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn; Strinden; Thompson; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Wald; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: Murphy; Shockman

ABSENT AND NOT VOTING: Anderson, R.; Gullickson; Haugland; Hausauer, A.; Laughlin; Lipsiea; Martin; Moore; Richard

SB 2005 passed and the title was agreed to.

SIXTH ORDER OF BUSINESS

REP. RICE MOVED that the amendments to SB 2011 as recommended by the conference committee be adopted, and when so adopted, recommends that SB 2011 DO PASS, which motion prevailed.

SB 2011 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

SECOND READING OF SENATE BILL

SB 2011: A BILL for an Act making an appropriation for defraying the expenses of the Indian affairs commission of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 89 YEAS, 8 NAYS, 9 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Belter; Berg, R.; Brokaw; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Eckroth; Enget; Frey; Gerntholz; Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Hedstrom; Hill; Hoffner; Keller; Kelly; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Lang; Larson; Lautenschlager; Linderman; Lindgren; Lloyd; Martin; Martinson; Mertens; Meyer; Myrdal; Nalewaja; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; 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; Tollefson; Ulmer; Unhjem; Vander Vorst; Wald; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: Dotzenrod; Gates; Hughes; Kuchera; Melby; Murphy; Olson, V.; Timm

ABSENT AND NOT VOTING: Anderson, R.; Berg, G.; Gullickson; Haugland; Hausauer, A.; Laughlin; Lipsiea; Moore; Richard

SB 2011 passed and the title was agreed to.

SIXTH ORDER OF BUSINESS

REP. UNHJEM MOVED that the amendments to SB 2014 as recommended by the conference committee be adopted, and when so adopted, recommends that SB 2014 DO PASS, which motion prevailed.

SB 2014 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

SECOND READING OF SENATE BILL

SB 2014: A BILL for an Act making an appropriation for defraying the expenses of the weather modification board of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 73 YEAS, 26 NAYS, 7 ABSENT AND NOT VOTING.

YEAS: Berg, R.; Cleveland; Conmy; DeMers; Dorso; Eckroth; Enget; Gates; Gerntholz; Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, O.; Haugland; Hedstrom; Hill; Hoffner; Hughes; Kelly; Kent; Kingsbury; Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Lautenschlager; Lindgren; Lloyd; Martin; Martinson; Meyer; Nalewaja; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olsen, V.; Opedahl; Pederson, R.; Peterson, J.; Rice; Riehl; Rydell; Sauter; Schindler; Shaw; Shide; Skjerven; Smette; Solberg, R.; Starke; Stofferahn; Strinden; Timm; Tollefson; Ulmer; Unhjem; Wald; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: Anderson, C.; Belter; Berg, G.; Brokaw; Dalrymple; Dotzenrod; Frey; Hanson, L.; Keller; Kloubec; Linderman; Melby; Mertens; Murphy; Myrdal; Olson, A.; O'Shea; Payne; Retzer; Riley; Schmidt; Schneider; Shockman; Solberg, O.; Thompson; Vander Vorst

ABSENT AND NOT VOTING: Anderson, R.; Gullickson; Hausauer, A.; Laughlin; Lipsiea; Moore; Richard

SB 2014 passed and the title was agreed to.

SIXTH ORDER OF BUSINESS

REP. SCHINDLER MOVED that the amendments to SB 2065 as recommended by the conference committee be adopted, and when so adopted, recommends that SB 2065 DO PASS, which motion prevailed.

SB 2065 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

SECOND READING OF SENATE BILL

SB 2065: A BILL for an Act to create and enact chapters 15-27.1, 15-27.2, 15-27.3, and 15-27.4 of the North Dakota Century Code, relating to general provisions and school district annexation, reorganization, and dissolution; to amend and reenact sections 15-28-01, 15-34.2-06.1, 15-47-21, and 57-16-04 of the North Dakota Century Code, relating to school board members, schoolbus service fees, tax levies for equalization between school districts, and excess school district levies; to repeal chapter 15-53.1 of the North Dakota Century Code, relating to school district reorganization, annexation, and dissolution; 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 90 YEAS, 13 NAYS, 3 ABSENT AND NOT VOTING.

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

NAYS: Berg, G.; Dorso; Gates; Graba; Gunsch; Halmrast; Hamerlik; Klundt; Mertens; Meyer; Payne; Riehl; Rydell

ABSENT AND NOT VOTING: Gullickson; Laughlin; Lipsiea

SB 2065 passed, the title was agreed to and the emergency clause was declared carried.

SIXTH ORDER OF BUSINESS

REP. V. OLSON MOVED that the amendments to SB 2153 as recommended by the conference committee be adopted, and when so adopted, recommends that SB 2153 DO PASS, which motion prevailed.

SB 2153 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

SECOND READING OF SENATE BILL

SB 2153: A BILL for an Act to amend and reenact section 15-39.1-08 of the North Dakota Century Code, relating to compensation of the members of the teachers' fund for retirement board.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 88 YEAS, 15 NAYS, 3 ABSENT AND NOT VOTING.

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

NAYS: Anderson, R.; Dorso; Gunsch; Hamerlik; Hanson, O.; Hughes; Melby; Murphy; Olsen, D.; Olson, A.; Shide; Shockman; Timm; Ulmer; Unhjem

ABSENT AND NOT VOTING: Gullickson; Laughlin; Lipsiea

SB 2153 passed and the title was agreed to.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER ANNOUNCED the following appointment to a new Conference Committee on SB 2019:

Reps. Winkelman, Unhjem, Graba

MESSAGE FROM THE SENATE
SENATE CHAMBER

MR. SPEAKER: I have the honor to request the return of the following:

HB 1446, HB 1458

LEO LEIDHOLM, Secretary

MOTIONS

REP. STRINDEN MOVED that HB 1446 be returned to the Senate as requested, which motion prevailed.

REP. STRINDEN MOVED that the House reconsider its action whereby we accepted the enrolling report and the House accede to the Senate's request for the return of HB 1458, which motion prevailed.

SECOND READING OF HOUSE BILLS

HB 1004: A BILL for an Act making an appropriation for the homestead tax credit.

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 101 YEAS, 0 NAYS, 5 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Gullickson; Laughlin; Lipsiea; Murphy; Thompson

HB 1004 passed and the title was agreed to.

HB 1072: A BILL for an Act to amend and reenact sections 6-08-16 and 6-08-16.2 of the North Dakota Century Code, relating to issuing checks with insufficient funds or without an account; 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 98 YEAS, 5 NAYS, 3 ABSENT AND NOT VOTING.

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

NAYS: Brokaw; Conmy; Meyer; Riehl; Shockman

ABSENT AND NOT VOTING: Gullickson; Laughlin; Lipsiea

HB 1072 passed, the title was agreed to and the emergency clause was declared carried.

SIXTH ORDER OF BUSINESS

REP. LINDGREN MOVED that the amendments to SB 2245 as recommended by the conference committee be adopted, and when so adopted, recommends that SB 2245 DO PASS, which motion prevailed.

SB 2245 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

SECOND READING OF SENATE BILL

SB 2245: A BILL for an Act to create and enact a new subdivision to subsection 6 of section 53-06.1-01 of the North Dakota

Century Code, relating to uses by chambers of commerce of net proceeds from charitable gambling.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 82 YEAS, 19 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Gates; Gerntholz; Goetz; Gunsch; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Kelly; Kent; Kingsbury; Kloubec; Knudson; Koland; Kretschmar; Lang; Larson; Lautenschlager; Lindgren; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; Nalewaja; Nowatzki; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Peterson, J.; Rice; Riehl; Riley; Sauter; Schindler; Schmidt; Shaw; Shide; Shockman; Skjerven; Smette; Solberg, R.; Stofferahn; Strinden; Thompson; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Wald; Watne; Whalen; Williams, C.; Williams, W.; Wold; Speaker Hausauer, R.

NAYS: Cleveland; Frey; Graba; Hanson, O.; Keller; Klundt; Linderman; Lloyd; Oban; Pederson, R.; Retzer; Richard; Rydell; Schneider; Solberg, O.; Starke; Wentz; Williams, A.; Winkelman

ABSENT AND NOT VOTING: Gullickson; Kuchera; Laughlin; Lipsiea; Nicholas

SB 2245 passed and the title was agreed to.

MESSAGES FROM THE SENATE SENATE CHAMBER

MR. SPEAKER: I have the honor to inform you that the Senate has adopted the conference committee report on HB 1588 and the President has appointed as a new conference committee to act with a like committee from the House on:

HB 1588: Sens. Olson, Stenehjem, Maixner

LEO LEIDHOLM, Secretary

SENATE CHAMBER

MR. SPEAKER: I have the honor to inform you that the Senate has not adopted the conference committee report on SB 2178 and the President has appointed as a new conference committee to act with a like committee from the House on:

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SB 2178: Sens. Parker, Mutch, Kelsh

LEO LEIDHOLM, Secretary

APPOINTMENT OF CONFERENCE COMMITTEE

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

Reps. Kloubec, Koland, Stofferahn

MESSAGES TO THE SENATE
HOUSE CHAMBER

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

SB 2005, SB 2011, SB 2014, SB 2065, SB 2153, SB 2245

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

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

SB 2388

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

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

SCR 4022

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 and subsequently passed:

HB 1013, HB 1528, HB 1653

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 1009 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1009: Reps. Unhjem, Winkelman, Kelly

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 and subsequently passed:

HB 1072

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 1004 and subsequently passed the same.

ROY GILBREATH, Chief Clerk

MOTION

REP. STRINDEN MOVED that the House stand in recess until 11:00 a.m., which motion prevailed.

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

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER: Your Conference Committee to which was referred Engrossed HB 1327 has had the same under consideration and recommends that the HOUSE ACCEDE to the amendments as found on pages 2092-2093 of the House Journal:

On page 1 of the engrossed bill, line 3, delete the second word "and"

On page 1 of the engrossed bill, line 4, after the word "beverages" insert the words ", powdered drink mixes, and certain soft drinks"

On page 1 of the engrossed bill, line 17, delete the word "not" and overstrike the words "including candy"

On page 1 of the engrossed bill, line 18, overstrike the words ", chewing gum"

On page 1 of the engrossed bill, line 24, after the third comma insert the words "beverages commonly referred to as soft drinks containing less than seventy percent fruit juice, powdered drink mixes,"

On page 2 of the engrossed bill, line 11, delete the word "not" and overstrike the words "including candy"

On page 2 of the engrossed bill, line 12, overstrike the words ", chewing gum"

On page 2 of the engrossed bill, line 18, delete the words "and confectionary products", and after the third comma insert the words "beverages commonly referred to as soft drinks"

containing less than seventy percent fruit juice, powdered drink mixes"

And renumber the lines and pages accordingly

For the Senate: Sens. Moore, Kilander, Satrom

For the House: Reps. A. Olson, A. Hausauer, Schneider

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

Engrossed HB 1327 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

REQUEST

REP. STRINDEN REQUESTED that the record show that the Committee on Appropriations were meeting and asked that they be excused, which request was granted.

SIXTH ORDER OF BUSINESS

REP. A. OLSON MOVED that the amendments to HB 1327 as recommended by the conference committee be adopted, and when so adopted, recommends that HB 1327 DO PASS, which motion prevailed.

HB 1327 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SECOND READING OF HOUSE BILL

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

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 61 YEAS, 17 NAYS, 28 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Brokaw; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Halmrast; Hanson, L.; Haugland; Hedstrom; Hill; Keller; Kent; Kloubec; Klundt; Knudson; Kretschmar; Lang; Larson; Linderman; Lindgren; Lloyd; Martin; Meyer; Moore; Murphy; Myrdal; Oban; Olson, V.; O'Shea; Payne; Retzer; Riehl; Riley; Rydell; Sauter; Schneider; Shaw; Shide; Shockman; Skjervan; Solberg, R.; Starke; Tollefson; Ulmer; Vander Vorst; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Speaker Hausauer, R.

NAYS: Berg, R.; Goetz; Hamerlik; Hausauer, A.; Hoffner; Hughes; Koland; Martinson; Melby; Mertens; O'Connell; Olsen, D.; Olson, A.; Pederson, R.; Schindler; Schmidt; Timm

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

HB 1327 passed and the title was agreed to.

FIRST READING OF A HOUSE CONCURRENT RESOLUTION

Rep. Nalewaja and Sen. Kilander introduced:
(Approved by the Committee on Delayed Bills)

HCR 3107: A concurrent resolution directing the Legislative Council to determine current state construction needs, develop a systematic approach for the planning and the establishment of priorities for future state construction projects, and to study alternative means to finance such projects.

Was read the first time.

MOTION

REP. KRETSCHMAR MOVED that the rules be suspended, that HCR 3107 not be referred to committee, but be placed on the calendar for second reading and final passage, which motion prevailed.

SECOND READING OF A HOUSE CONCURRENT RESOLUTION

HCR 3107: A concurrent resolution directing the Legislative Council to determine current state construction needs, develop a systematic approach for the planning and the establishment of priorities for future state construction projects, and to study alternative means to finance such projects.

