

FRIDAY, MARCH 29, 1985

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JOURNAL OF THE SENATE

Forty-ninth Legislative Assembly

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FIFTY-SEVENTH DAY

The Senate convened at 9:00 a.m., with President Meiers presiding. Bismarck, March 29, 1985

The prayer was offered by Reverend Hensel Hendrickson, Trinity Lutheran Church, Bismarck, North Dakota.

Our Heavenly Father: As Your Son promised that by faith Your disciples might remove mountains, increase our faith until we are no longer awed by difficulties and frightened by problems.

Hold us by Your mighty hand and send signals of Your unfailing wisdom until doubts vanish and we begin to believe.

Then in Your peace shall we find all things possible, even Your solutions to the questions that perplex us.

In Your name we pray. Amen.

ROLL CALL

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

A quorum was declared by the President.

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 1010: Sens. Tennefos, Wenstrom, Tallackson

HB 1019: Sens. Wenstrom, Tweten, Mushik

HB 1035: Sens. Naaden, Streibel, Kusler

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 2019, SB 2021, SB 2025, SB 2029, and SB 2032 and the President has appointed as a conference committee to act with a like committee from the House on:

SB 2019: Sens. Tweten, Nelson, Walsh

SB 2021: Sens. Wenstrom, Streibel, Mushik
 SB 2025: Sens. Tennefos, Streibel, Walsh
 SB 2029: Sens. Thane, Lips, Shea
 SB 2032: Sens. Tennefos, Wenstrom, Tallackson

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 2002, SB 2003, SB 2005, SB 2010, SB 2011, and SB 2014 and the President has appointed as a conference committee to act with a like committee from the House on:

SB 2002: Sens. Streibel, Tennefos, Stromme
 SB 2003: Sens. Thane, Nelson, Stromme
 SB 2005: Sens. Thane, Nelson, Shea
 SB 2010: Sens. Nelson, Tweten, Mushik
 SB 2011: Sens. Naaden, Nelson, Stromme
 SB 2014: Sens. Tweten, Thane, Walsh

LEO LEIDHOLM, Secretary

SENATE CHAMBER

MR. SPEAKER: I have the honor to inform you that the Senate has adopted the conference committee report on HB 1204, HB 1233, HB 1242, and HB 1295 and subsequently passed the same.

LEO LEIDHOLM, Secretary

SENATE CHAMBER

MR. SPEAKER: I have the honor to inform you that the Senate has adopted the conference committee report on SB 2062, SB 2260, and SB 2313 and subsequently passed the same.

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 2009: Reps. Thompson, L. Hanson, Nowatzki
 SB 2028: Reps. Kingsbury, Gunsch, Graba
 SB 2249: Reps. Winkelman, Unhjem, Kelly

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

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

SB 2017, SB 2035, SB 2049, SB 2053

ROY GILBREATH, Chief Clerk

FRIDAY, MARCH 29, 1985

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HOUSE CHAMBER

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

SCR 4070, SCR 4074, SCR 4075, SCR 4078, SCMR 1

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to return herewith SCR 4010, SCR 4056, and SCR 4066 which the House has amended:

HOUSE AMENDMENTS TO REENGROSSED SCR 4010

- On page 2 of the reengrossed bill, line 4, after the comma insert the following: "that Lonetree Reservoir remain an authorized feature of the Project but that construction be deferred "pending a determination of need by the Secretary [of Interior] and satisfactory conclusion of consultations with Canada", "
- On page 2 of the reengrossed bill, line 9, delete the second word "and"
- On page 2 of the reengrossed bill, line 11, after the word "Dakota" insert the following: ", and that mitigation for project implementation losses be accomplished on an acre-for-acre basis, based on ecological equivalency"
- On page 2 of the reengrossed bill, line 25, after the semicolon insert the following: "; and WHEREAS, the primary objective of North Dakota concerning the Garrison Diversion Unit is to divert Missouri River water eastward into the Sheyenne, Red, James, and Souris Rivers, and Devils Lake, to provide a long-term water supply for future generations for multiple uses, including irrigation, municipal, rural, industrial, recreation, wildlife, and other water uses;"
- On page 3 of the reengrossed bill, after line 21, insert the following: "BE IT FURTHER RESOLVED, that the Legislative Assembly urges Congress to implement the Garrison Diversion Unit Commission final recommendations except for the municipal and industrial water supply portion, that the Legislative Assembly urges Congress to adopt the North Dakota alternative for municipal and industrial water instead of the Garrison Commission's municipal plan, because the North Dakota Plan is \$200 million cheaper, it requires a 25% state cost share instead of no cost share under the Commission recommendations, it would allow North Dakota to be responsible for configuration of projects, and water service contracts for repayment and operation and maintenance, it is more equitable, and the North Dakota municipal and industrial plan would not provide for any change in Pick-Sloan hydro-power rates; and"
- And renumber the lines and pages accordingly

HOUSE AMENDMENTS TO SCR 4056

On page 1, line 5, delete the word "is" and insert in lieu thereof the words "appears to be"

On page 1, delete lines 13 through 16

On page 2, line 4, after the second word "the" insert the word ", reporting," and after the word "investigation" insert a comma

And renumber the lines and pages accordingly

HOUSE AMENDMENTS TO SCR 4066

On page 1, line 9, delete the word "blackjack" and insert in lieu thereof the word "twenty-one"

On page 2, line 10, immediately after the comma insert the words "the level of gaming tax assessed by the state and its purpose, the extent to which charitable gaming proceeds are returned to the state or the communities in which they are generated,"

On page 2, line 13, immediately after the word "Council" insert the words "seek the input of private citizens in this state, both proponents and opponents of gaming expansion, who have expertise and knowledge of the many facets of charitable gaming, and"

And renumber the lines and pages accordingly

ROY GILBREATH, Chief Clerk

CONSIDERATION OF AMENDMENTS

SEN. LIPS MOVED that the amendments to HB 1002 as recommended by the Committee on Appropriations as printed on pages 1930-1933 of the Senate Journal be adopted, and when so adopted, recommends that HB 1002 DO PASS, which motion prevailed.

