

JOURNAL OF THE HOUSE

Forty-ninth Legislative Assembly

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SIXTY-SECOND DAY

Bismarck, April 5, 1985

The House convened at 8:30 a.m., with Speaker R. Hausauer presiding.

The prayer was offered by Representative R. Pederson.

MOTION

REP. STRINDEN MOVED that the prayer of Representative Pederson be printed in the Journal, which motion prevailed.

Our Heavenly Father, each day as we have met these past three months, we have asked for Your guidance as we have tried to deal with the needs of this state. As we anticipate this to be the last day of this session, we once again ask for Your wisdom as we consider the remaining legislation before us.

We thank You for the leadership in both political parties that have guided us through this session and for everyone who has been a part of the process.

May You give wisdom to Governor Sinner as he assesses the value of each bill.

We thank You for restoring health to Representative Gullickson so that he could join us yesterday. May You continue to undertake for him, Representative Lipsiea, and others that have serious health problems.

We also ask that You will give comfort and strength to those who have lost loved ones during this session.

Lord, we are reminded today of Your death nearly two thousand years ago--it was a day that seemed like a tragedy--we know that it was necessary so that there could be a resurrection to celebrate on Easter. We thank You that we can know that it was a day of victory--when you become the perfect sacrifice for the sins of every person for all time and that by asking for that forgiveness we can have eternal life.

We thank You for the new friendships that have been made these weeks. May You be with each one and give us safe travel to our respective homes.

In Jesus' name, we pray. Amen.

ROLL CALL

The roll was called and all Representatives were present, except Representatives Dorso, Gullickson, Kent, Lipsiea, R. Meyer, Richard, Rydell, Shockman, Stofferahn, 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 Sixty-first Day and finds the same to be correct.

REP. KENT, Chairman

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

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER: Your Conference Committee to which was referred Engrossed HB 1048 has had the same under consideration and recommends that the SENATE RECEDE from its amendments as found on page 2266 of the House Journal and that Engrossed HB 1048 be amended as follows:

That the Senate recede from its amendments as found on page 1706 of the Senate Journal and page 2266 of the House Journal and that engrossed House Bill No. 1048 be amended as follows:

- On page 1 of the engrossed bill, line 1, delete the word "section" and insert in lieu thereof the word "sections", and after the numerals "15-40.1-06" insert the word and numerals "and 15-40.1-07"
- On page 1 of the engrossed bill, line 3, after the word "students" insert the words "and proportionate payments for summer physical education courses"
- On page 1 of the engrossed bill, line 27, remove the overstrike over the word "~~feus~~", delete the word "~~three~~", and delete the word "~~seventy~~" and insert in lieu thereof the word "twenty-five"
- On page 2 of the engrossed bill, line 2, delete the word "~~seventy-five~~" and insert in lieu thereof the word "fifty-five"
- On page 2 of the engrossed bill, after line 17, insert the following:

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

a. Annual average daily membership report.

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

SECTION 2. AMENDMENT. Section 15-40.1-07 of the 1983 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

15-40.1-07. High school per-pupil payments - Amount - Proportionate payments. There shall be paid each year from state funds to all school districts of the county operating high schools and to school districts contracting to educate high school pupils in a federal school, subject to adjustment as provided in section 15-40.1-09, payments as follows:

1. For high schools having under seventy-five pupils in average daily membership, the amount of money resulting from multiplying the factor 1.70 times the educational support per pupil as provided in section 15-40.1-06 for each high school pupil registered in the schools each year.
2. For high schools having seventy-five or more, but less than one hundred fifty pupils in average daily membership, the amount of money resulting from multiplying the factor 1.40 times the educational support per pupil as provided in section 15-40.1-06 for each high school pupil registered in the schools each year.
3. For high schools having one hundred fifty or more, but less than five hundred fifty pupils in average daily membership, the amount of money resulting from multiplying the factor 1.32 times the educational support per pupil as provided in section 15-40.1-06 for each high school pupil registered in the schools each year.
4. For high schools having a total high school enrollment of five hundred fifty or more pupils in average daily membership, the amount of money resulting from multiplying the factor 1.20 times the educational support per pupil as provided in

section 15-40.1-06 for each high school pupil registered in the schools each year.

Every high school district shall receive at least as much in total payments as it would have received if it had the highest number of pupils in the next lower category. No school district shall receive less in foundation program per-pupil payments than such district would have received in such payments based upon the enrollment in such district for the previous school year. However, no payment shall be made for those pupils for whom federal agencies provide education. Such payments shall not be made unless four or more units of standard high school work approved by the superintendent of public instruction are offered during the current year, only certificated teachers have been employed, and the other standards prescribed by this chapter have been met. Payments shall be made to the high school district in which the student is enrolled for graduation and units of approved vocational education in accordance with the provisions of chapter 15-20.1, and other courses approved by the superintendent of public instruction, earned in another high school district shall be included to meet the minimum four required units. In the case of students enrolled in nonpublic schools for graduation or students enrolled in less than four units of standard high school work who are in their fourth year of high school coursework and who are enrolled in approved alternative high school curriculum programs, proportionate payments shall be made to the public school district in which such student is enrolled for specific courses. School districts offering high school summer school programs shall be eligible for proportionate payments provided each course offered in such programs satisfies requirements for graduation and comprises at least as many clock hours as courses offered during the regular school term. However, no proportionate payments may be made to school districts for summer physical education programs.

Districts that did not maintain high schools during the year of 1964-1965 shall not be eligible for payments unless they have a minimum enrollment of twenty-five pupils if four years of high school work are offered, a minimum enrollment of twenty pupils if three years of high school work are offered, a minimum enrollment of fifteen pupils if two years of high school work are offered, and a minimum enrollment of ten pupils if one year of high school work is offered. Payments pursuant to this chapter to school districts in bordering states shall be made after subtracting the amount realized from a twenty-mill levy in the sending school district divided by the total number of resident pupils enrolled in the school district plus the number of resident pupils from the district attending school in another state."

And renumber the lines and pages accordingly

For the Senate: Sens. Peterson, Freborg, Heinrich

For the House: Reps. Schindler, Shaw, Hoffner

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

Engrossed HB 1048 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

SIXTH ORDER OF BUSINESS

REP. SCHINDLER MOVED that the amendments to HB 1048 as recommended by the conference committee be adopted, and when so adopted, recommends that HB 1048 DO PASS, which motion prevailed.

HB 1048 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SECOND READING OF HOUSE BILL

HB 1048: A BILL for an Act to amend and reenact sections 15-40.1-06 and 15-40.1-07 of the North Dakota Century Code, relating to the educational support for elementary and secondary school students and proportionate payments for summer physical education courses.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 97 YEAS, 2 NAYS, 7 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Brokaw; Cleveland; Conmy; 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; 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; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Peterson, J.; Retzer; Rice; Riehl; Riley; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Shockman; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn; Strinden; Thompson; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Wald; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: Dotzenrod; O'Connell

ABSENT AND NOT VOTING: Berg, G.; Berg, R.; Dalrymple;
Gullickson; Kent; Richard; Rydell

HB 1048 passed and the title was agreed to.

REQUEST

REP. KINGSBURY REQUESTED that the records show that if he had to vote over again on SB 2002, SB 2003, and SB 2009, he would vote "aye", but action was pending on HB 1048, which request was granted.

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER: Your Conference Committee to which was referred Engrossed HB 1002 has had the same under consideration and recommends that the SENATE RECEDE from its amendments as found on pages 2514-2517 of the House Journal and that Engrossed HB 1002 be amended as follows:

That the Senate recede from its amendments as found on pages 1930-1933 of the Senate Journal and on pages 2514-2517 of the House Journal and that engrossed House Bill No. 1002 be amended as follows:

- On page 1 of the engrossed bill, line 3, delete the word "and"
- On page 1 of the engrossed bill, line 4, after the word "funds" insert the words "; and to amend and reenact section 15-40.1-09 of the North Dakota Century Code as amended by House Bill No. 1549 as approved by the forty-ninth legislative assembly, relating to the determination of payments for per-pupil aid to school districts"
- On page 1 of the engrossed bill, line 16, delete the numerals "4,310,174" and insert in lieu thereof the numerals "4,673,046"
- On page 1 of the engrossed bill, line 17, delete the numerals "2,152,977" and insert in lieu thereof the numerals "2,406,197"
- On page 1 of the engrossed bill, line 18, delete the numerals "361,511" and insert in lieu thereof the numerals "405,834"
- On page 1 of the engrossed bill, line 19, delete the numerals "85,885" and insert in lieu thereof the numerals "99,643"
- On page 1 of the engrossed bill, line 20, delete the numerals "411,360,246" and insert in lieu thereof the numerals "417,982,112"

- On page 2 of the engrossed bill, line 1, delete the numerals "492,661,723" and insert in lieu thereof the numerals "499,957,762"
- On page 2 of the engrossed bill, line 2, delete the numerals "103,616,911" and insert in lieu thereof the numerals "103,991,414"
- On page 2 of the engrossed bill, line 3, delete the numerals "389,044,812" and insert in lieu thereof the numerals "395,966,348"
- On page 3 of the engrossed bill, after line 7, insert the following new section:

"SECTION 7. AMENDMENT. Section 15-40.1-09 of the North Dakota Century Code as amended by House Bill No. 1549 as approved by the forty-ninth legislative assembly is hereby amended and reenacted to read as follows:

15-40.1-09. Application for payments - Verification and determination of payments for high school students - Report of county superintendent of schools - Appeal. Immediately upon the completion of the registration of students at the beginning of each school term and in no event later than September tenth of each year, the clerk of each school district within or without this state which is claiming payments from state funds under the provisions of this chapter shall file with the county superintendent of schools a claim on a form prescribed by the superintendent of public instruction stating the number of students registered in high school and elementary grades for which payments are claimed, and such other information as may be reasonably requested by the superintendent of public instruction. Not later than December first, the superintendent of public instruction shall certify to the office of management and budget a list of the school districts and schools not operated by school districts entitled to payments from state funds, together with the amounts to which the several districts and schools are entitled. Per-pupil aid as provided under sections 15-40.1-06, 15-40.1-07, and 15-40.1-08 must be computed on the basis of the previous year's average daily membership or the current year's fall enrollment, whichever is greater. Adjustments must be made if the per-pupil payments for the previous school year were based on the fall enrollment. if the average daily membership for the previous year is less than the fall enrollment for the previous year, the average daily membership for the previous year must be compared with the average daily membership for the second preceding year in the subsequent year according to a comparison between the average daily membership for the year for which the adjusted payment is being made and the year preceding the year for which the adjusted payment is being made, whichever is greater. The

greater of the two preceding years' average daily membership must be used in computing any adjustment in a district's foundation aid payments. If the average daily membership for the previous year is greater than the previous year's fall enrollment, then the average daily membership for the previous year must be used in calculating any adjustment to a district's foundation aid payments. For purposes of this chapter, "average daily membership" shall mean the total days all students in a given school are in attendance, including days set aside for the North Dakota education association convention, plus any three holidays selected from those listed in subsections 2 through 10 of section 15-38-04.1 which have been decided upon after consultation with the teachers, the total days all students are absent, and the two parent-teacher conference days authorized in section 15-47-33, divided by one hundred eighty days. School districts educating children of agricultural migratory workers or offering high school summer school programs during the months of June, July, and August shall not be restricted to payments for a one-hundred-eighty-day school term.

Immediately upon the termination of the school term and in no event later than July fifteenth of each year, the clerk of each school district within or without this state which has received payments from state funds under the provisions of this chapter shall file with the county superintendent of schools a verified statement of the name, residence, and membership of elementary and high school students as provided for in this section, and number of units of high school work taken by each high school student enrolled during the previous school year. Such statement shall be attested to by the county superintendent of schools. The county superintendent shall investigate the validity of the statement and shall determine the residence and other qualifications of each student named in the statement filed with him. He shall certify to the superintendent of public instruction on or before September first of each year the number of enrolled students in each district in his county for the previous school year upon which any adjustment may be based as provided in this section. If any statement is disallowed in whole or in part, notice thereof and the names of students who are disallowed shall be reported to the superintendent of public instruction and to the district filing the statement. Any district may appeal to the superintendent of public instruction from the determination of the county superintendent of schools on or before September fifteenth in the year in which the determination is made. The superintendent of public instruction may change or modify the determination of the county superintendent if the evidence submitted by the district warrants a modification.

The judgment of the superintendent of public instruction shall be final."

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Department of Public Instruction

Increases totaling \$667,256 are made to the following line items for the administrative expenses of the Department of Public Instruction:

	<u>General Fund</u>	<u>Other Funds</u>	<u>Total</u>
Salaries and wages	\$ 62,578	\$293,377	\$355,955
Operating expenses	172,094	81,126	253,220
Data processing	44,323	0	44,323
Equipment	<u>13,758</u>	<u>0</u>	<u>13,758</u>
Total	\$292,753	\$374,503	\$667,256

The general fund increase of \$292,753 is to restore some of the funding deleted in the original executive budget and by the House, and to provide adequate state funds to match available federal dollars. The increase to the salaries and wages line item (\$62,578) provides funds for 1.5 FTE positions, of which one FTE is for school evaluation and .5 FTE is for adult education.

The increase in other funds of \$374,503 (federal funds \$341,568, other funds \$32,935) is primarily to give the department the authority to receive and expend additional federal dollars that were recently made available. The increase to the salaries and wages line item (\$293,377) provides funds for 4.4 FTE positions, of which 2.5 FTE's are for special education programs, .65 FTE is to restore a reduction made in the House to the special education program, .75 FTE is for the Indian education unit (to work with sex equity programs), and .5 FTE is for adult education.

The salaries and wages line item is also increased by \$6,917 from the general fund to provide an annual salary of \$47,000 for the Superintendent of Public Instruction.

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

The grants - foundation aid line item is increased by \$6,621,866 from the general fund to reflect the following:

1. Per-pupil payments of \$1,425 in 1985-86 and \$1,455 in 1986-87, based on weighted units of 127,584 in 1985-86 and 129,155 in 1986-87.
2. Tuition fund distribution of \$47,895,000 in 1985-87, which reflects estimated payments of \$195 per census unit in each year of the biennium (same as in engrossed House Bill No. 1002).
3. Total transportation payments of \$40,068,810, which is based on the current transportation rates.
4. A total 20-mill deduct of \$39,709,423, which is \$659,050 less than in engrossed House Bill No. 1002.

A comparison of the grants - foundation aid line item as amended to the original and revised executive budget, engrossed House Bill No. 1002, and Senate version line items is shown as follows:

GRANTS - FOUNDATION AID
PROPOSED CONFERENCE COMMITTEE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1002

	HB 1002 Governor Olson Budget	Governor Sinner Budget	Engrossed HB 1002	Senate Amendments to Engrossed HB 1002	Proposed Conference Committee Amendments to Engrossed HB 1002
<u>Per-pupil payments:</u>					
Original executive budget					
1985-86 - \$1,406 - 128,907 weighted units	\$378,745,728				
1986-87 - \$1,502 - 131,493 weighted units					
Revised executive budget					
1985-86 - \$1,354 - 127,584 weighted units		\$360,199,071			
1986-87 - \$1,457 - 128,655 weighted units					
Engrossed HB 1002					
1985-86 - \$1,370 - 127,584 weighted units			\$366,031,205		
1986-87 - \$1,475 - 129,655 weighted units					
Senate version HB 1002					
1985-86 - \$1,408 - 127,584 weighted units				\$366,008,937	
1986-87 - \$1,483 - 129,155 weighted units					
Conference committee					
1985-86 - \$1,425 - 127,584 weighted units					\$369,727,725
1986-87 - \$1,455 - 129,155 weighted units					
<u>Transportation payments:</u>					
Original executive budget					
Provides a slight increase in current rates		41,511,724			

	HB 1002 Governor Olson Budget	Governor Sinner Budget	Engrossed HB 1002	Senate Amendments to Engrossed HB 1002	Proposed Conference Committee Amendments to Engrossed HB 1002
Revised executive budget					
Recommends no change in current rates		\$ 40,047,124			
Engrossed HB 1002					
Recommends no change in current rates; provides a reduction due to limiting the payments to school districts to 100 percent of five-year average actual costs			\$ 37,802,514		
Senate version HB 1002					
Recommends no change in current rates				\$ 40,068,810	
Conference committee					
Recommends no change in current rates					\$ 40,068,810
<u>Tuition distribution:</u>					
Original executive budget					
Estimates payments per census unit of \$195 for each year	47,895,000				
Revised executive budget					
Provides a carryover of \$31 per unit from 1984-85 to 1985-86 resulting in payments of \$226 the first year and \$195 the second year		51,770,600			
Engrossed HB 1002					
Estimates payments per census unit of \$195 for each year			47,895,000		
Senate version HB 1002					
Estimates payments per census unit of \$195 for each year				47,895,000	
Conference committee					
Estimates payments per census unit of \$195 for each year					47,895,000
Total	\$468,152,452	\$452,016,795	\$451,728,719	\$453,972,747	\$457,691,535
Less: 20-mill district levy	(42,432,000)	(40,873,704)	(40,368,473)	(39,709,423)	(39,709,423)
Total grants - foundation aid line items	\$425,720,452	\$411,143,091	\$411,360,246	\$414,263,324	\$417,982,112
Less: Tuition distribution fund	(47,895,000)	(51,770,600)	(47,895,000)	(47,895,000)	(47,895,000)
Federal revenue sharing	(187,000)	(187,000)	(187,000)	(187,000)	(187,000)
Total general fund - foundation program	\$377,638,452	\$359,185,491	\$363,278,246	\$366,181,324	\$369,900,112

Section 15-40.1-09 is amended to provide that adjustments in per-pupil aid are to be made based upon a comparison between the average daily membership for the year for which the adjusted payment is being made and the preceding year, whichever is greater.

For the Senate: Sens. Lips, Thane, Shea
 For the House: Reps. Wald, Kuchera, Nowatzki

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

Engrossed HB 1002 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 1002 as recommended by the conference committee be adopted, and when so adopted, recommends that HB 1002 DO PASS, which motion prevailed.

HB 1002 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SECOND READING OF HOUSE BILL

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

Which has been read.

ROLL CALL

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

YEAS: Anderson, C.; Anderson, R.; Belter; 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; 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;

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

NAYS: Dotzenrod; Murphy

ABSENT AND NOT VOTING: Berg, G.; Berg, R.; Gullickson;
Richard

HB 1002 passed and the title was agreed to.

