

JOURNAL OF THE SENATE

Forty-ninth Legislative Assembly

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THIRTY-THIRD DAY

Bismarck, February 21, 1985

The Senate convened at 12:30 p.m., with President Meiers presiding.

The prayer was offered by Father Jeff Zwack, Church of Corpus Christi, Bismarck.

Almighty God, You have given us this good land for our heritage. We humbly ask You that we may always prove ourselves a people mindful of Your favor and glad to do Your will. Continue to bless our country and state with Your many gifts. Grant to the administration of this state a ministry of service to all, not the few; to our Congress the upholding of public interest, not of competing private claims; to our judiciary a wisdom in interpreting law, grounded in principle, not expediency.

Endow with the spirit of wisdom those to whom in Your name we entrust the authority of government and to those who are responsible for making laws, that there may be justice and peace at home, and that through obedience to Your law we may show forth Your praise among the nations on earth. In time of prosperity fill our hearts with thankfulness, and in the day of trouble do not allow our trust in You to fail. We ask all of this through Jesus Christ, our Lord, Amen.

ROLL CALL

The roll was called and all members were present, except Senators David, Heigaard, Mushik, Nething.

A quorum was declared by the President.

REVISION AND CORRECTION OF THE JOURNAL

MADAM PRESIDENT: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Thirty-second day and finds the same to be correct.

SEN. DAVID, Chairman

SEN. J. MEYER MOVED that the report be adopted, which motion prevailed.

REPORT OF PROCEDURAL COMMITTEE

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

SB 2025, SB 2033, SB 2200, SB 2214, SB 2304, SB 2413,
SB 2414, SB 2468, SB 2477, SCR 4051

SEN. BAKEWELL, Chairman

SEN. KRAUTER MOVED that the report be adopted, which motion prevailed.

MESSAGE TO THE HOUSE
SENATE CHAMBER

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

SB 2002, SB 2010, SB 2012, SB 2015, SB 2016, SB 2017,
SB 2021, SB 2029, SB 2032, SB 2035, SB 2159, SB 2296,
SB 2389, SB 2411, SB 2443

LEO LEIDHOLM, Secretary

CONSIDERATION OF AMENDMENTS

SEN. NELSON MOVED that SB 2003 be placed at the bottom of the Sixth order, which motion prevailed.

SEN. LIPS MOVED that the amendments to SB 2013 as recommended by the Committee on Appropriations as printed on pages 934-935 of the Senate Journal be adopted, and when so adopted, recommends that SB 2013 DO PASS, which motion prevailed.

MOTION

SEN. TENNEFOS MOVED that the rules be suspended, that SB 2013 be deemed properly engrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE BILL

SB 2013: A BILL for an Act making an appropriation for defraying the expenses of the aeronautics commission of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 49 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Berube; Christensen; Dotzenrod; Freborg; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mutch; Naaden; Nelson; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: David; Heigaard; Mushik; Nething

SB 2013 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SEN. LIPS MOVED that the amendments to SB 2024 as recommended by the Committee on Appropriations as printed on pages 935-936 of the Senate Journal be adopted, and when so adopted, recommends that SB 2024 DO PASS, which motion prevailed.

MOTION

SEN. NAADEN MOVED that the rules be suspended, that SB 2024 be deemed properly engrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE BILL

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

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 47 YEAS, 1 NAY, 5 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Berube; Christensen; Dotzenrod; Freborg; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mutch; Naaden; Nelson; Olson; Parker; Peterson; Redlin; Satrom; Shea; Stenehjerm; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: Lashkowitz

ABSENT AND NOT VOTING: David; Heigaard; Mushik; Nething; Reiten

SB 2024 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SEN. LIPS MOVED that the amendments to SB 2048 as recommended by the Committee on Appropriations as printed on pages 937-939 of the Senate Journal be adopted, and when so adopted, recommends that SB 2048 DO PASS, which motion prevailed.

MOTION

SEN. STREIBEL MOVED that the rules be suspended, that SB 2048 be deemed properly reengrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE BILL

SB 2048: A BILL for an Act to create and enact a new section to chapter 54-44.4 of the North Dakota Century Code, relating to the acquisition of real property or equipment for state agencies and institutions of the executive, judicial, and legislative branches of state government and the state board of higher education by the use of fixed rate securities or variable rate demand notes; to provide a continuing appropriation; and to declare an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 26 YEAS, 24 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Christensen; Holmberg; Ingstad; Lips; Lodoen; Matchie; Meyer, W.; Mushik; Naaden; Olson; Parker; Peterson; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Wenstrom

NAYS: Berube; Dotzenrod; Freborg; Heinrich; Hilken; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Maixner; Meyer, D.; Meyer, J.; Moore; Mutch; Nelson; Redlin; Vosper; Waldera; Walsh; Wogsland; Wright

ABSENT AND NOT VOTING: David; Heigaard; Nothing

SB 2048 was declared lost for want of a Constitutional majority.

POINT OF PERSONAL PRIVILEGE

SEN. NAADEN: Madam President: I rise on a point of personal privilege and request that my remarks be printed in the Journal.

Madam President and ladies and gentlemen of the Senate: Monday, February 18th was the official state holiday in recognition of George Washington's birthday. Because of Crossover, the Legislature will observe February 25th as the presidential holiday. All Legislative Assembly employees will be paid for the legislative holiday, February 25th, in observance of President's Day.

The Legislative Assembly will also be in recess on February 26th. In recognition of the uncompensated overtime which all our employees have put in since the beginning of this session, legislative employees will also be paid for that day.

CONSIDERATION OF AMENDMENTS

SEN. LIPS MOVED that the amendments to SB 2274 as recommended by the Committee on Appropriations as printed on page 939 of the Senate Journal be adopted, and when so adopted, recommends that SB 2274 DO PASS, which motion prevailed.

MOTION

SEN. TALLACKSON MOVED that the rules be suspended, that SB 2274 be deemed properly reengrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE BILL

SB 2274: A BILL for an Act to create and enact nine new sections to chapter 26-17.1 of the North Dakota Century Code, or in the alternative to create and enact nine new sections to chapter 26.1-26 of the North Dakota Century Code as created in Senate Bill No. 2078, as approved by the forty-ninth legislative assembly, relating to prelicensure and continuing education for insurance agents; and to provide an appropriation.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 44 YEAS, 6 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Berube; Christensen; Dotzenrod; Holmberg; Ingstad; Kelly; Kilander; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Naaden; Nelson; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: Freborg; Heinrich; Hilken; Kelsh; Krauter; Mutch

ABSENT AND NOT VOTING: David; Heigaard; Nething

SB 2274 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SEN. LIPS MOVED that the amendments to SB 2311 as recommended by the Committee on Appropriations as printed on page 940 of the Senate Journal be adopted, and when so adopted, recommends that SB 2311 DO PASS, which motion prevailed.

MOTION

SEN. THANE MOVED that the rules be suspended, that SB 2311 be deemed properly engrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE BILL

SB 2311: A BILL for an Act to provide that information be provided to state employees concerning state contributions to employee health and retirement benefit programs.

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 49 YEAS, 1 NAY, 3 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Berube; Christensen; Dotzenrod; Freborg; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nelson; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Wenstrom; Wogsland; Wright

NAYS: Walsh

ABSENT AND NOT VOTING: David; Heigaard; Nothing

SB 2311 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SEN. STENEHJEM MOVED that the amendments to SB 2328 as recommended by the Committee on Social Services and Veterans Affairs as printed on pages 940-941 of the Senate Journal be adopted, and when so adopted, recommends that SB 2328 DO PASS, which motion prevailed.

MOTION

SEN. MATCHIE MOVED that the rules be suspended, that SB 2328 be deemed properly engrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE BILL

SB 2328: A BILL for an Act to create and enact a new section to chapter 23-12 of the North Dakota Century Code, relating to enforcement of public smoking restrictions by the state laboratories department; and to amend and reenact sections 23-12-09, 23-12-10, and 23-12-11 of the North Dakota Century Code, relating to designating smoking areas in places of public assembly.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 19 YEAS, 31 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Berube; Christensen; Dotzenrod; Heinrich; Hilken; Kelly; Kelsh; Krauter; Kusler; Lashkowitz; Lips; Maixner; Matchie; Meyer, J.; Mushik; Redlin; Satrom; Shea; Walsh

NAYS: Adams; Bakewell; Freborg; Holmberg; Ingstad; Kilander; Langley; Lodoen; Meyer, D.; Meyer, W.; Moore; Mutch; Naaden; Nelson; Olson; Parker; Peterson; Reiten; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Wenstrom; Wogsland; Wright

ABSENT AND NOT VOTING: David; Heigaard; Nething

SB 2328 was declared lost.

CONSIDERATION OF AMENDMENTS

SEN. STENEHJEM MOVED that the amendments to SB 2398 as recommended by the Committee on Social Services and Veterans Affairs as printed on pages 941-942 of the Senate Journal be adopted, and when so adopted, recommends that SB 2398 DO PASS, which motion prevailed.

MOTION

SEN. STENEHJEM MOVED that the rules be suspended, that SB 2398 be deemed properly engrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE BILL

SB 2398: A BILL for an Act to regulate the practice of denturistry; and to provide a penalty.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 43 YEAS, 6 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Bakewell; Berube; Christensen; Dotzenrod; Freborg; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Matchie; Meyer, J.; Meyer, W.; Moore; Mushik; Naaden; Nelson; Olson; Parker; Redlin; Reiten; Satrom; Shea; Stenehjerm; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: Adams; Kilander; Meyer, D.; Mutch; Peterson; Tweten

ABSENT AND NOT VOTING: David; Heigaard; Maixner; Nething

SB 2398 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SEN. LIPS MOVED that the amendments to SB 2417 as recommended by the Committee on Appropriations as printed on page 943 of the Senate Journal be adopted, and when so adopted, recommends that SB 2417 DO PASS, which motion prevailed.