Which has been read.

ROLL CALL

The question being on the final adoption of the resolution, the roll was called and there were 70 YEAS, 12 NAYS, 24 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Berg, G.; Berg, R.; Brokaw; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Goetz; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Keller; Kloubec; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Linderman;

Lindgren; Lloyd; Martin; Martinson; Meyer; Moore; Murphy; Myrdal; Oban; Olson, A.; O'Shea; Payne; Pederson, R.; Richard; Riehl; Riley; Rydell; Sauter; Schindler; Schmidt; Schneider; Shaw; Shockman; Skjerven; Solberg, R.; Starke; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Speaker Hausauer, R.

NAYS: Belter; Hughes; Kent; Klundt; Melby; Mertens; O'Connell; Olsen, D.; Olson, V.; Retzer; Shide; Watne

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

HCR 3107 was declared adopted.

FIRST READING OF A SENATE CONCURRENT RESOLUTION

SCR 4080: A concurrent resolution directing the Legislative Council to study existing services provided for vulnerable elderly persons, whether the delivery of those services might be better coordinated, and whether existing services are adequate in scope to protect elderly incapacitated persons.

Was read the first time.

MOTION

REP. KRETSCHMAR MOVED that the rules be suspended, that SCR 4080 not be referred to committee, but be placed on the calendar for second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE CONCURRENT RESOLUTION

SCR 4080: A concurrent resolution directing the Legislative Council to study existing services provided for vulnerable elderly persons, whether the delivery of those services might be better coordinated, and whether existing services are adequate in scope to protect elderly incapacitated persons.

Which has been read.

ROLL CALL

The question being on the final adoption of the resolution, the roll was called and there were 77 YEAS, 5 NAYS, 24 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod; Enget; Frey; Gates; Goetz; Halmrast;

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

NAYS: Eckroth; Melby; Murphy; Shide; Whalen

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

SCR 4080 was declared adopted.

SIXTH ORDER OF BUSINESS

REP. A. HAUSAUER MOVED that the amendments to SB 2257 as recommended by the conference committee be adopted, and when so adopted, recommends that SB 2257 DO PASS, which motion prevailed.

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

SECOND READING OF SENATE BILL

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

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 83 YEAS, 0 NAYS, 23 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Goetz; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kent; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; 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; Richard; Riehl; Riley; Rydell; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Shockman; Skjerven; Solberg, R.; Starke; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Speaker Hausauer, R.

NAYS: None

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

SB 2257 passed and the title was agreed to.

MOTION

REP. KRETSCHMAR MOVED that SB 2267 be placed at the bottom of the Sixth order on the calendar, which motion prevailed.

SIXTH ORDER OF BUSINESS

REP. R. ANDERSON MOVED that the amendments to SB 2301 as recommended by the conference committee 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.

SECOND READING OF SENATE BILL

SB 2301: A BILL for an Act to amend and reenact sections 5-03-01 and 39-08-18 of the North Dakota Century Code, relating to penalties for illegal distribution of alcoholic beverages and for consuming alcoholic beverages in motor vehicles on public highways.

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 58 YEAS, 24 NAYS, 24 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Belter; Brokaw; Cleveland; Conny; DeMers; Dotzenrod; Eckroth; Enget; Frey; Gates; Halmrast; Hamerlik; Hanson, L.; Haugland; Hedstrom; Hill; Hoffner; Kent; Klundt; Knudson; Kretschmar; Lang; Linderman; Martin; Martinson; Melby; Moore; Myrdal; Nalewaja; Nicholas; Oban; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Pederson, R.; Retzer; Riley;

Rydell; Sauter; Schindler; Schneider; Shaw; Shide; Shockman; Skjerven; Solberg, R.; Starke; Unhjem; Vander Vorst; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Speaker Hausauer, R.

NAYS: Anderson, R.; Berg, R.; Dalrymple; Dorso; Goetz; Hausauer, A.; Hughes; Keller; Kloubec; Koland; Larson; Lindgren; Lloyd; Mertens; Meyer; Murphy; O'Connell; Richard; Riehl; Schmidt; Timm; Tollefson; Ulmer; Whalen

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

SB 2301 passed and the title was agreed to.

MOTIONS

REP. KRETSCHMAR MOVED that the House request the return of HB 1446 from the Senate, which motion prevailed.

REP. KRETSCHMAR MOVED that SB 2374 and SB 2489 be placed at the top of the Sixth order on the calendar, which motion prevailed.

SIXTH ORDER OF BUSINESS

REP. DALRYMPLE MOVED that the amendments to SB 2374 as recommended by the conference committee be adopted, and when so adopted, recommends that SB 2374 DO PASS, which motion prevailed.

SB 2374 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

SECOND READING OF SENATE BILL

SB 2374: A BILL for an Act to create and enact a new subsection to section 43-41-02 and a new subsection to section 43-41-06 of the North Dakota Century Code, relating to exceptions to the social work practice licensing requirements and the waiver of licensing requirements for certain social workers; and to amend and reenact subsection 5 of section 43-41-01 and section 43-41-05 of the North Dakota Century Code, relating to the definition of social work practice and licensing requirements for the private practice of social work.

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, 3 NAYS, 24 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, R.; Cleveland; Conmy; 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; Myrdal; Nalewaja; Nicholas; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Pederson, R.; Retzer; Richard; Riehl; Riley; Rydell; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Skjerven; Solberg, R.; Starke; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Speaker Hausauer, R.

NAYS: Brokaw; Murphy; Shockman

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

SB 2374 passed and the title was agreed to.

MESSAGE FROM THE SENATE
SENATE CHAMBER

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

HB 1009: Sens. Lips, Wenstrom, Mushik

LEO LEIDHOLM, Secretary

SIXTH ORDER OF BUSINESS

REP. DALRYMPLE MOVED that the amendments to SB 2489 as recommended by the conference committee be adopted, and when so adopted, recommends that SB 2489 DO PASS, which motion prevailed.

SB 2489 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

SECOND READING OF SENATE BILL

SB 2489: A BILL for an Act to amend and reenact subsection 2 of section 53-06.1-03 and subdivision b of subsection 3 of section 53-06.1-03 of the North Dakota Century Code, relating to licensing of organizations conducting games of chance; 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 77 YEAS, 4 NAYS, 25 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, R.; Brokaw; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; 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; Richard; Riehl; Riley; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Shockman; Skjerven; Solberg, R.; Starke; Timm; Tollefson; Ulmer; Unhjem; Watne; Whalen; Williams, A.; Williams, C.; Williams, W.; Speaker Hausauer, R.

NAYS: Pederson, R.; Retzer; Rydell; Vander Vorst

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

SB 2489 passed and the title was agreed to.

SECOND READING OF HOUSE BILLS

HB 1027: A BILL for an Act making an appropriation for defraying the expenses of the judicial branch of the government of the state of North Dakota; and to amend and reenact sections 27-02-02 and 27-05-03 of the North Dakota Century Code, relating to the salaries of the judges of the supreme and district courts.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 71 YEAS, 9 NAYS, 26 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Berg, R.; Brokaw; Cleveland; Conmy; Dalrymple; DeMers; Dotzenrod; Eckroth; Enget; Frey; Gates; Goetz; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Kent; Kloubec; Klundt; Knudson; Koland; Kretschmar; Lang; Larson; Linderman; Lindgren; Lloyd; Martin; Martinson; Mertens;

Meyer; Moore; Myrdal; Nalewaja; Nicholas; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Pederson, R.; Retzer; Richard; Riehl; Riley; Rydell; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Shockman; Skjerven; Solberg, R.; Starke; Timm; Tollefson; Ulmer; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Speaker Hausauer, R.

NAYS: Anderson, R.; Belter; Dorso; Hughes; Keller; Melby; Murphy; Vander Vorst; Whalen

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

HB 1027 passed and the title was agreed to.

HB 1127: A BILL for an Act to amend and reenact section 54-52-06.1 of the North Dakota Century Code, relating to the employer contribution for the judges' retirement plan.

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, 15 NAYS, 26 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Berg, R.; Brokaw; Cleveland; Conmy; Dalrymple; DeMers; Eckroth; Enget; Frey; Gates; Goetz; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Keller; Kent; Kloubec; Klundt; Knudson; Koland; Kretschmar; Larson; Linderman; Lindgren; Lloyd; Martin; Martinson; Mertens; Meyer; Moore; Myrdal; Nalewaja; Oban; O'Connell; Olsen, D.; Olson, V.; O'Shea; Retzer; Richard; Riehl; Riley; Rydell; Sauter; Schmidt; Schneider; Shaw; Shide; Shockman; Solberg, R.; Starke; Timm; Tollefson; Ulmer; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Speaker Hausauer, R.

NAYS: Anderson, R.; Belter; Dorso; Dotzenrod; Hughes; Lang; Melby; Murphy; Olson, A.; Payne; Pederson, R.; Schindler; Skjerven; Vander Vorst; Whalen

ABSENT AND NOT VOTING: Berg, G.; Gerntholz; Graba; Gullickson; Gunsch; Hanson, O.; Kelly; Kingsbury; Kuchera; Laughlin; Lautenschlager; Lipsiea; Nicholas; Nowatzki; Opedahl; Peterson, J.; Rice; Smette;

Solberg, O.; Stofferahn; Strinden; Thompson; Unhjem;
Wald; Winkeiman; Wold

HB 1127 passed and the title was agreed to.

MESSAGES 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 2388 and the President has appointed as a conference committee to act with a like committee from the House on:

SB 2388: Sens. Lips, Wenstrom, Tallackson
LEO LEIDHOLM, Secretary

SENATE CHAMBER

MR. SPEAKER: I have the honor to inform you that the Senate has adopted the conference committee report on HB 1526 and the President has appointed as a new conference committee to act with a like committee from the House on:

HB 1526: Sens. Lips, Nelson, Mushik
LEO LEIDHOLM, Secretary

MESSAGES TO THE SENATE
HOUSE CHAMBER

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

SB 2178: Reps. Kloubec, Koland, Stofferahn
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 and subsequently passed:

HB 1327
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 3107
ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

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

SCR 4080

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to inform you that the House has adopted the conference committee report on SB 2019 and the Speaker has appointed as a new conference committee to act with a like committee from the Senate on:

SB 2019: Reps. Winkelman, Unhjem, Graba

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

MADAM PRESIDENT: We have the honor to return herewith HB 1446 and HB 1458 which the Senate has requested.

ROY GILBREATH, Chief Clerk

MOTIONS

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

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

REP. KRETSCHMAR MOVED that SB 2313 be placed at the bottom of the Sixth order on the calendar, which motion prevailed.

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER: Your Conference Committee to which was referred Engrossed HB 1588 has had the same under consideration and recommends that the SENATE RECEDE from its amendments as found on page 2229 of the House Journal and that Engrossed HB 1588 be amended as follows:

That the Senate recede from its amendments as found on pages 1602 and 1603 of the Senate Journal and page 2229 of the House Journal and that engrossed House Bill No. 1588 be amended as follows:

On page 1 of the engrossed bill, line 10, after the period insert the following: "1."

On page 1 of the engrossed bill, line 18, after the period insert the following: "2."

On page 1 of the engrossed bill, line 19, overstrike the words "in the county of the defendant's residence,"

On page 1 of the engrossed bill, line 21, overstrike the words "in any county in"

On page 1 of the engrossed bill, line 22, overstrike the words "which the defendant has a place of business", delete the underscored comma, and overstrike the words "or in any county in"

On page 1 of the engrossed bill, line 23, overstrike the words "which the subject matter of the claim arose." and insert immediately thereafter the following:

"a. If the defendant is a corporation or a partnership, in any county in which the defendant has a place of business or in any county in which the subject matter of the claim occurred.

b. If the claim is for collection of a check written without sufficient funds or without an account, in the county where the check was passed, or in the county of the defendant's residence or place of business.

c. If the defendant is an individual and the claim is for collection of an open account on which credit has been extended:

(1) In the county of the defendant's residence or place of business; or

(2) If the amount of the claim is less than five hundred dollars and is not from a telephone or mail order transaction, in the county where the transaction occurred or in the county of the defendant's residence or place of business.

d. If the defendant is an individual and the claim is not made under subdivision b or c, in the county of the defendant's residence.

3."

And renumber the lines and pages accordingly

For the Senate: Sens. Olson, Stenehjem, Maixner
For the House: Reps. Conmy, Kloubec, R. Solberg

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

Engrossed HB 1588 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

SIXTH ORDER OF BUSINESS

REP. CONMY MOVED that the amendments to HB 1588 as recommended by the conference committee be adopted, and when so adopted, recommends that HB 1588 DO PASS, which motion prevailed.

HB 1588 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SECOND READING OF HOUSE BILL

HB 1588: A BILL for an Act to amend and reenact sections 27-08.1-01 and 27-08.1-03 of the North Dakota Century Code, relating to the jurisdictional limits and venue of small claims courts.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 71 YEAS, 3 NAYS, 32 ABSENT AND NOT VOTING.