MOTION

SEN. LIPS MOVED that the rules be suspended, that HB 1002 be placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE BILL

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

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 45 YEAS, 8 NAYS, 0 ABSENT AND NOT VOTING.

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

NAYS: David; Dotzenrod; Freborg; Meyer, D.; Meyer, W.; Mutch; Shea; Vosper

ABSENT AND NOT VOTING: None

HB 1002 passed and the title was agreed to.

MOTION

SEN. NELSON MOVED that the vote by which HB 1002 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SEN. LIPS MOVED that the amendments to HB 1006 as recommended by the Committee on Appropriations as printed on pages 1933-1935 of the Senate Journal be adopted, and when so adopted, recommends that HB 1006 DO PASS, which motion prevailed.

MOTION

SEN. NELSON MOVED that the rules be suspended, that HB 1006 be placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE BILL

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

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 52 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Berube; 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; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: Lashkowitz

ABSENT AND NOT VOTING: None

HB 1006 passed and the title was agreed to.

MOTION

SEN. NELSON MOVED that the vote by which HB 1006 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SEN. LIPS MOVED that the amendments to HB 1009 as recommended by the Committee on Appropriations as printed on pages 1935-1938 of the Senate Journal be adopted, and when so adopted, recommends that HB 1009 DO PASS.

REQUEST

SEN. NAADEN REQUESTED a recorded roll call vote on the motion to adopt the proposed amendments to HB 1009, which request was granted.

ROLL CALL

The question being on the motion to adopt the amendments to HB 1009, the roll was called and there were 24 YEAS, 29 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Christensen; Dotzenrod; Heigaard; Heinrich; Hilken; Kelsh; Krauter; Kusler; Langley; Lashkowitz; Lips; Maixner; Matchie; Meyer, J.; Mushik; Redlin; Satrom; Shea; Stromme; Tallackson; Waldera; Walsh; Wenstrom; Wogsland

NAYS: Adams; Bakewell; Berube; David; Freborg; Holmberg; Ingstad; Kelly; Kilander; Lodoen; Meyer, D.; Meyer, W.; Moore; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Reiten; Stenehjem; Streibel; Tennefos; Thane; Todd; Tweten; Vosper; Wright

ABSENT AND NOT VOTING: None

The motion to adopt the amendments to HB 1009 lost.

POINT OF PERSONAL PRIVILEGE

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

Madam President, I would like to make some comments on HB 1009. On the defeat of these amendments, what you have done now if we take this back and reduce that money, every nursing home in this state will receive less money. Every intermediate care facility will receive less money, every hospital under the Medicaid program will receive less money. Every druggist, every doctor, the developmentally disabled program will be decreased considerably, and I don't know what action the Senate expects the Appropriations Committee to take on this bill, so I think you should think about a few of those things before you press the red button on this bill.

CONSIDERATION OF AMENDMENTS

SEN. LIPS MOVED that the amendments to HB 1011 as recommended by the Committee on Appropriations as printed on pages 1938-1939 of the Senate Journal be adopted, and when so adopted, recommends that HB 1011 DO PASS, which motion prevailed.

MOTION

SEN. MUSHIK MOVED that the rules be suspended, that HB 1011 be placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1011: A BILL for an Act making an appropriation for defraying the expenses of the state library of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 53 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Berube; 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: None

HB 1011 passed and the title was agreed to.

MOTION

SEN. NELSON MOVED that the vote by which HB 1011 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SEN. LIPS MOVED that the amendments to HB 1404 as recommended by the Committee on Appropriations as printed on pages 1939-1946 of the Senate Journal be adopted, and when so adopted, recommends that HB 1404 DO PASS.

REQUEST

SEN. TWETEN REQUESTED a recorded roll call vote on the motion to adopt the proposed amendments to HB 1404, which request was granted.

ROLL CALL

The question being on the motion to adopt the amendments to HB 1404, the roll was called and there were 53 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Berube; 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: None

The motion to adopt the amendments to HB 1404 passed.

MOTIONS

SEN. THANE MOVED that the rules be suspended, that HB 1404 be placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SEN. HEIGAARD MOVED that HB 1404 be amended as follows:

On page 1939 of the Senate Journal, line 35, after the numerals "1985" insert the words ", to provide relief from cancellations of contracts for deed on agricultural property, to provide for extended periods of redemption and other equitable relief,"

- On page 1939 of the Senate Journal, line 40, delete the word "and"
- On page 1939 of the Senate Journal, line 41, after the numeral "4-36-25," insert the following: "54-30-03, and 54-30-28," and after the word "Act" insert the words "and bond issues by the state"
- On page 1939 of the Senate Journal, line 41, after the semicolon insert the words "to provide an expiration date; to suspend inconsistent laws;"
- On page 1946 of the Senate Journal, after line 8, insert the following new sections:

"SECTION 17. "Agricultural property" defined. As used in sections 17 through 27 of this Act, "agricultural property" means real property that is principally used for agricultural production purposes and real and personal property, including livestock and crops, that is used as security in financing a farm or ranch operation.