MOTION

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

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

**MESSAGE FROM THE SENATE
SENATE CHAMBER**

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

HB 1001, HB 1003, HB 1196

LEO LEIDHOLM, Secretary

**MESSAGE 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 1002, HB 1048

ROY GILBREATH, Chief Clerk

**MESSAGE FROM THE SENATE
SENATE CHAMBER**

MR. SPEAKER: I regret to inform you that the motion to return SCR 4072 to the House failed, pursuant to Senate Rule 407.

LEO LEIDHOLM, Secretary

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER: Your Conference Committee to which was referred Engrossed HB 1031 has had the same under consideration and recommends that the SENATE RECEDE from its amendments as found on pages 2684-2686 of the House Journal and that Engrossed HB 1031 be amended as follows:

That the Senate recede from its amendments as found on pages 2047-2049 of the Senate Journal and on pages 2684-2686 of the House Journal and that engrossed House Bill No. 1031 be amended as follows:

- On page 1 of the engrossed bill, line 18, delete the numerals "7,238,528" and insert in lieu thereof the numerals "7,736,528"
- On page 1 of the engrossed bill, line 19, delete the numerals "4,380,090" and insert in lieu thereof the numerals "3,932,090"
- On page 1 of the engrossed bill, line 22, delete the numerals "12,525,478" and insert in lieu thereof the numerals "12,575,478"
- On page 1 of the engrossed bill, line 23, delete the numerals "266,158" and insert in lieu thereof the numerals "316,158"
- On page 1 of the engrossed bill, line 27, delete the numerals "999,537" and insert in lieu thereof the numerals "1,034,537"
- On page 1 of the engrossed bill, line 28, delete the numerals "4,080,426" and insert in lieu thereof the numerals "4,249,762"
- On page 2 of the engrossed bill, line 3, delete the numerals "5,871,963" and insert in lieu thereof the numerals "6,076,299"
- On page 2 of the engrossed bill, line 4, delete the numerals "12,259,320" and insert in lieu thereof the numerals "12,334,320"
- On page 2 of the engrossed bill, line 5, delete the numerals "6,138,121" and insert in lieu thereof the numerals "6,667,457"
- On page 2 of the engrossed bill, line 6, delete the numerals "18,397,441" and insert in lieu thereof the numerals "19,001,777"
- On page 2 of the engrossed bill, after line 24, insert the following new section:

"SECTION 5. APPROPRIATION. There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, to rough rider industries, \$75,000, or so much thereof as may be necessary, for the purpose of paying expenses associated with the assumption of responsibility for the warehousing and distribution of food commodities. There is also hereby appropriated the sum of \$275,000, or so much thereof as may be necessary, from the proceeds of a loan, to rough rider industries, for the purpose of paying expenses associated with the assumption of responsibility for the warehousing and distribution of food commodities."

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

State Penitentiary

The salaries and wages line item is increased by \$398,000 with a corresponding decrease to the operating expenses line item to provide funds for eight FTE Correctional Officer I positions to work in female inmate programs and for six FTE Correctional Officer I positions to staff the medium security unit the second year of the 1985-87 biennium.

The salaries and wages line item is further increased by \$100,000 to provide additional funds for overtime and temporary salaries. This increase is to be offset by a \$50,000 decrease to the operating expenses line item and a \$50,000 increase in the estimated income line item, with no change to the general fund appropriation amount.

The remaining 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.

Penitentiary Industries

The salaries and wages line item is increased by \$35,000 from other funds to provide additional funds for overtime salaries.

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

The operating expenses line item is increased by \$144,336 from other funds to provide authorization for repayment of a loan from the Bank of North Dakota in June 1984. The operating expenses line item is further increased by \$25,000 from other funds to provide funds for additional payments to the motor pool.

The new section is added which appropriates \$75,000 from the general fund and authorizes a loan and expenditure of an additional \$275,000 to allow the Penitentiary Industries to assume the responsibility of warehousing and distributing food commodities.

For the Senate: Sens. Thane, Naaden, Tallackson
For the House: Reps. Winkelman, Unhjem, Stofferahn

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

Engrossed HB 1031 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 HB 1031 as recommended by the conference committee be adopted, and when so adopted, recommends that HB 1031 DO PASS, which motion prevailed.

HB 1031 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SECOND READING OF HOUSE BILL

HB 1031: A BILL for an Act making an appropriation for defraying the expenses of the state penitentiary and various divisions thereof of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 86 YEAS, 2 NAYS, 18 ABSENT AND NOT VOTING.

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

NAYS: Melby; Murphy

ABSENT AND NOT VOTING: Anderson, R.; Berg, R.; Hamerlik; Hanson, L.; Klundt; Kretschmar; Mertens; Meyer; Opedahl; Payne; Richard; Rydell; Sauter; Schneider; Shaw; Thompson; Whalen; Williams, C.

HB 1031 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 enrolled:

HR 1

REP. HEDSTROM, Chairman

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

REPORT OF PROCEDURAL COMMITTEE

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

HB 1004, HB 1027, HB 1043, HB 1127, HB 1458

REP. HEDSTROM, Chairman

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

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER: Your Conference Committee to which was referred Engrossed HB 1009 has had the same under consideration and recommends that the SENATE RECEDE from its amendments as found on pages 2648-2654 of the House Journal and that Engrossed HB 1009 be amended as follows:

That the Senate recede from its amendments as found on pages 2042-2047 of the Senate Journal and pages 2648-2654 of the House Journal and that engrossed House Bill No. 1009 be amended as follows:

On page 1 of the engrossed bill, line 2, after the word "services" insert the words ", state hospital,"

On page 1 of the engrossed bill, line 4, after the semicolon insert the words "providing legislative intent regarding medical assistance payment determinations and low income home energy assistance payments;"

On page 1 of the engrossed bill, line 20, delete the numerals "19,529,935" and insert in lieu thereof the numerals "19,643,626"

On page 1 of the engrossed bill, line 21, delete the numerals "8,027,175" and insert in lieu thereof the numerals "8,602,175"

On page 1 of the engrossed bill, line 22, delete the numerals "572,576" and insert in lieu thereof the numerals "591,081"

- On page 1 of the engrossed bill, line 23, delete the numerals "404,098,965" and insert in lieu thereof the numerals "423,267,602"
- On page 1 of the engrossed bill, line 24, delete the numerals "475,832,512" and insert in lieu thereof the numerals "495,708,345"
- On page 1 of the engrossed bill, line 25, delete the numerals "294,843,725" and insert in lieu thereof the numerals "309,095,162"
- On page 1 of the engrossed bill, line 26, delete the numerals "180,988,787" and insert in lieu thereof the numerals "186,613,183"
- On page 2 of the engrossed bill, line 11, delete the numerals "5,973,826" and insert in lieu thereof the numerals "5,937,715"
- On page 2 of the engrossed bill, line 14, delete the numerals "1,049,800" and insert in lieu thereof the numerals "137,800"
- On page 2 of the engrossed bill, line 15, delete the numerals "44,848,956" and insert in lieu thereof the numerals "43,900,845"
- On page 2 of the engrossed bill, line 16, delete the numerals "13,412,207" and insert in lieu thereof the numerals "13,393,107"
- On page 2 of the engrossed bill, line 17, delete the numerals "31,436,749" and insert in lieu thereof the numerals "30,507,738"
- On page 2 of the engrossed bill, line 26, delete the numerals "212,632,028" and insert in lieu thereof the numerals "217,417,413"
- On page 2 of the engrossed bill, line 27, delete the numerals "310,100,253" and insert in lieu thereof the numerals "324,487,590"
- On page 2 of the engrossed bill, line 28, delete the numerals "522,732,281" and insert in lieu thereof the numerals "541,905,003"
- On page 3 of the engrossed bill, after line 26, insert the following new sections:

"SECTION 7. LEGISLATIVE INTENT. The legislative assembly recognizes the need to achieve the effective limitation of costs while providing for payment rates which

are reasonable and adequate to meet the costs which must be incurred by efficiently and economically operated facilities in order to provide care and services in conformity with applicable state and federal laws, regulations, and quality and safety standards. It is the intent of the legislative assembly that Senate Concurrent Resolution No. 4002 not be regarded as a deterrent to the achievement of these recognized needs. It is the further intent of the legislative assembly that the department seek to achieve cost savings through a variety of waiver options to certain requirements for the state plan for medical assistance benefits, including, but not limited to, competitive bidding for certain services, primary case management systems, restriction of specialty services to designated providers, central broker services, restriction of recipient-free choice, preferred provider-type innovations to providing services, the use of a drug formulary, and the introduction of rate limitation methodologies which may represent approved or approvable amendments to the state plan.

SECTION 8. LEGISLATIVE INTENT - LOW INCOME HOME ENERGY ASSISTANCE PAYMENT - PRORATION. It is the intent of the legislative assembly that should sufficient funds not be available to fully fund within the amounts allocated by the legislative assembly for the low income home energy assistance program during the 1985-87 biennium, the department in lieu of changing eligibility guidelines shall reduce by the same percentage all recipient payments to achieve the necessary reduction.

SECTION 9. APPROPRIATION - BUDGET SECTION. There is hereby appropriated to the department of human services any additional federal funds which become available as a result in changes to the federal financial participation rate during the biennium beginning July 1, 1985, and ending June 30, 1987. If the \$3,400,000 of additional federal funds relating to the limitation on the drop in the rate of federal financial participation does not become available, the department of human services shall report to the budget section the amount of the resulting deficiency appropriation that will be introduced to the fiftieth legislative assembly.