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

NAYS: Dotzenrod; Ulmer; Williams, W.

ABSENT AND NOT VOTING: Berg, G.; Gerntholz; Graba; Gullickson; Gunsch; Hanson, O.; Haugland; Hill; Kelly; Kingsbury; Kuchera; Laughlin; Lautenschlager; Meyer; Nalewaja; Nowatzki; Olsen, D.; Opedahl; Peterson, J.; Retzer; Rice; Schneider; Smette; Solberg, O.; Stofferahn; Strinden; Thompson; Unhjem; Wald; Williams, A.; Winkelman; Wold

HB 1588 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM SENATE

REP. NICHOLAS MOVED that the House do not concur in the Senate amendments to HB 1636 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 1636:

Reps. Nicholas, Vander Vorst, Meyer

MESSAGES TO THE SENATE
 HOUSE CHAMBER

MADAM PRESIDENT: The House respectfully requests the return of
 HB 1446.

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 1027 and HB 1127 and
 subsequently passed the same.

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

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

SB 2257, SB 2301, SB 2374, SB 2489

ROY GILBREATH, Chief Clerk

MESSAGES FROM THE SENATE
 SENATE CHAMBER

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

HB 1446

LEO LEIDHOLM, Secretary

SENATE CHAMBER

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

SCR 4081

LEO LEIDHOLM, Secretary

FIRST READING OF A SENATE CONCURRENT RESOLUTION

SCR 4081: A concurrent resolution reaffirming legislative
 support for Garrison Diversion and the Lonetree Reservoir,
 and requesting the Governor to initiate a study of the
 possible adverse effects of transfers of fish species,
 biota, and pathogens from the Missouri River Basin to the
 Hudson Bay Drainage Basin.

Was read the first time.

MOTION

REP. KRETSCHMAR MOVED that the rules be suspended, that
 SCR 4081 not be referred to committee, and be placed on the

calendar for second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE CONCURRENT RESOLUTION

SCR 4081: A concurrent resolution reaffirming legislative support for Garrison Diversion and the Lonetree Reservoir, and requesting the Governor to initiate a study of the possible adverse effects of transfers of fish species, biota, and pathogens from the Missouri River Basin to the Hudson Bay Drainage Basin.

Which has been read.

The question being on the final adoption of the resolution.

SCR 4081 was declared adopted on a voice vote.

SIXTH ORDER OF BUSINESS

REP. HAMERLIK MOVED that the amendments to HB 1446 as recommended by the conference committee be adopted, and when so adopted, recommends that HB 1446 DO PASS, which motion prevailed.

HB 1446 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SECOND READING OF HOUSE BILL

HB 1446: A BILL for an Act to amend and reenact subsections 6, 7, and 9 of section 25-03.1-02 of the North Dakota Century Code, relating to independent expert examiners and mental health professionals for commitment 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 34 YEAS, 50 NAYS, 22 ABSENT AND NOT VOTING.

YEAS: Brokaw; Cleveland; DeMers; Dotzenrod; Enget; Frey; Gates; Hamerlik; Hedstrom; Hill; Hoffner; Keller; Klundt; Kretschmar; Larson; Linderman; Lloyd; Martin; Mertens; Nalewaja; Oban; O'Connell; O'Shea; Richard; Sauter; Schmidt; Schneider; Shaw; Skjerven; Solberg, R.; Ulmer; Wentz; Williams, A.; Williams, W.

NAYS: Anderson, C.; Anderson, R.; Belter; Berg, R.; Conmy; Dalrymple; Dorso; Eckroth; Gerntholz; Goetz; Halmrast; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hughes; Kent; Kloubec; Knudson; Koland; Lang; Lindgren; Lipsiea; Martinson; Melby; Meyer; Moore; Murphy; Myrdal; Nicholas; Olsen, D.; Olson, A.; Olson, V.; Payne; Pederson, R.; Retzer; Riehl; Riley;

Rydell; Schindler; Shide; Shockman; Starke; Timm; Tollefson; Vander Vorst; Wald; Watne; Whalen; Speaker Hausauer, R.

ABSENT AND NOT VOTING: Berg, G.; Graba; Gullickson; Gunsch; Kelly; Kingsbury; Kuchera; Laughlin; Lautenschlager; Nowatzki; Opedahl; Peterson, J.; Rice; Smette; Solberg, O.; Stofferahn; Strinden; Thompson; Unhjem; Williams, C.; Winkelman; Wold

HB 1446 was declared lost.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2388:

Reps. Martinson, Payne, L. Hanson

MOTION

REP. KRETSCHMAR MOVED that the House stand in recess until 2:30 p.m., which motion prevailed.

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

MESSAGE TO THE SENATE
HOUSE CHAMBER

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

SCR 4081

ROY GILBREATH, Chief Clerk

MESSAGE 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 2013, SB 2041, SB 2068, SB 2107, SB 2116, SB 2130,
SB 2216, SB 2223, SB 2251, SB 2279, SB 2284, SB 2306,
SB 2312, SB 2341, SB 2371, SB 2405, SB 2445, SB 2470,
SB 2477, SB 2508, SB 2510

LEO LEIDHOLM, Secretary

REPORT OF STANDING COMMITTEE

MR. SPEAKER: Your Committee on Appropriations to which was referred SB 2511 has had the same under consideration and recommends by a vote of 21 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

REP. J. PETERSON, Chairman

SB 2511 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MOTION

REP. STRINDEN MOVED that the rules be suspended and that SB 2511 be placed on the Fourteenth order for second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2511: A BILL for an Act making an appropriation to the state tax commissioner for personal property tax replacement deficiency payments.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 101 YEAS, 0 NAYS, 5 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Gullickson; Lipsiea; Nicholas; Riehl; Unhjem

SB 2511 passed and the title was agreed to.

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER: Your Conference Committee to which was referred Engrossed HB 1006 has had the same under consideration and recommends that the SENATE RECEDE from its amendments as found on pages 2518-2520 of the House Journal and that Engrossed HB 1006 be amended as follows:

That the Senate recede from its amendments as found on pages 1933-1935 and on pages 2518 and 2519 of the House Journal and that engrossed House Bill No. 1006 be amended as follows:

On page 1 of the engrossed bill, line 17, delete the numerals "3,355,193" and insert in lieu thereof the numerals "3,405,193"

On page 1 of the engrossed bill, after line 17, insert the following new line:

"Postage revolving fund 10,000"

On page 1 of the engrossed bill, line 18, delete the numerals "625,000" and insert in lieu thereof the numerals "615,000"

On page 1 of the engrossed bill, line 20, delete the numerals "2,505,778" and insert in lieu thereof the numerals "2,454,020"

On page 1 of the engrossed bill, line 21, delete the numerals "9,809,712" and insert in lieu thereof the numerals "9,807,954"

On page 1 of the engrossed bill, line 22, delete the numerals "2,505,778" and insert in lieu thereof the numerals "2,454,020"

On page 1 of the engrossed bill, line 23, delete the numerals "7,303,934" and insert in lieu thereof the numerals "7,353,934"

On page 2 of the engrossed bill, line 3, delete the numerals "10,599,681" and insert in lieu thereof the numerals "10,649,681"

On page 2 of the engrossed bill, line 4, delete the numerals "5,800,084" and insert in lieu thereof the numerals "5,748,326"

On page 2 of the engrossed bill, line 5, delete the numerals "16,399,765" and insert in lieu thereof the numerals "16,398,007"

On page 2 of the engrossed bill, line 14, delete the numerals "2,505,778" and insert in lieu thereof the numerals "2,454,020"

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Director of Institutions

The operating expenses line item is increased by \$50,000 from the general fund as in the amendments adopted by the Senate, to provide funds for the provisions of Senate Bill No. 2417, relating to the guardianship of the superintendent of Grafton State School.

A new line item entitled "Postage revolving fund" is added as in the amendments adopted by the Senate, in the amount of \$10,000 with a corresponding decrease to the institutional medical fees line item to provide a general fund supplement to the postage revolving fund due to the increase in postage costs.

The capital improvements line item is decreased by \$51,758 from the Capitol building fund. This reflects revised estimates for the renovation of the old State Office Building, decreased from \$1,639,488 to \$1,587,730.

For the Senate: Sens. Nelson, Tweten, Stromme
For the House: Reps. Kingsbury, Gunsch, Graba

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

Engrossed HB 1006 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

SIXTH ORDER OF BUSINESS

REP. KINGSBURY MOVED that the amendments to HB 1006 as recommended by the conference committee be adopted, and when so adopted, recommends that HB 1006 DO PASS, which motion prevailed.

HB 1006 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SECOND READING OF HOUSE BILL

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

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 95 YEAS, 7 NAYS, 4 ABSENT AND NOT VOTING.

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

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

NAYS: Berg, R.; Dorso; Keller; Melby; Murphy; Shockman; Whalen

ABSENT AND NOT VOTING: Goetz; Gullickson; Riehl; Unhjem

HB 1006 passed and the title was agreed to.

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER: Your Conference Committee to which was referred Engrossed HB 1035 has had the same under consideration and recommends that the SENATE RECEDE from its amendments as found on page 2321 of the House Journal and that Engrossed HB 1035 be amended as follows:

That the Senate recede from its amendments as found on pages 1759-1760 of the Senate Journal and on page 2321 of the House Journal and that engrossed House Bill No. 1035 be amended as follows:

- 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."

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.

For the Senate: Sens. Naaden, Streibel, Kusler

For the House: Reps. Wald, Thompson, G. Berg

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

Engrossed HB 1035 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

SIXTH ORDER OF BUSINESS

REP. WALD MOVED that the amendments to HB 1035 as recommended by the conference committee be adopted, and when so adopted, recommends that HB 1035 DO PASS, which motion prevailed.

HB 1035 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SECOND READING OF HOUSE BILL

HB 1035: A BILL for an Act to create and enact a new section to chapter 48-02 of the North Dakota Century Code, relating to the award of pipeline, labor, and service contracts for the southwest water pipeline project; and to make an appropriation for defraying the expenses of the southwest water pipeline project of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 99 YEAS, 4 NAYS, 3 ABSENT AND NOT VOTING.

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

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

NAYS: Frey; Klundt; Mertens; O'Connell

ABSENT AND NOT VOTING: Gullickson; Riehl; Unhjem

HB 1035 passed and the title was agreed to.

**MESSAGE FROM THE SENATE
SENATE CHAMBER**

MR. SPEAKER: I have the honor to return herewith HB 1458 which the Senate has amended:

SENATE AMENDMENTS TO ENGROSSED HB 1458

On page 2 of the engrossed bill, line 5, delete the numerals "700,000" and insert in lieu thereof the numerals "300,000"

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

The amount of the general fund appropriation for leafy spurge control is reduced by \$400,000, from \$700,000 to \$300,000.

LEO LEIDHOLM, Secretary

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER: Your Conference Committee to which was referred Engrossed HB 1250 has had the same under consideration and recommends that the SENATE RECEDE from its amendments as found on page 2173 of the House Journal and that Engrossed HB 1250 be amended as follows:

That the Senate recede from its amendments as found on page 1554 of the Senate Journal and on page 2173 of the House Journal and that engrossed House Bill No. 1250 be amended as follows:

On page 1 of the engrossed bill, line 17, after the word "meeting" insert the words "and for meals attended at the request of and on behalf of the state or any of its subdivisions, agencies, bureaus, boards, or commissions"

On page 3 of the engrossed bill, line 19, after the word "vehicle" insert the words "or twenty-seven cents per mile [1.61 kilometers] if the travel is by truck, the use of which is required by the employing subdivision, agency, bureau, board, or commission"

And renumber the lines and pages accordingly

For the Senate: Sens. Naaden, Tweten, Shea

For the House: Reprs. Kingsbury, Martinson, Graba

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

Engrossed HB 1250 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

SIXTH ORDER OF BUSINESS

REP. KINGSBURY MOVED that the amendments to Engrossed HB 1250 as recommended by the conference committee be adopted, and when so adopted, recommends that Engrossed HB 1250 DO PASS, which motion prevailed.

Engrossed HB 1250 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SECOND READING OF HOUSE BILL

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

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 93 YEAS, 10 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Cleveland; Conmy; Dalrymple; DeMers; Dotzenrod; Eckroth; Enget; Frey; Gates; Gertholz; Goetz; Graba; Gunsch; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; Nalewaja; Nicholas; Nowatzki; Oban;

O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; Peterson, J.; Retzer; Rice; Richard; Riley; Rydell; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Skjerven; Smette; Solberg, O.; Starke; Stofferahn; Strinden; Thompson; Timm; Tollefson; Ulmer; Vander Vorst; Wald; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Hausauer, R.

NAYS: Berg, R.; Brokaw; Dorso; Halmrast; O'Shea; Payne; Pederson, R.; Shockman; Solberg, R.; Wold

ABSENT AND NOT VOTING: Gullickson; Riehl; Unhjem

HB 1250 passed and the title was agreed to.