SECTION 18. Existence of emergency. There is hereby declared to be an emergency in this state involving the social and economic welfare of farmers, ranchers, and other rural inhabitants which warrants exercise of the state's police powers in times of economic crisis.

SECTION 19. Credit review boards - Appointment. A credit review board must be established in each of the planning districts created by the governor's executive order 1978-12 dated October 5, 1978. The industrial commission shall appoint each credit review board, to consist of three members and four alternates. Each appointee and alternate must be a citizen of the state with knowledge of financial and agricultural matters. The industrial commission shall designate a chairperson for each board.

SECTION 20. Compensation and expenses of board members. Each member of a board is entitled to compensation at the rate of one hundred dollars per day for each day employed in the official duties of the board and other expenses as provided for by law.

SECTION 21. Discretionary review - Mediation proceedings. Any debtor or creditor with an interest in agricultural property may request mediation by the credit review board by application to the industrial commission. The industrial commission shall evaluate and determine whether mediation is necessary and, if it determines that it is necessary, may direct a member or an alternate of a credit review board to meet with the debtor and the

creditor, and to notify all other known creditors of the debtor to assist in mediation.

SECTION 22. Mandatory review before certain proceedings - Damages. No legal proceedings for the foreclosure of a mortgage, cancellation of a contract for deed, repossession, collection, or self-help collection against agricultural property may be commenced without prior review by the industrial commission. The creditor desiring to commence such proceedings shall notify the debtor and the industrial commission of the intention to proceed, setting forth the remedies of the debtor under sections 17 through 27 of this Act, as prescribed by the industrial commission. In an appropriate action the debtor may recover double any actual damages suffered due to the creditor's failure to notify the debtor and the industrial commission. Within twenty days of receipt of the notice, the debtor shall file an affidavit with the industrial commission setting forth all known creditors. Failure of the debtor to file a timely affidavit constitutes a waiver of any rights under sections 17 through 27 of this Act. Within ten days of receipt of the affidavit of the debtor, the industrial commission must send a notice to the debtor and all known creditors of the debtor setting a time and place for a meeting between the debtor, all known creditors of the debtor, and a credit review board. The meeting must be held within fifteen days of the notice.

SECTION 23. Use of analyst. Immediately upon receipt of the timely affidavit of the debtor, the industrial commission must provide for an analyst to meet with the debtor to aid in the preparation of information relative to the finances of the debtor to be utilized at the meeting.

SECTION 24. Mediation by board. At the scheduled meeting, the credit review board must hear from the debtor and all known creditors of the debtor desiring to be heard, attempt to mediate between the debtor and the creditors, advise as to the availability of assistance programs, and aid in arriving at a fair basis upon which the debts can be adjusted, refinanced, or paid. The board must also advise, counsel, and assist the parties in arriving at an agreement as to the future conduct of financial relations between them.

SECTION 25. Referral to industrial commission if mediation unsuccessful. If the credit review board is unsuccessful in its mediation, it must make a recommendation to the industrial commission within ten days of the meeting as to whether an order of postponement should be issued. The industrial commission shall issue an order authorizing or denying postponement within ten days of the receipt of the recommendation of the credit review

board and serve it upon the debtor and all known creditors of the debtor. An order of postponement prevents all creditors of the debtor from initiating mortgage foreclosures, repossessions, cancellation of contracts for deed or other collection actions against the agricultural property of the debtor. If postponement is denied, the creditor who has filed the notice prescribed by section 22 of this Act is exempt from the notice requirement of section 32-19-20.

SECTION 26. Preparation of plan by analyst - Effect of plan. Within thirty days of receipt of a postponement order, the analyst must develop a plan for financing and funding and submit it to the debtor, all known creditors of the debtor, and the industrial commission. If the plan is approved by the industrial commission, the industrial commission may maintain the postponement order as long as it determines necessary to effectuate the plan. If no plan is approved or if the debtor fails to comply with the plan, the industrial commission may rescind the postponement order at any time. No postponement order may exceed one year.

SECTION 27. Policies of industrial commission - Use of employees. The industrial commission shall develop appropriate procedures and policies, available to the public on request, and may utilize appropriate employees of the state of North Dakota to facilitate the operation of sections 17 through 27 of this Act.

SECTION 28. AMENDMENT. Section 54-30-03 of the 1983 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

54-30-03. State treasurer to inspect assignment and prepare bonds - Governor and treasurer to issue bonds. Upon receiving the assignments provided for in section 54-30-02, the state treasurer shall notify the governor, the state auditor, and the secretary of state, each of whom immediately shall inspect them or cause them to be inspected. Thereupon, the state treasurer immediately shall prepare for issue, and the governor and the state treasurer thereafter shall issue, negotiable bonds of North Dakota, which may include the issuance of bonds, the interest on which may be subject to federal income tax, in an amount not exceeding the principal amount remaining unpaid of the outstanding loans secured by the mortgages so delivered to the state treasurer plus costs of issuance and any reasonably required reserve funds.

