

JOURNAL OF THE SENATE

Forty-ninth Legislative Assembly

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FIFTY-THIRD DAY

Bismarck, March 25, 1985

The Senate convened at 9:00 a.m., with President Meiers presiding.

The prayer was offered by Cadet E. Shane Peterson, Air Force Academy, Colorado Springs, Colorado. Cadet Peterson is the son of Senator and Mrs. Curtis Peterson.

THE CADET PRAYER

Lord, God of hosts, my life is a stewardship in Your sight. Grant the light of Your wisdom to the path of my cadet days. Instill within me an abiding awareness of my responsibility toward You, my country and my fellowman.

I ask true humility that, knowing self, I may rise above human frailty. I ask courage that I may prove faithful to duty beyond self. I ask unflinching devotion to personal integrity that I may ever remain honorable without compromise. Make me an effective instrument of Your peace in the defense of the skies that canopy free nations. So guide me daily in each thought, word and deed, that I may fulfill Your will. May these graces abide with me, my loved ones, and all who share my country's trust. Amen.

ROLL CALL

The roll was called and all members were present, except Senator Berube.

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 Fifty-second day and finds the same to be correct.

SEN. DAVID, Chairman

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

MESSAGES TO THE HOUSE

SENATE CHAMBER

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

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

LEO LEIDHOLM, Secretary

SENATE CHAMBER

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

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

LEO LEIDHOLM, Secretary

SENATE CHAMBER

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

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

LEO LEIDHOLM, Secretary

MESSAGES FROM THE HOUSE
HOUSE CHAMBER

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

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

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

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

SB 2038, SB 2063, SB 2217, SCR 4037, SCR 4059, SCR 4063

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to inform you that the House has concurred in the Senate amendments to HB 1036, HB 1054,

HB 1078, HB 1159, HB 1169, HB 1199, HB 1202, HB 1207, HB 1218, HB 1221, HB 1266, HB 1296, HB 1313, HB 1334, HB 1335, HB 1388, HB 1406, HB 1431, HB 1432, HB 1448, HB 1500, HB 1521, HB 1539, HB 1540, HB 1571, HB 1635, HB 1646, HCR 3037, and HCR 3065 and subsequently passed the same.

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

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

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

ROY GILBREATH, Chief Clerk

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 enrolled:

SB 2081, SB 2200

SEN. BAKEWELL, Chairman

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

SIGNING OF BILLS AND RESOLUTIONS

THE SECRETARY ANNOUNCED that the President signed the following:

SB 2081, SB 2200

LEO LEIDHOLM, Secretary

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 enrolled:

SB 2037, SB 2173, SB 2183, SB 2196, SB 2262, SB 2311,
 SB 2359, SB 2395, SB 2406, SB 2446, SB 2463, SB 2488,
 SB 2499, SCR 4004, SCR 4006, SCR 4008, SCR 4009, SCR 4013,
 SCR 4017, SCR 4024, SCR 4030, SCR 4031, SCR 4034, SCR 4035,
 SCR 4036, SCR 4038, SCR 4042, SCR 4046, SCR 4047, SCR 4050,
 SCR 4052, SCR 4054, SCR 4055, SCR 4058, SCR 4062, SCR 4064,
 SCR 4065, SCR 4068

SEN. BAKEWELL, Chairman

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

SIGNING OF BILLS AND RESOLUTIONS

THE SECRETARY ANNOUNCED that the President signed the following:

SB 2037, SB 2173, SB 2183, SB 2196, SB 2262, SB 2311,
 SB 2359, SB 2395, SB 2406, SB 2446, SB 2463, SB 2488,
 SB 2499, SCR 4004, SCR 4006, SCR 4008, SCR 4009, SCR 4013,
 SCR 4017, SCR 4024, SCR 4030, SCR 4031, SCR 4034, SCR 4035,
 SCR 4036, SCR 4038, SCR 4042, SCR 4046, SCR 4047, SCR 4050,
 SCR 4052, SCR 4054, SCR 4055, SCR 4058, SCR 4062, SCR 4064,
 SCR 4065, SCR 4068

LEO LEIDHOLM, Secretary

MOTIONS

SEN. LIPS MOVED that HB 1019 and HB 1029 which are on the Fourteenth order be laid over one legislative day, which motion prevailed.

SEN. NOTHING MOVED that HB 1394 be placed below HB 1523 on the calendar, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1486: A BILL for an Act to create and enact a new section to chapter 14-05 and a new section to chapter 14-06 of the North Dakota Century Code, relating to orders dividing property in divorce and separation enforceable by contempt and removing certain exemptions from process upon execution of divorce or separation judgments ordering division of property; and to amend and reenact section 28-22-01 of the North Dakota Century Code, relating to property exempt from process.

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; Christensen; David; 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; Nothing; 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: Berube

HB 1486 passed and the title was agreed to.

MOTION

SEN. NETHING MOVED that the vote by which HB 1486 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

SECOND READING OF HOUSE BILLS

HB 1089: A BILL for an Act to transfer moneys contingent on the general fund balance from the general fund to the resources trust fund to replace moneys transferred from that fund under 1983 Senate Bill No. 2009.

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 11 YEAS, 40 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: David; Dotzenrod; Freborg; Krauter; Kusler; Maixner; Meyer, D.; Nelson; Satrom; Waldera; Wogsland

NAYS: Adams; Bakewell; Christensen; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Langley; Lashkowitz; Lips; Lodoen; Matchie; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nething; Olson; Peterson; Redlin; Reiten; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Walsh; Wenstrom; Wright

ABSENT AND NOT VOTING: Berube; Parker

HB 1089 was declared lost.

HB 1421: A BILL for an Act to amend and reenact section 57-36-32 of the North Dakota Century Code, relating to taxes on sales of cigarettes; and to provide an effective date.

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 18 YEAS, 34 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Heigaard; Heinrich; Hilken; Kelsh; Kusler; Maixner; Matchie; Meyer, J.; Meyer, W.; Mushik; Redlin; Satrom; Shea; Tallackson; Thane; Tweten; Waldera; Wogsland

NAYS: Adams; Bakewell; Christensen; David; Dotzenrod; Freborg; Holmberg; Ingstad; Kelly; Kilander; Krauter; Langley; Lashkowitz; Lips; Lodoen; Meyer, D.; Moore; Mutch; Naaden; Nelson; Nething; Olson; Parker;

Peterson; Reiten; Stenehjem; Streibel; Stromme;
Tennefos; Todd; Vosper; Walsh; Wenstrom; Wright

ABSENT AND NOT VOTING: Berube

HB 1421 was declared lost.

HB 1542: A BILL for an Act to amend and reenact sections 25-16-01, 25-16-02, 25-16-03, 25-16-03.1, 25-16-04, 25-16-06, 25-16-07, 25-16-08, 25-16-09, 25-16-10, and 25-16-12 of the North Dakota Century Code, relating to the licensure, ownership, operation, and the confidentiality of records of treatment and care centers for developmentally disabled persons.