MOTIONS

REP. CONMY MOVED that the House reconsider its action whereby HB 1446 failed to pass, which motion prevailed.

REP. DEMERS MOVED that the House reconsider the action whereby the amendments were adopted, which motion prevailed.

REP. DEMERS MOVED that the House reconsider the action whereby the conference committee report on HB 1446 was adopted, which motion prevailed.

REP. DEMERS MOVED that the House do not concur in the Senate amendments to HB 1446 and that a new conference committee be appointed to meet with a like committee from the Senate, which motion prevailed.

RECONSIDERATION OF A VETOED MEASURE

REP. STRINDEN MOVED that HB 1335 be reconsidered pursuant to Article V, Section 9, of the Constitution of the State of North Dakota for the purpose of overriding the Governor's veto, which motion prevailed.

HB 1335: A BILL for an Act to amend and reenact sections 25-01.1-06, 25-01.1-13, 25-03.1-43, and 50-06-15 of the North Dakota Century Code, relating to the transfer of client and patient records between regional human service centers, and between a regional human service center and the state hospital.

ROLL CALL

The question being on the final passage of the bill, as enrolled, over the Governor's veto, the roll was called and there were 3 YEAS, 101 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Melby; Retzer; Tollefson

NAYS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; 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.; Rice; Richard; Riley; Rydell; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Shockman; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn; Strinden; Thompson; Timm; Ulmer; Unhjem; Vander Vorst; Wald; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

ABSENT AND NOT VOTING: Gullickson; Riehl

The House sustained the Governor's veto on HB 1335.

RECONSIDERATION OF A VETOED MEASURE

REP. STRINDEN MOVED that HB 1408 be reconsidered pursuant to Article V, Section 9, of the Constitution of the State of North Dakota for the purpose of overriding the Governor's veto, which motion prevailed.

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.

ROLL CALL

The question being on the final passage of the bill, as enrolled, over the Governor's veto, the roll was called and there were 65 YEAS, 39 NAYS, 2 ABSENT AND NOT VOTING.

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

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

ABSENT AND NOT VOTING: Gullickson; Riehl

The House sustained the Governor's veto on HB 1408.

CONSIDERATION OF MESSAGE FROM SENATE

REP. UNHJEM MOVED that the House do not concur in the Senate amendments to HB 1031 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1031:

Reps. Winkelman, Unhjem, Stofferahn

CONSIDERATION OF MESSAGE FROM SENATE

REP. UNHJEM MOVED that the House do not concur in the Senate amendments to HB 1196 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed.

APPOINTMENTS OF CONFERENCE COMMITTEES

THE SPEAKER APPOINTED as a Conference Committee on HB 1196:

Reps. Unhjem, Winkelman, Opedahl

THE SPEAKER ANNOUNCED the following appointment to a new Conference Committee on HB 1446:

Reps. Hamerlik, Larson, DeMers

**MESSAGES TO THE SENATE
HOUSE CHAMBER**

MADAM PRESIDENT: I have the honor to transmit herewith the following on which the House has adopted the conference committee report and subsequently passed:

HB 1588

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 1636 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1636: Reprs. Nicholas, Vander Vorst, Meyer
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 2388: Reprs. Martinson, Payne, L. Hanson
ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

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

SB 2511

ROY GILBREATH, Chief Clerk

MOTION

REP. STRINDEN MOVED that the House be on a Special Order of Business, which motion prevailed.

REPORT OF PROCEDURAL COMMITTEE

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

HR 1

REP. STRINDEN, Chairman

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

FIRST READING OF A HOUSE RESOLUTION

Reprs. Strinden, Mertens introduced:
(Approved by the Committee on Delayed Bills)

HR 1: A resolution expressing appreciation to the janitors who have been assigned to the House of Representatives during the Forty-ninth Legislative Assembly.
Was read the first time.

MOTION

REP. STRINDEN MOVED that the rules be suspended, that HR 1 not be printed, not be referred to committee, be read in its entirety, and be printed in the Journal, and placed on the calendar for second reading and final passage, which motion prevailed.

Reprs. Strinden, Mertens introduced:

HOUSE RESOLUTION NO. 1

A resolution expressing appreciation to the janitors who have been assigned to the House of Representatives during the Forty-ninth Legislative Assembly.

WHEREAS, the Director of Institutions assigns several employees to perform janitorial services for the Legislative Assembly each session; and

WHEREAS, during the Forty-ninth Legislative Assembly the Director of Institutions assigned Joe Emineth, Francis Scharosch, Eugene Reynolds, and Elmer C. Schweigert to the House of Representatives; and

WHEREAS, these janitors have rendered cooperation and assistance to the members of the House of Representatives; and

WHEREAS, the members of the House of Representatives wish to show their appreciation to these individuals;

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

That the House of Representatives expresses its appreciation and extends its thanks to Joe Emineth, Francis Scharosch, Eugene Reynolds, and Elmer C. Schweigert for their cooperation and assistance during the Forty-ninth Legislative Assembly; and

BE IT FURTHER RESOLVED, that the Secretary of State forward copies of this resolution to Joe Emineth, Francis Scharosch, Eugene Reynolds, Elmer C. Schweigert, and the Director of Institutions.

SECOND READING OF A HOUSE RESOLUTION

HR 1: A resolution expressing appreciation to the janitors who have been assigned to the House of Representatives during the Forty-ninth Legislative Assembly.

Which has been read.

The question being on the final adoption of the resolution.

HR 1 was declared adopted on a voice vote.

SIXTH ORDER OF BUSINESS

REP. R. BERG MOVED that the amendments to SB 2352 as recommended by the conference committee be adopted, and when so adopted, recommends that SB 2352 DO PASS, which motion prevailed.

SB 2352 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

SECOND READING OF SENATE BILL

SB 2352: A BILL for an Act to provide a State and Political Subdivisions 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 67 YEAS, 36 NAYS, 3 ABSENT AND NOT VOTING.

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

NAYS: Anderson, C.; Anderson, R.; Belter; Dorso; Dotzenrod; Gunsch; Hanson, O.; Hedstrom; Hughes; Keller; Kent; Kloube; Knudson; Koland; Lang; Laughlin; Lipsiea; Melby; Moore; Murphy; Olson, A.; Olson, V.; Payne; Pederson, R.; Rice; Riley; Schindler; Schmidt; Shide; Strinden; Thompson; Timm; Tollefson; Vander Vorst; Whalen; Wold

ABSENT AND NOT VOTING: Gullickson; Riehl; Unhjem

SB 2352 passed and the title was agreed to.

SIXTH ORDER OF BUSINESS

REP. KOLAND MOVED that the amendments to SB 2411 as recommended by the conference committee be adopted, and when so adopted, recommends that SB 2411 DO PASS, which motion prevailed.

SB 2411 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

SECOND READING OF SENATE BILL

SB 2411: A BILL for an Act to create and enact a new section to chapter 12.1-30 of the North Dakota Century Code, relating to a severability clause for the chapter; to amend and reenact sections 12.1-30-01, 12.1-30-02, and 12.1-30-03 of the North Dakota Century Code, relating to businesses and occupations permitted to operate on Sunday; 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, 8 NAYS, 4 ABSENT AND NOT VOTING.

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

NAYS: Brokaw; Conmy; Kretschmar; Melby; Murphy; O'Shea; Vander Vorst; Wentz

ABSENT AND NOT VOTING: Gullickson; Riehl; Shockman; Strinden

SB 2411 passed, the title was agreed to and the emergency clause was declared carried.

MESSAGE FROM THE SENATE
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 2025, SB 2249, SB 2338, SB 2345, SB 2373

LEO LEIDHOLM, Secretary

SIXTH ORDER OF BUSINESS

REP. D. OLSEN MOVED that the amendments to SB 2267 as recommended by the conference committee be adopted, and when so adopted, recommends that SB 2267 DO PASS, which motion prevailed.

SB 2267 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

SECOND READING OF SENATE BILL

SB 2267: A BILL for an Act to amend and reenact sections 15-60-04 and 15-60-05 of the North Dakota Century Code, relating to loans received by school districts from the state school construction fund and the interest incurred by school districts on such loans.

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 42 YEAS, 60 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Belter; Berg, R.; Cleveland; Conny; Dalrymple; Dorso; Gates; Gertholz; Goetz; Graba; Halmrast; Hamerlik; Haugland; Hausauer, A.; Hedstrom; Hughes; Kent; Kloubec; Koland; Kretschmar; Lang; Larson; Lindgren; Lipsiea; Martinson; Moore; Myrdal; Nalewaja; Nicholas; Olsen, D.; Payne; Peterson, J.; Retzer; Riley; Rydell; Schindler; Strinden; Timm; Unhjem; Wald; Winkelman; Wold

NAYS: Anderson, C.; Anderson, R.; Berg, G.; Brokaw; DeMers; Eckroth; Enget; Frey; Gunsch; Hanson, L.; Hanson, O.; Hill; Hoffner; Keller; Kelly; Kingsbury; Klundt; Knudson; Laughlin; Lautenschlager; Linderman; Lloyd; Martin; Melby; Mertens; Meyer; Murphy; Nowatzki; Oban; O'Connell; Olson, A.; Olson, V.; Opedahl; O'Shea; Pederson, R.; Rice; Richard; Sauter; Schmidt; Schneider; Shaw; Shide; Shockman; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn; Thompson; Tollefson; Ulmer; Vander Vorst; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Speaker Hausauer, R.

ABSENT AND NOT VOTING: Dotzenrod; Gullickson; Kuchera; Riehl

SB 2267 was declared lost.

SIXTH ORDER OF BUSINESS

REP. WHALEN MOVED that the amendments to SB 2313 as recommended by the conference committee be adopted, and when so adopted, recommends that SB 2313 DO PASS.

REQUEST

REP. OBAN REQUESTED a recorded roll call vote on the motion to adopt the conference committee report amendments on SB 2313, which request was granted.

ROLL CALL

The question being on the adoption of the conference committee report amendments on SB 2313, the roll was called and there were 46 YEAS, 54 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Berg, R.; Cleveland; Conmy; Dalrymple; Dorso; Eckroth; Gates; Goetz; Gunsch; Hanson, O.; Hausauer, A.; Hedstrom; Hughes; Kent; Kloubec; Koland; Kuchera; Lang; Larson; Lindgren; Martinson; Melby; Moore; Nicholas; Payne; Peterson, J.; Retzer; Rice; Riley; Rydell; Schindler; Schmidt; Shaw; Shide; Strinden; Thompson; Timm; Tollefson; Unhjem; Wald; Whalen; Winkelman; Wold; Speaker Hausauer, R.

NAYS: Belter; Berg, G.; Brokaw; DeMers; Dotzenrod; Gerntholz; Graba; Halmrast; Hamerlik; Hanson, L.; Haugland; Hill; Hoffner; Keller; Kelly; Kingsbury; Klundt; Knudson; Kretschmar; Laughlin; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin; Mertens; Meyer; Murphy; Myrdal; Nalewaja; Nowatzki; Oban; O'Connell; Olson, A.; Olson, V.; Opedahl; O'Shea; Pederson, R.; Richard; Sauter; Schneider; Shockman; Skjerven; Smette; Solberg, O.; Starke; Stofferahn; Ulmer; Vander Vorst; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.

ABSENT AND NOT VOTING: Enget; Frey; Gullickson; Olsen, D.; Riehl; Solberg, R.

So the motion to reconsider the conference committee amendments to SB 2313 failed.

MOTIONS

REP. STRINDEN MOVED that the House reconsider its action whereby the conference committee report on SB 2313 was adopted, which motion prevailed.

REP. STRINDEN MOVED that the House do not adopt the conference committee report on SB 2313 and that a new conference committee be appointed to meet with a like committee from the Senate, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER ANNOUNCED the following appointment to a new Conference Committee on SB 2313:

Reps. Koland, Larson, Oban

MOTION

REP. STRINDEN MOVED that the House stand in recess until 4:30 p.m., which motion prevailed.

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

MESSAGES TO THE SENATE
HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to transmit herewith the following on which the House has adopted the conference committee report and subsequently passed:

HB 1006, HB 1035, HB 1250

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

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

HB 1446: Reps. Hamerlik, Larson, DeMers

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 1031 and HB 1196 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1031: Reps. Winkelman, Unhjem, Stofferahn

HB 1196: Reps. Unhjem, Winkelman, Opedahl

ROY GILBREATH, Chief Clerk

MOTION

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

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

SIGNING OF BILLS AND RESOLUTIONS

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following:

SB 2041, SB 2068, SB 2107, SB 2116, SB 2130, SB 2216,
SB 2223, SB 2251, SB 2279, SB 2284, SB 2306, SB 2312,
SB 2341, SB 2405, SB 2445, SB 2470, SB 2477, SB 2508,
SB 2510

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 2041, SB 2068, SB 2107, SB 2116, SB 2130, SB 2216,
SB 2223, SB 2251, SB 2279, SB 2284, SB 2306, SB 2312,
SB 2341, SB 2405, SB 2445, SB 2470, SB 2477, SB 2508,
SB 2510

ROY GILBREATH, Chief Clerk

MOTION

REP. STRINDEN MOVED that the House request the return of SCR 4072 from the Senate, which motion prevailed.