SECTION 10. APPROPRIATION - LONG-TERM CARE FACILITY PAYMENTS. There is hereby appropriated \$155,000 in federal and other funds, and \$90,000 from the general fund in the state treasury, or so much thereof as may be necessary, to the department of human services for the purpose of additional payments to long-term care facilities as required by Senate Bill No. 2053 for the biennium beginning July 1, 1985, and ending June 30, 1987."

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Department of Human Services

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

The operating expenses line item is increased by \$71,341 from the general fund to provide funds for implementation of Senate Bill No. 2417 relating to guardianship of developmentally disabled persons. In addition, the operating expenses line item is increased by \$42,350 and the equipment line item by \$18,505 from the general fund relating to funding the partial care facility in Minot during the last six months of the 1985-87 biennium.

The data processing line item is increased by \$75,000, \$37,500 from the general fund and \$37,500 from other funds, to provide funds for implementation of Senate Concurrent Resolution No. 4002 relating to revisions to the Medicaid reimbursement system. In addition, the data processing line item is increased by \$500,000 from estimated income to reflect increased collections from the use of the ARIS system.

The grants, benefits, and claims line item is adjusted as follows:

	<u>General Fund</u>	<u>Other Funds</u>	<u>Total Funds</u>
Amount in Engrossed House Bill No. 1009	\$145,089,285	\$259,009,680	\$404,098,965
Adjustments:			
1. Add funds to provide 0% increases in AFDC payments, reflect February 1985 caseload base, and allow a caseload increase of 20 per month	\$ 1,285,714	\$ 2,263,004	\$ 3,548,718
2. Add funds to reflect revised medical assistance caseload projections, reflect February 1985 caseload base, and allow an increase in medical assistance eligibles of 98 per month	4,599,250	8,607,914	13,207,164

3. Add funds for revisions in the reimbursement of long-term care facilities	67,940	108,840	176,780
4. Adjust funding for developmentally disabled appropriation to provide 0% annual inflationary increases and include funds for one 15-bed MSLA facility	804,128	(677,821)	126,307
5. Restore \$1.6 million of the \$3.22 million for the low income home energy assistance program used in the House version of House Bill No. 1009 for the social services block grants	1,600,000		1,600,000
6. Change funding of medical assistance and AFDC grants to reflect possible change in federal financial participation rate for the federal fiscal year beginning October 1, 1986	(3,400,000)	3,400,000	-0-
7. Add funds for the effect of House Bill No. 1196 which increases state optional supplementation payments from 50% to 65% effective July 1, 1986	259,668		259,668
8. Add funds to allow high risk day care contracts to continue to contract end	238,000	12,000	250,000
	<hr/>	<hr/>	<hr/>
Total adjustments to grants line item	\$ 5,454,700	\$ 13,713,937	\$ 19,168,637
	<hr/>	<hr/>	<hr/>
Grants line item as amended	\$150,543,985	\$272,723,617	\$423,267,602

A new section is added to provide legislative intent regarding the department limiting medical assistance costs and encouraging efficient and economical long-term care facilities. The section encourages the department to seek Medicaid waivers from the

federal government from several requirements in the state plan for medical assistance.

A new section is added providing legislative intent regarding the department allocating a reduction in available low income home energy assistance funds. The section provides the department shall reduce all grant recipients by a uniform percentage to achieve any necessary reduction.

A new section is added appropriating any additional federal funds which may become available as a result in changes in the federal financial participation rate in entitlement programs.

These amendments, as shown above, reflect an anticipated increase in the federal financial participation rate with an impact of \$3.4 million. It is recognized that should this not be received a deficiency appropriation is expected to be necessary during the 1987 legislative session.

A new section is added appropriating \$245,000, \$90,000 from the general fund for the effect of Senate Bill No. 2053, relating to reimbursement of long-term care facilities.

State Hospital

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

The operating expenses line item is decreased by \$36,111 from the general fund to reflect lower natural gas usage.

The estimated income line item is decreased by \$19,100 with a corresponding increase in the general fund appropriation to reflect Land Department revised estimates of the distribution from the interest and income account.

The capital improvements line item is reduced by \$912,000 from the general fund for air-conditioning of the adolescent center and the receiving and treatment center to be funded in House Bill No. 1662.

For the Senate: Sens. Lips, Wenstrom, Mushik
For the House: Reps. Unhjem, Winkelman, Kelly

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

Engrossed HB 1009 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

SIXTH ORDER OF BUSINESS

REP. UNHJEM MOVED that the amendments to HB 1009 as recommended by the conference committee be adopted, and when so adopted, recommends that HB 1009 DO PASS, which motion prevailed.

HB 1009 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SECOND READING OF HOUSE BILL

HB 1009: A BILL for an Act making an appropriation for defraying the expenses of the department of human services, state hospital, and the governor's council on human resources; providing for an appropriation and transfer from the land and minerals trust fund to the common schools trust fund; providing legislative intent regarding medical assistance payment determinations and low income home energy assistance payments; and providing the emergency commission with appropriation transfer authority.

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 91 YEAS, 11 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Belter; Berg, G.; Berg, R.; Brokaw; Conny; Dalrymple; DeMers; Dorso; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Gullickson; 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; Malewaja; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Pederson, R.; Peterson, J.; Retzer; Richard; Riehl; Riley; Rydell; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn; Strinden; Thompson; Timm; Tollefson; Unhjem; Wald; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Hausauer, R.

NAYS: Anderson, R.; Dotzenrod; Eckroth; Hughes; Melby; Murphy; Rice; Shockman; Ulmer; Vander Vorst; Whalen

ABSENT AND NOT VOTING: Cleveland; Gunsch; Opedahl; Wold

HB 1009 passed and the title was agreed to.

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER: Your Conference Committee to which was referred Engrossed HB 1010 has had the same under consideration and recommends that the SENATE RECEDE from its amendments as found on pages 2318-2319 of the House Journal and that Engrossed HB 1010 be amended as follows:

That the Senate recede from its amendments as found on pages 1756 and 1757 of the Senate Journal and pages 2318 and 2319 of the House Journal and the engrossed House Bill No. 1010 be amended as follows:

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

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

On page 1 of the engrossed bill, line 22, delete the numerals "4,145,000" and insert in lieu thereof the numerals "245,000"

On page 1 of the engrossed bill, line 23, delete the numerals "51,383,937" and insert in lieu thereof the numerals "47,448,683"

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

On page 1 of the engrossed bill, line 25, delete the numerals "24,860,863" and insert in lieu thereof the numerals "20,931,814"

On page 2 of the engrossed bill, line 21, delete the numerals "30,870,828" and insert in lieu thereof the numerals "26,941,779"

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

On page 2 of the engrossed bill, line 23, delete the numerals "67,838,600" and insert in lieu thereof the numerals "63,903,346"

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Grafton State School

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

The operating expenses line item is reduced by \$35,254, \$29,049 from the general fund and \$6,205 from estimated income, for reductions in expected utility costs.

The capital improvements line item is reduced by \$3,900,000 from the general fund for those projects to be funded in House Bill No. 1662 including \$2,915,000 to renovate Sunset Hall, \$480,000 to renovate Collette Auditorium, and the remaining \$505,000 for pedestrian tunnel replacement.

San Haven

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

Protection and Advocacy Project

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

For the Senate: Sens. Tennefos, Wenstrom, Tallackson

For the House: Reps. Unhjem, Lipsiea, Kelly

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

Engrossed HB 1010 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

SIXTH ORDER OF BUSINESS

REP. UNHJEM MOVED that the amendments to HB 1010 as recommended by the conference committee be adopted, and when so adopted, recommends that HB 1010 DO PASS, which motion prevailed.

HB 1010 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SECOND READING OF HOUSE BILL

HB 1010: A BILL for an Act making an appropriation for defraying the expenses of the Grafton state school, San Haven, protection and advocacy project, and deinstitutionalization court monitor of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 96 YEAS, 6 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Gullickson; Halmrast; Hamerlik; Hanson, L.; 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; Meyer; Moore; Myrdal; Nalewaja; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Pederson, R.; Peterson, J.; Retzer; Richard; Riehl; Riley; Rydell; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Shockman; Skjerven; Smette; Solberg, O.; 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: Hanson, O.; Hughes; Melby; Murphy; Rice; Solberg, R.

ABSENT AND NOT VOTING: Gunsch; Mertens; Opedahl; Wold

HB 1010 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 pgaes 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 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 "866,290"
- On page 1 of the engrossed bill, line 21, delete the numerals "9,809,712" and insert in lieu thereof the numerals "8,220,224"
- On page 1 of the engrossed bill, line 22, delete the numerals "2,505,778" and insert in lieu thereof the numerals "866,290"
- 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 "4,160,596"
- On page 2 of the engrossed bill, line 5, delete the numerals "16,399,765" and insert in lieu thereof the numerals "14,810,277"
- On page 2 of the engrossed bill, line 14, delete the numerals "2,505,778" and insert in lieu thereof the numerals "866,290"
- On page 2 of the engrossed bill, after line 18, insert the following new section:

"SECTION 4. LEGISLATIVE INTENT - DIRECTOR OF INSTITUTIONS
 - REPORT TO BUDGET SECTION. It is the intent of the legislative assembly that the director of institutions present a detailed proposal, including alternatives and cost estimates, to the budget section during the 1985-86 interim regarding future plans, including alternatives for the old state office building. The alternatives shall include both renovating and demolishing the old state office building and the construction of a new building."