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 19 YEAS, 33 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Adams; Christensen; David; Freborg; Ingstad; Kilander; Moore; Mutch; Naaden; Nelson; Nething; Parker; Peterson; Streibel; Tennefos; Thane; Todd; Tweten; Vosper

NAYS: Bakewell; Dotzenrod; Heigaard; Heinrich; Hilken; Holmberg; Kelly; Kelsh; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Mushik; Olson; Redlin; Reiten; Satrom; Shea; Stenehjem; Stromme; Tallackson; Waldera; Walsh; Wenstrom; Wogsland; Wright

ABSENT AND NOT VOTING: Berube

HB 1542 was declared lost.

HB 1557: A BILL for an Act to amend and reenact section 39-05-17 of the North Dakota Century Code, relating to entry of name of purchaser on motor vehicle title documents; and to provide a penalty.

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 0 YEAS, 51 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: None

NAYS: Adams; Bakewell; Christensen; David; 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; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

ABSENT AND NOT VOTING: Berube; Heigaard

HB 1557 was declared lost.

HB 1585: A BILL for an Act to amend and reenact section 12.1-23-08 of the North Dakota Century Code, relating to defrauding secured creditors.

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 1 YEA, 49 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Stenehjem

NAYS: Adams; Bakewell; Christensen; David; 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; Peterson; Redlin; Reiten; Satrom; Shea; Streibel; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

ABSENT AND NOT VOTING: Berube; Parker; Stromme

HB 1585 was declared lost.

HB 1609: A BILL for an Act to amend and reenact section 14-05-24 of the North Dakota Century Code, relating to distribution of property, child support, and spousal support within divorce proceedings.

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 5 YEAS, 46 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Maixner; Matchie; Meyer, J.; Mushik; Peterson

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

ABSENT AND NOT VOTING: Berube; Stromme

HB 1609 was declared lost.

HB 1643: A BILL for an Act to provide that state employees receive payroll checks on a semimonthly basis; to amend and reenact section 27-06-02, subsection 2 of section 27-20-05, sections 54-23-42, 54-23-43, 54-52-06, 54-52-06.1, and 54-52.1-06 of the North Dakota Century Code, relating to the payment of salaries and retirement contributions; and to provide an effective date.

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 15 YEAS, 35 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Hilken; Ingstad; Kelsh; Kusler; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Mushik; Satrom; Shea; Stenehjem; Tallackson

NAYS: Adams; Bakewell; Christensen; David; Dotzenrod; Freborg; Heigaard; Heinrich; Holmberg; Kelly; Kilander; Krauter; Langley; Lashkowitz; Lips; Moore; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Streibel; Tennefos; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

ABSENT AND NOT VOTING: Berube; Stromme; Thane

HB 1643 was declared lost.

HB 1032: A BILL for an Act making an appropriation for defraying the unforeseen expenses of the various agencies and institutions of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 50 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Christensen; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; 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; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: Lashkowitz

ABSENT AND NOT VOTING: Berube; Stromme

HB 1032 passed and the title was agreed to.

MOTION

SEN. NETHING MOVED that the vote by which HB 1032 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1246: A BILL for an Act to amend and reenact section 12-60-15 of the North Dakota Century Code, relating to the furnishing of criminal investigation information to private investigators; 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 4 YEAS, 47 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Lips; Meyer, J.; Stenehjem; Wenstrom

NAYS: Adams; Bakewell; Christensen; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten;

Satrom; Shea; Streibel; Tallackson; Tennefos; Thane;
Todd; Tweten; Vosper; Waldera; Walsh; Wogsland; Wright

ABSENT AND NOT VOTING: Berube; Stromme

HB 1246 was declared lost.

MOTION

SEN. TALLACKSON MOVED that HB 1458 be placed at the foot of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1545: A BILL for an Act to create and enact a new chapter to the North Dakota Century Code, relating to the development of a new program for chemical abuse problems in North Dakota schools; and to provide an appropriation.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 33 YEAS, 17 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Dotzenrod; Heigaard; Heinrich; Hilken; Holmberg;
Ingstad; Kelly; Kelsh; Krauter; Kusler; Langley;
Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, J.;
Moore; Mushik; Olson; Parker; Redlin; Reiten; Satrom;
Stenehjem; Stromme; Tallackson; Todd; Tweten; Waldera;
Walsh; Wenstrom; Wogsland

NAYS: Adams; Bakewell; Christensen; David; Freborg;
Meyer, D.; Meyer, W.; Mutch; Naaden; Nelson; Nething;
Shea; Streibel; Tennefos; Thane; Vosper; Wright

ABSENT AND NOT VOTING: Berube; Kilander; Peterson

HB 1545 passed and the title was agreed to.

MOTIONS

SEN. NETHING MOVED that the vote by which HB 1545 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

SEN. WRIGHT MOVED that HB 1638, which is on the Fourteenth order, be laid over one legislative day, which motion prevailed.

SEN. NETHING MOVED that HB 1638 be placed directly behind HB 1019 and HB 1029 when it comes up on the calendar tomorrow, which motion prevailed.

SEN. D. MEYER MOVED that the Senate reconsider the action whereby HB 1636 was passed, which motion prevailed.

SEN. NETHING MOVED that HB 1636 be rereferred to the Committee on Agriculture, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

SEN. STENEHJEM MOVED that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on HB 1446, which motion prevailed.

THE PRESIDENT APPOINTED as a Conference Committee on HB 1446:

Sens. Christensen, Stenehjem, J. Meyer

MOTIONS

SEN. NETHING MOVED that the Senate stand in recess until 1:00 p.m., which motion prevailed.

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

SEN. NETHING MOVED that HB 1049 be placed at the head of the Sixth order on the calendar, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SEN. PETERSON MOVED that the amendments to HB 1049 as recommended by the Committee on Education as printed on pages 1706-1707 of the Senate Journal be adopted, and when so adopted, recommends that HB 1049 DO PASS, which motion prevailed.

MOTION

SEN. PETERSON MOVED that the rules be suspended, that HB 1049 be placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1049: A BILL for an Act to amend and reenact section 15-40.1-16 of the North Dakota Century Code, relating to state transportation aid payments to schools.

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; Christensen; David; 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; Stenehjelm; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Berube

HB 1049 passed and the title was agreed to.

MOTIONS

SEN. NETHING MOVED that the vote by which HB 1049 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

SEN. PETERSON MOVED that the amendments to HB 1048 as recommended by the Committee on Education as printed on page 1706 of the Senate Journal be adopted, and when so adopted, recommends that HB 1048 DO PASS.

SEN. LIPS MOVED that the proposed amendment to HB 1048 be amended as follows:

On page 1 of the engrossed bill, delete the word "eight" and insert in lieu thereof the words "twenty-five"

On page 2 of the engrossed bill, delete the words "Forty-three" and insert in lieu thereof the words "twenty-five"

SEN. LIPS MOVED that the amendment to the amendment on HB 1048 be adopted, which motion lost.

SEN. HEINRICH MOVED that the question be divided on the adoption of the proposed amendments to HB 1048, that the sections be voted upon separately, which motion prevailed.