MESSAGE TO THE SENATE
HOUSE CHAMBER

MADAM PRESIDENT: The House respectfully requests the return of SCR 4072.

ROY GILBREATH, Chief Clerk

MOTION

REP. STRINDEN MOVED that the rules be suspended and that HB 1660, HB 1662, and HB 1663 be placed on the Sixth order, and after action taken on the Sixth order, that HB 1660, HB 1662, and HB 1663 be placed on the Eleventh order for second reading and final passage, and dispense with the reading of the titles, which motion prevailed.

REPORT OF STANDING COMMITTEE

MR. SPEAKER: Your Committee on Appropriations to which was referred HB 1660 has had the same under consideration and recommends by a vote of 20 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 1, delete the word "making" and insert in lieu thereof the words "to amend and reenact section 57-58-01 of the North Dakota Century Code, relating to distribution of personal property tax replacement revenues to counties and local subdivisions; to provide"

On page 1, line 2, after the word "revenue" insert the words "; and to provide an expiration date"

On page 1, after line 4, insert the following new section:

"SECTION 1. AMENDMENT. Section 57-58-01 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

57-58-01. Distribution to counties and local subdivisions. It is hereby provided that any political subdivision which has an existing bonded indebtedness for which a tax levy must be made in 1970 or any year thereafter, shall reduce its levy in each such year for current operating purposes by the amount which its tax levy on taxable property in that year for retirement of the bonded indebtedness is increased because of the exemption of personal property by subsection 25 of section 57-02-08. On or before February 1, 1971, the county auditor of each county shall certify to the state tax commissioner the total amount of taxes levied in the year 1968 for the state, county, cities, park boards, school districts, airport authorities, townships, and all other units of government having the authority to levy

taxes, and levies voted by the people, new or present levies increased by legislative action of such county on those items of personal property exempt under the provisions of section 57-02-08, and, in addition, the total valuation of real estate and taxes levied on real estate for the year 1968. On or before June 1, 1980, and each year thereafter, the state tax commissioner shall certify for payment to the state treasurer an amount, for payment by the state treasurer to each county, determined to be due such county based upon the personal property taxes levied in the year 1968 for the political subdivisions herein mentioned on the items of personal property exempt from the personal property tax under the provisions of section 57-02-08, the per capita school tax under the provisions of former section 57-15-23*, and the grain tax under the provisions of former chapter 57-03*, together with any adjustments to be made in the manner hereinafter provided. Within sixty days after the receipt of the revenue as provided by this section, the county treasurer shall allocate and remit to the county, cities, park boards, school districts, airport authorities, townships, and all other units of government having the authority to levy taxes that amount of revenue which is received from the state in the same ratio as he would have distributed the revenue from the personal property tax, adjusting such amount by any increase or decrease in real property taxes as levied by each taxing authority according to the formula hereinafter provided. Any amount that would be apportioned and credited to the retirement of a bonded indebtedness existing in 1970 for which a tax levy was made in 1970 and in any year thereafter, shall be credited to the general fund of the political subdivision. In the years after ~~1971~~ 1985, payments to the counties under this section shall be made based upon ninety-five percent of such payment for 1971 together with a growth factor which shall be based upon the dollar amount of increase or decrease in real property taxes levied within each county. For each ~~seven~~ nineteen dollar increase in real property taxation within a county, the state shall contribute an additional one dollar over that amount which equals ninety-five percent of such payment in the base year. For each ~~seven~~ nineteen dollar decrease in real property taxation within a county, the state shall contribute one dollar less than that amount which equals ninety-five percent of such payment in the base year.

On or before June 1, 1980, and each year thereafter, the state tax commissioner shall certify to the state treasurer the amount determined to be due to the state based upon the personal property taxes levied in the year 1968 for the North Dakota state medical center. The amount so certified shall be computed in accordance with the formula provided in this section for computing the amounts to be certified and paid to the counties. The state

treasurer upon receiving the certification from the tax commissioner shall transfer from the general fund to the credit of the North Dakota state medical center the amount so certified.

Any political subdivision which levied taxes on taxable property in the year 1970 for a specific fund or purpose for which a levy was not made by it in the year 1968 shall be entitled to a distribution of revenue from the state in the year 1971 for any such levy. The amount of such distribution shall be determined as follows: the county auditor shall certify to the state tax commissioner as soon as possible after March 30, 1971, the amount of each such levy made by and spread for each political subdivision on taxable real property in the county in the year 1970; the tax commissioner shall forthwith determine the correctness of such amounts and certify to the state treasurer for immediate payment to the county an amount that is determined by dividing the total of such levies made and spread in 1970 on taxable real property in the county by the growth factor that is provided in the first paragraph of this section; the county treasurer within fifteen days after the receipt of such revenue from the state treasurer shall allocate and remit to each political subdivision its proportionate amount of that revenue.

If the classification of any property for taxation purposes is changed from real to personal property or from personal to real property because of legislative or judicial action, the county auditor of the county in which the property is located shall forthwith certify to the tax commissioner the amount of real estate taxes or personal property taxes that was levied on all such property by each taxing district in the year 1968 and in any other year thereafter that the tax commissioner may request. The tax commissioner, in determining the amount to be certified to the state treasurer for payment to the county pursuant to this section, shall adjust the amounts of taxes certified by the county auditor as levied on real property and on personal property in 1968 and in any other year as may be necessary by adding to or subtracting from each such amount the taxes on the reclassified property so that the distribution by the state to the county will be determined as though such property had been taxed in 1968 and all later years in the classification into which it was reclassified."

On page 1, line 12, delete the numerals "34,000,000" and insert in lieu thereof the numerals "24,000,000"

On page 1, line 13, delete the numerals "34,000,000" and insert in lieu thereof the numerals "24,000,000"

On page 1, line 15, delete the numeral "1" and insert in lieu thereof the numeral "2"

On page 1, line 18, delete the word "such", and after the word "payments" insert the words "appropriated under section 2 of this Act"

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

"SECTION 5. EXPIRATION DATE. Section 1 of this Act is effective through June 30, 1987, and after that date is ineffective."

And renumber the lines, sections, and pages accordingly

REP. J. PETERSON, Chairman

HB 1660 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

SIXTH ORDER OF BUSINESS

REP. J. PETERSON MOVED that the amendments to HB 1660 as recommended by the Committee on Appropriations be adopted, and when so adopted, recommends that HB 1660 DO PASS, which motion prevailed.

HB 1660 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SECOND READING OF HOUSE BILL

HB 1660: A BILL for an Act to amend and reenact section 57-58-01 of the North Dakota Century Code, relating to distribution of personal property tax replacement revenues to counties and local subdivisions; to provide an appropriation for the distribution of funds for the replacement of personal property tax revenue; and to provide an expiration date.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 94 YEAS, 6 NAYS, 6 ABSENT AND NOT VOTING.

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

Rice; Richard; Riehl; Riley; Rydell; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Shockman; Skjerven; Smette; Solberg, O.; Solberg, R.; Stofferahn; Strinden; Thompson; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Wald; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: Hanson, O.; Klundt; Melby; Pederson, R.; Peterson, J.; Starke

ABSENT AND NOT VOTING: Graba; Cullickson; Gunsch; Kingsbury; Kloubec; Nicholas

HB 1660 passed and the title was agreed to.

REPORT OF STANDING COMMITTEE

MR. SPEAKER: Your Committee on Appropriations to which was referred HB 1662 has had the same under consideration and recommends by a vote of 19 YEAS, 3 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, line 1, after the words "A BILL" delete the remainder of the bill and insert in lieu thereof the following: "for an Act to establish the industrial commission as the North Dakota building authority and to set out its powers and duties; to provide authorization for the issuance of evidences of indebtedness and for the construction of various buildings and facilities for state agencies, departments, and institutions; to provide a continuing appropriation; and to declare an emergency.

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

SECTION 1. Definitions. As used in sections 1 through 20 of this Act, unless the context or subject matter requires otherwise:

1. "Commission" means the industrial commission acting as the North Dakota building authority created under this Act.
2. "Evidences of indebtedness" means bonds, notes, debentures, and other evidences of indebtedness issued by the commission on behalf of the state of North Dakota to evidence money owed or borrowed.
3. "Project" or "projects" means any building or buildings primarily for the use of the state, including related structures, parking facilities,

equipment, improvements, real and personal property or any interest therein, including lands under water, space rights and air rights, and other appurtenances and facilities necessary or convenient to the use or operation of the building or buildings, acquired, owned, constructed, reconstructed, extended, rehabilitated, or improved by the commission.

4. "Project cost" means the total cost of acquisition and construction of a project or projects and all costs of issuance, financing, and interest during construction included in the principal amount of evidences of indebtedness issued.
5. "State" means any branch of North Dakota government or any office, department, board, commission, bureau, division, public authority or corporation, agency, or instrumentality of the state.

SECTION 2. Commission - Evidence of indebtedness issuance.

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

SECTION 3. Powers. Except as otherwise limited by sections 1 through 20 of this Act, the commission may:

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

with respect thereto in the manner determined by the commission.

6. Sell, lease, assign, transfer, convey, exchange, mortgage, or otherwise dispose of or encumber any project or other property no longer necessary to carry out the public purposes of the commission and, in the case of the sale of any project or property, to accept a purchase money mortgage in connection therewith; and to lease, repurchase, or otherwise acquire and hold any project or property which the commission has sold, let, or otherwise conveyed, transferred, or disposed of.
7. Grant options to purchase any project or to renew any lease entered into by it in connection with any of its projects, on terms and conditions it deems advisable.
8. Acquire by purchase, lease, or otherwise, on terms and conditions and in a manner as it determines to be proper, or by the exercise of the power of eminent domain, except with respect to lands owned by the state or any public lands, any land and other property or equipment, which it may determine is reasonably necessary for any project.
9. Sell, lease, rent, sublease, or otherwise dispose of, to any person, firm, or corporation, any surplus space in any project over and above that sold, leased, rented, subleased, or otherwise disposed of to the state and establish and revise the purchase price, rents, or charges for the surplus space.
10. Manage or operate any project or real or personal property or equipment related to a project whether owned or leased by the commission or any state agency, and enter into agreements with any state agency, any political subdivision, any local governmental agency, or with any person, firm, association, partnership, or corporation, either public or private, for the management of a project or related property.
11. Consent to any modification, amendment, or revision of any contract, lease, or agreement to which the commission is a party, subject to the provisions of any contract with holders of evidences of indebtedness.
12. Issue its evidences of indebtedness and to secure the same and provide for the rights of the

holders thereof as provided in sections 1 through 20 of this Act.

13. Invest moneys of the commission not required for immediate use, including proceeds from the sale of any evidences of indebtedness in securities and other investments including evidences of indebtedness as the commission determines to be prudent, subject to any agreement with holders of evidences of indebtedness.
14. Procure insurance against any loss in connection with its property and other assets and operations in such amounts and from such insurers as it deems desirable.
15. Purchase evidences of indebtedness issued by the commission out of any funds or money not pledged to or necessary for some other purpose and hold, cancel, or resell such evidences of indebtedness, subject to any agreement with holders of evidences of indebtedness.

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

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

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

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

1. Upon terms, conditions, and lease rentals, subject to available appropriations, as in the judgment of the commission are in the public interest; and
2. For an original term of not to exceed two years, with an automatic extension of the term of the lease, unless specifically rejected by the legislative assembly, for a term of two years from the expiration of the original term of the lease and for two years from the expiration of each extended term of the lease, until the original term of the lease has been extended for a total number of years to be agreed upon by the parties at a lease rental which, if paid for the original term and for each of the full number of years for which the term of the lease may be extended, will amortize the total project cost of the project.

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

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

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

SECTION 10. Appropriations and funds from which rent payable and right to project upon nonpayment - Commission's power to use or sell facilities for other purposes on nonpayment of rent. The lease must provide that rents are payable solely from appropriations to be made by the legislative assembly for the payment of the lease rent or money available to the lessee not requiring appropriation, money generated from charges made for use of the project, any revenues derived

by the commission from the operation of the project, or any combination of such moneys. The commission upon nonpayment of lease rents is immediately entitled to the peaceable possession, access, and occupancy of the project and all appurtenances and easements appertaining thereto, and may maintain and operate the project or execute leases for the project or sell the project to political subdivisions of the state or private persons or entities for any purpose.

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

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

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

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

secure payment or redemption of the evidences of indebtedness.