MOTION

SEN. TALLACKSON MOVED that the rules be suspended, that SB 2417 be deemed properly reengrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE BILL

SB 2417: A BILL for an Act to amend and reenact sections 25-04-13.1, 30.1-01-06, 30.1-26-01, 30.1-28-03, 30.1-28-04, and 30.1-28-11 of the North Dakota Century Code, and section 16 of chapter 313 of the 1983 Session Laws of North Dakota, relating to the superintendent of Grafton state school acting as guardian and limited guardianship or conservatorship.

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

YEAS: Adams; Bakewell; Berube; Christensen; Dotzenrod; Freborg; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Matchie; Meyer, D.; Meyer, J.; Meyer, W.;

Moore; Mushik; Mutch; Naaden; Nelson; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjerm; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: David; Heigaard; Maixner; Nething

SB 2417 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SEN. LIPS MOVED that the amendments to SB 2442 as recommended by the Committee on Appropriations as printed on page 943 of the Senate Journal be adopted, and when so adopted, recommends that SB 2442 DO PASS, which motion prevailed.

MOTION

SEN. LIPS MOVED that the rules be suspended, that SB 2442 be deemed properly reengrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE BILL

SB 2442: A BILL for an Act to provide for the manner in which state agencies shall contract for architect, engineer, and land surveying services; 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 49 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Berube; Christensen; Dotzenrod; Freborg; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nelson; Olson; Parker; Redlin; Reiten; Satrom; Shea; Stenehjerm; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: David; Heigaard; Nething; Peterson

SB 2442 passed, the title was agreed to, and the emergency clause carried.

CONSIDERATION OF AMENDMENTS

SEN. REITEN MOVED that the amendments to SB 2463 as recommended by the Committee on Industry, Business and Labor as printed on pages 944-945 of the Senate Journal be adopted, and when so adopted, recommends that SB 2463 DO PASS, which motion prevailed.

MOTION

SEN. KRAUTER MOVED that the rules be suspended, that SB 2463 be deemed properly engrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE BILL

SB 2463: A BILL for an Act to create and enact a new chapter to title 23 and a new section to chapter 23-09 of the North Dakota Century Code, relating to bed and breakfast facility regulation, and to hotels, lodginghouses, restaurants, and boardinghouses; and to amend and reenact section 19-02-24 of the North Dakota Century Code, relating to rooms in which food is stored not to be used for living quarters.

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 40 YEAS, 10 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Adams; Berube; Christensen; Dotzenrod; Heinrich; Hilken; Holmberg; Ingstad; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Maixner; Matchie; Meyer, J.; Meyer, W.; Moore; Mushik; Naaden; Nelson; Olson; Parker; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Tallackson; Thane; Todd; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: Bakewell; Freborg; Kelly; Lodoen; Meyer, D.; Mutch; Peterson; Tennefos; Tweten; Vosper

ABSENT AND NOT VOTING: David; Heigaard; Nothing

SB 2463 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SEN. LIPS MOVED that the amendments to SB 2506 as recommended by the Committee on Appropriations as printed on page 945 of the Senate Journal be adopted, and when so adopted, recommends that SB 2506 DO PASS, which motion prevailed.

MOTION

SEN. WALSH MOVED that the rules be suspended, that SB 2506 be deemed properly engrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE BILL

SB 2506: A BILL for an Act to allow the North Dakota centennial commission to sell commemorative centennial license plates, to suspend the requirement of two license plates on certain motor vehicles during the issuance of the commemorative license plates, and to authorize the motor vehicle registrar to contract to obtain the commemorative license plates; and to provide an appropriation.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 50 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Berube; Christensen; Dotzenrod; Freborg; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nelson; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: David; Heigaard; Nothing

SB 2506 passed and the title was agreed to.

MOTIONS

SEN. NELSON MOVED that SB 2003 and HB 1094, HB 1128, HB 1204, HB 1257, HB 1383, and HB 1614 which are on the Sixth order of business be laid over one legislative day, which motion prevailed.

SEN. HOLMBERG MOVED that HB 1544 be returned to the Senate floor from the Committee on State and Federal Government, which motion prevailed.

SEN. HOLMBERG MOVED that HB 1544 be rereferred to the Committee on Political Subdivisions, which motion prevailed.

SECOND READING OF A SENATE BILL

SB 2440: A BILL for an Act to create and enact a new subsection to section 15-40.1-06 of the North Dakota Century Code, relating to an excess mill levy grant to school districts; and to provide an appropriation.

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

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 10 YEAS, 40 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Bakewell; Ingstad; Kilander; Lips; Lodoen; Peterson; Tallackson; Waldera; Wogsland; Wright

NAYS: Adams; Eerube; Christensen; Dotzenrod; Ereborg; Heinrich; Hilken; Holmberg; Kelly; Kelsh; Krauter; Kusler; Langley; Lashkowitz; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nelson; Olson; Parker; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Tennefos; Thane; Todd; Tweten; Vosper; Walsh; Wenstrom

ABSENT AND NOT VOTING: David; Heigaard; Nething

SB 2440 was declared lost.

POINT OF PERSONAL PRIVILEGE

SEN. OLSON: Madam President: I rise on a point of personal privilege.

As all of us know, we had a lobbyist-legislator basketball game last night. It was a rough game, rougher for some than for others. After I signed a covenant not to sue, I was presented this bouquet of flowers but we all had fun and I very much appreciate the kindness that the opposition has shown. I hope in some small way I shall be able to repay that kindness. Thank you very much.

MOTION

SEN. NELSON MOVED that the Senate stand in recess for fifteen minutes, which motion prevailed.

THE SENATE RECONVENED pursuant to recess taken, with the President presiding.

SECOND READING OF SENATE BILLS

SB 2450: A BILL for an Act to create and enact subsections 9, 10, 11, 12, and 13 to section 41-09-28, four new subsections to section 41-09-42, and a new section to

title 41 of the North Dakota Century Code, relating to a central notice system, the protection of buyers of crops and livestock, the responsibilities of the secretary of state for the central notice system, fees chargeable, and transition; to amend and reenact subsection 8 of section 11-18-01, subsection 1 of section 41-09-28, and section 41-09-46 of the North Dakota Century Code, relating to sales of crops or livestock, responsibilities of the secretary of state, and financing statements; to repeal subsections 4, 5, 6, 7, and 8 of section 41-09-28, relating to the certificate of ownership law; and to provide an effective date.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 50 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Berube; Christensen; Dotzenrod; Freborg; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nelson; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: David; Heigaard; Nething

SB 2450 passed and the title was agreed to.

SB 2455: A BILL for an Act to create and enact a new section to chapter 38-08 of the North Dakota Century Code, relating to commingling of production from two or more oil or gas wells in a storage facility.

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 50 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Berube; Christensen; Dotzenrod; Freborg; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.;

Meyer, W.; Moore; Mushik; Mutch; Naaden; Nelson; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: David; Heigaard; Nething

SB 2455 passed and the title was agreed to.

MOTION

SEN. NELSON MOVED that SB 2465 be placed at the bottom of the Eleventh order on the calendar, which motion prevailed.

SECOND READING OF SENATE BILLS

SB 2486: A BILL for an Act to create and enact a new section to chapter 50-11 of the North Dakota Century Code, relating to the licensing of foster care homes and facilities for children and adults; and to amend and reenact section 50-11-08 of the North Dakota Century Code, relating to the denial or revocation of a foster care license.

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 50 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Berube; Christensen; Dotzenrod; Freborg; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nelson; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: David; Heigaard; Nething

SB 2486 passed and the title was agreed to.

SB 2489: A BILL for an Act to create and enact a new section to chapter 53-06.1 of the North Dakota Century Code, relating to adoption of rules by the attorney general to divide and

regulate classes of licenses of organizations which conduct games of chance.

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

YEAS: Adams; Bakewell; Berube; Dotzenrod; Freborg; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nelson; Olson; Parker; Peterson; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Christensen; David; Heigaard; Nething; Redlin

SB 2489 passed and the title was agreed to.

SECOND READING OF A SENATE CONCURRENT RESOLUTION

SCR 4010: A concurrent resolution designating the construction and completion of the federally authorized and funded Garrison Diversion Unit as having the first and highest priority for water development in North Dakota.

Which has been read.

MOTIONS

SEN. REDLIN MOVED that SCR 4010 be amended as follows:

On page 3, line 25, delete the first word "and" and insert in lieu thereof the word "as"

SEN. REDLIN MOVED that the proposed amendments be adopted, which motion prevailed.

SEN. REDLIN MOVED that the rules be suspended, that SCR 4010 be deemed properly reengrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SCR 4010: A concurrent resolution designating the construction and completion of the federally authorized and funded

Garrison Diversion Unit as having the first and highest priority for water development in North Dakota.

Which has been read.

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

SCR 4010 was declared adopted on a voice vote.

JOINT RULE 203 AMENDED

SEN. NELSON MOVED that the rules be suspended, that Joint Rule 203 be amended to read that Crossover day be extended from the Thirty-third legislative day to the Thirty-fifth legislative day, which motion prevailed.

SECOND READING OF A SENATE CONCURRENT RESOLUTION

SCR 4044: A concurrent resolution citing the existence of certain conditions of mutual concern confronting reservation and nonreservation residents of North Dakota, and urging the Congress of the United States to exercise responsibility and authority in resolving them.