REQUEST

SEN. TENNEFOS REQUESTED a recorded roll call vote, which request was granted.

ROLL CALL

The question being on the adoption of the amendments to HB 1048, "On page 2 of the engrossed bill, line 2, delete the word "seventy-five" and insert in lieu thereof the word "forty-three", the roll was called and there were 40 YEAS, 12 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Christensen; David; Dotzenrod; Heigaard; Holmberg; Ingstad; Kelly; Kilander; Krauter; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Reiten; Satrom; Stenehjelm;

Streibel; Tallackson; Tennefos; Thane; Todd; Tweten;
Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: Freborg; Heinrich; Hilken; Kelsh; Kusler; Langley;
Lashkowitz; Mushik; Redlin; Shea; Stromme; Vosper

ABSENT AND NOT VOTING: Berube

The proposed amendment "On page 2 of the engrossed bill, line 2, delete the word "seventy-five" and insert in lieu thereof the word "forty-three" was adopted.

ROLL CALL

The question being on the adoption of the remainder of the proposed amendments to HB 1048, the roll was called and there were 52 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Christensen; David; 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: Berube

The remaining proposed amendments to HB 1048 were adopted.

The question being on the adoption of all the proposed amendments to HB 1048, the amendments were adopted on a voice vote.

MOTIONS

SEN. LIPS MOVED that HB 1048 be further amended as follows:

On page 1 of the engrossed bill, line 1, after the word "Act" insert the words "relating to school district tax levies; and"

On page 2 of the engrossed bill, after line 17, insert the following new section:

"SECTION 2. School district general fund tax levies for 1985-86 and 1986-87 school years. Notwithstanding the provisions of section 57-15-14 or any other provision of law or any school district resolution to the contrary, there may be levied for the 1985-86 and 1986-87 school years, upon resolution of the school board in any school district, the number of mills necessary for the general fund purposes described in section 57-15-14.3."

And renumber the lines and pages accordingly

SEN. LIPS MOVED that the proposed amendments be adopted, which motion lost.

SEN. PETERSON MOVED that the rules be suspended, that HB 1048 be placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1048: A BILL for an Act to amend and reenact section 15-40.1-06 of the North Dakota Century Code, relating to the educational support for elementary and secondary school students.

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; Christensen; David; 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: Berube

HB 1048 passed and the title was agreed to.

MOTION

SEN. NOTHING MOVED that the vote by which HB 1048 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

POINT OF PERSONAL PRIVILEGE

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

In the Senate's action on HB 1048, the foundation aid program for primary and secondary educational students, I think represents the frustration that many in this body, no doubt, are feeling. Here we have an example of probably

one of the most important pieces of legislation that we can address which ideally should represent the convergence of three standing committees of this body, Appropriations, Finance and Taxation, and Education.

Convergence doesn't come through as clearly as it should because obviously there are a lot of bills that will be following, bills that have proceeded dealing with the financial capabilities of the state putting together its budget. I would hope that we have not heard the last of the foundation aid program in this session so that we could go back to the, not simply the drawing board, but the cutting board and take some of the bills that have flown past us in recent days, reexamine them, and make some of these moves that we can live with more comfortably. I would say that my position is postured largely on the belief that the most important area of concern of this state should be primary and secondary education of the children of this state. Thank you.

**MESSAGE TO THE HOUSE
SENATE CHAMBER**

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

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

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 2051, SB 2072

SEN. BAKEWELL, Chairman

SEN. KRAUTER 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 enrolled:

SB 2051, SB 2069, SB 2070, SB 2072, SB 2089, SB 2198,
SB 2259, SB 2293, SB 2308, SB 2403, SB 2449, SB 2452,
SB 2486, SB 2494, SCR 4032, SCR 4040, SCR 4061, SCR 4067

SEN. BAKEWELL, Chairman

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

SIGNING OF BILLS AND RESOLUTIONS

THE SECRETARY ANNOUNCED that the President signed the following:

SB 2051, SB 2069, SB 2070, SB 2072, SB 2089, SB 2198,
 SB 2259, SB 2293, SB 2308, SB 2403, SB 2449, SB 2452,
 SB 2486, SB 2494, SCR 4032, SCR 4040, SCR 4061, SCR 4067
 LEO LEIDHOLM, Secretary

MESSAGES FROM THE HOUSE
HOUSE CHAMBER

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

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

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to return herewith SB 2001, SB 2012, SB 2015, SB 2018, SB 2024, SB 2026, and SCR 4071 which the House has amended:

HOUSE AMENDMENTS TO SB 2001

On page 1, line 15, delete the numerals "1,843,988" and insert in lieu thereof the numerals "3,360,636"
 On page 1, line 16, delete the numerals "2,723,592" and insert in lieu thereof the numerals "1,868,407"
 On page 1, line 19, delete the numerals "4,672,074" and insert in lieu thereof the numerals "5,333,537"
 On page 1, line 22, delete the numerals "2,285,288" and insert in lieu thereof the numerals "2,216,900"
 On page 1, line 23, delete the numerals "1,404,979" and insert in lieu thereof the numerals "1,425,939"
 On page 1, line 25, delete the numerals "3,701,354" and insert in lieu thereof the numerals "3,653,926"
 On page 1, line 26, delete the numerals "8,373,428" and insert in lieu thereof the numerals "8,987,463"

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

49th and 50th

MONDAY, MARCH 25, 1985

1725

<u>Legislative Assemblies</u>	<u>Salaries and Wages</u>	<u>Operating Expenses</u>	<u>Equipment</u>	<u>NCSL</u>	<u>Total</u>
SB 2001 as introduced	\$1,843,988	\$2,723,592	\$32,640	\$71,854	\$4,672,074
Add:					
Estimated deficiency for 49th Legislative Assembly (1985) for operating expenses		24,968			24,968
Adjustment for SCR 4029 - legislative employees pay increases:					
1985 session	39,777				39,777
1987 session	47,391				47,391
Change in legislator compensation (HB 1243):					
1985 session	748,175	(400,025)			348,150
1987 session	848,864	(408,714)			440,150
Increase leadership compensation (HB 1243)		12,680			12,680
Reduction relating to 65-day session	(167,559)	(84,094)			(251,653)
Total adjustments to Legislative Assembly appropriation in SB 2001	\$1,516,648	\$ (855,185)	\$ 0	\$ 0	\$ 661,463
Legislative Assembly - SB 2001 as amended	\$3,360,636	\$1,868,407	\$32,640	\$71,854	\$5,333,537

A capital improvements line item in the amount of \$160,000 from the Capitol building fund is added to provide renovation of the heating, ventilating, and air conditioning system at the State Laboratories building. A new section is added to provide for the transfer of funds from the Capitol building fund.