SECTION 29. AMENDMENT. Section 54-30-28 of the 1983 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

54-30-28. Amount of bonds which may be issued. The powers herein granted may be exercised repeatedly and the duties following thereon likewise shall be performed from time to time, as the occasion may arise under this chapter, but at no time shall the amount of bonds issued and outstanding pursuant to this chapter exceed the amount of one five hundred fifty million dollars.

SECTION 30. EXPIRATION DATE. Sections 17 through 27 are effective through June 30, 1987, and after that date are ineffective. Nothing in sections 17 through 27 impairs the validity and enforceability, in accordance with its terms, of any bond, mortgage, trust instrument, contract, covenant, or other vested right issued, entered into, or created under and pursuant to sections 17 through 27 of this Act prior to June 30, 1987.

SECTION 31. SUSPENSION OF INCONSISTENT LAWS. Every law now in effect, only insofar as it is inconsistent with the provisions of sections 17 through 27 of this Act, is hereby suspended until June 30, 1987. No extension of period of redemption, postponement of foreclosure, postponement of cancellation of contract for deed, postponement of execution sale, or other equitable relief provided by virtue of sections 17 through 27 of this Act may be ordered or allowed which would have the effect of extending or postponing the exercise of any legal remedy beyond June 30, 1987."

And renumber the lines, sections, and pages accordingly

SEN. HEIGAARD MOVED that the proposed amendments be adopted.

REQUEST

SEN. ADAMS REQUESTED a recorded roll call vote on the motion to adopt the proposed amendments to HB 1404, which requested was granted.

ROLL CALL

The question being on the motion to adopt the proposed amendments to HB 1404, the roll was called and there were 26 YEAS, 27 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Berube; Dotzenrod; Heigaard; Heinrich; Hilken; Ingstad; Kelsh; Krauter; Kusler; Langley; Lashkowitz; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Mushik; Redlin; Satrom; Stromme; Tallackson; Thane; Tweten; Waldera; Walsh; Wogsland

NAYS: Adams; Bakewell; Christensen; David; Freborg; Holmberg; Kelly; Kilander; Lips; Lodoen; Moore; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Reiten; Shea; Stenehjem; Streibel; Tennefos; Todd; Vosper; Wenstrom; Wright

ABSENT AND NOT VOTING: None

The proposed amendments to HB 1404 lost.

MOTION

SEN. LASHKOWITZ MOVED that the Senate stand in recess, which motion lost.

SECOND READING OF HOUSE BILL

HB 1404: A BILL for an Act to adopt the Family Farm Survival Act of 1985 and to provide participation in short-term loans to farmers and agribusinesses; to create and enact a new section to chapter 4-36 of the North Dakota Century Code, relating to a bond reserve fund; to amend and reenact section 4-36-03, subsection 6 of section 4-36-04, sections 4-36-06, 4-36-07, 4-36-08, 4-36-12, 4-36-24, and 4-36-25, relating to the Agricultural Development Act; to provide appropriations; 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 47 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Bakewell; Berube; 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; Naaden; Nething; Olson; Parker; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: Adams; Mutch; Nelson; Peterson; Redlin

ABSENT AND NOT VOTING: Tallackson

HB 1404 passed, the title was agreed to, and the emergency clause carried.

MOTION

SEN. NELSON MOVED that the vote by which HB 1404 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SEN. LIPS MOVED that the amendments to HB 1526 as recommended by the Committee on Appropriations as printed on pages 1946-1947 of the Senate Journal be adopted, and when so adopted, recommends that HB 1526 DO PASS.

REQUEST

SEN. NAADEN REQUESTED a recorded roll call vote on the motion to adopt the proposed amendments to HB 1526, which request was granted.

ROLL CALL

The question being on the motion to adopt the amendments to HB 1526, the roll was called and there were 31 YEAS, 20 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Berube; Christensen; Dotzenrod; Heigaard; Heinrich; Hilken; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Maixner; Matchie; Meyer, D.; Meyer, J.; Mushik; Redlin; Reiten; Satrom; Shea; Stenehjem; Stromme; Tennefos; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland

NAYS: Adams; Bakewell; David; Freborg; Holmberg; Ingstad; Kelly; Lodoen; Moore; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Streibel; Thane; Todd; Wright

ABSENT AND NOT VOTING: Meyer, W.; Tallackson

The motion to adopt the amendments to HB 1526 passed.

MOTION

SEN. MUSHIK MOVED that the rules be suspended, that HB 1526 be placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1526: A BILL for an Act making an appropriation for defraying the expenses of the educational broadcasting council.

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, 13 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Berube; Christensen; Dotzenrod; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Mushik; Mutch; Redlin; Reiten; Satrom; Shea; Stenehjem; Stromme; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland

NAYS: Adams; Bakewell; David; Freborg; Kelly; Moore; Naaden; Nelson; Olson; Parker; Peterson; Streibel; Wright

ABSENT AND NOT VOTING: Nething; Tallackson

HB 1526 passed and the title was agreed to.

MOTION

SEN. NELSON MOVED that the vote by which HB 1526 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SEN. MOORE MOVED that the amendments to HB 1655 as recommended by the Committee on Natural Resources as printed on page 1947 of the Senate Journal be adopted, and when so adopted, recommends that HB 1655 DO PASS, which motion prevailed.