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 \$1,639,488 from the Capitol building fund. This reflects deleting funds for the renovation of the old State Office Building.

A new section is added directing the Director of Institutions to present to Budget Section, during the 1985-86 interim, a detailed proposal regarding future plans for the old State Office Building.

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 87 YEAS, 6 NAYS, 13 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Eckroth; Enget; Frey; Gates; Goetz; Graba; Gullickson; Gunsch; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer, A.;

Hill; Hoffner; Keller; Kelly; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lipsiea; Lloyd; Martinson; Mertens; Meyer; Myrdal; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Opedahl; O'Shea; Payne; Peterson, J.; Retzer; Rice; Richard; Riehl; Riley; Rydell; Sauter; Schmidt; Schneider; Shaw; Shide; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Strinden; Thompson; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Wald; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: Dotzenrod; Melby; Murphy; Schindler; Shockman; Stofferahn

ABSENT AND NOT VOTING: Berg, R.; Brokaw; Gerntholz; Hanson, O.; Hedstrom; Hughes; Lindgren; Martin; Moore; Nalewaja; Nicholas; Olson, V.; Pederson, R.

HB 1006 passed and the title was agreed to.

SIGNING OF BILLS AND RESOLUTIONS

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following:

HB 1004, HB 1127, HB 1458, HR 1

ROY GILBREATH, Chief Clerk

MESSAGE 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 1031

ROY GILBREATH, Chief Clerk

REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER: Your Committee on Enrollment and Engrossment respectfully report that the following bill was delivered to the Secretary of State for his filing at the hour of 10:30 a.m., April 5, 1985:

HR 1

REP. HEDSTROM, Chairman

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

MESSAGES TO THE SENATE
HOUSE CHAMBER

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

HB 1004, HB 1127, HB 1458

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 1009, HB 1010

ROY GILBREATH, Chief Clerk

MESSAGES FROM THE SENATE
SENATE CHAMBER

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

SB 2005, SB 2011, SB 2014, SB 2065, SB 2153, SB 2245,
SB 2257, SB 2301, SB 2352, SB 2374, SB 2411, SB 2489,
SB 2511, SCR 4080, SCR 4081

LEO LEIDHOLM, Secretary

SENATE CHAMBER

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

HB 1004, HB 1127, HB 1458

LEO LEIDHOLM, Secretary

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 10:55 a.m., April 5, 1985:

HB 1004, HB 1127, HB 1458

REP. HEDSTROM, Chairman

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

SIGNING OF BILLS AND RESOLUTIONS

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following:

SB 2065, SB 2153, SB 2245, SB 2257, SB 2301, SB 2352,
SB 2374, SB 2411, SB 2489, SB 2511, SCR 4080, SCR 4081

ROY GILBREATH, Chief Clerk

FRIDAY, APRIL 5, 1985

2905

MESSAGE TO THE SENATE
HOUSE CHAMBER

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

SB 2065, SB 2153, SB 2245, SB 2257, SB 2301, SB 2352,
SB 2374, SB 2411, SB 2489, SB 2511, SCR 4080, SCR 4081

ROY GILBREATH, Chief Clerk

MESSAGE FROM THE SENATE
SENATE CHAMBER

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

HB 1002, HB 1006, HB 1009, HB 1010, HB 1031, HB 1048,
HB 1404, HB 1446, HB 1494, HB 1526, HB 1636

LEO LEIDHOLM, Secretary

MOTION

REP. STRINDEN MOVED that the House stand in recess until 12:45 p.m., which motion prevailed.

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

MESSAGE FROM THE SENATE
SENATE CHAMBER

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

SB 2029, SB 2032, SB 2036

LEO LEIDHOLM, Secretary

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER: Your Conference Committee to which was referred Engrossed SB 2029 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on pages 2429-2431 of the House Journal and that Engrossed SB 2029 be amended as follows:

That the House recede from its amendments as found on pages 2429-2431 of the House Journal and on pages 1899-1901 of the Senate Journal and that engrossed Senate Bill No. 2029 be amended as follows:

On page 1 of the engrossed bill, line 3, after the word "Dakota" insert the following words: "; to provide for a transfer; to amend and reenact section 54-52.1-04.2 of the North Dakota Century Code, relating to the self-insurance plan for hospital and medical benefits coverage; and to declare an emergency"

- On page 1 of the engrossed bill, line 16, delete the numerals "766,611" and insert in lieu thereof the numerals "704,504"
- On page 1 of the engrossed bill, line 17, delete the numerals "601,330" and insert in lieu thereof the numerals "293,154"
- On page 1 of the engrossed bill, line 18, delete the numerals "673,800" and insert in lieu thereof the numerals "610,163"
- On page 1 of the engrossed bill, line 19, delete the numerals "18,800" and insert in lieu thereof the numerals "11,639"
- On page 1 of the engrossed bill, line 20, delete the numerals "150,000" and insert in lieu thereof the numerals "50,000"
- On page 1 of the engrossed bill, line 21, delete the numerals "2,210,541" and insert in lieu thereof the numerals "1,669,460"
- On page 2 of the engrossed bill, line 4, delete the numerals "2,282,140" and insert in lieu thereof the numerals "1,741,059"
- On page 2 of the engrossed bill, after line 16, insert the following new sections:

"SECTION 4. UNIFORM GROUP INSURANCE PROGRAM RESERVE FUND - TRANSFER. The public employees retirement system shall transfer from the uniform group insurance program reserve fund to the general fund in the state treasury on March 1, 1987, the sum of \$1,000,000. The public employees retirement system shall transfer from the uniform group insurance program reserve fund to the general fund in the state treasury on July 1, 1987, or at an earlier date as sufficient information may become available, the amount that the estimated June 30, 1987, unobligated reserve balance relating to amounts paid by state agencies and institutions exceeds \$1,500,000.

SECTION 5. AMENDMENT. Section 54-52.1-04.2 of the 1983 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

54-52.1-04.2. Self-insurance plan for hospital and medical benefits coverage. The board may establish a self-insurance plan for providing health insurance benefits coverage only under an administrative services only (ASO) contract or a third party administrator (TPA) contract under the uniform group insurance program, if it is determined by the board that an (ASO) or (TPA) plan is less costly than the lowest bid submitted by a carrier for underwriting the plan with equivalent contract benefits. In addition, individual and aggregate stop-loss coverage insured by a carrier

authorized to do business in this state must be made part of any self-insured plan. All bids under this section are due no later than January first, and must be awarded no later than March first, preceding the end of each biennium. All bids under this section must be opened at a public meeting of the board.

SECTION 6. EMERGENCY. Section 5 of 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

STATEMENT OF PURPOSE OF AMENDMENT:

Public Employees Retirement Board

The salaries and wages line item is reduced by \$62,107 from other funds. The reduction deletes \$27,107 for one FTE account clerk position and \$35,000 for a .5 FTE Programmer I/Analyst III position. This provides \$44,732 for one FTE Administrator Officer II position which the House had deleted.

The operating expenses line item is reduced by \$308,176 from other funds. These reductions were made by the House and include:

Employee travel	\$ 25,000
Utilities	3,000
Lease-buildings	48,000
Telephone	15,000
Intergovernmental services	1,026
Other travel	1,000
Postage	7,000
Miscellaneous fees and services	16,800
Office supplies	1,650
Miscellaneous	9,000
Professional services and operating fees	180,700
Total	<u>\$308,176</u>

The data processing line item is reduced by \$63,637 from other funds rather than by the \$213,637 in the amendments adopted by the House.

The equipment line item is reduced by \$7,161 from other funds rather than by \$8,800 as provided in the House amendments. The conference committee provided \$1,639 from other funds for office equipment for the one FTE position added by the conference committee.

The contingency line item is reduced by \$100,000 from other funds to concur with the House action.

A new section is added which transfers, on March 1, 1987, \$1,000,000 from the medical group insurance reserves to the general fund. This section also transfers to the general fund the amount of the June 30, 1987, reserve fund balance in excess of \$1,500,000.

Two new sections are added which provide, as an emergency measure, a bidding process for underwriting the medical insurance plan. The awarding of bids is to be made each biennium when the Legislative Assembly is in session.

For the Senate: Sens. Thane, Lips, Shea

For the House: Reps. Kingsbury, Winkelman, Opedahl

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

Engrossed SB 2029 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 SB 2029 as recommended by the conference committee be adopted, and when so adopted, recommends that SB 2029 DO PASS, which motion prevailed.

SB 2029 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

SECOND READING OF SENATE BILL

SB 2029: A BILL for an Act making an appropriation for defraying the administrative costs of the public employees retirement system, and the deferred compensation committee of the state of North Dakota; to provide for a transfer; to amend and reenact section 54-52.1-04.2 of the North Dakota Century Code, relating to the self-insurance plan for hospital and medical benefits coverage; 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 91 YEAS, 12 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Belter; Berg, G.; Brokaw; Cleveland; Conmy; Dalrymple; DeMers; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Gullickson; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Keller; Kelly; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Laughlin; Lautenschlager; Linderman; Lindgren; Lloyd; Martin; Martinson; Mertens; Meyer; Moore; Myrdal; Nalewaja; Nicholas; Nowatzki;

Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Pederson, R.; Retzer; Rice; Richard; Riehl; Riley; Rydell; Sauter; Schindler; 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.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: Anderson, R.; Berg, R.; Dorso; Dotzenrod; Hughes; Lang; Larson; Melby; Murphy; Payne; Schmidt; Vander Vorst

ABSENT AND NOT VOTING: Lipsiea; Opedahl; Peterson, J.