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

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

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

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

1. Secure the evidences of indebtedness.
2. Covenant against pledging all or any part of its revenues, receipts, or proceeds, or against mortgaging or leasing all or any part of its real or personal property when owned or thereafter acquired or against permitting or suffering any lien. Any pledge of revenues, receipts, moneys,

funds, levies, sales agreements, service contracts, or other property or instruments made by the commission are valid and binding from the time the pledge is made. The revenues, receipts, moneys, funds, or other property pledged and thereafter received by the commission are immediately subject to the lien of the pledge without any physical delivery or further act, and the lien of any pledge is valid and binding as against all parties having claims of any kind in tort, contract, or otherwise against the commission irrespective of whether the parties have notice of the claim. Neither the resolution nor any other instrument by which a pledge under this section is created need be filed or recorded except in the records of the commission.

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

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

SECTION 19. Restrictions on obligation stated on face of evidences of indebtedness. Evidences of indebtedness must state upon their face that they are payable solely from revenues derived by the commission as provided in this Act, including revenues from the operation of projects acquired, constructed, completed, remodeled, or equipped in whole or in part with the proceeds of the sale of such evidences of indebtedness, including income to be derived from rental leases as provided by sections 1 through 20 of this Act. Evidences of indebtedness must state upon their face that they do not constitute an obligation of the state within the meaning of any statutory or constitutional provision.

SECTION 20. Disposition of income - Building authority fund. The proceeds of and any revenue derived from the sale of evidences of indebtedness, charges, fees, or rentals, and all other revenue derived from any project undertaken pursuant to sections 1 through 20 of this Act must be held in trust for the purposes of sections 1 through 20 of this Act, in a special fund known as the building authority fund. Disbursements shall be made from the fund upon the resolution of the commission. The building authority fund established by this Act may contain such accounts as authorized by the commission.

SECTION 21. PROJECT AUTHORIZATION. The industrial commission may construct and acquire and issue evidences of indebtedness under sections 1 through 20 of this Act as necessary to defray project costs of the following projects, hereby declared to be in the public interest, during the biennium beginning July 1, 1985, and ending June 30, 1987:

NAME OF AGENCY, DEPARTMENT, OR INSTITUTION	TYPE OF FACILITY	STATE FUNDS
State penitentiary	Phase II construction and renovation project	\$ 7,500,000
Grafton state school	Renovation of Sunset Hall, Collette Auditorium, and tunnel replacement	3,900,000
State hospital	Central store building,	<u>3,400,000</u>

and air-conditioning in
the adolescent center,
receiving and treatment
center, medical building
and central dining center

Total major capital construction \$ 14,800,000

The industrial commission shall issue evidences of indebtedness authorized under this section with the condition that lease rental payments need not begin until July 1, 1987, and with the provision that the evidences of indebtedness are callable five years after issuance. The authority of the industrial commission to issue evidences of indebtedness under sections 1 through 20 of this Act ends on June 30, 1987, but the industrial commission shall have continued authority to exercise all other powers granted to it under this Act and to comply with any covenants entered into before that date.

SECTION 22. CONTINUING APPROPRIATION. The moneys received by the commission and the state agencies and institutions from the sale of evidences of indebtedness, lease rental payments, and from revenue generated by projects authorized under section 21 of this Act are hereby appropriated as a continuing appropriation for the acquisition of these authorized projects and the payment of lease rentals for these projects.

SECTION 23. EMERGENCY. This Act is hereby declared to be an emergency measure and is in effect from and after its passage and approval."

And renumber the lines and pages accordingly

REP. J. PETERSON, Chairman

HB 1662 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

SIXTH ORDER OF BUSINESS

REP. J. PETERSON **MOVED** that the amendments to HB 1662 as recommended by the **Committee on Appropriations** be adopted, and when so adopted, recommends that HB 1662 **DO PASS**, which motion prevailed.

HB 1662 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REQUEST

REP. STRINDEN **REQUESTED** a recorded roll call vote on the motion to adopt the proposed amendments to HB 1662, which request was granted.

ROLL CALL

The question being on the motion to adopt the amendments to HB 1662, the roll was called and there were 56 YEAS, 48 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Berg, G.; Berg, R.; Brokaw; Cleveland; Conmy; DeMers; Dotzenrod; Eckroth; Frey; Gates; Gerntholz; Graba; Hamerlik; Haugland; Hedstrom; Hoffner; Keller; Kelly; Kingsbury; Klundt; Koland; Kretschmar; Kuchera; Lang; Lautenschlager; Linderman; Lipsiea; Lloyd; Mertens; Meyer; Nalewaja; Nicholas; Nowatzki; Oban; Opedahl; Peterson, J.; Richard; Riehl; Sauter; Schneider; Shaw; Smette; Solberg, O.; Starke; Stofferahn; Timm; Tollefson; Ulmer; Unhjem; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold

NAYS: Anderson, C.; Anderson, R.; Belter; Dalrymple; Dorso; Enget; Goetz; Gunsch; Halmrast; Hanson, L.; Hanson, O.; Hausauer, A.; Hill; Hughes; Kent; Kloubec; Knudson; Larson; Laughlin; Lindgren; Martin; Martinson; Melby; Moore; Murphy; Myrdal; O'Connell; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Pederson, R.; Retzer; Rice; Riley; Rydell; Schindler; Schmidt; Shide; Shockman; Skjerven; Solberg, R.; Strinden; Thompson; Vander Vorst; Whalen; Speaker Hausauer, R.

ABSENT AND NOT VOTING: Gullickson; Wald

The motion to adopt the amendments to HB 1662 passed.

SECOND READING OF HOUSE BILL

HB 1662: A BILL for an Act to establish the industrial commission as the North Dakota building authority and to set out its powers and duties; to provide authorization for the issuance of evidences of indebtedness and for the construction of various buildings and facilities for state agencies, departments, and institutions; to provide a continuing appropriation; and to declare an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 75 YEAS, 30 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Berg, G.; Berg, R.; Brokaw; Cleveland; Conmy; Dalrymple; DeMers; Dotzenrod; Eckroth; Frey; Gates; Gerntholz; Goetz; Graba; Halmrast; Hamerlik; Hanson, L.; Haugland; Hedstrom; Hill; Hoffner; Keller; Kelly; Kingsbury; Kloubec; Klundt; Koland; Kretschmar; Kuchera; Lang; Laughlin; Lautenschlager; Linderman; Lindgren; Lloyd; Martinson; Mertens; Meyer; Moore;

Nalewaja; Nicholas; Nowatzki; Oban; O'Connell; Opedahl; O'Shea; Payne; Peterson, J.; Richard; Riehl; Riley; Rydell; Sauter; Schmidt; Schneider; Shaw; Shockman; Smette; Solberg, O.; Starke; Stofferahn; Strinden; Timm; Tollefson; Ulmer; Unhjem; Wald; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: Anderson, C.; Anderson, R.; Belter; Dorso; Enget; Gunsch; Hanson, O.; Hausauer, A.; Hughes; Kent; Knudson; Larson; Lipsiea; Martin; Melby; Murphy; Myrdal; Olsen, D.; Olson, A.; Olson, V.; Pederson, R.; Retzer; Rice; Schindler; Shide; Skjerven; Solberg, R.; Thompson; Vander Vorst; Whalen

ABSENT AND NOT VOTING: Gullickson

HB 1662 passed, the title was agreed to and the emergency clause was declared carried.

REPORT OF STANDING COMMITTEE

MR. SPEAKER: Your Committee on Finance and Taxation to which was referred HB 1663 has had the same under consideration and recommends by a vote of 12 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 1, delete the first comma and insert in lieu thereof the word "and", and delete the words ", and motor"

On page 1, line 2, delete the words "vehicle excise"

On page 1, line 6, delete the first comma and insert in lieu thereof the word "and", and delete the words ", and motor vehicle excise"

On page 1, line 13, delete the word "budget" and insert in lieu thereof the word "governor"

On page 1, line 14, delete the words "section of the legislative council"

On page 1, delete lines 16 through 26 and insert in lieu thereof the following new subsections:

- "2. If the amount certified under subsection 1 is less than three hundred ninety three million dollars, the rate of sales and use taxes on all items taxable under subsection 1 of section 57-39.2-02.1 or subsection 1 of section

57-40.2-02.1 shall be increased by one percentage point for the period beginning July 1, 1986, and ending March 31, 1987, unless the governor certifies to the tax commissioner on or before May 31, 1986, that a tax increase is not necessary.

3. The decision of the governor under subsection 2 that a tax increase is not necessary shall be based upon the following guidelines and considerations:
 - a. A review of the effect on projections by the office of management and budget of the state general fund balance on June 30, 1987, if the tax increase provided in this section does not become effective.
 - b. Any revenue collections that will be deposited in the general fund during the remainder of the biennium, including effects on cash flow.
 - c. The effect on the economic welfare of the state and its citizens of the tax increase provided in this section.
 - d. The effect of changes in oil prices or other economic indicators on projections of general fund revenue for the remainder of the biennium.
 - e. The effect of reductions in general fund expenditures which the governor has effectuated or which the governor will effectuate for the remainder of the biennium."

On page 1, line 28, delete the first comma and insert in lieu thereof the word "and", and delete the word and numerals ", and 57-40.3"

On page 2, line 2, delete the first comma and insert in lieu thereof the word "and", and delete the words ", and motor vehicle excise"

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

HB 1663 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

SIXTH ORDER OF BUSINESS

REP. A. HAUSAUER MOVED that the amendments to HB 1663 as recommended by the Committee on Finance and Taxation be adopted, and when so adopted, recommends that HB 1663 DO PASS, which motion prevailed.

HB 1663 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SECOND READING OF HOUSE BILL

HB 1663: A BILL for an Act to provide for a contingent sales and use tax increase if general fund revenue receipts fall below a specified level; and to provide an expiration date.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 68 YEAS, 37 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Berg, G.; Cleveland; Conmy; DeMers; Dotzenrod; Frey; Gates; Gerntholz; Goetz; Graba; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Keller; Kelly; Klundt; Kretschmar; Kuchera; Lang; Laughlin; Lautenschlager; Linderman; Lipsiea; Lloyd; Martinson; Mertens; Meyer; Moore; Nalewaja; Nicholas; Nowatzki; Oban; O'Connell; Opedahl; O'Shea; Peterson, J.; Rice; Richard; Riehl; Riley; Rydell; Sauter; Schindler; Schneider; Shaw; Shockman; Skjerven; Smette; Solberg, O.; Starke; Stofferahn; Strinden; Tollefson; Ulmer; Unhjem; Wald; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Hausauer, R.

NAYS: Anderson, C.; Anderson, R.; Belter; Berg, R.; Brokaw; Dalrymple; Dorso; Eckroth; Enget; Gunsch; Hanson, O.; Hughes; Kent; Kingsbury; Kloubec; Knudson; Koland; Larson; Lindgren; Martin; Melby; Murphy; Myrdal; Olsen, D.; Olson, A.; Olson, V.; Payne; Pederson, R.; Retzer; Schmidt; Shide; Solberg, R.; Thompson; Timm; Vander Vorst; Whalen; Wold

ABSENT AND NOT VOTING: Gullickson

HB 1663 passed and the title was agreed to.

REPORT OF PROCEDURAL COMMITTEE

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

HB 1660, HB 1662, HB 1663

REP. HEDSTROM, Chairman

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

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 1031: Sens. Thane, Naaden, Tallackson

HB 1196: Sens. Lips, Tweten, Kusler

HB 1636: Sens. Vosper, Adams, Kelsh

LEO LEIDHOLM, Secretary

SENATE CHAMBER

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

HB 1446: Sens. Stenehjem, Christensen, J. Meyer

LEO LEIDHOLM, Secretary

MESSAGES TO THE SENATE
HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to return herewith the following on which the House has adopted the conference committee report and subsequently failed to pass:

SB 2267

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

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

SB 2352, SB 2411

ROY GILBREATH, Chief Clerk

REPORT OF PROCEDURAL COMMITTEE

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

HB 1007, HB 1015, HB 1020, HB 1025, HB 1028, HB 1070,
HB 1077, HB 1486

REP. HEDSTROM, Chairman

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

REPORT OF PROCEDURAL COMMITTEE

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

HB 1007, HB 1015, HB 1020, HB 1025, HB 1028, HB 1070,
HB 1077, HB 1486, HB 1493

REP. HEDSTROM, Chairman

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

MOTION

REP. KINGSBURY MOVED that HB 1001 be placed at the bottom of the Seventh order on the calendar, which motion prevailed.

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER: Your Conference Committee to which was referred Engrossed SB 2025 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on pages 2388-2389 of the House Journal and that Engrossed SB 2025 be amended as follows:

That the House recede from its amendments as found on pages 2388 and 2389 of the House Journal and on pages 1887 and 1888 of the Senate Journal and that engrossed Senate Bill No. 2025 be amended as follows:

On page 2 of the engrossed bill, line 3, delete the numerals "252,490" and insert in lieu thereof the numerals "222,490"

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

"Total general fund appropriation \$277,000"

On page 2 of the engrossed bill, line 4, delete the numerals "247,000" and insert in lieu thereof the numerals "277,000"

On page 2 of the engrossed bill, line 5, delete the numerals "2,230,932" and insert in lieu thereof the numerals "2,200,932"

On page 2 of the engrossed bill, after line 18, insert the following new section:

"SECTION 4. APPROPRIATION. There is hereby appropriated to the geological survey any federal funds that become available for the purposes of monitoring the underground injection control program and monitoring coal exploration drilling for the biennium beginning July 1, 1985, and ending June 30, 1987."