HOUSE AMENDMENTS TO ENGROSSED SB 2015

On page 1 of the engrossed bill, line 14, delete the numerals "229,415" and insert in lieu thereof the numerals "235,243"

On page 1 of the engrossed bill, line 17, delete the numerals "1,540,452" and insert in lieu thereof the numerals "1,546,280"

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Department of Banking and Financial Institutions

The amount of \$5,828 is reinstated to the operating expenses line item, which was deleted by the Senate. The \$5,828 is for board member meal and lodging reimbursement pursuant to the passage of House Bill No. 1123.

The salaries and wages line item allows funds to continue average salary increases of 5.5 percent the first year of the biennium and average salary increases of four percent the second year of the biennium. Funds are allowed to provide a minimum increase of \$50 per month for each year of the biennium. The salary increases are to be based on merit, performance, or equity adjustments, and are not intended to be across-the-board salary increases.

HOUSE AMENDMENTS TO SB 2018

On page 1, line 12, delete the numerals "285,959" and insert in lieu thereof the numerals "280,516"

On page 1, line 16, delete the numerals "449,186" and insert in lieu thereof the numerals "443,743"

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Milk Stabilization Board

The salaries and wages line item is reduced by \$5,443 from other funds. This will allow funds to continue average salary increases of 5.5 percent the first year of the biennium and average salary increases of four percent the second year of the biennium. Funds are allowed to provide a minimum increase of \$50 per month for each year of the biennium. The salary increases

are to be based on merit, performance, or equity adjustments, and are not intended to be across-the-board salary increases.

HOUSE AMENDMENTS TO ENGROSSED SB 2024

On page 1 of the engrossed bill, line 15, delete the numerals "1,888,445" and insert in lieu thereof the numerals "2,125,759"

On page 1 of the engrossed bill, line 20, delete the numerals "351,949,502" and insert in lieu thereof the numerals "352,186,816"

On page 1 of the engrossed bill, line 21, delete the numerals "351,919,502" and insert in lieu thereof the numerals "352,156,816"

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Highway Department

The data processing line item is increased by \$237,314 to allow funds for improvements to the Highway Department's accounting system.

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

HOUSE AMENDMENTS TO ENGROSSED SB 2026

On page 1 of the engrossed bill, line 13, delete the numerals "2,050,184" and insert in lieu thereof the numerals "2,055,951"

On page 1 of the engrossed bill, line 20, delete the numerals "5,138,798" and insert in lieu thereof the numerals "5,144,565"

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Motor Vehicle Department

The salaries and wages line item is increased by \$5,767 from other funds. This will allow funds to continue average salary increases of 5.5 percent the first year of the biennium and average salary increases of four percent the second year of the biennium. Funds are allowed to provide a minimum increase of \$50 per month for each year of the biennium. The salary increases

are to be based on merit, performance, or equity adjustments, and are not intended to be across-the-board salary increases.

HOUSE AMENDMENTS TO SCR 4071

On page 1, line 3, delete the word "allow" and insert in lieu thereof the words "consider allowing"

On page 1, line 16, delete the word "should" and insert in lieu thereof the word "could"

On page 1, line 20, delete the word "should" and insert in lieu thereof the word "could"

On page 2, line 6, delete the word "authorize" and insert in lieu thereof the words "investigate the possibility of authorizing"

And renumber the lines and pages accordingly

ROY GILBREATH, Chief Clerk

MESSAGES TO THE HOUSE
SENATE CHAMBER

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

HB 1032, HB 1545

LEO LEIDHOLM, Secretary

SENATE CHAMBER

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

HB 1486

LEO LEIDHOLM, Secretary

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 enrolled:

SB 2055, SB 2079, SB 2097, SB 2104, SB 2136, SB 2137,
SB 2163, SB 2202, SB 2205, SB 2238, SB 2266, SB 2290,
SB 2305, SB 2323, SB 2326, SB 2337, SB 2361, SB 2368,
SB 2379, SB 2423, SB 2433, SB 2434

SEN. BAKEWELL, Chairman

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

SIGNING OF BILLS AND RESOLUTIONS

THE SECRETARY ANNOUNCED that the President signed the following:

SB 2055, SB 2079, SB 2097, SB 2104, SB 2136, SB 2137,
SB 2163, SB 2202, SB 2205, SB 2238, SB 2266, SB 2290,
SB 2305, SB 2323, SB 2326, SB 2337, SB 2361, SB 2368,
SB 2379, SB 2423, SB 2433, SB 2434

LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE
HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to return herewith SB 2036 and SB 2257 which the House has amended:

HOUSE AMENDMENTS TO ENGROSSED SB 2036

On page 1 of the engrossed bill, line 9, delete the numerals "797,281" and insert in lieu thereof the numerals "786,481"

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Tax Commissioner

The amount to be transferred from the motor vehicle fuel tax to the general fund is reduced by \$10,800 to reflect the reduction of gas tax division salaries and wages in House Bill No. 1001.

HOUSE AMENDMENTS TO REENGROSSED SB 2257

On page 1 of the reengrossed bill, line 2, after the numerals "57-60-01" insert the words "and subsection 4 of section 57-60-02"

On page 1 of the reengrossed bill, line 4, after the word "facilities" insert the words "and relating to the rate of tax on coal conversion facilities"

On page 1 of the reengrossed bill, after line 23, insert the following new section:

"SECTION 2. AMENDMENT. Subsection 4 of section 57-60-02 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

- 4. For coal gasification plants constructed prior to July 1, 1985, the tax shall be either the amount provided in subsection 1 or ~~ten~~ fifteen cents on each one thousand cubic feet [28316.85 liters] of synthetic natural gas produced for the purpose of sale, whichever is greater."

And renumber the lines, sections, and pages accordingly

ROY GILBREATH, Chief Clerk

SECOND READING OF SENATE BILL

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

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 48 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Christensen; David; 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; Nething; Olson; Parker; Peterson; Reiten; Satrom; Shea; Stenehjerm; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wogsland; Wright

NAYS: Dotzenrod; Heigaard; Redlin; Wenstrom

ABSENT AND NOT VOTING: Berube

SB 2510 passed and the title was agreed to.

MOTION

SEN. NOTHING MOVED that the vote by which SB 2510 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MOTION

SEN. NOTHING MOVED that the Senate stand in recess until 4:00 p.m., which motion prevailed.