SB 2029 passed, the title was agreed to, and the emergency clause carried.

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER: Your Conference Committee to which was referred Engrossed SB 2032 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on pages 2432-2435 of the House Journal and that Engrossed SB 2032 be amended as follows:

That the House recede from its amendments as found on pages 2432-2435 of the House Journal and on pages 1902-1905 of the Senate Journal and that engrossed Senate Bill No. 2032 be amended as follows:

On page 1 of the engrossed bill, line 17, delete the numerals "3,180,952" and insert in lieu thereof the numerals "3,240,226"

On page 1 of the engrossed bill, line 18, delete the numerals "891,677" and insert in lieu thereof the numerals "947,749"

On page 1 of the engrossed bill, line 19, delete the numerals "831,487" and insert in lieu thereof the numerals "781,487"

On page 1 of the engrossed bill, line 20, delete the numerals "42,975" and insert in lieu thereof the numerals "47,548"

On page 1 of the engrossed bill, line 21, delete the numerals "30,000" and insert in lieu thereof the numerals "75,000"

On page 1 of the engrossed bill, line 22, delete the numerals "4,977,091" and insert in lieu thereof the numerals "5,092,010"

On page 1 of the engrossed bill, delete line 26

- On page 1 of the engrossed bill, line 27, insert a dollar sign before the numerals "303,500"
- On page 1 of the engrossed bill, line 28, delete the numerals "333,500" and insert in lieu thereof the numerals "\$303,500"
- On page 2 of the engrossed bill, line 2, delete the numerals "263,500" and insert in lieu thereof the numerals "233,500"
- On page 2 of the engrossed bill, line 3, delete the numerals "263,500" and insert in lieu thereof the numerals "233,500"
- On page 2 of the engrossed bill, line 4, delete the numerals "5,047,091" and insert in lieu thereof the numerals "5,162,010"
- On page 2 of the engrossed bill, line 5, delete the numerals "5,310,591" and insert in lieu thereof the numerals "5,395,510"
- On page 2 of the engrossed bill, after line 17, insert the following new sections:

"SECTION 4. BUDGET SECTION AUTHORIZATION - DATA PROCESSING AND ACCOUNTING SYSTEMS. The workmen's compensation bureau shall make periodic reports during the 1985-86 interim to the budget section of the legislative council regarding the bureau's progress in the modernization of its data processing and accounting systems. Funding in the amount of \$561,487 for this project is provided in the data processing line item in subdivision 1 of section 1 of this Act. The bureau may expend the funds for such project only upon the approval of the budget section.

SECTION 5. OFFICE OF MANAGEMENT AND BUDGET APPROVAL REQUIRED - ACCOUNTANT - MANAGEMENT POSITION - DATA PROCESSING AND ACCOUNTING SYSTEMS. It is the intent of the legislative assembly that the current unclassified position of executive director at the workmen's compensation bureau be changed to a classified position. Funding in the amount of \$86,849 for salaries and wages and \$561,487 for the data processing and accounting system project provided in the data processing line item in subdivision 1 of section 1 of this Act may be expended by the bureau only after the bureau has certified to the director of the office of management and budget, and subject to the director's approval, that a person has been hired to fill the position who is either a licensed public accountant, a certified public accountant, or has a master's in business administration degree (MBA) and has adequate general management experience and is qualified and capable of implementing data processing, accounting and

management information systems that are modern and efficient.

SECTION 6. OFFICE RELOCATION - APPROVAL. The workmen's compensation bureau before moving from its present location, must obtain approval from the budget section of the legislative council, director of institutions, and emergency commission. Expenditures may be made pursuant to the contingency line item in subdivision 1 of section 1 of this Act for rent expense only upon approval from the budget section, director of institutions, and emergency commission."

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Workmen's Compensation Bureau

The salaries and wages line item reflects a net increase of \$59,274 from other funds. Of the total, \$48,881 is a decrease from other funds for the purpose of reclassifying a current Attorney III position as a Legal Assistant II. Funds are provided to allow a starting salary for the Legal Assistant II of \$18,000 a year with a four percent increase the second year of the biennium. This amendment also includes a \$108,155 increase to reflect the addition of a medical claims only examiner, \$39,344; a lost time claims examiner, \$44,821; and a clerk, \$23,990. These amounts include four percent increases in the second year of the biennium for these positions. These changes were included in the House amendments.

The operating expenses line item is increased by \$56,072 from other funds. Of the total, \$6,072 relates to the three additional positions. The remaining \$50,000 reflects a transfer from the data processing line item to provide funds to continue the consultant services of management services limited in their design of the data processing and accounting system.

The equipment line item is increased by \$4,573 from other funds relating to the three additional positions.

The contingency line item is increased by \$45,000 from other funds. A new section is added that provides that the contingency funds are to be made available only for rent expense in the event that the Workmen's Compensation Bureau moves from its present office building. This move cannot be made until receiving approval from the Budget Section, Director of Institutions, and Emergency Commission.

A new section is added regarding Budget Section authorization for the Workmen's Compensation Bureau to make periodic reports during the 1985-86 interim to the Budget Section regarding the bureau's progress in the modernization of its data processing and

accounting systems. Another new section is added which would change the current unclassified position of executive director to a classified position. This position is to be filled by a person qualified to implement the necessary changes to the data processing, accounting, and management information systems.

Crime Victims Reparation

The operating expenses line item of \$30,000 from the general fund is deleted. The operating expenses will be assumed by the Workmen's Compensation Bureau.

For the Senate: Sens. Tennefos, Wenstrom, Mushik

For the House: Reprs. Unhjem, Winkelman, Kelly

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

Engrossed SB 2032 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

SIXTH ORDER OF BUSINESS

REP. UNHJEM MOVED that the amendments to SB 2032 as recommended by the conference committee be adopted, and when so adopted, recommends that SB 2032 DO PASS, which motion prevailed.

SB 2032 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

SECOND READING OF SENATE BILL

SB 2032: A BILL for an Act making an appropriation for defraying the expenses of the workmen's compensation bureau and the divisions thereof of the state of North Dakota; and to provide performance reviews of employees of all state agencies and institutions.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 102 YEAS, 3 NAYS, 1 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; Gullickson; 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; Mertens; Meyer; Moore; Myrdal; Nalewaja; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.;

Opedahl; O'Shea; Payne; Pederson, R.; Peterson, J.; Retzer; Rice; Riehl; Riley; 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: Hanson, O.; Melby; Murphy

ABSENT AND NOT VOTING: Richard

SB 2032 passed and the title was agreed to.

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER: Your Conference Committee to which was referred Engrossed SB 2036 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on pages 2193-2194 of the House Journal and that Engrossed SB 2036 be amended as follows:

That the House recede from its amendments to engrossed Senate Bill No. 2036 as found on page 1730 of the Senate Journal and pages 2193 and 2194 of the House Journal and that engrossed Senate Bill No. 2036 be amended as follows:

On page 1 of the engrossed bill, line 9, delete the numerals "797,281" and insert in lieu thereof the numerals "818,481"

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Tax Commissioner

The amount to be transferred from the motor vehicle fuel tax to the general fund is increased by \$21,200. This net increase is to reflect an increase of \$32,000 in the data processing line item in House Bill No. 1001 for computerizing the motor fuels tax information and a decrease of \$10,800 in the gas tax division salaries and wages in House Bill No. 1001.

For the Senate: Sens. Tennefos, Wenstrom, Stromme

For the House: Reps. Gunsch, Smette, Graba

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

Engrossed SB 2036 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

SIXTH ORDER OF BUSINESS

REP. GUNSCH MOVED that the amendments to SB 2036 as recommended by the conference committee be adopted, and when so adopted, recommends that SB 2036 DO PASS, which motion prevailed.

SB 2036 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

SECOND READING OF SENATE BILL

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

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 103 YEAS, 2 NAYS, 1 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; Gullickson; 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; Murphy; Myrdal; Nalewaja; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Peterson, J.; Retzer; Rice; Richard; Riehl; Riley; Rydell; Sauter; Schindler; Schmidt; 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: Hughes; Melby

ABSENT AND NOT VOTING: Schneider

SB 2036 passed and the title was agreed to.

MESSAGE FROM THE SENATE
SENATE CHAMBER

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

SCR 4084

LEO LEIDHOLM, Secretary

FIRST READING OF A SENATE CONCURRENT RESOLUTION

Sens. Matchie, Tennefos and Reps. Moore, Nalewaja, R. Berg introduced:

(Approved by the Committee on Delayed Bills)

SCR 4084: A concurrent resolution congratulating the North Dakota State University Bison Club Hockey Team for winning the 1985 National Collegiate Club Hockey Tournament held at Huntsville, Alabama, on March 1, 2, and 3, 1985.

Was read the first time.

MOTION

REP. STRINDEN MOVED that the rules be suspended, that SCR 4084 not be printed, not be referred to committee, be read in its entirety, be printed in the Journal, and placed on the calendar for second reading and final passage, which motion prevailed.