Which has been read.

The question being on the final adoption of the resolution.

SCR 4044 was declared adopted on a division vote.

MOTION

SEN. NELSON MOVED that SCR 4051 be placed at the head of the calendar, which motion prevailed.

SECOND READING OF A SENATE CONCURRENT RESOLUTION

SCR 4051: A concurrent resolution directing the Legislative Council, with the assistance of citizen advisers, to study mutual concerns confronting all persons living within the exterior boundaries of the Fort Berthold Reservation.

Which has been read.

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

SCR 4051 was declared adopted on a voice vote.

MOTION

SEN. LIPS MOVED that the Senate reconsider the action by which SB 2410 passed, which motion lost on a verification vote.

SECOND READING OF A SENATE CONCURRENT RESOLUTION

SCR 4048: A concurrent resolution directing the Legislative Council to study the feasibility of and the various means and methods of, as well as the timing involved in, the development and transition to a "one university" system encompassing all state institutions of higher education in the state of North Dakota.

Which has been read.

The question being on the final adoption of the resolution.

SCR 4048 was declared adopted on a voice vote.

MOTION

SEN. NELSON MOVED that SB 2139, SB 2217, SB 2240, SB 2278, SB 2375, and SB 2400 be placed at the foot of the calendar, which motion prevailed.

SECOND READING OF SENATE BILLS

SB 2200: A BILL for an Act to create and enact a new subsection to section 39-12-05 of the North Dakota Century Code, relating to a provision for vehicle weight exemptions; to amend and reenact section 39-12-02, subsection 1 of section 39-12-04, and subsections 1 and 2 of section 39-12-05 of the North Dakota Century Code, relating to permits and adoption of rules governing the operation of certain motor vehicles and to the size and weights of vehicles; and to repeal section 39-18-05 of the North Dakota Century Code, relating to the allowable width, length, and height of mobile homes operated in 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 48 YEAS, 0 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Berube; Christensen; Dotzenrod; Freborg; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, J.; Moore; Mushik; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: David; Heigaard; Meyer, D.;
Meyer, W.; Stromme

SB 2200 passed and the title was agreed to.

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

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 51 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Berube; Christensen; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Moore; Mushik; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: David; Meyer, W.

SB 2249 passed and the title was agreed to.

SB 2304: A BILL for an Act to create and enact a new section to chapter 39-21 of the North Dakota Century Code, relating to equipment of motor vehicles powered by flammable pressurized gas.

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 49 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Berube; Christensen; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: Tweten; Vosper

ABSENT AND NOT VOTING: David; Naaden

SB 2304 passed and the title was agreed to.

SB 2413: A BILL for an Act to create and enact a new section to chapter 39-04 of the North Dakota Century Code, relating to registration fees of motor vehicles owned by collectors.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 51 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Berube; Christensen; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: Kelly

ABSENT AND NOT VOTING: David

SB 2413 passed and the title was agreed to.

SB 2414: A BILL for an Act to provide for a small business revolving loan fund; to repeal section 6-09-15.4 of the North Dakota Century Code, relating to loans to businessmen.

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 44 YEAS, 7 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Berube; Dotzenrod; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjem; Stromme; Tallackson; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: Adams; Bakewell; Christensen; Freborg; Mutch; Streibel; Teneffos

ABSENT AND NOT VOTING: David; Maixner

SB 2414 passed and the title was agreed to.

MOTION

SEN. NELSON MOVED that SB 2436, which is on the Eleventh order, be laid over one legislative day, which motion prevailed.

SECOND READING OF SENATE BILLS

SB 2456: A BILL for an Act to create and enact a new section to chapter 55-03 of the North Dakota Century Code, relating to the payment of costs of archaeological surveys and archaeological studies for projects engaged in by political subdivisions.

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

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 11 YEAS, 40 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Hilken; Kelsh; Krauter; Langley; Lodoen; Meyer, D.; Meyer, J.; Meyer, W.; Stromme; Tallackson; Wright

NAYS: Adams; Bakewell; Berube; Christensen; Dotzenrod; Freborg; Heigaard; Heinrich; Holmberg; Ingstad; Kelly;

Kilander; Kusler; Lashkowitz; Lips; Maixner; Matchie;
 Moore; Mushik; Mutch; Naaden; Nelson; Nething; Olson;
 Parker; Peterson; Redlin; Reiten; Shea; Stenehjem;
 Streibel; Tennefos; Thane; Todd; Tweten; Vosper;
 Waldera; Walsh; Wenstrom; Wogsland

ABSENT AND NOT VOTING: David; Satrom

SB 2456 was declared lost.

SB 2460: A BILL for an Act to provide an appropriation to the state board of higher education to provide funds for research at the institutions under its control.

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

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 13 YEAS, 39 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Holmberg; Ingstad; Kilander; Lashkowitz; Maixner; Matchie; Meyer, W.; Mutch; Satrom; Shea; Streibel; Tallackson; Tweten

NAYS: Adams; Bakewell; Berube; Christensen; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Kelly; Kelsh; Krauter; Kusler; Langley; Lips; Lodoen; Meyer, D.; Meyer, J.; Moore; Mushik; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Stenehjem; Stromme; Tennefos; Thane; Todd; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

ABSENT AND NOT VOTING: David

SB 2460 was declared lost.

SB 2468: A BILL for an Act to amend and reenact subsection 4 of section 26.1-08-01 and section 26.1-08-12 of the North Dakota Century Code, relating to eligibility qualifications and eligibility requirements for applicants for insurance coverage from the comprehensive health association 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 52 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Berube; Christensen; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: David

SB 2468 passed and the title was agreed to.

SECOND READING OF A SENATE CONCURRENT RESOLUTION

SCR 4050: A concurrent resolution directing the Legislative Council to study existing and alternative methods of unitary taxation.

Which has been read.

The question being on the final adoption of the resolution.

SCR 4050 was declared adopted on a voice vote.

MOTION

SEN. NELSON MOVED that SCR 4046 be placed at the head of the calendar, which motion prevailed.

SECOND READING OF A SENATE CONCURRENT RESOLUTION

SCR 4046: A concurrent resolution directing the Legislative Council to study the problems presented by lobbyists, representing special interest organizations, who refuse to divulge the membership or sources of financial support of the special interest organizations.

Which has been read.

The question being on the final adoption of the resolution.

SCR 4046 was declared adopted on a voice vote.

SECOND READING OF A SENATE BILL

SB 2465: A BILL for an Act to provide for conditions of participation for eligibility of long-term care facilities to receive medical assistance payments, reports to the department of human services, rejection of reports, and the authority of the public service commission to regulate the rates charged by long-term care facilities.

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

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 20 YEAS, 32 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Dotzenrod; Heigaard; Heinrich; Hilken; Kelsh; Krauter; Langley; Lashkowitz; Maixner; Meyer, D.; Meyer, J.; Meyer, W.; Mushik; Redlin; Satrom; Stromme; Waldera; Walsh; Wenstrom; Wogsland

NAYS: Adams; Bakewell; Berube; Christensen; Freborg; Holmberg; Ingstad; Kelly; Kilander; Kusler; Lips; Lodoen; Matchie; Moore; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Reiten; Shea; Stenehjem; Streibel; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Wright

ABSENT AND NOT VOTING: David

SB 2465 was declared lost.

MOTION

SEN. NELSON MOVED that SB 2400 be placed at the head of the calendar, which motion prevailed.

SECOND READING OF A SENATE BILL

SB 2400: A BILL for an Act to provide an appropriation to defray the expenses of a center for innovation and business development.

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

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 34 YEAS, 18 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Bakewell; Dotzenrod; Heigaard; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lips; Maixner; Matchie; Mushik; Olson; Parker; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel;

Stromme; Tallackson; Thane; Todd; Tweten; Vosper;
Waldera; Wenstrom; Wogsland; Wright

NAYS: Adams; Berube; Christensen; Freborg; Heinrich;
Lashkowitz; Lodoen; Meyer, D.; Meyer, J.; Meyer, W.;
Moore; Mutch; Naaden; Nelson; Nething; Peterson;
Tennefos; Walsh

ABSENT AND NOT VOTING: David

SB 2400 passed and the title was agreed to.

REPORTS OF STANDING COMMITTEES

MADAM PRESIDENT: Your Committee on Appropriations to which was referred SB 2005 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 15, delete the numerals "2,219,542" and insert in lieu thereof the numerals "1,971,176"

On page 1, line 16, delete the numerals "477,739" and insert in lieu thereof the numerals "462,739"

On page 1, line 18, delete the numerals "22,050" and insert in lieu thereof the numerals "26,050"

On page 1, line 19, delete the numerals "18,824,856" and insert in lieu thereof the numerals "18,959,806"

On page 1, line 21, delete the numerals "21,829,900" and insert in lieu thereof the numerals "21,705,484"

On page 1, line 23, delete the numerals "14,174,911" and insert in lieu thereof the numerals "14,050,495"

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Vocational Education

The salaries and wages line item is reduced by \$47,431 of which \$22,767 is from the general fund and \$24,664 is from other funds. This will allow funds for average salary increases of 5.5 percent the first year of the biennium (these funds are to continue the cost of an average increase of 5.5 percent on April 1 1985) and average salary increases of four percent the second year of the biennium. Funds are allowed to provide a minimum increase of \$50 per month for each year of the biennium. The salary increases are to be based on merit, performance, or equity adjustments, and are not intended to be across-the-board salary increases.