MOTION

SEN. MAIXNER MOVED that the rules be suspended, that HB 1655 be placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1655: A BILL for an Act to create and enact subsection 3 of section 38-08-08 of the North Dakota Century Code, authorizing the industrial commission in its discretion after hearing to impose a risk penalty from production against a nonparticipating lessee in the pooling of fractional tracts of oil and gas interests in a drilling unit.

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 18 YEAS, 31 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Bakewell; Berube; David; Dotzenrod; Heinrich; Hilken; Kelly; Kelsh; Krauter; Maixner; Matchie; Mushik; Redlin; Shea; Stenehjem; Vosper; Waldera; Wogsland

NAYS: Adams; Christensen; Freborg; Holmberg; Ingstad; Kilander; Kusler; Langley; Lashkowitz; Lips; Lodoen; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mutch; Naaden; Nelson; Olson; Parker; Peterson; Reiten; Satrom; Streibel; Stromme; Tennefos; Thane; Todd; Tweten; Walsh; Wright

ABSENT AND NOT VOTING: Heigaard; Nething; Tallackson; Wenstrom

HB 1655 was declared lost.

**MESSAGES FROM THE HOUSE
HOUSE CHAMBER**

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

HB 1081, HB 1318

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

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

HCR 3105

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 failed to pass:

HB 1652

LEO LEIDHOLM, Secretary

SENATE CHAMBER

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

HB 1656, HCR 3094, HCR 3097, HCR 3098

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 2167, SB 2170, SB 2201, SB 2214, SB 2228, SB 2250,
SB 2300, SB 2342, SB 2364, SB 2430, SB 2435, SB 2442,
SB 2495, SB 2498

SEN. BAKEWELL, Chairman

SEN. SHEA 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:

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SB 2016, SB 2167, SB 2170, SB 2201, SB 2214, SB 2228,
SB 2250, SB 2300, SB 2342, SB 2364, SB 2430, SB 2435,
SB 2442, SB 2495, SB 2498, SCR 4044

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 2016, SB 2167, SB 2170, SB 2201, SB 2214, SB 2228,
SB 2250, SB 2300, SB 2342, SB 2364, SB 2430, SB 2435,
SB 2442, SB 2495, SB 2498, SCR 4044

LEO LEIDHOLM, Secretary

MESSAGE 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 2352: Reps. R. Berg, Myrdal, DeMers

ROY GILBREATH, Chief Clerk

APPOINTMENT OF CONFERENCE COMMITTEE

SEN. WRIGHT MOVED that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on HB 1638, which motion prevailed.

THE PRESIDENT APPOINTED as a Conference Committee on HB 1638:

Sens. Wright, Adams, Satrom

MOTION

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.

MOTION

SEN. LASHKOWITZ MOVED moved that the Senate stand in recess for the purpose of taking part in the farm rally which is taking place on the Capitol steps, which motion lost on a division vote.

PRESENTATION OF PETITIONS AND COMMUNICATIONS

State of North Dakota
EXECUTIVE OFFICE
Bismarck

March 29, 1985

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

Dear Madam President:

The Tax Commissioner has been a member of the Board of Equalization since 1923. The system has worked well.

More than any other elected official, the Tax Commissioner has the expertise needed to decide tax questions on the Board of Equalization.

Clearly, the person who holds that office belongs on the chief tax board of this state.

Therefore, I veto Senate Bill 2072.

Sincerely,

GEORGE A. SINNER
Governor

MOTION

SEN. NOTHING MOVED that consideration of SB 2072 as a vetoed measure be placed at the foot of the Eleventh order of business, which motion prevailed.

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-sixth day and finds the same to be correct.

SEN. DAVID, Chairman

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

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 2002: Reps. Thompson, Kuchera, G. Berg

SB 2003: Reprs. Kuchera, Wold, G. Berg
 SB 2005: Reprs. Wold, O. Hanson, Lautenschlager
 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 2010: Reprs. Unhjem, Rice, Kelly
 SB 2011: Reprs. Rice, Winkelman, Stofferahn
 SB 2014: Reprs. Unhjem, Rice, Opedahl
 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 2019: Reprs. Winkelman, Unhjem, Stofferahn
 SB 2021: Reprs. Unhjem, O. Hanson, Kelly
 SB 2025: Reprs. Wald, Kuchera, Nowatzki
 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 2029: Reprs. Kingsbury, Winkelman, Opedahl
 SB 2032: Reprs. Unhjem, Winkelman, Kelly
 ROY GILBREATH, Chief Clerk

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 1638: Sens. Wright, Adams, Satrom
 LEO LEIDHOLM, Secretary

SENATE CHAMBER

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

HB 1002, HB 1006, HB 1011, HB 1404, HB 1526
 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 2016, SB 2167, SB 2170, SB 2201, SB 2214, SB 2228,
 SB 2250, SB 2300, SB 2342, SB 2364, SB 2430, SB 2435,
 SB 2442, SB 2495, SB 2498, SCR 4044

LEO LEIDHOLM, Secretary

MOTION

SEN. NETHING MOVED that the Senate stand in recess until 3:00 p.m., which motion prevailed.