Sens. Matchie, Tennefos and Reps. Moore, Nalewaja, R. Berg introduced:

SENATE CONCURRENT RESOLUTION NO. 4084

A concurrent resolution congratulating the North Dakota State University Bison Club Hockey Team for winning the 1985 National Collegiate Club Hockey Tournament held at Huntsville, Alabama, on March 1, 2, and 3, 1985.

WHEREAS, the North Dakota State University Bison Club Hockey Team completed its first full season of collegiate competition by compiling an impressive record of 24 wins and only 6 losses, culminating in the National Championship title at the National Collegiate Club Hockey Tournament in Huntsville, Alabama; and

WHEREAS, the North Dakota State University Bison Club Hockey Team, coaches, advisor, financial contributors, students, boosters, and fans have all contributed to making collegiate hockey at North Dakota State University a reality and a huge success in the first full year of competition; and

WHEREAS, the North Dakota State University Bison Club Hockey Team's outstanding season and National Championship are accomplishments of which all North Dakotans can be justifiably proud;

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

That the Forty-ninth Legislative Assembly takes great pride and pleasure in extending its congratulations to the North Dakota State University Bison Club Hockey Team which consists of team members Jeff Aikens, Todd Akkanen, Wade Amundson, Matt Andrews, Mike Berg, Tom Bruce, Bill Bye, Ryan Christianson, Mike Duffey, Tom Folske, Erick Grafstrom, Jeff Iverson, Greg LaDouceur, Jim Mikkelson, Doug Odegaard, Terry Pavek, John Schacher, Don Smith, Elliott Solheim, Kary Strandell, Bill Strauss, Student Trainer Scott Johnson, Head Coach Dave Morinville, Assistant Coach Jim Shaw, and Faculty Advisor, Dr. Bob Nielsen, for their most successful season and for winning the 1985 National Collegiate Club Hockey Tournament; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded by the Secretary of State to the administration at North Dakota State University, to the North Dakota State University Bison Hockey Club and team members, to Head Coach Dave Morinville, and to Faculty Advisor, Dr. Bob Nielsen.

SECOND READING OF A SENATE CONCURRENT RESOLUTION

SCR 4084: A concurrent resolution congratulating the North Dakota State University Bison Club Hockey Team for winning the 1985 National Collegiate Club Hockey Tournament held at Huntsville, Alabama, on March 1, 2, and 3, 1985.

Which has been read.

The question being on the final adoption of the resolution.

SCR 4084 was declared adopted on a voice vote.

MOTION

REP. STRINDEN MOVED that the House express its appreciation to the Legislative Council and their staff for the work they did in assisting us to complete our work, which motion prevailed.

MESSAGE TO THE HOUSE SENATE CHAMBER

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

HCR 3106, HCR 3107

LEO LEIDHOLM, Secretary

HOUSE INTERIM COMMITTEE APPOINTMENTS

Capitol Grounds Planning Commission

Representative D. Kent
Representative B. Laughlin
Representative A. Olson

Education Commission of the States

Representative M. Hamerlik

Legislative Council

Representative E. Strinden
Representative C. Mertens
Representative R. Hausauer
Representative S. Hoffner
Representative R. Kloubec
Representative T. Kelly
Representative A. Richard
Representative J. Whalen

Multistate Tax Compact Advisory Committee

Representative J. Schneider
Representative M. Moore

North Dakota Centennial Commission

Representative C. Rydell
Representative O. Opedahl

Indian Affairs Commission

Representative D. Nalewaja

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:

SB 2029, SB 2032, SB 2036

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

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

SCR 4084

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

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

SB 2267

ROY GILBREATH, Chief Clerk

MESSAGE FROM THE SENATE
SENATE CHAMBER

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

HB 1663

LEO LEIDHOLM, Secretary

REPORT OF PROCEDURAL COMMITTEE

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

HB 1011, HB 1013, HB 1029, HB 1035, HB 1049, HB 1067,
HB 1069, HB 1072, HB 1243, HB 1250, HB 1327, HB 1522,
HB 1523, HB 1528, HB 1574, HB 1588, HB 1638, HB 1653,
HB 1660, HB 1662

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 and engrossed:

HB 1001, HB 1002, HB 1003, HB 1006, HB 1009, HB 1010,
HB 1031, HB 1048, HB 1196, HB 1404, HB 1446, HB 1494,
HB 1526, HB 1636

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 1019, HCR 3102, HCR 3104, HCR 3105

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 1017, HB 1023, HB 1663, HCR 3106, HCR 3107

REP. HEDSTROM, Chairman

FRIDAY, APRIL 5, 1985

2919

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

COMMUNICATION

State of North Dakota
EXECUTIVE OFFICE
Bismarck

April 8, 1985

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

Dear Mr. Speaker:

This is to inform you that on April 4, 1985, I signed the following:

HB 1070, HB 1077, HB 1486, HB 1493, HB 1153, HB 1233,
HB 1242, HB 1295, HB 1606, HB 1656.

Sincerely,

GEORGE A. SINNER
Governor

MOTIONS

REP. KRETSCHMAR MOVED that a committee of three be appointed to notify the Senate that the House had completed its business and was about to adjourn, which motion prevailed. The Speaker appointed to such committee:

Reps. Koland, Lindgren, Sauter

REP. KRETSCHMAR MOVED that a committee of three be appointed to notify the Governor that the House had completed its business and was about to adjourn, which motion prevailed. The Speaker appointed to such committee:

Reps. Dalrymple, Belter, Dotzenrod

A committee from the Senate was received who announced that the Senate had completed its business and was about to adjourn.

Representative A. Olson played the piano and led the Assembly in singing "Auld Lang Syne".

ANNOUNCEMENTS

REP. DALRYMPLE ANNOUNCED that the committee appointed to notify the Governor that the House had completed its business and was

about to adjourn, had completed its business and asked to be discharged, which request was granted.

REP. KOLAND ANNOUNCED that the committee to notify the Senate that the House had completed its business and was about to adjourn, had completed its business and asked to be discharged, which request was granted.

MOTIONS

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

REP. KRETSCHMAR MOVED that the House be on the Fifteenth and Sixteenth orders of business and at the conclusion of those orders, the House adjourn sine die, which motion prevailed.

MESSAGE TO THE HOUSE
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 2001, SB 2002, SB 2003, SB 2009, SB 2010, SB 2019,
 - SB 2025, SB 2029, SB 2032, SB 2036, SB 2138, SB 2178,
 - SB 2249, SB 2313, SB 2338, SB 2345, SB 2373, SB 2455,
 - SB 2507, SCR 4010, SCR 4022, SCR 4082, SCR 4083, SCR 4084
- LEO LEIDHOLM, Secretary

SIGNING OF BILLS AND RESOLUTIONS

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following:

- SB 2001, SB 2002, SB 2003, SB 2009, SB 2010, SB 2019,
 - SB 2025, SB 2029, SB 2032, SB 2036, SB 2138, SB 2178,
 - SB 2249, SB 2313, SB 2338, SB 2345, SB 2373, SB 2455,
 - SB 2507, SCR 4010, SCR 4022, SCR 4082, SCR 4083, SCR 4084
- ROY GILBREATH, Chief Clerk

SIGNING OF BILLS AND RESOLUTIONS

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following:

- HB 1001, HB 1002, HB 1003, HB 1006, HB 1009, HB 1010,
 - HB 1011, HB 1013, HB 1017, HB 1019, HB 1023, HB 1029,
 - HB 1031, HB 1035, HB 1048, HB 1049, HB 1067, HB 1069,
 - HB 1072, HB 1196, HB 1243, HB 1250, HB 1327, HB 1404,
 - HB 1446, HB 1494, HB 1522, HB 1523, HB 1526, HB 1528,
 - HB 1574, HB 1588, HB 1636, HB 1638, HB 1653, HB 1660,
 - HB 1662, HB 1663, HCR 3102, HCR 3104, HCR 3105, HCR 3106,
 - HCR 3107
- ROY GILBREATH, Chief Clerk

MESSAGES TO THE SENATE
HOUSE CHAMBER

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

SB 2001, SB 2002, SB 2003, SB 2009, SB 2010, SB 2019,
SB 2025, SB 2029, SB 2032, SB 2036, SB 2138, SB 2178,
SB 2249, SB 2313, SB 2338, SB 2345, SB 2373, SB 2455,
SB 2507, SCR 4010, SCR 4022, SCR 4082, SCR 4083, SCR 4084
ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

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

HB 1001, HB 1002, HB 1003, HB 1006, HB 1009, HB 1010,
HB 1011, HB 1013, HB 1017, HB 1019, HB 1023, HB 1029,
HB 1031, HB 1035, HB 1048, HB 1049, HB 1067, HB 1069,
HB 1072, HB 1196, HB 1243, HB 1250, HB 1327, HB 1404,
HB 1446, HB 1494, HB 1522, HB 1523, HB 1526, HB 1528,
HB 1574, HB 1588, HB 1636, HB 1638, HB 1653, HB 1660,
HB 1662, HB 1663, HCR 3102, HCR 3104, HCR 3105, HCR 3106,
HCR 3107