The salaries and wages line item is further decreased by \$200,935, of which \$96,449 is from the general fund and \$104,486 is from other funds, to delete funds for four FTE positions which are currently vacant. These positions include one FTE Program Director/Supervisor, one FTE Assistant Program Director/Supervisor, one FTE Account Technician I, and one FTE Secretary II.

The operating expenses line item is reduced by \$15,000, of which \$7,200 is from the general fund and \$7,800 is from other funds, for costs related to the four positions being deleted.

The equipment line item is increased by \$4,000, of which \$2,000 is from the general fund and \$2,000 is from other funds.

The grants line item is increased by \$134,950 from other funds, due to a reallocation of federal funds made available by reductions to the salaries and wages and operating expenses line items.

SEN. LIPS, Chairman

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

MADAM PRESIDENT: Your Committee on Appropriations to which was referred SB 2007 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

- On page 1, line 3, after the word "Dakota" insert the following:
"providing for a transfer;"
- On page 1, line 16, delete the numerals "8,089,663" and insert in lieu thereof the numerals "7,006,514"
- On page 1, line 17, delete the numerals "8,089,663" and insert in lieu thereof the numerals "7,006,514"
- On page 1, line 18, delete the numerals "4,960,581" and insert in lieu thereof the numerals "3,840,044"
- On page 1, line 19, delete the numerals "3,129,082" and insert in lieu thereof the numerals "3,166,470"
- On page 1, line 22, delete the numerals "40,000" and insert in lieu thereof the numerals "62,000"
- On page 1, line 23, delete the numerals "538,000" and insert in lieu thereof the numerals "521,000"
- On page 1, line 24, delete the numerals "578,000" and insert in lieu thereof the numerals "583,000"

On page 1, line 25, delete the numerals "85,000" and insert in lieu thereof the numerals "90,000"

On page 2, line 1, delete the numerals "450,000" and insert in lieu thereof the numerals "900,049"

On page 2, line 4, delete the numerals "1,765,730" and insert in lieu thereof the numerals "2,215,779"

On page 2, line 12, delete the numerals "5,000" and insert in lieu thereof the numerals "10,500"

On page 2, line 13, delete the numerals "5,000" and insert in lieu thereof the numerals "10,500"

On page 2, after line 13, insert the following lines:

"Subdivision 6.

GOVERNOR-ELECT

Governor-elect	\$10,000
Total general fund appropriation	\$10,000

On page 2, line 14, delete the numerals "3,627,082" and insert in lieu thereof the numerals "3,679,970"

On page 2, line 15, delete the numerals "7,343,173" and insert in lieu thereof the numerals "6,677,685"

On page 2, line 16, delete the numerals "10,970,255" and insert in lieu thereof the numerals "10,357,655"

On page 2, after line 16, insert the following new section:

"SECTION 2. AUTHORITY TO TRANSFER EXCESS REVENUE.

In the event the amount of other income received by San Haven is less than the amount included in its appropriation authority for the 1983-85 biennium, the authority is hereby granted for the transfer of any excess revenues received by the Grafton state school to San Haven up to the appropriation authority granted San Haven for the 1983-85 biennium."

And renumber the lines and sections accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Department of Human Services

The deficiency appropriation is reduced by \$1,083,149, consisting of an increase of \$37,388 from the general fund, and a decrease of \$1,120,537 from other funds to provide the following:

1. Total additional Title XIX reimbursement of \$4,631,514, \$1,791,470 from the general fund, to the Grafton State School and San Haven resulting from an increase in the per diem rate at the two institutions.
2. A \$2 million general fund appropriation for medical assistance grants in the hospital and intermediate care facility reimbursement areas to replace funds used by the department in the optional services program.
3. \$375,000 from the general fund to restore amounts transferred by the department to the Protection and Advocacy Project as a result of the court order in the ARC lawsuit.

State Penitentiary

The salaries and wages line item is increased by \$22,000, the operating expenses line item is decreased by \$17,000 and the estimated income line item is increased by \$5,000 to reflect revised estimates in the State Penitentiary's deficiency.

Grafton State School

The salaries and wages line item is increased by \$450,049 from estimated income to reflect revised estimates resulting from the acceleration of the hiring of new staff at the Grafton State School to meet Title XIX certification requirements.

Governor's Transition

Increased by \$5,500 from the general fund to provide for the payment of salaries to members of the outgoing administration in the offices of the Governor and Lieutenant Governor, and for the director of the Office of Management and Budget for four working days in January 1985.

Governor-elect

This subdivision is added to provide \$10,000 from the general fund to defray costs of the governor-elect during transition.

Authority to Transfer Excess Revenue

This new section is added to give the Grafton State School authority to transfer available excess revenues to San Haven limited to the appropriation authority granted San Haven for the 1983-85 biennium.

SEN. LIPS, Chairman

SB 2007 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Appropriations to which was referred SB 2009 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

- On page 1, line 19, delete the numerals "18,066,265" and insert in lieu thereof the numerals "17,532,714"
- On page 1, line 21, delete the numerals "308,511" and insert in lieu thereof the numerals "274,511"
- On page 1, line 22, delete the numerals "21,718,070" and insert in lieu thereof the numerals "21,150,519"
- On page 1, line 23, delete the numerals "12,343,144" and insert in lieu thereof the numerals "12,225,763"
- On page 1, line 24, delete the numerals "9,374,926" and insert in lieu thereof the numerals "8,924,756"
- On page 2, line 13, delete the numerals "334,150" and insert in lieu thereof the numerals "324,917"
- On page 2, line 15, delete the numerals "261,700" and insert in lieu thereof the numerals "161,700"
- On page 2, line 16, delete the numerals "703,650" and insert in lieu thereof the numerals "594,417"
- On page 2, line 18, delete the numerals "603,150" and insert in lieu thereof the numerals "493,917"
- On page 2, line 21, delete the numerals "26,352,088" and insert in lieu thereof the numerals "25,838,132"
- On page 2, line 23, delete the numerals "1,352,600" and insert in lieu thereof the numerals "1,000,000"
- On page 2, line 24, delete the numerals "33,372,397" and insert in lieu thereof the numerals "32,505,841"
- On page 2, line 25, delete the numerals "12,066,389" and insert in lieu thereof the numerals "11,984,163"
- On page 2, line 26, delete the numerals "21,306,008" and insert in lieu thereof the numerals "20,521,678"
- On page 2, line 27, delete the numerals "920,000" and insert in lieu thereof the numerals "445,000"
- On page 2, line 28, delete the numerals "22,226,008" and insert in lieu thereof the numerals "20,966,678"

- On page 2, line 31, delete the numerals "666,753" and insert in lieu thereof the numerals "663,017"
- On page 2, line 33, delete the numerals "112,000" and insert in lieu thereof the numerals "46,000"
- On page 2, line 34, delete the numerals "1,178,260" and insert in lieu thereof the numerals "1,108,524"
- On page 3, line 1, delete the numerals "957,960" and insert in lieu thereof the numerals "888,224"
- On page 3, line 2, delete the numerals "52,000" and insert in lieu thereof the numerals "22,000"
- On page 3, line 3, delete the numerals "1,009,960" and insert in lieu thereof the numerals "910,224"
- On page 3, line 6, delete the numerals "321,568" and insert in lieu thereof the numerals "315,962"
- On page 3, line 8, delete the numerals "213,000" and insert in lieu thereof the numerals "113,000"
- On page 3, line 9, delete the words "operating budget" and insert in lieu thereof the words "all funds" and delete the numerals "888,126" and insert in lieu thereof the numerals "782,520"
- On page 3, delete lines 11 and 12
- On page 3, line 13, delete the numerals "848,126" and insert in lieu thereof the numerals "682,520"
- On page 3, line 16, delete the numerals "324,038" and insert in lieu thereof the numerals "320,334"
- On page 3, line 18, delete the numerals "84,900" and insert in lieu thereof the numerals "42,450"
- On page 3, line 19, delete the numerals "581,403" and insert in lieu thereof the numerals "535,249"
- On page 3, line 21, delete the numerals "457,403" and insert in lieu thereof the numerals "411,249"
- On page 3, line 22, delete the numerals "17,500" and insert in lieu thereof the numerals "7,500"
- On page 3, line 23, delete the numerals "474,903" and insert in lieu thereof the numerals "418,749"
- On page 3, line 26, delete the numerals "345,896" and insert in lieu thereof the numerals "341,776"

- On page 3, line 28, delete the numerals "95,200" and insert in lieu thereof the numerals "65,200"
- On page 3, line 29, delete the numerals "593,796" and insert in lieu thereof the numerals "559,676"
- On page 3, line 31, delete the numerals "513,796" and insert in lieu thereof the numerals "479,676"
- On page 3, line 32, delete the numerals "50,000" and insert in lieu thereof the numerals "30,000"
- On page 3, line 33, delete the numerals "563,796" and insert in lieu thereof the numerals "509,676"
- On page 4, line 1, delete the numerals "356,034" and insert in lieu thereof the numerals "351,561"
- On page 4, line 3, delete the numerals "96,900" and insert in lieu thereof the numerals "56,900"
- On page 4, line 4, delete the words "operating budget" and insert in lieu thereof the words "all funds" and delete the numerals "671,360" and insert in lieu thereof the numerals "626,887"
- On page 4, delete lines 6 and 7
- On page 4, line 8, delete the numerals "471,651" and insert in lieu thereof the numerals "337,178"
- On page 4, line 11, delete the numerals "395,613" and insert in lieu thereof the numerals "391,723"
- On page 4, line 13, delete the numerals "56,000" and insert in lieu thereof the numerals "30,000"
- On page 4, line 14, delete the words "operating budget" and insert in lieu thereof the words "all funds" and delete the numerals "572,314" and insert in lieu thereof the numerals "542,424"
- On page 4, delete lines 16 and 17
- On page 4, line 18, delete the numerals "478,314" and insert in lieu thereof the numerals "436,424"
- On page 4, line 21, delete the numerals "645,509" and insert in lieu thereof the numerals "635,706"
- On page 4, line 23, delete the numerals "89,000" and insert in lieu thereof the numerals "49,000"