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

MESSAGES FROM THE HOUSE
HOUSE CHAMBER

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

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

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

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

SB 2062: Reps. Schindler, D. Olsen, Hill

SB 2354: Reps. Kent, Belter, C. Williams

SB 2405: Reps. Dorso, Goetz, C. Williams

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

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

SB 2410: Reps. Nalewaja, Hamerlik, Oban

SB 2413: Reps. R. Anderson, A. Hausauer, Frey

SB 2477: Reps. Moore, Hughes, Linderman

ROY GILBREATH, Chief Clerk

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 2059, SB 2143, SB 2161, SB 2209, SB 2232, SB 2286,
SB 2357, SB 2427

SEN. BAKEWELL, Chairman

SEN. KRAUTER 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 enrolled:

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

SEN. BAKEWELL, Chairman

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

SIGNING OF BILLS AND RESOLUTIONS

THE SECRETARY ANNOUNCED that the President signed the following:

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

LEO LEIDHOLM, Secretary

MESSAGES TO THE HOUSE

SENATE CHAMBER

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

HB 1048, HB 1049

LEO LEIDHOLM, Secretary

SENATE CHAMBER

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

SB 2510

LEO LEIDHOLM, Secretary

SENATE CHAMBER

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

SB 2081, SB 2200

LEO LEIDHOLM, Secretary

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

SEN. BAKEWELL, Chairman

SEN. TWETEN 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 enrolled:

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

SEN. BAKEWELL, Chairman

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

SIGNING OF BILLS AND RESOLUTIONS

THE SECRETARY ANNOUNCED that the President signed the following:

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

LEO LEIDHOLM, Secretary

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 enrolled:

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

SEN. BAKEWELL, Chairman

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

SIGNING OF BILLS AND RESOLUTIONS

THE SECRETARY ANNOUNCED that the President signed the following:

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

LEO LEIDHOLM, Secretary

REPORT OF PROCEDURAL COMMITTEE

MADAM PRESIDENT: Your procedural Committee on Delayed Bills has examined a concurrent resolution commemorating the 100th anniversary of the first meeting of the Dakota Territorial Legislative Assembly in Bismarck and the 50th anniversary of the first session of the North Dakota Legislative Assembly in the present State Capitol, and recommends the same be introduced.

SEN. TENNEFOS, Chairman

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

FIRST READING OF A SENATE CONCURRENT RESOLUTION

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

(Approved by the Committee on Delayed Bills)

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

Was read the first time.

MOTION

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

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

SENATE CONCURRENT RESOLUTION NO. 4077

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

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

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

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

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

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

That the members of the Forty-ninth Legislative Assembly will commemorate the 100th anniversary of the first meeting of the Dakota Territorial Legislative Assembly in Bismarck and the 50th anniversary of the first meeting of the North Dakota

Legislative Assembly in the present State Capitol with appropriate programs on Thursday, March 28, 1985, beginning at 3:30 p.m. in the respective legislative chambers; and

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

SECOND READING OF A SENATE CONCURRENT RESOLUTION

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

Was read the second time.

The question being on the final adoption of the resolution.

SCR 4077 was declared adopted on a voice vote.

MOTION

SEN. NETHING MOVED that the vote by which SCR 4077 was adopted be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

PRESENTATION OF PETITIONS AND COMMUNICATIONS

State of North Dakota
EXECUTIVE OFFICE
Bismarck

March 22, 1985

The Honorable Ruth Meiers
President of the Senate
Senate Chambers
State Capitol
Bismarck, North Dakota 58505

Dear Lieutenant Governor Meiers:

I recognize there is a significant division among veterans on this issue. Even though I am a veteran, I have tried to make this decision on an objective basis.

In making my decision, I realized that it is important that North Dakotans join other Americans in honoring veterans. Having a different day from other Americans will only serve to create problems for families and businesses with ties outside this State.

Additionally, it is important that those of us who need to travel long distances to spend Memorial Day with families and friends have the extra time to travel and be together.

Finally, while I realize that it is impossible to legislate patriotism, those who truly wish to observe Memorial Day will be better able to do so under the current law.

Therefore, I veto Senate Bill 2119.

Sincerely,

GEORGE A. SINNER
Governor

MOTION

SEN. NETHING MOVED that the Senate override the veto by the Governor on SB 2119.

ROLL CALL

The question being on the motion that the Senate override the veto by the Governor on SB 2119, the roll was called and there were 21 YEAS, 31 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; David; Freborg; Hilken; Ingstad; Kelly; Lodoen; Maixner; Meyer, D.; Moore; Mutch; Nelson; Nething; Peterson; Streibel; Tennefos; Thane; Vosper; Wenstrom; Wright

NAYS: Christensen; Dotzenrod; Heigaard; Heinrich; Holmberg; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Matchie; Meyer, J.; Meyer, W.; Mushik; Naaden; Olson; Parker; Redlin; Reiten; Satrom; Shea; Stenehjem; Stromme; Tallackson; Todd; Tweten; Waldera; Walsh; Wogsland

ABSENT AND NOT VOTING: Berube

The veto of the Governor on SB 2119 was sustained.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. MUTCH MOVED that the Senate do concur in the House amendments to SB 2167 as printed on page 1660 of the Senate Journal, which motion prevailed.

MOTION

SEN. MUTCH MOVED that the rules be suspended, that SB 2167 be deemed properly engrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2167: A BILL for an Act to create and enact a new subsection to section 39-22-04 of the North Dakota Century Code, relating to grounds for denial, suspension, cancellation,

or revocation of dealer's license; to amend and reenact section 39-21-51 of the North Dakota Century Code, relating to alteration of odometers; 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 51 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Christensen; David; Dotzenrod; Ereborg; Heigaard; 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; 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: Berube; Maixner

SB 2167 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. MUTCH MOVED that the Senate do concur in the House amendments to SB 2170 as printed on page 1609 of the Senate Journal, which motion prevailed.

MOTION

SEN. MUTCH MOVED that the rules be suspended, that SB 2170 be deemed properly engrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2170: A BILL for an Act to amend and reenact section 39-04-12 of the North Dakota Century Code, relating to transfer of number plates.

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; Christensen; David; Dotzenrod; Ereborg; 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: Berube

SB 2170 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. PARKER MOVED that the Senate do concur in the House amendments to SB 2201 as printed on pages 1523-1524 of the Senate Journal, which motion prevailed.

MOTION

SEN. PARKER MOVED that the rules be suspended, that SB 2201 be deemed properly engrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2201: A BILL for an Act to create and enact four new sections to chapter 49-21 of the North Dakota Century Code, relating to the regulation of telecommunications companies by the public service commission; to amend and reenact sections 49-02-01, 49-02-01.1, subsection 7 of section 49-02-02, sections 49-02-05.1, 49-04-19, 49-05-02, 49-09-15, 49-09-16, 49-19-09, 49-19-10, 49-20-12.1, 49-21-01, 49-21-02, 49-21-04, 49-21-05, 49-21-06, 49-21-07, 49-21-08, 49-21-09, 49-21-10, and 49-21.1-05 of the North Dakota Century Code, relating to the jurisdiction of the public service commission over telecommunications companies, the regulation of telecommunications companies, security interests against telecommunications companies, conveyance of real property by a telecommunications company, right-of-way for telecommunications lines, right-of-way for pipeline telecommunications lines, compensations for damages done by laying pipeline telecommunications line, and changes in the topography of land under or adjacent to telecommunications lines; and to repeal sections 49-21-03, 49-21-11, 49-21-12, 49-21-13, and 49-21-16 of the North Dakota Century Code, relating to regulation of telephone and telegraph companies and penalties for failure to comply with a public service commission order regarding telephone and telegraph companies.

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; Christensen; David; Dotzenrod; Freborg; Heigaard; 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; Nething; Olson; Parker; Peterson; Redlin; Reiten; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Berube; Maixner; Satrom

SB 2201 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. MUTCH MOVED that the Senate do concur in the House amendments to SB 2214 as printed on page 1661 of the Senate Journal, which motion prevailed.