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

MESSAGE 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 1026, HB 1038, HB 1057, HB 1083, HB 1085, HB 1145,
 HB 1170, HB 1195, HB 1267, HB 1285, HB 1287, HB 1290,
 HB 1341, HB 1349, HB 1354, HB 1363, HB 1378, HB 1399,
 HB 1408, HB 1427, HB 1464, HB 1507, HB 1536, HB 1537,
 HB 1547, HB 1565, HB 1583, HB 1596, HB 1615, HB 1625,
 HB 1654, HCR 3045, HCR 3071, HCR 3076, HCR 3079

ROY GILBREATH, Chief Clerk

SIGNING OF BILLS AND RESOLUTIONS

THE SECRETARY ANNOUNCED that the President signed the following:

HB 1026, HB 1038, HB 1057, HB 1083, HB 1085, HB 1145,
 HB 1170, HB 1195, HB 1267, HB 1285, HB 1287, HB 1290,
 HB 1341, HB 1349, HB 1354, HB 1363, HB 1378, HB 1399,
 HB 1408, HB 1427, HB 1464, HB 1507, HB 1536, HB 1537,
 HB 1547, HB 1565, HB 1583, HB 1596, HB 1615, HB 1625,
 HB 1654, HCR 3045, HCR 3071, HCR 3076, HCR 3079

LEO LEIDHOLM, Secretary

PRESENTATION OF PETITIONS AND COMMUNICATIONS

State of North Dakota
 EXECUTIVE OFFICE
 Bismarck

March 29, 1985

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

FRIDAY, MARCH 29, 1985

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Dear Madam President:

This is to advise that I have appointed Judy Bott to the State Board of Higher Education effective upon confirmation by the North Dakota Senate, and extending through June, 1986.

This appointment is submitted for consideration of Senate confirmation.

Sincerely,

GEORGE A. SINNER
Governor

REPORT OF PROCEDURAL COMMITTEE

MADAM PRESIDENT: Your procedural Committee on Committees respectfully submit the following committee to consider the nomination for the Board of Higher Education:

Sen. Peterson, Chairman
Sen. Naaden
Sen. Wright
Sen. Mutch
Sen. Mushik
Sen. Berube
Sen. Waldera

SEN. NETHING, Chairman

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

APPOINTMENT REFERRAL

THE PRESIDENT REFERRED the appointment of Judy Bott to the State Board of Higher Education to the Committee for the Board of Higher Education.

SECOND READING OF SENATE BILL

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

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 30 YEAS, 18 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Christensen; David; Freborg; Kelly; Kilander; Langley; Lips; Lodoen; Meyer, W.; Moore; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Streibel; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Wenstrom; Wright

NAYS: Berube; Dotzenrod; Heigaard; Heinrich; Kelsh;
Krauter; Kusler; Lashkowitz; Maixner; Matchie;
Meyer, D.; Meyer, J.; Mushik; Satrom; Shea; Stromme;
Walsh; Wogsland

ABSENT AND NOT VOTING: Hilken; Holmberg; Ingstad;
Stenehjem; Tallackson

SB 2511 passed, the title was agreed to, but the emergency clause lost.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4073: A concurrent resolution urging the President and the Congress of the United States to support continuation of the Small Business Administration.

Which has been read.

The question being on the final adoption of the resolution.

SCR 4073 was declared adopted on a voice vote.

MOTIONS

SEN. NOTHING MOVED that HB 1009 be rereferred to the Committee on Appropriations, which motion prevailed.

SEN. NOTHING MOVED that the Senate override the veto of the Governor on SB 2072.

RECONSIDERATION OF A VETOED BILL - SENATE BILL 2072

The question being on the motion to override the veto of the Governor on SB 2072, the roll was called and there were 25 YEAS, 24 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Christensen; David; Freborg;
Kelly; Kilander; Lodoen; Moore; Mutch; Naaden; Nelson;
Nething; Olson; Parker; Peterson; Reiten; Streibel;
Tennefos; Thane; Todd; Tweten; Vosper; Wenstrom; Wright

NAYS: Berube; Dotzenrod; Heigaard; Heinrich; Hilken;
Kelsh; Krauter; Kusler; Langley; Lashkowitz; Lips;
Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.;
Mushik; Redlin; Satrom; Shea; Stromme; Waldera; Walsh;
Wogsland

ABSENT AND NOT VOTING: Holmberg; Ingstad; Stenehjem;
Tallackson

The veto of the Governor on SB 2072 was sustained.

REPORT OF CONFERENCE COMMITTEE

SEN. OLSON MOVED that the conference committee report on SB 2355 as printed on pages 1859-1860 of the Senate Journal be adopted, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2355: A BILL for an Act to amend and reenact section 6-08-16.2 of the North Dakota Century Code, relating to issuing checks with insufficient funds or without an account; 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 48 YEAS, 0 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Christensen; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; 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; Streibel; Stromme; Tennesfos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Berube; Holmberg; Ingstad; Stenehjelm; Tallackson

SB 2355 passed and the title was agreed to.