- On page 4, line 24, delete the numerals "1,202,759" and insert in lieu thereof the numerals "1,152,956"
- On page 4, line 26, delete the numerals "817,759" and insert in lieu thereof the numerals "767,956"
- On page 4, line 28, delete the numerals "827,759" and insert in lieu thereof the numerals "777,956"
- On page 4, line 31, delete the numerals "212,594" and insert in lieu thereof the numerals "210,385"
- On page 4, line 34, delete the numerals "158,000" and insert in lieu thereof the numerals "58,000"
- On page 4, line 35, delete the numerals "830,894" and insert in lieu thereof the numerals "728,685"
- On page 5, line 3, delete the numerals "1,225,337" and insert in lieu thereof the numerals "1,223,318"
- On page 5, line 5, delete the numerals "34,000" and insert in lieu thereof the numerals "13,000"
- On page 5, line 6, delete the numerals "1,341,807" and insert in lieu thereof the numerals "1,318,788"
- On page 5, line 7, delete the numerals "36,878,593" and insert in lieu thereof the numerals "34,458,078"
- On page 5, line 8, delete the numerals "28,950,089" and insert in lieu thereof the numerals "28,625,254"
- On page 5, line 9, delete the numerals "65,828,682" and insert in lieu thereof the numerals "63,083,332"
- On page 6, line 19, delete the numerals "749,384" and insert in lieu thereof the numerals "726,365"
- On page 6, after line 26, insert the following new section:

"SECTION 4. INTENT. In approving section 3, it is the intent of the legislative assembly that the funds appropriated be used for the following research projects:

1. Prime farmland soil productivity;
2. Development of productivity indices for reclaimed land;
3. Soil respreading and depth of soil replacement;
and
4. Run-off and erosion on reclaimed land.

In addition it is the intent of the legislative assembly that the land reclamation research center file an annual report with the legislative council and the public service commission on August 1, 1985, August 1, 1986, and August 1, 1987. The annual report shall contain a description and analysis of the conclusions reached from each reclamation research project that has been conducted to date for the preceding fiscal year as well as a brief description and analysis of any tentative conclusions reached from all ongoing projects. The annual report of the land reclamation research center shall also include any recommendations it may have for reducing unnecessary and duplicative regulatory costs that are not required by federal or state reclamation law and which do not contribute to effective reclamation practices. For any new reclamation research project to be approved for funding, each proposed project must meet all of the following criteria:

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

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Cooperative Extension Division

The salaries and wages line item is reduced by \$533,551, of which \$416,170 is from the general fund and \$117,381 is from other funds. This will allow funds for average salary increases of 9.5 percent for faculty and senior administrative staff and 5.5 percent for other employees the first year of the biennium (these funds are to continue the cost of average increases of 9.5 and 5.5 percent on April 1, 1985) and average salary increases of four percent for all employees the second year of the biennium. Funds are allowed to provide a minimum increase of \$50 per month for each year of the biennium. The salary increases are to be based on merit, performance, or equity adjustments, and are not intended to be across-the-board salary increases.

The equipment line item is reduced by \$34,000 from the general fund to delete funds for word processors and the telephone system.

Northern Crops Institute

The salaries and wages line item is reduced by \$9,233 from the general fund. This will allow funds for average salary increases of 9.5 percent for faculty and senior administrative staff and 5.5 percent for other employees the first year of the biennium (these funds are to continue the cost of average increases of 9.5 and 5.5 percent on April 1, 1985) and average salary increases of four percent for all employees the second year of the biennium. Funds are allowed to provide a minimum increase of \$50 per month for each year of the biennium. The salary increases are to be based on merit, performance, or equity adjustments, and are not intended to be across-the-board salary increases.

The equipment line item is reduced by \$100,000 from the general fund to delete funds for a microwave pasta dryer.

Main Experiment Station

The salaries and wages line item is reduced by \$513,956, of which \$431,730 is from the general fund, and \$82,226 is from other funds. This will allow funds for average salary increases of 9.5 percent for faculty and senior administrative staff and 5.5 percent for other employees the first year of the biennium (these funds are to continue the cost of average increases of 9.5 and 5.5 percent on April 1, 1985) and average salary increases of four percent for all employees the second year of the biennium. Funds are allowed to provide a minimum increase of \$50 per month for each year of the biennium. The salary increases are to be based on merit, performance, or equity adjustments, and are not intended to be across-the-board salary increases.

The equipment line item is reduced by \$352,600 from the general fund.

The capital improvements line item is reduced by \$475,000 from the general fund.

Dickinson Experiment Station

The salaries and wages line item is reduced by \$3,736 from the general fund. This will allow funds for average salary increases of 9.5 percent for faculty and senior administrative staff and 5.5 percent for other employees the first year of the biennium (these funds are to continue the cost of average increases of 9.5 and 5.5 percent on April 1, 1985) and average salary increases of four percent for all employees the second year of the biennium. Funds are allowed to provide a minimum increase of \$50 per month for each year of the biennium. The salary increases are to be based on merit, performance, or equity adjustments, and are not intended to be across-the-board salary increases.

The equipment line item is reduced by \$66,000 from the general fund.

The capital improvements line item is reduced by \$30,000 from the general fund to delete funds for office building renovation and grain storage.

Central Grasslands Experiment Station

The salaries and wages line item is reduced by \$5,606 from the general fund. This will allow funds for average salary increases of 9.5 percent for faculty and senior administrative staff and 5.5 percent for other employees the first year of the biennium (these funds are to continue the cost of average increases of 9.5 and 5.5 percent on April 1, 1985) and average salary increases of four percent for all employees the second year of the biennium. Funds are allowed to provide a minimum increase of \$50 per month for each year of the biennium. The salary increases are to be based on merit, performance, or equity adjustments, and are not intended to be across-the-board salary increases.

The equipment line item is reduced by \$100,000 from the general fund.

The capital improvements line item is eliminated by deleting \$60,000 from the general fund for Phase II construction of the livestock handling facility.

Hettinger Experiment Station

The salaries and wages line item is reduced by \$3,704 from the general fund. This will allow funds for average salary increases of 9.5 percent for faculty and senior administrative staff and 5.5 percent for other employees the first year of the biennium (these funds are to continue the cost of average increases of 9.5 and 5.5 percent on April 1, 1985) and average salary increases of four percent for all employees the second year of the biennium. Funds are allowed to provide a minimum increase of \$50 per month for each year of the biennium. The salary increases are to be based on merit, performance, or equity adjustments, and are not intended to be across-the-board salary increases.

The equipment line item is reduced by \$42,450 from the general fund.

The capital improvements line item is reduced by \$10,000 from the general fund.

Langdon Experiment Station

The salaries and wages line item is reduced by \$4,120 from the general fund. This will allow funds for average salary increases of 9.5 percent for faculty and senior administrative staff and 5.5 percent for other employees the first year of the biennium (these funds are to continue the cost of average increases of 9.5 and 5.5 percent on April 1, 1985) and average salary increases of four percent for all employees the second year of the biennium.

Funds are allowed to provide a minimum increase of \$50 per month for each year of the biennium. The salary increases are to be based on merit, performance, or equity adjustments, and are not intended to be across-the-board salary increases.

The equipment line item is reduced by \$30,000 from the general fund.

The capital improvements line item is reduced by \$20,000 from the general fund.

North Central Experiment Station

The salaries and wages line item is reduced by \$4,473 from the general fund. This will allow funds for average salary increases of 9.5 percent for faculty and senior administrative staff and 5.5 percent for other employees the first year of the biennium (these funds are to continue the cost of average increases of 9.5 and 5.5 percent on April 1, 1985) and average salary increases of four percent for all employees the second year of the biennium. Funds are allowed to provide a minimum increase of \$50 per month for each year of the biennium. The salary increases are to be based on merit, performance, or equity adjustments, and are not intended to be across-the-board salary increases.

The equipment line item is reduced by \$40,000 from the general fund.

The capital improvements line item is eliminated by deleting \$90,000 from the general fund for the construction of a superintendent's residence.

Williston Experiment Station

The salaries and wages line item is reduced by \$3,890 from the general fund. This will allow funds for average salary increases of 9.5 percent for faculty and senior administrative staff and 5.5 percent for other employees the first year of the biennium (these funds are to continue the cost of average increases of 9.5 and 5.5 percent on April 1, 1985) and average salary increases of four percent for all employees the second year of the biennium. Funds are allowed to provide a minimum increase of \$50 per month for each year of the biennium. The salary increases are to be based on merit, performance, or equity adjustments, and are not intended to be across-the-board salary increases.

The equipment line item is reduced by \$26,000 from the general fund.

The capital improvements line item is eliminated by deleting \$12,000 from the general fund.

Carrington Experiment Station

The salaries and wages line item is reduced by \$9,803 from the general fund. This will allow funds for average salary increases of 9.5 percent for faculty and senior administrative staff and 5.5 percent for other employees the first year of the biennium (these funds are to continue the cost of average increases of 9.5 and 5.5 percent on April 1, 1985) and average salary increases of four percent for all employees the second year of the biennium. Funds are allowed to provide a minimum increase of \$50 per month for each year of the biennium. The salary increases are to be based on merit, performance, or equity adjustments, and are not intended to be across-the-board salary increases.