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Geological Survey

Any federal funds that become available for monitoring the underground injection control program and for monitoring coal exploration drilling are appropriated.

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.

Upper Great Plains Transportation Institute

The salaries and wages line item allows funds to continue the cost of average salary increases of 9.5 percent or 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 reduced by \$30,000, with a corresponding increase to the general fund to provide additional general fund support. The \$30,000 general fund amount is decreased \$23,000 from the \$63,000 increase in the amendments adopted by the House.

For the Senate: Sens. Tennefos, Lips, Walsh

For the House: Reps. Wald, Kuchera, G. Berg

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

Engrossed SB 2025 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

SIXTH ORDER OF BUSINESS

REP. WALD MOVED that the amendments to SB 2025 as recommended by the conference committee be adopted, and when so adopted, recommends that SB 2025 DO PASS, which motion prevailed.

SB 2025 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

SECOND READING OF SENATE BILL

SB 2025: A BILL for an Act making an appropriation for defraying the expenses of the geological survey and the upper great plains transportation institute of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 95 YEAS, 7 NAYS, 4 ABSENT AND NOT VOTING.

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

NAYS: Brokaw; Enget; Hughes; Melby; Murphy; O'Connell; Solberg, O.

ABSENT AND NOT VOTING: Dotzenrod; Frey; Gullickson; Wold

SB 2025 passed and the title was agreed to.

MESSAGE TO THE SENATE
HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to inform you that the House has not adopted the conference committee report on SB 2313 and the Speaker has appointed as a new conference committee to act with a like committee from the Senate on:

SB 2313: Reps. Koland, Larson, Oban

ROY GILBREATH, Chief Clerk

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER: Your Conference Committee to which was referred Reengrossed SB 2249 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on pages 2350-2351 of the House Journal and that Reengrossed SB 2249 be amended as follows:

That the House recede from its amendments as found on pages 2350 and 2351 of the House Journal and pages 1849 and 1850 of the Senate Journal and that reengrossed Senate Bill No. 2249 be amended as follows:

On page 1 of the reengrossed bill, line 24, delete the numerals "5,400,000" and insert in lieu thereof the numerals "4,951,145"

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 \$4,951,145 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

\$4,951,145 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.

For the Senate: Sens. Streibel, Tweten, Mushik

For the House: Reps. Winkelman, Unhjem, Kelly

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

Reengrossed SB 2249 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

SIXTH ORDER OF BUSINESS

REP. WINKELMAN MOVED that the amendments to SB 2249 as recommended by the conference committee be adopted, and when so adopted, recommends that SB 2249 DO PASS, which motion prevailed.

SB 2249 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

SECOND READING OF SENATE BILL

SB 2249: A BILL for an Act authorizing a developmentally disabled facility loan fund program for the establishment by nonprofit corporations of facilities for the developmentally disabled, chronically mentally ill, and physically disabled persons; authorizing the board of university and school lands to invest in a developmentally disabled facility loan fund program; to create and enact a new chapter to title 25 of the North Dakota Century Code, relating to appointment of receivers for facilities for developmentally disabled clients; to amend and reenact section 6-09.6-03 of the North Dakota Century Code, relating to the amount, terms, and conditions of the loans made under the developmentally disabled facility loan fund; and to provide an appropriation.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 100 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING.

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

Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; Nalewaja; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Pederson, R.; Peterson, J.; Retzer; Rice; Richard; Riehl; Riley; Rydell; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Shockman; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn; Strinden; Thompson; Timm; Tollefson; Ulmer; Unhjem; Wald; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: Dorso; Hanson, O.; Payne; Vander Vorst; Whalen

ABSENT AND NOT VOTING: Gullickson

SB 2249 passed and the title was agreed to.

MOTION

REP. STRINDEN MOVED that HB 1001 be placed at the top of the Seventh order on the calendar, which motion prevailed.

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER: Your Conference Committee to which was referred Engrossed HB 1001 has had the same under consideration and recommends that the SENATE RECEDE from its amendments as found on pages 2562-2570 of the House Journal and that engrossed HB 1001 be amended as follows:

That the Senate recede from its amendments as found on pages 1994-2002 of the Senate Journal and pages 2562-2570 of the House Journal and that engrossed House Bill No. 1001 be amended as follows:

On page 1 of the engrossed bill, line 3, after the word "Dakota" insert the words "; and to create and enact a new section to chapter 57-01 of the North Dakota Century Code, relating to reports by the state tax commissioner to the budget section of the legislative council regarding the auditing enhancement program and settlements of tax assessments and providing for deposit of fees collected by the secretary of state"

On page 1 of the engrossed bill, line 17, delete the numerals "960,094" and insert in lieu thereof the numerals "969,094"

On page 1 of the engrossed bill, line 21, delete the numerals "1,132,373" and insert in lieu thereof the numerals "1,141,373"

On page 1 of the engrossed bill, line 28, delete the numerals "161,941" and insert in lieu thereof the numerals "164,730"

- On page 2 of the engrossed bill, line 4, delete the numerals "174,551" and insert in lieu thereof the numerals "177,340"
- On page 2 of the engrossed bill, line 7, delete the numerals "840,178" and insert in lieu thereof the numerals "866,268"
- On page 2 of the engrossed bill, after line 9, insert the following line:
- "Data processing 100,000"
- On page 2 of the engrossed bill, line 11, delete the numerals "990,238" and insert in lieu thereof the numerals "1,116,328"
- On page 2 of the engrossed bill, line 14, delete the numerals "248,052" and insert in lieu thereof the numerals "228,196"
- On page 2 of the engrossed bill, line 15, delete the numerals "248,052" and insert in lieu thereof the numerals "228,196"
- On page 2 of the engrossed bill, line 18, delete the numerals "4,694,578" and insert in lieu thereof the numerals "4,757,592"
- On page 2 of the engrossed bill, line 19, delete the numerals "1,257,449" and insert in lieu thereof the numerals "1,260,929"
- On page 2 of the engrossed bill, line 24, delete the numerals "7,018,775" and insert in lieu thereof the numerals "7,085,269"
- On page 2 of the engrossed bill, line 25, delete the numerals "663,280" and insert in lieu thereof the numerals "1,098,280"
- On page 2 of the engrossed bill, line 26, delete the numerals "6,355,495" and insert in lieu thereof the numerals "5,986,989"
- On page 2 of the engrossed bill, line 29, delete the numerals "3,050,880" and insert in lieu thereof the numerals "3,024,678"
- On page 2 of the engrossed bill, line 31, delete the numerals "52,946" and insert in lieu thereof the numerals "44,946"
- On page 2 of the engrossed bill, line 33, delete the numerals "3,455,548" and insert in lieu thereof the numerals "3,421,346"

- On page 2 of the engrossed bill, line 35, delete the numerals "3,156,191" and insert in lieu thereof the numerals "3,121,989"
- On page 3 of the engrossed bill, line 3, delete the numerals "493,575" and insert in lieu thereof the numerals "499,665"
- On page 3 of the engrossed bill, line 7, delete the numerals "582,729" and insert in lieu thereof the numerals "588,819"
- On page 3 of the engrossed bill, line 10, delete the numerals "7,888,998" and insert in lieu thereof the numerals "7,895,088"
- On page 3 of the engrossed bill, line 12, delete the numerals "1,234,236" and insert in lieu thereof the numerals "1,266,236"
- On page 3 of the engrossed bill, line 14, delete the numerals "10,844,435" and insert in lieu thereof the numerals "10,882,525"
- On page 3 of the engrossed bill, line 17, delete the numerals "1,181,452" and insert in lieu thereof the numerals "1,209,247"
- On page 3 of the engrossed bill, line 21, delete the numerals "1,461,006" and insert in lieu thereof the numerals "1,488,801"
- On page 3 of the engrossed bill, line 24, delete the numerals "388,889" and insert in lieu thereof the numerals "407,255"
- On page 3 of the engrossed bill, line 27, delete the numerals "531,124" and insert in lieu thereof the numerals "549,490"
- On page 3 of the engrossed bill, line 29, delete the numerals "444,124" and insert in lieu thereof the numerals "462,490"
- On page 3 of the engrossed bill, line 32, delete the numerals "3,811,955" and insert in lieu thereof the numerals "3,830,225"
- On page 3 of the engrossed bill, line 34, delete the numerals "763,938" and insert in lieu thereof the numerals "743,938"
- On page 3 of the engrossed bill, line 35, delete the numerals "152,649" and insert in lieu thereof the numerals "172,649"
- On page 4 of the engrossed bill, line 1, delete the numerals "9,059,856" and insert in lieu thereof the numerals "9,078,126"

- On page 4 of the engrossed bill, line 3, delete the numerals "4,147,400" and insert in lieu thereof the numerals "4,165,670"
- On page 4 of the engrossed bill, line 6, delete the numerals "1,853,778" and insert in lieu thereof the numerals "1,859,868"
- On page 4 of the engrossed bill, after line 10, insert the following lines:
- | | |
|-------------------------------|---------|
| "Agriculture in the classroom | 250,000 |
| North Dakota products label | 70,000" |
- On page 4 of the engrossed bill, line 12, delete the numerals "2,955,140" and insert in lieu thereof the numerals "3,281,230"
- On page 4 of the engrossed bill, line 13, delete the numerals "233,434" and insert in lieu thereof the numerals "553,434"
- On page 4 of the engrossed bill, line 14, delete the numerals "2,721,706" and insert in lieu thereof the numerals "2,727,796"
- On page 4 of the engrossed bill, line 15, delete the numerals "30,899,194" and insert in lieu thereof the numerals "30,701,415"
- On page 4 of the engrossed bill, line 16, delete the numerals "7,656,533" and insert in lieu thereof the numerals "8,989,328"
- On page 4 of the engrossed bill, line 17, delete the numerals "38,555,727" and insert in lieu thereof the numerals "39,690,743"
- On page 5 of the engrossed bill, after line 14, insert the following new sections:

"SECTION 7. APPROPRIATION - AUTHORIZATION - GOVERNOR'S OFFICE. The governor's office is hereby authorized to receive and expend any federal or private funds which are hereby appropriated that become available during the biennium ending June 30, 1987.

SECTION 8. APPROPRIATION - TRANSFER - ATTORNEY GENERAL. There is hereby authorized, as included in the appropriation for the attorney general in subdivision 6 of section 1 of this Act, a transfer of \$435,000, or so much thereof as may be necessary, from the state fire and tornado fund for the purpose of funding the state fire marshal program including the hazardous material control

officer. Such funds shall be transferred by the office of management and budget only at such times as the moneys are required for disbursement by the attorney general.

SECTION 9. REPORTS ON FARM CREDIT COUNSELING PROGRAM. The commissioner of agriculture shall submit a report quarterly to the budget section of the legislative council on the progress and administration of the farm credit counseling program. Each report must include statements as to the number of individuals counseled and expenditures of appropriations.

SECTION 10. A new section to chapter 57-01 of the North Dakota Century Code is hereby created and enacted to read as follows:

Reports on auditing enhancement program and settlement of tax assessments. The state tax commissioner shall submit reports quarterly to the budget section of the legislative council on the progress made in collecting additional tax revenues under the auditing enhancement program and on settlements of tax assessments. For any settlements of tax assessments made during the quarterly period the reports must contain the total amount assessed as of the end of the quarter and the amounts collected, including a summary reporting major amounts collected.

SECTION 11. FEES COLLECTED BY SECRETARY OF STATE - DEPOSIT IN OPERATING FUND. Any fees collected by the secretary of state pursuant to section 5 of Senate Bill No. 2450 must be deposited in an operating fund, which is hereby created, under the control of the secretary of state.

SECTION 12. APPROPRIATION - SECRETARY OF STATE. There is hereby appropriated \$325,000, or so much thereof as may be necessary, from income derived from collections received pursuant to section 11 of this Act and deposited in the secretary of state operating fund to the secretary of state for the purpose of defraying the expenses of the central notice system for sales of crops and livestock during the biennium ending June 30, 1987.

SECTION 13. LEGISLATIVE INTENT - ACCESS TO AUTOMATED LEGAL RESEARCH. It is the intent of the legislative assembly that the North Dakota supreme court continue the current arrangement with the North Dakota attorney general's office regarding availability and use of automated legal research (Westlaw) during the 1985-87 biennium.