REPORTS OF STANDING COMMITTEES

MADAM PRESIDENT: Your Committee on Appropriations to which was referred HB 1043 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 reengrossed bill, line 1, delete the words "to create and enact a new section to chapter 4-01"

On page 1 of the reengrossed bill, delete lines 2 and 3

On page 1 of the reengrossed bill, line 4, delete the words "beginning farmer program applicants;"

On page 1 of the reengrossed bill, delete lines 12 through 28

On page 2 of the reengrossed bill, delete lines 1 through 13

- On page 2 of the reengrossed bill, line 33, delete the words "after the commissioner of agriculture has"
- On page 2 of the reengrossed bill, delete line 34
- On page 2 of the reengrossed bill, line 35, delete the words "pursuant to section 1 of this Act,"
- On page 3 of the reengrossed bill, line 23, delete the words "pursuant to"
- On page 3 of the reengrossed bill, line 24, delete the words "section 1 of this Act"
- On page 5 of the reengrossed bill, line 24, remove the overstrike over the word "~~bayer~~", and delete the words "commissioner of agriculture"
- On page 6 of the reengrossed bill, line 8, delete the words "determined by the commissioner of"
- On page 6 of the reengrossed bill, delete line 9
- On page 6 of the reengrossed bill, line 10, delete the words "this Act as"
- On page 7 of the reengrossed bill, line 7, delete the words "determined by"
- On page 7 of the reengrossed bill, delete line 8
- On page 7 of the reengrossed bill, line 9, delete the words "to section 1 of this Act as"
- On page 8 of the reengrossed bill, delete lines 7 through 12
- On page 8 of the reengrossed bill, after line 12, insert the following new section:

"SECTION 7. APPROPRIATION. There is hereby appropriated all moneys remaining in the beginning farmer loan guarantee fund created by section 6-09.8-03 as of the effective date of this Act, to the beginning farmer revolving loan fund established under section 6-09-15.5. The Bank of North Dakota shall make such transfers as are necessary to implement this section."

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

HB 1043 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 1494 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

In lieu of the amendments to engrossed House Bill No. 1494 adopted by the Senate as found on page 1557 of the Senate Journal, engrossed House Bill No. 1494 is amended as follows:

On page 1 of the engrossed bill, line 5, delete the words "If Senate Bill No. 2502 of the forty-ninth"

On page 1 of the engrossed bill, delete lines 6 and 7

On page 1 of the engrossed bill, line 10, delete the words "farm foreclosure negotiation" and insert in lieu thereof the words "credit review"

On page 1 of the engrossed bill, delete lines 23 through 27

On page 2 of the engrossed bill, delete lines 1 through 27 and insert in lieu thereof the following:

"SECTION 2. Credit review board. The governor shall appoint three members of the credit review board. One member of the board must have experience serving as a director or officer of a financial institution. Two members of the board must have experience in the operation of a farm. No member of the board may hold state office or serve in state office or serve in state government in any capacity at any time of appointment or during service on the board. The governor shall appoint members to terms of four years. The governor shall appoint one member to serve as chairman of the board."

On page 2 of the engrossed bill, line 28, delete the words "If Senate Bill No. 2502 of the forty-ninth"

On page 2 of the engrossed bill, delete lines 29 and 30

On page 3 of the engrossed bill, line 7, delete the words "If Senate Bill No. 2502 of the forty-ninth"

On page 3 of the engrossed bill, delete lines 8 and 9

On page 5 of the engrossed bill, line 8, delete the words "If Senate Bill No. 2502 of the forty-ninth"

On page 5 of the engrossed bill, delete lines 9 and 10

On page 5 of the engrossed bill, delete lines 13 through 18

On page 5 of the engrossed bill, after line 18, insert the following new section:

"SECTION 10. APPROPRIATION. There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$100,000, or so much thereof as may be necessary, to the home-quarter purchase fund for interest buydowns and administrative expenses of the credit review board for the period beginning with the effective date of this Act, and ending June 30, 1987."

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

HB 1494 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MOTION

SEN. LIPS MOVED that the rules be suspended, that HB 1043 and HB 1494 be placed on the Sixth order of business for consideration of amendments at this time, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SEN. LIPS MOVED that the amendments to HB 1043 as recommended by the Committee on Appropriations be adopted, and when so adopted, recommends that HB 1043 DO PASS, which motion prevailed.

MOTION

SEN. THANE MOVED that the rules be suspended, that HB 1043 be placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE BILL

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

Which has been read.

ROLL CALL

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

YEAS: Adams; Bakewell; Berube; Christensen; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nelson;

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Nething; Olson; Parker; Peterson; Reiten; Satrom; Shea;
Streibel; Stromme; Tennefos; Thane; Todd; Tweten;
Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Holmberg; Ingstad; Redlin;
Stenehjem; Tallackson

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

MOTION

SEN. NETHING MOVED that the vote by which HB 1043 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SEN. LIPS MOVED that the amendments to HB 1494 as recommended by the Committee on Appropriations be adopted, and when so adopted, recommends that HB 1494 DO PASS, which motion prevailed.

MOTION

SEN. LIPS MOVED that the rules be suspended, that HB 1494 be placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1494: A BILL for an Act to establish a farm foreclosure negotiation board and a home-quarter purchase fund; and to provide an appropriation.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 45 YEAS, 4 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Bakewell; Berube; Christensen; Dotzenrod; Freborg;
Heigaard; Heinrich; Hilken; 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; Streibel;
Stromme; Thane; Todd; Tweten; Vosper; Waldera; Walsh;
Wenstrom; Wogsland; Wright

NAYS: Adams; David; Kelly; Tennefos

ABSENT AND NOT VOTING: Holmberg; Ingstad; Stenehjem;
Tallackson

HB 1494 passed and the title was agreed to.