The equipment line item is reduced by \$40,000 from the general fund.

Agronomy Seed Farm

The salaries and wages line item is reduced by \$2,209 from other funds. This will allow funds for average salary increases of 9.5 percent for faculty and senior administrative staff and 5.5 percent for other employees the first year of the biennium (these funds are to continue the cost of average increases of 9.5 and 5.5 percent on April 1, 1985) and average salary increases of four percent for all employees the second year of the biennium. Funds are allowed to provide a minimum increase of \$50 per month for each year of the biennium. The salary increases are to be based on merit, performance, or equity adjustments, and are not intended to be across-the-board salary increases.

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

Land Reclamation Research Center

The salaries and wages line item is reduced by \$2,019 from the coal development impact fund. This will allow funds for average salary increases of 9.5 percent for faculty and senior administrative staff and 5.5 percent for other employees the first year of the biennium (these funds are to continue the cost of average increases of 9.5 and 5.5 percent on April 1, 1985) and average salary increases of four percent for all employees the second year of the biennium. Funds are allowed to provide a minimum increase of \$50 per month for each year of the biennium. The salary increases are to be based on merit, performance, or equity adjustments, and are not intended to be across-the-board salary increases.

The equipment line item is reduced by \$21,000 from the coal development impact fund.

SEN. LIPS, Chairman

SB 2009 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Appropriations to which was referred SB 2011 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 12, delete the numerals "170,144" and insert in lieu thereof the numerals "169,540"

On page 1, line 18, delete the numerals "705,489" and insert in lieu thereof the numerals "704,885"

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Indian Affairs Commission

The salaries and wages line item is reduced by \$604 from the general fund. This will allow funds for average salary increases of 5.5 percent the first year of the biennium (these funds are to continue the cost of an average increase of 5.5 percent on April 1, 1985) and average salary increases of four percent the second year of the biennium. Funds are allowed to provide a minimum increase of \$50 per month for each year of the biennium. The salary increases are based on merit, performance, or equity adjustments, and are not intended to be across-the-board salary increases.

SEN. LIPS, Chairman

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

MADAM PRESIDENT: Your Committee on Appropriations to which was referred SB 2014 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 13, delete the numerals "310,741" and insert in lieu thereof the numerals "305,044"

On page 1, line 18, delete the numerals "2,682,241" and insert in lieu thereof the numerals "2,676,544"

On page 1, line 20, delete the numerals "446,864" and insert in lieu thereof the numerals "441,167"

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Weather Modification Board

The salaries and wages line item is reduced by \$5,697 from the general fund. This will allow funds for average salary increases

of 5.5 percent the first year of the biennium (these funds are to continue the cost of an average increase of 5.5 percent on April 1, 1985) and average salary increases of four percent the second year of the biennium. Funds are allowed to provide a minimum increase of \$50 per month for each year of the biennium. The salary increases are to be based on merit, performance, or equity adjustments, and are not intended to be across-the-board salary increases.

SEN. LIPS, Chairman

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

MADAM PRESIDENT: Your Committee on Appropriations to which was referred SB 2023 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 15, delete the numerals "11,627,987" and insert in lieu thereof the numerals "12,154,312"

On page 1, line 20, delete the numerals "15,588,451" and insert in lieu thereof the numerals "16,114,776"

On page 1, line 22, delete the numerals "4,927,594" and insert in lieu thereof the numerals "5,453,919"

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Highway Patrol

The salaries and wages line item is increased by \$623,104 from the general fund to provide the 5.7 percent additional state contribution to retirement approved by the House in House Bill No. 1085. The salaries and wages line item is reduced by \$96,689 from the general fund. This will allow funds for average salary increases of 5.5 percent the first year of the biennium (these funds are to continue the cost of an average increase of 5.5 percent on April 1, 1985) and average salary increases of four percent the second year of the biennium. Funds are allowed to provide a minimum increase of \$50 per month for each year of the biennium. The salary increases are to be based on merit, performance, or equity adjustments, and are not intended to be across-the-board salary increases.

SEN. LIPS, Chairman

SB 2023 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Appropriations to which was referred SB 2028 has had the same under consideration and

recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 16, delete the numerals "2,213,961" and insert in lieu thereof the numerals "2,157,760"

On page 1, line 21, delete the numerals "3,035,704" and insert in lieu thereof the numerals "2,979,503"

On page 1, line 25, delete the numerals "6,387,667" and insert in lieu thereof the numerals "6,152,543"

On page 2, line 2, delete the numerals "13,099,033" and insert in lieu thereof the numerals "12,863,909"

On page 2, line 6, delete the numerals "9,029,055" and insert in lieu thereof the numerals "8,930,205"

On page 2, line 10, delete the numerals "14,439,673" and insert in lieu thereof the numerals "14,340,823"

On page 2, line 13, delete the numerals "1,239,406" and insert in lieu thereof the numerals "1,219,771"

On page 2, line 20, delete the numerals "29,091,479" and insert in lieu thereof the numerals "29,071,844"

On page 2, line 21, delete the numerals "59,665,889" and insert in lieu thereof the numerals "59,297,394"

On page 2, line 22, delete the numerals "59,665,889" and insert in lieu thereof the numerals "59,297,394"

On page 2, after line 22, insert the following new sections:

"SECTION 2. APPROPRIATION. There is hereby appropriated from the lands and minerals trust fund in the state treasury the sum of \$41,315, or so much thereof as may be necessary, to the state industrial commission, for the purpose of having an electric oil well log microfilm library at the Williston community library during the biennium beginning July 1, 1985, and ending June 30, 1987.

SECTION 3. APPROPRIATION. There is hereby appropriated from the abandoned oil and gas well plugging and site restoration fund in the state treasury all funds available and which may become available, or so much thereof as may be necessary, to the state industrial commission, for the purpose of entering into contracts for the plugging or replugging of oil and gas wells and the reclamation of abandoned well sites for the biennium beginning July 1, 1985, and ending June 30, 1987."

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Industrial Commission

The salaries and wages line item is reduced by \$56,201 from other funds. This will allow funds for average salary increases of 5.5 percent the first year of the biennium (these funds are to continue the cost of an average increase of 5.5 percent on April 1, 1985) and average salary increases of four percent the second year of the biennium. Funds are allowed to provide a minimum increase of \$50 per month for each year of the biennium. The salary increases are to be based on merit, performance, or equity adjustments, and are not intended to be across-the-board salary increases.

A new section is added to the bill appropriating to the Industrial Commission \$41,315 from the lands and minerals trust fund. This is to provide for an electric oil well log microfilm library located in the Williston Community Library.

A new section is added to the bill appropriating to the Industrial Commission all available funds from the abandoned oil and gas well plugging and site restoration fund. This provides entering into contracts for the plugging or replugging of oil and gas wells and the reclamation of abandoned well sites.

Bank of North Dakota

The salaries and wages line item is reduced by \$235,124 from other funds. Of the total net reduction, \$277,124 is a decrease. This will allow funds for average salary increases of 5.5 percent the first year of the biennium (these funds are to continue the cost of an average increase of 5.5 percent on April 1, 1985) and average salary increases of four percent the second year of the biennium. Funds are allowed to provide a minimum increase of \$50 per month for each year of the biennium. The salary increases are to be based on merit, performance, or equity adjustments, and are not intended to be across-the-board salary increases. Of the total net reduction, \$42,000 is an increase to provide funding for one FTE student loan collections officer position.

Mill and Elevator Association

The salaries and wages line item is reduced by \$98,850 from other funds. This will allow funds for average salary increases of 5.5 percent the first year of the biennium (these funds are to continue the cost of an average increase of 5.5 percent on April 1, 1985) and average salary increases of four percent the second year of the biennium. Funds are allowed to provide a minimum increase of \$50 per month for each year of the biennium. The salary increases are to be based on merit, performance, or equity adjustments, and are not intended to be across-the-board salary increases.

Housing Finance Agency

The salaries and wages line item is reduced by \$19,635 from other funds. This will allow funds for average salary increases of 5.5 percent the first year of the biennium (these funds are to continue the cost of an average increase of 5.5 percent on April 1, 1985) and average salary increases of four percent the second year of the biennium. Funds are allowed to provide a minimum increase of \$50 per month for each year of the biennium. The salary increases are to be based on merit, performance, or equity adjustments, and are not intended to be across-the-board salary increases.

SEN. LIPS, Chairman

SB 2028 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Appropriations to which was referred SB 2038 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 1, after the words "A BILL" delete the remainder of the bill and insert in lieu thereof the following: "for an Act to provide an appropriation for additional compensation to North Dakota state employees for the period beginning April 1, 1985, and ending June 30, 1985; providing for revisions to the North Dakota central personnel compensation plan; and declaring an emergency.