SECTION 14. APPROPRIATION - AUTHORIZATION - PUBLIC SERVICE COMMISSION. The public service commission is hereby authorized to receive and spend any funds received

from Montana-Dakota utilities company not exceeding \$50,000 which are hereby appropriated for the purpose of funding the cost of the commission's participation before federal courts and agencies involving the cost of gas to the Montana-Dakota utilities company gas utility. The funds are hereby appropriated during the biennium ending June 30, 1987.

SECTION 15. APPROPRIATION - AUTHORIZATION - ATTORNEY GENERAL. The attorney general is hereby authorized to receive and spend any funds received from political subdivisions not to exceed \$55,000 which are hereby appropriated for the purpose of data processing for gaming enforcement during the biennium ending June 30, 1987.

SECTION 16. APPROPRIATION - AUTHORIZATION - TAX COMMISSIONER. The tax commissioner is hereby authorized to receive and spend any funds received not to exceed \$120,000, which is hereby appropriated, from the city of Grand Forks relating to the administration and collection of the Grand Forks city sales tax during the biennium ending June 30, 1987".

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Governor's Office

The salaries and wages line item is increased by \$9,000 from the general fund to provide sufficient funds for expected health insurance costs.

The remaining 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 salaries and wages line item provides for the continuation of the Governor's current annual salary of \$60,862.

A new section is added to allow the Governor's office to receive and spend federal and private funds that become available during the biennium.

Lieutenant Governor

The salaries and wages line item is increased by \$2,789 from the general fund to provide an annual salary of \$50,000 for the Lieutenant Governor.

The remaining 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).

Secretary of State

The salaries and wages line item is increased by \$6,090 from the general fund to provide an annual salary of \$46,000 for the Secretary of State.

In addition, the salaries and wages line item is increased by \$20,000 from the general fund to upgrade employee salaries.

The remaining 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).

A data processing line item of \$100,000 from the general fund is added to provide funds for automation of the UCC program.

Two new sections are added; one to deposit any fees collected by the Secretary of State pursuant to Section 5 of Senate Bill No. 2450, relating to a central notice system for crops and livestock sales, to be deposited in the operating fund of the Secretary of State and an additional section to appropriate \$325,000 from that income to the Secretary of State for defraying the expenses of the program during the 1985-87 biennium.

Secretary of State - Public Printing

The operating expenses line item is reduced by \$19,856 from the general fund.

Attorney General

The salaries and wages line item is increased by \$6,494 from the general fund to provide an annual salary of \$52,000 for the Attorney General.

The remaining 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).

In addition, \$60,000 from the fire and tornado fund is added to provide funds for a hazardous material coordinator position. Of the total, \$56,520 is added to salaries and wages and \$3,480 to operating expenses.

A new section is added to transfer \$435,000 from the fire and tornado fund to the Attorney General's budget to fund the estimated costs of the Fire Marshal and his staff including \$60,000 for a hazardous material coordinator position. The

estimated line item is increased by \$375,000 with a corresponding general fund decrease to reflect the transfer of funds.

A new section of legislative intent is added providing that it is the intent of the legislature that the Attorney General's office continue to share automated legal research with the North Dakota Supreme Court.

A new section is added appropriating any funds received up to \$55,000 by the Attorney General from political subdivisions for data processing for gaming enforcement for the 1985-87 biennium.

State Auditor

The salaries and wages line item is increased by \$6,090 from the general fund to provide an annual salary of \$46,000 for the State Auditor. In addition, the salaries and wages line item is reduced by \$32,292 from the general fund to delete funds added by the House to upgrade new positions.

The remaining 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 data processing line item is decreased by \$8,000 from the general fund to delete funds for two personal computers.

State Treasurer

The salaries and wages line item is increased by \$6,090 from the general fund to provide an annual salary of \$46,000 for the State Treasurer.

The remaining 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).

Tax Commissioner

The salaries and wages line item is increased by \$6,090 from the general fund to provide an annual salary of \$46,000 for the Tax Commissioner.

The remaining 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 data processing line item is increased by \$32,000 from the general fund to provide funds for computerizing the motor fuels tax information.

A new section is added requiring the commissioner to report quarterly to the Budget Section on the progress made in collecting additional tax revenues under the auditing enhancement program including information on assessments and collections.

A new section is added authorizing the Tax Commissioner to receive and expend up to \$120,000 from the city of Grand Forks relating to the collection and administration of the Grand Forks city sales tax during the 1985-87 biennium.

Insurance Commissioner

The salaries and wages line item is increased by \$6,090 from the state bonding fund to provide an annual salary of \$46,000 for the Insurance Commissioner. In addition, \$21,705 from the bonding fund is added to the salaries and wages line item to provide funds for salary increases given by the department in August 1984 and not included in the executive budget salary base.

The remaining 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).

Labor Commissioner

The salaries and wages line item is increased by \$6,090 from the general fund to provide an annual salary of \$46,000 for the Labor Commissioner. In addition, the salaries and wages line item is increased by \$12,276 from the general fund to increase the salary base for the vacant Labor Standards Inspector Division.

The remaining 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).

Public Service Commission

The salaries and wages line item is increased by \$18,270 from the general fund to provide an annual salary of \$46,000 for each public service commissioner.

The remaining 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 equipment line item is increased by \$20,000 with a corresponding decrease to the data processing line item.

A new section is added authorizing the Public Service Commission to receive and expend up to \$50,000 of income to be received from Montana-Dakota Utilities for the purpose of funding the costs of

the commissioner's participation in federal courts and agencies involving the cost of natural gas for the 1985-87 biennium.

Agriculture Commissioner

The salaries and wages line item is increased by \$6,090 from the general fund to provide a salary of \$46,000 for the Agriculture Commissioner.

The remaining 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).

Two new lines are added; one to provide \$250,000 from any available other funds for an agriculture in the classroom program and a second to provide \$70,000 from any available other funds for development of a North Dakota products label.

A new section is added requiring the Agriculture Commissioner to report to the Budget Section of the Legislative Council on the progress and administration of the farm credit counseling program.

For the Senate: Sens. Streibel, Naaden, Shea
For the House: Reps. Kingsbury, Gunsch, Laughlin

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

Engrossed HB 1001 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

SIXTH ORDER OF BUSINESS

REP. KINGSBURY MOVED that the amendments to HB 1001 as recommended by the conference committee be adopted, and when so adopted, recommends that HB 1001 DO PASS, which motion prevailed.

HB 1001 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SECOND READING OF HOUSE BILL

HB 1001: A BILL for an Act making an appropriation for defraying the expenses of various elected and appointed officials of the state of North Dakota; and to create and enact a new section to chapter 57-01 of the North Dakota Century Code, relating to reports by the state tax commissioner to the budget section of the legislative council regarding the auditing enhancement program and settlements of tax assessments and providing for deposit of fees collected by the secretary of state.

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 85 YEAS, 19 NAYS, 2 ABSENT AND NOT VOTING.

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

NAYS: Anderson, C.; Anderson, R.; Graba; Hanson, O.; Hoffner; Hughes; Knudson; Lang; Martin; Melby; Murphy; Oban; Olsen, D.; Olson, A.; O'Shea; Rice; Schmidt; Shide; Vander Vorst

ABSENT AND NOT VOTING: Gullickson; Lipsiea

HB 1001 passed and the title was agreed to.

MOTIONS

REP. KUCHERA MOVED that the House reconsider its action whereby it did not concur in the Senate amendments to HB 1043, which motion prevailed.

REP. KUCHERA MOVED that the Conference Committee on HB 1043 be dissolved, which motion prevailed.

REP. KUCHERA MOVED that the House do concur in the Senate amendments to HB 1043, which motion prevailed.

SIXTH ORDER OF BUSINESS

REP. KUCHERA MOVED that the amendments to HB 1043 as recommended by the conference committee be adopted, and when so adopted, recommends that HB 1043 DO PASS, which motion prevailed.

HB 1043 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SECOND READING OF HOUSE BILL

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

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 103 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Dotzenrod; Gullickson; Richard

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

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER: Your Conference Committee to which was referred Engrossed SB 2338 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on page 1941 of the House Journal and that Engrossed SB 2338 be amended as follows:

That the House recede from its amendments as found on page 1941 of the House Journal and pages 1566 and 1567 of the Senate Journal and that engrossed Senate Bill No. 2338 be amended as follows:

On page 1 of the engrossed bill, line 2, delete the numerals "20.1-03" and insert in lieu thereof the numerals "20.1-08"

On page 1 of the engrossed bill, line 4, after the word "elk" insert the words "; and to provide an expiration date"

On page 1 of the engrossed bill, line 11, delete the word "one-half" and insert in lieu thereof the word "one-quarter", and delete the numerals "129.50" and insert in lieu thereof the numerals "64.75"

On page 1 of the engrossed bill, line 18, after the period insert the following: "The governor's proclamation may restrict the districts or units for which preferential licenses may be issued under this section. However, the governor shall give primary consideration to allowing preferential licenses under this section to be issued to persons owning or leasing land in the following areas: township one hundred forty-seven north, range ninety-six west; township one hundred forty-eight north, range ninety-six west; township one hundred forty-seven north, range ninety-seven west; township one hundred forty-eight north, range ninety-seven west of the fifth principal meridian, in Dunn County; and the west one-half of township one hundred forty-nine north, range ninety-five west; township one hundred forty-nine north, range ninety-six west, and the east one-half of township one hundred forty-nine north, range ninety-seven west of the fifth principal meridian, in McKenzie County."

On page 2 of the engrossed bill, line 11, after the period insert the following: "A person who has applied for a preferential license under this section may not, during the elk hunting season in the year the license is applied for, post as not being open for hunting land owned or leased by the person in the district or unit in which the land described in the affidavit is located."

On page 2 of the engrossed bill, after line 22, insert the following new section:

"SECTION 3. EXPIRATION DATE. This Act is effective through June 30, 1987, and after that date is ineffective."

And renumber the lines and pages accordingly

For the Senate: Sens. Freborg, David, Krauter
For the House: Reps. Riley, Murphy, L. Hanson

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

Engrossed SB 2338 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

SIXTH ORDER OF BUSINESS

REP. RILEY MOVED that the amendments to SB 2338 as recommended by the conference committee be adopted, and when so adopted, recommends that SB 2338 DO PASS, which motion prevailed.

SB 2338 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

SECOND READING OF SENATE BILL

SB 2338: A BILL for an Act to create and enact a new subsection to section 20.1-03-11 and a new section to chapter 20.1-08 of the North Dakota Century Code, relating to licenses issued to landowners to hunt elk and the governor's proclamation on the hunting of elk; and to provide an expiration date.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 90 YEAS, 11 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Brokaw; Cleveland; Conmy; Dalrymple; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang; Laughlin; Lautenschlager; Linderman; Lloyd; Martin; Martinson; Meyer; Moore; Murphy; Nalewaja; Nicholas; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; 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; Ulmer; Unhjem; Wald; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Wold; Speaker Hausauer, R.

NAYS: Berg, R.; DeMers; Dorso; Larson; Lindgren; Lipsiea; Myrdal; Nowatzki; Payne; Vander Vorst; Winkelman

ABSENT AND NOT VOTING: Dotzenrod; Gullickson; Melby; Mertens; Richard

SB 2338 passed and the title was agreed to.

MOTION

REP. STRINDEN MOVED that HB 1458 be placed at the top of the calendar, which motion prevailed.

CONSIDERATION OF MESSAGE FROM SENATE

REP. KUCHERA MOVED that the House do concur in the Senate amendments to HB 1458, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1458: A BILL for an Act to amend and reenact subsection 2 of section 63-01.1-06 of the North Dakota Century Code, relating to funding weed control; and to provide an appropriation for leafy purple control.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 100 YEAS, 2 NAYS, 4 ABSENT AND NOT VOTING.

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

NAYS: Hughes; Riley

ABSENT AND NOT VOTING: Dotzenrod; Gullickson; Nalewaja; Wentz

HB 1458 passed and the title was agreed to.

WEDNESDAY, APRIL 3, 1985

2775

MESSAGES TO THE SENATE
HOUSE CHAMBER

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

HB 1660, HB 1662, HB 1663

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 1458 and subsequently passed the same.

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to inform you that the House has reconsidered its action whereby it did not concur in the Senate amendments to HB 1043, and now wishes to inform you that it does now concur in the Senate amendments to HB 1043, and subsequently passed the same. Also, the House has dissolved the House Conference Committee on HB 1043.

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 and subsequently passed:

HB 1001

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

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

SB 2025, SB 2249, SB 2338

ROY GILBREATH, Chief Clerk

SIGNING OF BILLS AND RESOLUTIONS

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following:

HB 1070, HB 1077, HB 1486, HB 1493

ROY GILBREATH, Chief Clerk

MESSAGE TO THE SENATE
HOUSE CHAMBER

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

HB 1070, HB 1077, HB 1486, HB 1493

ROY GILBREATH, Chief Clerk

MOTIONS

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

REP. KRETSCHMAR MOVED that the House stand adjourned until 9:00 a.m., Thursday, April 4, 1985, which motion prevailed.

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

ROY GILBREATH, Chief Clerk