ROY GILBREATH, Chief Clerk

MESSAGE FROM THE SENATE
SENATE CHAMBER

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

HB 1001, HB 1002, HB 1003, HB 1006, HB 1009, HB 1010,
HB 1011, HB 1013, HB 1017, HB 1019, HB 1023, HB 1029,
HB 1031, HB 1035, HB 1048, HB 1049, HB 1067, HB 1069,
HB 1072, HB 1196, HB 1243, HB 1250, HB 1327, HB 1404,
HB 1446, HB 1494, HB 1522, HB 1523, HB 1526, HB 1528,
HB 1574, HB 1588, HB 1636, HB 1638, HB 1653, HB 1660,
HB 1662, HB 1663, HCR 3102, HCR 3104, HCR 3105, HCR 3106,
HCR 3107

LEO LEIDHOLM, Secretary

SIGNING OF BILLS AND RESOLUTIONS

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following:

SB 2005, SB 2007, SB 2011, SB 2012, SB 2013, SB 2014,
SB 2016, SB 2017, SB 2021, SB 2023, SB 2027, SB 2028,
SB 2030, SB 2031, SB 2033, SB 2035, SB 2159, SB 2307,
SB 2371, SB 2400

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 2005, SB 2007, SB 2011, SB 2012 SB 2013, SB 2014,
SB 2016 SB 2017, SB 2021, SB 2023, SB 2027, SB 2028,
SB 2030, SB 2031, SB 2033, SB 2035, SB 2159, SB 2307,
SB 2371, SB 2400

ROY GILBREATH, Chief Clerk

REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER: Your Committee on Enrollment and Engrossment respectfully report that the following bills were delivered to the Secretary of State for his filing at the hour of 3:00 p.m., April 9, 1985:

HCR 3106, HCR 3107

REP. HEDSTROM, Chairman

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

REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER: Your Committee on Enrollment and Engrossment respectfully report that the following bills were delivered to the Secretary of State for his filing at the hour of 3:00 p.m., April 9, 1985:

HCR 3102, HCR 3104, HCR 3105

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 1305 (Veto sustained)
HB 1335 (Veto sustained)
HB 1375 (Veto sustained)
HB 1408 (Veto sustained)

REP. HEDSTROM, Chairman

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

SIGNING OF BILLS AND RESOLUTIONS

THE CHIEF CLERK ANNOUNCED that the Speaker was about to sign the certification by which HB 1305, HB 1335, HB 1375, and HB 1408 failed to pass the House over the Governor's veto, and the Speaker signed the same:

HB 1305, HB 1335, HB 1375, HB 1408

ROY GILBREATH, Chief Clerk

REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER: Your Committee on Enrollment and Engrossment respectfully report that the following bills were delivered to the Secretary of State for his filing at the hour of 3:00 p.m., April 9, 1985:

HB 1305, HB 1335, HB 1375, and HB 1408, which have failed to pass the House of Representatives over the Governor's vetoes, also copies of the Governor's objections, as well as the certificates of the presiding officers of the House of Representatives as to the final actions of that body with reference to the passage of these bills.

REP. HEDSTROM, Chairman

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

SIGNING OF BILLS AND RESOLUTIONS

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following:

HB 1007, HB 1008, HB 1012, HB 1015, HB 1016, HB 1020, HB 1021, HB 1022, HB 1024, HB 1025, HB 1027, HB 1028, HB 1033, HB 1034, HB 1036, HB 1037, HB 1043, HB 1545

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 1007, HB 1008, HB 1012, HB 1015, HB 1016, HB 1020, HB 1021, HB 1022, HB 1024, HB 1025, HB 1027, HB 1028, HB 1033, HB 1034, HB 1036, HB 1037, HB 1043, HB 1545

ROY GILBREATH, Chief Clerk

MESSAGE FROM THE SENATE
SENATE CHAMBER

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

HB 1007, HB 1008, HB 1012, HB 1015, HB 1016, HB 1020, HB 1021, HB 1022, HB 1024, HB 1025, HB 1027, HB 1028, HB 1033, HB 1034, HB 1036, HB 1037, HB 1043, HB 1545

LEO LEIDHOLM, Secretary

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 3:35 p.m., April 9, 1985:

HB 1027, HB 1043

REP. HEDSTROM, Chairman

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

REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER: Your Committee on Enrollment and Engrossment respectfully report that the following bills were delivered to the Governor for his approval at the hour of 3:35 p.m., April 9, 1985:

HB 1012, HB 1021

REP. HEDSTROM, Chairman

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

REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER: Your Committee on Enrollment and Engrossment respectfully report that the following bills were delivered to the Governor for his approval at the hour of 3:35 p.m., April 9, 1985:

HB 1007, HB 1015, HB 1020, HB 1025, HB 1028

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 3:35 p.m., April 9, 1985:

HB 1011, HB 1013, HB 1019, HB 1029, HB 1035, HB 1049,
 HB 1067, HB 1069, HB 1072, HB 1243, HB 1250, HB 1327,
 HB 1522, HB 1523, HB 1528, HB 1574, HB 1588, HB 1638,
 HB 1660, HB 1662

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 bill was delivered to the Governor for his approval at the hour of 3:35 p.m., April 9, 1985:

HB 1653

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 3:35 p.m., April 9, 1985:

HB 1001, HB 1002, HB 1003, HB 1006, HB 1009, HB 1010,
 HB 1017, HB 1023, HB 1031, HB 1048, HB 1196, HB 1404,
 HB 1446, HB 1494, HB 1526, HB 1636, HB 1663

REP. HEDSTROM, Chairman

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

MESSAGE TO THE SENATE
HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to return herewith the following which the House has laid on the table and subsequently failed to pass:

SB 2375

ROY GILBREATH, Chief Clerk

REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER: Your Committee on Enrollment and Engrossment respectfully report that the following bills were delivered to the Governor for his approval at the hour of 3:35 p.m., April 9, 1985:

HB 1008, HB 1016, HB 1022, HB 1024, HB 1033, HB 1034,
 HB 1037, HB 1545

REP. HEDSTROM, Chairman

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

REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER: Your Committee on Enrollment and Engrossment respectfully report that the following bill was delivered to the Governor for his approval at the hour of 3:35 p.m., April 9, 1985:

HB 1036

REP. HEDSTROM, Chairman

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

REPORT OF PROCEDURAL COMMITTEE

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

HMR A

REP. HEDSTROM, Chairman

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

SIGNING OF BILLS AND RESOLUTIONS

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following:

HMR A

ROY GILBREATH, Chief Clerk

REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER: Your Committee on Enrollment and Engrossment respectfully report that the following bill was delivered to the Secretary of State for his filing:

HMR A

REP. HEDSTROM, Chairman

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

Pursuant to Representative Kretschmar's motion, the House adjourned sine die.

ROY GILBREATH, Chief Clerk

FRIDAY, APRIL 5, 1985

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POSTSESSION ACTION BY GOVERNOR

Postsession Governor's action on House Bills delivered after adjournment:

	DATE SIGNED:
House Bill No. 1458	April 5, 1985
1018	April 11, 1985
1587	April 11, 1985
1614	April 11, 1985
1004	April 11, 1985
1127	April 11, 1985
1081	April 11, 1985
1001	April 15, 1985
1002	April 15, 1985
1003	April 15, 1985
1006	April 15, 1985
1007	April 15, 1985
1008	April 15, 1985
1011	April 15, 1985
1012	April 15, 1985
1015	April 15, 1985
1016	April 15, 1985
1017	April 15, 1985
1019	April 15, 1985
1020	April 15, 1985
1021	April 15, 1985
1022	April 15, 1985
1023	April 15, 1985
1024	April 15, 1985
1025	April 15, 1985
1027	April 15, 1985
1028	April 15, 1985
1029	April 15, 1985
1033	April 15, 1985
1034	April 15, 1985
1035	April 15, 1985
1036	April 15, 1985
1037	April 15, 1985
1043	April 15, 1985
1048	April 15, 1985
1049	April 15, 1985
1067	April 15, 1985
1069	April 15, 1985
1072	April 15, 1985
1196	April 15, 1985
1204	April 15, 1985
1243	April 15, 1985
1318	April 15, 1985
1327	April 15, 1985
1404	April 15, 1985
1446	April 15, 1985
1494	April 15, 1985
1522	April 15, 1985

1523	April 15, 1985
1526	April 15, 1985
1528	April 15, 1985
1588	April 15, 1985
1636	April 15, 1985
1009	April 16, 1985
1010	April 16, 1985
1013	April 16, 1985
1031	April 16, 1985
1168	April 16, 1985
1250	April 16, 1985
1293	April 16, 1985
1545	April 16, 1985
1574	April 16, 1985
1653	April 16, 1985
1660	April 16, 1985
1662	April 16, 1985
1663	April 16, 1985

VETO MESSAGE

State of North Dakota
EXECUTIVE OFFICE
Bismarck

April 16, 1985

The Honorable Ben Meier
Secretary of State
State Capitol
Bismarck, North Dakota 58505

Dear Mr. Meier:

House Bill 1638 would have no impact on revenues for the 1985-87 biennium because of the delayed effective date.

Nevertheless, it is not wise policy to pass legislation which would tend to limit the options of succeeding legislative sessions. It is also not wise policy to provide tax breaks without regard to future revenue needs.

I am not an advocate of the current approach to coal taxation, and the entire area of coal taxation needs thorough review. However, until that review is accomplished this measure may only cloud the issue.

Therefore, I veto House Bill 1638.

Sincerely,

GEORGE A. SINNER
Governor