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

SECTION 1. APPROPRIATION. The sums hereinafter listed, or so much thereof as may be necessary, are hereby appropriated out of the general fund and from special funds or moneys derived from federal funds or income in the state treasury as indicated to the agencies and institutions of state government named herein for the purpose of providing additional compensation to employees of the various agencies and institutions named herein for the period beginning April 1, 1985, and ending June 30, 1985:

AGENCY OR INSTITUTION	GENERAL FUND	SPECIAL FUNDS	TOTAL
State printing	\$	\$ 4,052	\$ 4,052
Secretary of state	5,522		5,522
Office of management and budget	25,656		25,656
Central data processing		39,060	39,060
State auditor	18,491		18,491
State treasurer	2,631		2,631
Attorney general	27,779		27,779

Tax commissioner	45,246		45,246
Energy development impact office (one-half from the coal development impact fund)		1,313	1,313
Director of institutions	18,456		18,456
Motor vehicle registrar		12,203	12,203
Legislative council	12,664		12,664
Supreme court	16,552		16,552
Judicial qualifications commission	771		771
District courts	43,945		43,945
Public employees retirement board		3,585	3,585
Superintendent of public instruction	10,291	16,190	26,481
Division of independent study	7,314		7,314
Board of higher education	5,620		5,620
Industrial school	24,339		24,339
Commissioner of university and school lands		5,203	5,203
Bismarck junior college	85,764		85,764
Lake Region community college	26,695		26,695
UND-Williston center	28,015		28,015
University of North Dakota Medical center rehabilitation hospital	540,938	117,445	540,938 117,445
University of North Dakota medical center	201,689	86,438	288,127
North Dakota state university	471,287		471,287
North Dakota state university- state toxicologist	4,011		4,011
Upper great plains transportation institute	3,739		3,739
State school of science	169,107		169,107
Dickinson state college	70,783		70,783
Mayville state college	49,353		49,353
Minot state college	138,850		138,850
Valley City state college	61,959		61,959
North Dakota forest service	10,364		10,364
North Dakota state university - Bottineau branch	25,839		25,839
Library commission	6,239		6,239
School for the deaf	20,024		20,024
School for the blind	11,887		11,887
Teachers' fund for retirement		2,172	2,172
Board of vocational education	6,192	6,708	12,900
Department of health	42,767	39,474	82,241
Grafton state school	235,477		235,477
San Haven	66,998		66,998
State hospital	210,934		210,934
Veterans' home		8,434	8,434

Indian affairs commission	982		982
Department of veterans' affairs (postwar veterans' trust fund)		1,763	1,763
Department of human services	224,999	30,679	255,678
Governor's council on human resources	1,079		1,079
Protection and advocacy project	4,632		4,632
Insurance commissioner		6,791	6,791
Unsatisfied judgment fund		265	265
Industrial commission		12,653	12,653
Labor commissioner	1,706		1,706
Public service commission	17,210	5,666	22,876
Weather modification board	1,266		1,266
Aeronautics commission	1,730		1,730
Department of banking and financial institutions	8,169		8,169
Securities commissioner	2,679		2,679
State laboratories department	10,609		10,609
Bonding fund		188	188
Fire and tornado fund		808	808
Bank of North Dakota		34,442	34,442
Housing finance agency		7,128	7,128
Mill and elevator association		21,572	21,572
Job service		134,643	134,643
OASIS and social security		1,414	1,414
Workmen's compensation bureau		18,605	18,605
Crime victims reparations division	174		174
Parole and probation office	8,994		8,994
Highway patrol	62,524		62,524
Radio communications department	8,142		8,142
Division of disaster emergency services	1,836	4,721	6,557
Civil air patrol	187		187
State penitentiary	39,848		39,848
Penitentiary industries		5,819	5,819
Adjutant general	4,934		4,934
Economic development commission	4,505	1,931	6,436
Commissioner of agriculture	10,051	1,242	11,293
Predatory animal control	2,750		2,750
Milk stabilization board		1,676	1,676
Sunflower council		236	236
Agricultural products utilization commission		654	654
Livestock sanitary board	1,929		1,929
Wheat commission		2,835	2,835

Barley council		1,422	1,422
Seed department		9,230	9,230
Extension division	136,515	38,504	175,019
Northern crops institute	3,158		3,158
Main experiment station	200,119	20,340	220,459
Dickinson experiment station	4,970		4,970
Central grasslands experiment station	2,504		2,504
Hettinger experiment station	2,509		2,509
Langdon experiment station	2,589		2,589
North central experiment station	2,708		2,708
Williston experiment station	3,064		3,064
Carrington experiment station	5,183		5,183
Agronomy seed farm		1,576	1,576
Land reclamation research center		10,729	10,729
Historical society	14,038		14,038
Council on the arts	1,183		1,183
Soil conservation committee	1,780		1,780
Geological survey		9,327	9,327
Game and fish department		35,233	35,233
Parks and recreation department	10,072		10,072
Water commission	26,059		26,059
Southwest water pipeline (resources trust fund)		575	575
Highway department		311,691	311,691
Total	\$3,591,574	\$1,076,635	\$4,668,209

The amounts herein appropriated are intended to provide compensation increases of 9.5 percent to faculty and senior administrative staff at the institutions of higher education and \$50 per month or 5.5 percent, whichever is greater, for other state employees for the period April 1, 1985, through June 30, 1985. The actual amount of increases paid an individual employee shall be determined by the director of the agency or institution in accordance, where applicable, with central personnel division classification and compensation plans, except that a director of an agency or institution may grant increases which exceed the maximum limit of salary ranges in such plans. Compensation increases shall only be granted to employees who are currently employed by the state on the effective date of this Act and who have been continuously employed by the state since July 1, 1984. The moneys herein appropriated shall be made available to the various executive branch agencies and institutions only after a determination by the director of the office of management

and budget that such amounts are necessary to pay the amounts of additional compensation in addition to the amounts provided in appropriation acts passed by the forty-eighth legislative assembly.

SECTION 2. Revisions to compensation plan.

Notwithstanding the provisions of section 54-44.3-12.1 of the North Dakota Century Code, relating to revisions to the North Dakota central personnel compensation plan, the central personnel division shall revise the compensation plan to reflect a 5.5 percent or \$50 per month increase, whichever is greater, as of April 1, 1985, and to reflect a four percent or \$50 per month increase, whichever is greater, as of July 1, 1986.

SECTION 3. EMERGENCY. This Act is hereby declared to be an emergency measure and is in effect from and after its passage and approval."

And renumber the lines and pages accordingly

SEN. LIPS, Chairman

SB 2038 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Appropriations to which was rereferred SB 2138 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 2, after the word "transfer" insert the words "management responsibility over the"

On page 1, line 9, delete the numerals "1979" and insert in lieu thereof the numerals "1977"

On page 1, line 11, delete the words "and section 4 of chapter 208 of the 1979"

On page 1, line 12, delete the words "session laws of North Dakota,"

On page 1, line 14, delete the word "and" and after the word "appropriation" insert the words "; and to declare an emergency"

On page 1, line 18, after the word "lands" insert the words "management responsibility over"

On page 1, line 20, delete the word "assume" and insert in lieu thereof the words "exercise management"

On page 1, line 21, delete the words "and shall be substituted for the state"

- On page 1, line 22, delete the words "board of higher education on all contracts regarding said property"
- On page 2, line 2, delete the words "property so"
- On page 2, line 3, delete the word "transferred" and insert in lieu thereof the words "state addition"
- On page 2, line 5, after the word "used" insert the word "first"
- On page 2, line 6, after the word "and" insert the words "then to make principal and interest payments on such amounts as are owed to the board of university and school lands by the state board of higher education. Upon payment of the total principal and interest on moneys borrowed by the state board of higher education,"
- On page 2, line 14, after the word "unit" insert the words "management responsibility over the"
- On page 2, line 17, delete the underscored period
- On page 2, line 28, after the word "west" insert the words "on behalf of the board of higher education" and remove the overstrike over the period
- On page 2, line 29, overstrike the word "or" and insert immediately thereafter an underscored comma
- On page 2, line 30, after the numerals "54-01-05.5" insert the words and numerals ", and chapter 15-07"
- On page 2, line 32, remove the overstrike over the word "ef"
- On page 2, line 33, after the first word "education" insert the words "university and school lands", and overstrike the words "The", "board", and "may"
- On page 2, overstrike lines 34 and 35
- On page 3, overstrike lines 1 through 6
- On page 3, line 14, delete the numerals "6,200,000" and insert in lieu thereof the numerals "2,840,787"
- On page 3, line 16, delete the words "principal and"
- On page 3, line 17, delete the words "prepaying amounts"
- On page 3, delete line 18
- On page 3, line 19, delete the word "addition" and insert in lieu thereof the words "paying special assessments and interest on special assessments"

On page 3, after line 19, insert the following new section:

"SECTION 5. EMERGENCY. This Act is hereby declared to be an emergency measure and is in effect from and after its passage and approval."

And renumber the lines and pages accordingly

SEN. LIPS, Chairman

SB 2138 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Agriculture to which was referred SB 2316 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 1, after the words "A BILL" delete the remainder of the bill and insert in lieu thereof the following: "for an Act to amend and reenact sections 61-16.1-45 and 61-21-46 of the North Dakota Century Code, relating to assessments for drain maintenance.

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

SECTION 1. AMENDMENT. Section 61-16.1-45 of the 1983 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

61-16.1-45. Maintenance of drainage projects. If it is desired to provide for maintenance of an assessment drain in whole or in part by means of special assessments, the levy in any year for such maintenance shall not exceed one dollar and fifty cents per acre [.40 hectare] on any agricultural lands benefited by the drain. The district may, at its own discretion, utilize either of the following methods for levying special assessments for such maintenance.

1. Agricultural lands which carried the highest assessment when the drain was originally established, or received the most benefits under a reassessment of benefits, may be assessed the maximum amount of one dollar and fifty cents per acre [.40 hectare]. The assessment of other agricultural lands in the district shall be based upon the proportion that the assessment of benefits at the time of construction or at the time of any reassessment of benefits bears to the assessment of the benefits of the agricultural land assessed the full one dollar per acre [.40 hectare]. Nonagricultural property shall be assessed such sum in any one year as the ratio of

the benefits under the original assessments or any reassessment bears to the assessment of agricultural lands bearing the highest assessment.