MOTION

SEN. MUTCH MOVED that the rules be suspended, that SB 2214 be deemed properly reengrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2214: A BILL for an Act to create and enact a new section to chapter 39-12 of the North Dakota Century Code, relating to the voluntary payment of extraordinary road use fees; to amend and reenact sections 39-12-14, 39-12-16, and 39-12-20 of the North Dakota Century Code, relating to the civil procedure applicable to overweight vehicles and the disbursement of extraordinary road use fees.

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; Christensen; David; 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; Stenehjøm; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Berube

SB 2214 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. MOORE MOVED that the Senate do concur in the House amendments to SB 2228 as printed on page 1609 of the Senate Journal, which motion prevailed.

MOTION

SEN. TODD MOVED that the rules be suspended, that SB 2228 be deemed properly engrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2228: A BILL for an Act to create and enact a new subsection to section 61-03-05 of the North Dakota Century Code, relating to the fees of the state engineer.

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; Christensen; David; 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; Stenehjøm; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Berube

SB 2228 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. WRIGHT MOVED that the Senate do concur in the House amendments to SB 2250 as printed on page 1662 of the Senate Journal, which motion prevailed.

MOTION

SEN. DOTZENROD MOVED that the rules be suspended, that SB 2250 be deemed properly reengrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2250: A BILL for an Act to amend and reenact subsection 1 of section 11-10.1-05, subsection 1 of section 57-02-08.1, sections 57-02-32, 57-02.1-01, 57-06-05, subsection 3 of section 57-12-06, subdivision c of subsection 3 of section 57-13-04, sections 57-20-01, 57-20-20, 57-23-04, 57-23-08, subsection 3 of section 57-26-03, sections 57-28-18, 57-32-01, 57-32-04, 57-32-05, 57-33-03, subsection 1 of section 57-33-04, sections 57-55-04.1, 57-60-02, subsection 3 of section 57-62-02 of the North Dakota Century Code, relating to taxation and removal of references to the personal property tax, to the year in which totally disabled persons are eligible for property tax credits, to eliminate an inconsistent definition of value for payments made by the game and fish department in lieu of property taxes, to the removal of references to sleeping car and carline companies, to the correction of an inaccurate statutory cross-reference, to the clarification of the percentage changes in assessments made by the state board of equalization, to a clarification of the date of delinquency for real property taxes, to remove references to the tax appeals board, to proceedings for the abatement of taxes, to interest due on a subsequent tax sale certificate, to references to the assessment date for property taxes, to the definition of gross receipts for the taxation of rural electric cooperatives, to the payment date of the privilege tax on coal conversion facilities, and to the method of allocation of moneys in the coal development fund; and to repeal section 57-02-23, subsection 5 of section 57-06-02, subsection 4 of section 57-06-14, subsection 13 of section 57-15-10, sections 57-23-03, 57-23.1-01, 57-23.1-02, 57-31-01, 57-31-02, and 57-31-03 of the North Dakota Century Code, relating to taxation and the removal of references to the personal property tax, to the removal of statutory references to sleeping car and carline companies, to remove references to the tax appeals board, to the proceedings for the abatement of property taxes, to tax levy limitations with respect to taxes levied for a city employees' pension plan, and to the taxation of transient stocks of merchandise.

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; Christensen; David; 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: Berube

SB 2250 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. WRIGHT MOVED that the Senate do concur in the House amendments to SB 2300 as printed on pages 1662-1664 of the Senate Journal, which motion prevailed.

MOTION

SEN. KILANDER MOVED that the rules be suspended, that SB 2300 be deemed properly reengrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2300: A BILL for an Act to amend and reenact sections 57-39.2-02.1 and 57-40.2-02.1 of the North Dakota Century Code, relating to the rate of sales and use taxes on gas used primarily for heating or cooling purposes in residential or commercial buildings.

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 28 YEAS, 20 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Christensen; David; Dotzenrod; Freborg; Holmberg; Ingstad; Kilander; Lodoen; Matchie; Meyer, D.; Mushik; Mutch; Naaden; Nelson; Nething; Olson; Peterson; Reiten; Satrom; Stenehjem; Streibel; Tallackson; Tennefos; Todd; Wenstrom; Wright

NAYS: Heinrich; Hilken; Kelly; Kelsh; Krauter; Kusler; Langley; Lashkowitz; Lips; Maixner; Meyer, J.; Moore; Parker; Redlin; Shea; Stromme; Vosper; Waldera; Walsh; Wogsland

ABSENT AND NOT VOTING: Berube; Heigaard; Meyer, W.; Thane; Tweten

SB 2300 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. HOLMBERG MOVED that the Senate do concur in the House amendments to SB 2342 as printed on page 1610 of the Senate Journal, which motion prevailed.

MOTION

SEN. HOLMBERG MOVED that the rules be suspended, that SB 2342 be deemed properly engrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2342: A BILL for an Act to amend and reenact sections 40-08-07 and 40-09-06 of the North Dakota Century Code, relating to the compensation of city aldermen and commissioners.

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, 4 NAYS, 5 ABSENT AND NOT VOTING.

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

NAYS: Lodoen; Mutch; Streibel; Tennefos

ABSENT AND NOT VOTING: Berube; Heigaard; Meyer, W.; Thane; Tweten

SB 2342 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. HOLMBERG MOVED that the Senate do concur in the House amendments to SB 2364 as printed on page 1610 of the Senate Journal, which motion prevailed.

MOTION

SEN. HOLMBERG MOVED that the rules be suspended, that SB 2364 be deemed properly reengrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2364: A BILL for an Act to amend and reenact section 11-10-10 of the North Dakota Century Code, relating to the salary of state's attorneys.

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 38 YEAS, 10 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Christensen; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Matchie; Meyer, J.; Mushik; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjem; Stromme; Tallackson; Todd; Vosper; Waldera; Wenstrom; Wogsland; Wright

NAYS: David; Dotzenrod; Freborg; Maixner; Meyer, D.; Moore; Mutch; Streibel; Tennefos; Walsh

ABSENT AND NOT VOTING: Berube; Heigaard; Meyer, W.; Thane; Tweten

SB 2364 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. STENEHJEM MOVED that the Senate do concur in the House amendments to SB 2430 as printed on page 1611 of the Senate Journal, which motion prevailed.

MOTION

SEN. STENEHJEM MOVED that the rules be suspended, that SB 2430 be deemed properly reengrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2430: A BILL for an Act to create and enact a new section to chapter 37-10 of the North Dakota Century Code, relating to national guard facilities.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 48 YEAS, 0 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Christensen; David; Dotzenrod; Freborg; 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; Todd; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Berube; Heigaard; Meyer, W.; Thane; Tweten

SB 2430 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. CHRISTENSEN MOVED that the Senate do concur in the House amendments to SB 2435 as printed on page 1665 of the Senate Journal, which motion prevailed.

MOTION

SEN. CHRISTENSEN MOVED that the rules be suspended, that SB 2435 be deemed properly reengrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2435: A BILL for an Act to amend and reenact section 28-22-03.1, subsection 3 of section 32-09.1-01, and section 32-09.1-09 of the North Dakota Century Code, relating to an exemption of social security benefits and veterans' disability pensions benefits from attachment, execution, and garnishment actions.

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; Christensen; David; 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; Sotrom; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Todd; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Berube; Meyer, W.; Thane; Tweten

SB 2435 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. LODOEN MOVED that the Senate do concur in the House amendments to SB 2442 as printed on page 1611 of the Senate Journal, which motion prevailed.

MOTION

SEN. LODOEN 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 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; to create and enact a new subdivision to subsection 6 of section 28-32-01 of the North Dakota Century Code, relating to a definition of rules adopted by certain agencies; 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 48 YEAS, 0 NAYS, 5 ABSENT AND NOT VOTING.

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

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

NAYS: None

ABSENT AND NOT VOTING: Berube; Maixner; Meyer, W.; Thane; Tweten

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

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. VOSPER MOVED that the Senate do concur in the House amendments to SB 2495 as printed on page 1666 of the Senate Journal, which motion prevailed.

MOTION

SEN. VOSPER MOVED that the rules be suspended, that SB 2495 be deemed properly reengrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2495: A BILL for an Act to amend and reenact subsection 1 of section 4-36-03 of the North Dakota Century Code, relating to qualifications for loans under the Agricultural Development Act.

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 46 YEAS, 1 NAY, 6 ABSENT AND NOT VOTING.

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

NAYS: Meyer, D.

ABSENT AND NOT VOTING: Berube; Holmberg; Maixner; Meyer, W.; Thane; Tweten

SB 2495 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. CHRISTENSEN MOVED that the Senate do concur in the House amendments to SB 2498 as printed on pages 1612-1613 of the Senate Journal, which motion prevailed.

MOTION

SEN. CHRISTENSEN MOVED that the rules be suspended, that SB 2498 be deemed properly reengrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2498: A BILL for an Act to create and enact subsection 3 of section 19-03.1-13 of the North Dakota Century Code, relating to definitions of certain controlled substances; and to amend and reenact sections 19-03.1-05, 19-03.1-07, 19-03.1-09, 19-03.1-11, and subsection 6 of section 19-03.1-16 of the North Dakota Century Code, relating to the Uniform Controlled Substances Act schedules.

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

NAYS: None

ABSENT AND NOT VOTING: Berube; Maixner; Meyer, W.; Thane; Tweten

SB 2498 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. STENEHJEM MOVED that the Senate do not concur in the House amendments to SB 2369 as printed on pages 1664-1665 of the Senate

Journal and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed.

APPOINTMENT OF A CONFERENCE COMMITTEE

THE PRESIDENT APPOINTED as a Conference Committee on SB 2369:

Sens. Christensen, Kelly, Matchie

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. CHRISTENSEN MOVED that the Senate do not concur in the House amendments to SB 2432 as printed on page 1611 of the Senate Journal and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed.

APPOINTMENT OF A CONFERENCE COMMITTEE

THE PRESIDENT APPOINTED as a Conference Committee on SB 2432:

Sens. Stenehjem, Olson, Redlin

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. CHRISTENSEN MOVED that the Senate do not concur in the House amendments to SB 2373 as printed on pages 1694-1695 of the Senate Journal and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed.

APPOINTMENT OF A CONFERENCE COMMITTEE

THE PRESIDENT APPOINTED as a Conference Committee on SB 2373:

Sens. Olson, Holmberg, Redlin

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. WRIGHT MOVED that the Senate do not concur in the House amendments to SCR 4051 as printed on pages 1703-1705 of the Senate Journal and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed.

APPOINTMENT OF A CONFERENCE COMMITTEE

THE PRESIDENT APPOINTED as a Conference Committee on SCR 4051:

Sens. Wright, Kilander, Satrom

APPOINTMENTS OF CONFERENCE COMMITTEES

SEN. STENEHJEM MOVED that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on HB 1318, which motion prevailed.

THE PRESIDENT APPOINTED as a Conference Committee on HB 1318:

Sens. Christensen, Kelly, Heinrich

SEN. CHRISTENSEN MOVED that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on HB 1528, which motion prevailed.

THE PRESIDENT APPOINTED as a Conference Committee on HB 1528:

Sens. Christensen, Stenehjem, Maixner

SEN. CHRISTENSEN MOVED that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on HB 1588, which motion prevailed.

THE PRESIDENT APPOINTED as a Conference Committee on HB 1588:

Sens. Olson, Stenehjem, Maixner

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:

SCR 4077

LEO LEIDHOLM, Secretary

MESSAGES FROM THE HOUSE
HOUSE CHAMBER

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

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

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

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

HCR 3019, HCR 3020, HCR 3022, HCR 3024, HCR 3030, HCR 3034,
HCR 3035, HCR 3036, HCR 3046, HCR 3050, HCR 3051, HCR 3052,
HCR 3056, HCR 3058, HCR 3062, HCR 3067, HCR 3069, HCR 3070,
HCR 3074, HCR 3075, HCR 3077, HCR 3078, HCR 3080, HCR 3082,

HCR 3083, HCR 3084, HCR 3085, HCR 3086, HCR 3087, HCR 3089,
HCR 3090, HCR 3092, HCR 3093

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

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

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

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

SB 2081, SB 2200

ROY GILBREATH, Chief Clerk

MESSAGES TO THE HOUSE

SENATE CHAMBER

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

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

LEO LEIDHOLM, Secretary

SENATE CHAMBER

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

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

LEO LEIDHOLM, Secretary

SENATE CHAMBER

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

SB 2037, SB 2173, SB 2183, SB 2196, SB 2262, SB 2311,
SB 2359, SB 2395, SB 2406, SB 2446, SB 2463, SB 2488,
SB 2499, SCR 4004, SCR 4006, SCR 4008, SCR 4009, SCR 4013,
SCR 4017, SCR 4024, SCR 4030, SCR 4031, SCR 4034, SCR 4035,
SCR 4036, SCR 4038, SCR 4042, SCR 4046, SCR 4047, SCR 4050,
SCR 4052, SCR 4054, SCR 4055, SCR 4058, SCR 4062, SCR 4064,
SCR 4065, SCR 4068

LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE
HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to return herewith Engrossed SB 2159 and SB 2160 which the House has amended:

HOUSE AMENDMENTS TO ENGROSSED SB 2159

On page 2 of the engrossed bill, line 13, overstrike the word "eighteen" and insert immediately thereafter the word "fifteen"

And renumber the lines accordingly

HOUSE AMENDMENTS TO SB 2160

On page 1, line 18, remove the overstrike over the word "~~of~~", and after the word "~~one-half~~" insert the word "three-fourths"

On page 1, line 20, after the word "individual" insert the words "for claims filed on or after July 1, 1985, and by the prorated weekly amount of the pension after deduction of the portion of the pension that is directly attributable to the percentage of the contributions made to the plan by such individual for claims filed on or after July 1, 1986"

On page 1, line 23, delete the words "no part" and insert in lieu thereof the word "one-fourth"

On page 1, line 28, after the word "law)" insert the words "for claims filed on or after July 1, 1985, and by no part of the pension if the entire contributions to the plan were provided by such individual, or by the individual and an employer (or any other person or organization) who is not a base-period or chargeable employer (as determined under applicable law) for claims filed on or after July 1, 1986"

And renumber the lines and pages accordingly

ROY GILBREATH, Chief Clerk

REPORTS OF CONFERENCE COMMITTEES

MADAM PRESIDENT: Your Conference Committee to which was referred SB 2068 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on page 267 of the Senate Journal.