2. Agricultural lands shall be assessed uniformly throughout the entire assessed area. Nonagricultural property shall be assessed an amount not to exceed one dollar for each five hundred dollars of taxable valuation of such nonagricultural property.

In case the maximum levy of ~~one dollar per acre (.40 hectare)~~ or assessment on agricultural and nonagricultural property for any year will not produce an amount sufficient to cover the cost of cleaning out and repairing such drain, a water resource board may accumulate a fund in an amount not exceeding the sum produced by such maximum permissible levy for ~~five~~ two years.

If the cost of, or obligation for, the cleaning and repair of any drain exceeds the total amount which can be levied by the board in any two-year period, the board shall obtain the approval of the majority of the landowners as determined by chapter 61-16.1 prior to obligating the district for such costs.

SECTION 2. AMENDMENT. Section 61-21-46 of the 1983 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

61-21-46. Maximum levy - Accumulation of fund. The levy in any year for cleaning out and repairing a drain shall not exceed one dollar and fifty cents per acre [.40 hectare] on any agricultural lands in the drainage district.

1. Agricultural lands which carried the highest assessment when the drain was originally established, or received the most benefits under a reassessment of benefits, may be assessed the maximum amount of one dollar and fifty cents per acre [.40 hectare]. The assessment of other agricultural lands in the district shall be based upon the proportion that the assessment of benefits at the time of construction or at the time of any reassessment of benefits bears to the assessment of the benefits of the agricultural land assessed the full one dollar and fifty cents per acre [.40 hectare]. Nonagricultural property shall be assessed such sum in any one year as the rationing of the benefits under the original assessments or any reassessments bears to the

assessment of agricultural land bearing the highest assessment.

2. Agricultural lands shall be assessed uniformly throughout the entire assessed area. Nonagricultural property shall be assessed an amount not to exceed one dollar for each five hundred dollars of taxable valuation of such nonagricultural property.

In case the maximum levy or assessment on agricultural and nonagricultural property for any year will not produce an amount sufficient to cover the cost of cleaning out and repairing such drain, the board may accumulate a fund in an amount not exceeding the sum produced by such maximum permissible levy for two years. If the cost of, or obligation for, the cleaning and repair of any drain shall exceed the total amount which can be levied by the board in any two-year period, the board shall obtain an affirmative vote of the majority of the landowners as determined by section 61-21-16 prior to obligating the district for such costs."

And renumber the lines, sections, and pages accordingly
SEN. VOSPER, Chairman

SB 2316 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Appropriations to which was rereferred SB 2441 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION:

- On page 3 of the engrossed bill, line 19, delete the numerals "1985" and insert in lieu thereof the numerals "1986"
- On page 3 of the engrossed bill, line 22, delete the numerals "1985" and insert in lieu thereof the numerals "1986"
- On page 3 of the engrossed bill, line 27, delete the numerals "1985" and insert in lieu thereof the numerals "1986"
- On page 4 of the engrossed bill, line 12, delete the numerals "1985" and insert in lieu thereof the numerals "1986"
- On page 4 of the engrossed bill, line 14, delete the numerals "1986" and insert in lieu thereof the numerals "1987"
- On page 4 of the engrossed bill, line 23, delete the numerals "1986" and insert in lieu thereof the numerals "1987"

- On page 4 of the engrossed bill, line 24, delete the numerals "1986" and insert in lieu thereof the numerals "1987"
- On page 24 of the engrossed bill, line 13, delete the numerals "1986" and insert in lieu thereof the numerals "1987"
- On page 24 of the engrossed bill, line 18, delete the numerals "1,058,166" and insert in lieu thereof the words "18,800 and from special funds derived from federal funds or other income, the sum of \$180,000"

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

The amendments move the implementation date of the Act from July 1, 1985, to July 1, 1986, and appropriates only the amount needed for the first year of operation. The general fund amount is decreased by \$180,000 with a corresponding increase to other funds reflecting the receipt of federal funds.

SEN. LIPS, Chairman

SB 2441 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Appropriations to which was rereferred SB 2475 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

- On page 1 of the engrossed bill, line 8, delete the words "; and to provide an effective"
- On page 1 of the engrossed bill, line 9, delete the word "date"
- On page 1 of the engrossed bill, delete lines 18 through 28
- On page 2 of the engrossed bill, line 6, after the word "~~twenty-eight~~" insert the words "seven hundred seventeen"
- On page 2 of the engrossed bill, delete lines 11 through 26
- On page 2 of the engrossed bill, delete lines 33 through 35
- On page 3 of the engrossed bill, delete lines 1 through 8
- On page 3 of the engrossed bill, delete lines 23 through 35
- On page 4 of the engrossed bill, delete lines 1 through 6
- On page 4 of the engrossed bill, delete lines 17 through 30

On page 5 of the engrossed bill, line 2, delete the word "fifty-four" and insert in lieu thereof the word "forty-eight"

On page 5 of the engrossed bill, delete lines 4 through 14

On page 5 of the engrossed bill, delete lines 21 through 31

On page 6 of the engrossed bill, delete lines 4 through 14

On page 6 of the engrossed bill, delete lines 21 through 31

On page 7 of the engrossed bill, line 2, after the word "two" insert the word "four", remove the overstrike over the word "~~hundred~~" and after the word "~~six~~" insert the word "forty-six"

On page 7 of the engrossed bill, delete lines 4 through 14

On page 7 of the engrossed bill, delete lines 20 through 33

And renumber the lines, sections, and pages accordingly
SEN. LIPS, Chairman

SB 2475 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Social Services and Veterans Affairs to which was referred SCR 4032 has had the same under consideration and recommends that the same DO PASS.

SEN. STENEHJEM, Chairman

SCR 4032 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

FIRST READING OF SENATE CONCURRENT RESOLUTIONS

Sen. Satrom introduced:

SCR 4054: A concurrent resolution directing the Legislative Council to study the regulatory and enforcement authority of the State Highway Department, the Highway Patrol, and the Motor Vehicle Department.

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

Sen. Mutch and Reprs. Wald, Melby introduced:

SCR 4055: A concurrent resolution directing the Legislative Council to study motor carrier laws and regulations as they relate to the trucking industry.

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

Sens. Christensen, Holmberg, Heinrich, Peterson, Lashkowitz introduced:

SCR 4056: A concurrent resolution directing the Legislative Council to study the investigation and prosecution procedures for child abuse and neglect cases and to determine whether state law protects the interests of justice and of all parties involved in such cases.

Was read the first time and referred to the Committee on Social Services and Veterans Affairs.

Sen. Mutch introduced:

SCR 4057: A concurrent resolution requesting the Congress of the United States to propose for ratification by the states an amendment to the Constitution of the United States to expressly prohibit the government of the United States from engaging in enterprise in competition with its citizens, establish the supreme law of the land, and repeal the sixteenth amendment.

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

Sen. Vosper introduced:

SCR 4058: A concurrent resolution directing the Legislative Council to study the feasibility of allowing the conducting of various games of chance, on an infrequent basis, by small charitable organizations, and to study the licensing process applicable to such events.

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

Sens. Naaden, Christensen, Tennefos and Reps. Wald, D. Olsen introduced:

SCR 4059: A concurrent resolution directing the Legislative Council to study the use of psychological tests and treatment of children attending elementary and secondary schools in this state and the desirability of providing certain safeguards against such testing and treatment without the consent of the children's parents or legal guardians.

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

Sens. Lashkowitz, Christensen, Stenehjem, Redlin, Olson introduced:

SCR 4060: A concurrent resolution directing the Legislative Council to study alternatives to the present court system for solving civil disputes.

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

Sens. Lashkowitz, Mutch, Kilander introduced:

SCR 4061: A concurrent resolution directing the Legislative Council to study state laws relating to the issuance, suspension, and revocation of drivers' licenses with specific emphasis on the efficient administration of those laws, the use of uniform terms in the relevant statutes, and the adequacy of drivers' education programs.

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

Sens. Satrom, Holmberg, Kilander, Matchie introduced:

SCR 4062: A concurrent resolution directing the Legislative Council to study the financial basis under which airports in this state and elsewhere operate, including the manner and degree in which scheduled air carriers are the source of the cost of airports, and the extent to which scheduled airlines should help bear these costs.

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

Sens. Satrom, Olson, Matchie and Rep. Rydell introduced:

SCR 4063: A concurrent resolution directing the Legislative Council to study the desirability of requiring use of seatbelts by occupants of motor vehicles.

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

Sens. Dotzenrod, Kelsh and Reps. Lloyd, Stofferahn introduced:

SCR 4064: A concurrent resolution directing the Legislative Council to study governmental immunity for political subdivisions, the desirability of enacting a tort claims act, liability insurance for political subdivisions, and the desirability of enacting a state insurance program to provide coverage for political subdivisions.

Was read the first time and referred to the **Committee on Political Subdivisions**.

Sen. Parker introduced:

SCR 4065: A concurrent resolution directing the Legislative Council to study the comparative negligence laws and their interaction with the products liability, strict liability, and workmen's compensation laws in light of recent North Dakota Supreme Court decisions.

Was read the first time and referred to the **Committee on Industry, Business and Labor**.

MOTIONS

SEN. NELSON MOVED that the SB 2274 and SCR 4010 be reprinted, which motion prevailed.

SEN. NELSON MOVED that the absent Senators be excused, which motion prevailed.

SEN. NOTHING MOVED that at the conclusion of the Fifth order of business, the Eleventh order of business and after the reading of SB 2436 and SCR 4032, the Senate adjourn and convene at 12:30 p.m., Friday, February 22, 1985, which motion prevailed.

LEO LEIDHOLM, Secretary