For the Senate: Sens. Holmberg, Christensen, Redlin
For the House: Reps. Cleveland, Lindgren, Shockman

SB 2068 was placed on the Seventh order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Conference Committee to which was referred SB 2153 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on pages 1371-1372 of the Senate Journal and that SB 2153 be amended as follows:

On page 1, line 11, delete the words "one hundred", and overstrike the word "fifty" and insert immediately thereafter the words "one hundred"

On page 1, line 12, delete the words "one hundred" and insert in lieu thereof the word "seventy-five", and remove the overstrike over the word "day"

On page 1, line 13, delete the word "meeting"

And renumber the lines and pages accordingly

For the Senate: Sens. Freborg, Kelly, Heinrich

For the House: Reps. V. Olson, C. Williams, Belter

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

MADAM PRESIDENT: Your Conference Committee to which was referred SB 2470 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on pages 1407-1408 of the Senate Journal and that SB 2470 be amended as follows:

On page 1, line 1, after the word "Act" insert the words "to create and enact a new section to chapter 50-25.1 of the North Dakota Century Code, relating to the disposition of reports of child abuse which implicate a person who is not responsible for the child's health or welfare; and"

On page 1, after line 6, insert the following new section:

"SECTION 1. A new section to chapter 50-25.1 of the North Dakota Century Code is hereby created and enacted to read as follows:

Disposition of reports implicating a person not responsible for the child's health or welfare. Upon determination by the division or its designee that a report made under this chapter implicates a person other than a person responsible for a child's welfare, the division may refer the report to an appropriate law enforcement agency for investigation and disposition."

On page 1, line 16, delete the numerals "12.1-20-12.1" and insert in lieu thereof the numerals "12.1-20-08"

And renumber the lines, sections, and pages accordingly

For the Senate: Sens. Christensen, Stenehjelm, Matchie

For the House: Reps. Gates, Hill, Nalewaja

SB 2470 was placed on the Seventh order of business on the calendar for the succeeding legislative day.

REPORTS OF STANDING COMMITTEES

MADAM PRESIDENT: Your Committee on Social Services and Veterans Affairs to which was referred SCR 4070 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 2, line 13, delete the word "and"

On page 2, delete lines 14 through 19

And renumber the lines and pages accordingly

SEN. STENEHJEM, Chairman

SCR 4070 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 HB 1007 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 15, delete the numerals "1,016,362" and insert in lieu thereof the numerals "1,002,765"

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

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

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

State Industrial School

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

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

Total

\$(13,597)

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

The salaries and wages line item allows funds to continue average salary increases of 5.5 percent the first year of the biennium and average salary increases of four percent the second year of the biennium. Funds are allowed to provide a minimum increase of \$50 per month for each year of the biennium. The salary increases are to be based on merit, performance, or equity adjustments, and are not intended to be across-the-board salary increases.

SEN. LIPS, Chairman

HB 1007 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 HB 1010 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 2, delete the words "state hospital,"
- On page 1 of the engrossed bill, line 19, delete the numerals "6,504,458" and insert in lieu thereof the numerals "6,469,204"
- On page 1 of the engrossed bill, line 23, delete the numerals "51,383,937" and insert in lieu thereof the numerals "51,348,683"
- On page 1 of the engrossed bill, line 24, delete the numerals "26,523,074" and insert in lieu thereof the numerals "26,516,869"
- On page 1 of the engrossed bill, line 25, delete the numerals "24,860,863" and insert in lieu thereof the numerals "24,831,814"
- On page 2 of the engrossed bill, line 21, delete the numerals "30,870,828" and insert in lieu thereof the numerals "30,841,779"
- On page 2 of the engrossed bill, line 22, delete the numerals "36,967,772" and insert in lieu thereof the numerals "36,961,567"
- On page 2 of the engrossed bill, line 23, delete the numerals "67,838,600" and insert in lieu thereof the numerals "67,803,346"

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Grafton State School

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

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

San Haven

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

Protection and Advocacy Project

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

SEN. LIPS, Chairman

HB 1010 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 HB 1012 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 17, delete the numerals "1,535,611" and insert in lieu thereof the numerals "1,545,207"

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

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

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

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

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

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Veterans' Home

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

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

Veterans' Affairs

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

SEN. LIPS, Chairman

HB 1012 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 HB 1028 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 14, delete the numerals "3,330,278" and insert in lieu thereof the numerals "3,364,953"

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

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

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

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

State Game and Fish Department

The salaries and wages line item allows funds to continue average salary increases of 5.5 percent the first year of the biennium and average salary increases of four percent the second year of the biennium.

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

SEN. LIPS, Chairman

HB 1028 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 HB 1035 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 12, after the word "awarded" insert the words "by the state water commission"

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

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

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

"SECTION 6. Engineering - Architecture. The state shall select engineering expertise from private engineering or architectural firms on the basis of qualifications and so that at least seventy-five percent of the fees expended for the construction phase engineering services are paid to qualified engineering or architectural firms that have maintained their permanent office or main office in this state for at least two continuous years. For fees paid to firms maintaining offices both within this state and in other states, only the portion of the fees paid for

services performed by persons who are residents of this state shall be considered in satisfying the above percentage. The provisions of Senate Bill No. 2442, if enacted by the forty-ninth legislative assembly, shall not be applicable to services for the southwest water pipeline."

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Southwest Water Pipeline Project

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

SEN. LIPS, Chairman

HB 1035 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 HB 1127 has had the same under consideration and recommends that the same DO PASS.

SEN. LIPS, Chairman

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

MADAM PRESIDENT: Your Committee on Appropriations to which was rereferred HB 1189 has had the same under consideration and recommends that the same DO NOT PASS.

SEN. LIPS, Chairman

HB 1189 was placed on the Fourteenth 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 HB 1652 has had the same under consideration and recommends that the same DO NOT PASS.

SEN. STENEHJEM, Chairman

HB 1652 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MOTIONS

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

SEN. NETHING MOVED that at the conclusion of the Fifth and Seventh order of business, and after the reading of HB 1019,

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HB 1029, HB 1127, HB 1189, HB 1638, and HB 1652 the Senate adjourn and convene at 9:00 a.m., Tuesday, March 26, 1985, which motion prevailed.

LEO LEIDHOLM, Secretary