MOTION

SEN. NETHING MOVED that the vote by which HB 1494 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGE FROM THE HOUSE
HOUSE CHAMBER

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

SB 2167, SB 2170, SB 2201, SB 2214, SB 2228, SB 2250,
SB 2300, SB 2342, SB 2364, SB 2430, SB 2435, SB 2442,
SB 2498, SCR 4044

ROY GILBREATH, Chief Clerk

REPORT OF PROCEDURAL COMMITTEE

MADAM PRESIDENT: Your Committee on Enrollment and Engrossment respectfully report that the following bills were delivered to the Governor for his approval:

SB 2167, SB 2170, SB 2201, SB 2214, SB 2228, SB 2250,
SB 2300, SB 2342, SB 2364, SB 2430, SB 2435, SB 2442,
SB 2498

SEN. BAKEWELL, Chairman

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

REPORT OF PROCEDURAL COMMITTEE

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

SCR 4044

SEN. BAKEWELL, Chairman

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

MESSAGE TO THE HOUSE
SENATE CHAMBER

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

HB 1026, HB 1038, HB 1057, HB 1083, HB 1085, HB 1145,
 HB 1170, HB 1195, HB 1267, HB 1285, HB 1287, HB 1290,
 HB 1341, HB 1349, HB 1354, HB 1363, HB 1378, HB 1399,
 HB 1408, HB 1427, HB 1464, HB 1507, HB 1536, HB 1537,
 HB 1547, HB 1565, HB 1583, HB 1596, HB 1615, HB 1625,
 HB 1654, HCR 3045, HCR 3071, HCR 3076, HCR 3079

LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE
 HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to inform you that the Speaker has appointed Representative Kelly as a replacement conferee for Representative Stofferahn on HB 1243.

ROY GILBREATH, Chief Clerk

REPORT OF CONFERENCE COMMITTEE

SEN. KILANDER MOVED that the conference committee report on SB 2405 as printed on page 1807 of the Senate Journal be adopted, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2405: A BILL for an Act to amend and reenact subdivision e of subsection 3 of section 39-06-14 of the North Dakota Century Code, relating to operation of motorcycles by persons less than sixteen years old.

Which has been read.

ROLL CALL

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

YEAS: Adams; Bakewell; Berube; Christensen; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; 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; Streibel; Stromme; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Holmberg; Ingstad; Stenehjem; Tallackson

SB 2405 passed and the title was agreed to.

REPORT OF CONFERENCE COMMITTEE

SEN. PARKER MOVED that the conference committee report on SB 2413 as printed on page 1860 of the Senate Journal be adopted, which motion prevailed.

SECOND READING OF SENATE BILL

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

Which has been read.

ROLL CALL

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

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

NAYS: None

ABSENT AND NOT VOTING: Holmberg; Ingstad; Naaden; Stenehjsem; Tallackson

SB 2413 passed and the title was agreed to.

REPORT OF CONFERENCE COMMITTEE

SEN. TODD MOVED that the conference committee report on SB 2477 as printed on page 1860 of the Senate Journal be adopted, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2477: A BILL for an Act to amend and reenact section 40-22-29 of the North Dakota Century Code, relating to limitations on awards of bids for improvements by special assessment.

Which has been read.

ROLL CALL

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

YEAS: Adams; Bakewell; Berube; Christensen; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; 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; Streibel; Stromme; Tennefos; Thane; Todd;
Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland;
Wright

NAYS: None

ABSENT AND NOT VOTING: Holmberg; Ingstad; Stenehjelm;
Tallackson

SB 2477 passed and the title was agreed to.

REPORT OF CONFERENCE COMMITTEE

SEN. MAIXNER MOVED that the conference committee report on
HB 1070 as printed on pages 1861-1862 of the Senate Journal be
adopted, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1070: A BILL for an Act to create and enact three new
sections to chapter 20.1-01 and a new subsection to section
20.1-02-05 of the North Dakota Century Code, relating to
noncriminal game and fish violations; to amend and reenact
sections 20.1-01-09, 20.1-01-10, 20.1-01-25, 20.1-01-26,
20.1-03-01.2, 20.1-03-16, 20.1-03-23, 20.1-03-27,
20.1-04-09, 20.1-04-10, 20.1-04-12, 20.1-04-14, 20.1-05-06,
20.1-06-07, 20.1-07-05, 20.1-08-01, 20.1-10-01, 20.1-13-02,
subsection 13 of section 20.1-13-03, sections 20.1-13-03.1,
20.1-13-03.2, 20.1-13-04, subsection 7 of section
20.1-13-05, section 20.1-13-07, subsection 6 of section
20.1-13-10, sections 20.1-13-17 and 27-07.1-17 of the North
Dakota Century Code, relating to noncriminal game and fish
violations; and the suspension of hunting, trapping, or
fishing privileges and to provide penalties.

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 36 YEAS, 12 NAYS, 5 ABSENT AND
NOT VOTING.

YEAS: Adams; Berube; Dotzenrod; Freborg; Heigaard;
Heinrich; Kelsh; Kilander; Krauter; Kusler; Langley;
Lashkowitz; Lips; Maixner; Matchie; Meyer, D.;
Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Nething;
Olson; Parker; Peterson; Satrom; Shea; Streibel;
Stromme; Todd; Vosper; Waldera; Walsh; Wenstrom;
Wogsland; Wright

NAYS: Bakewell; Christensen; David; Hilken; Kelly; Lodoen; Naaden; Nelson; Redlin; Reiten; Thane; Tweten

ABSENT AND NOT VOTING: Holmberg; Ingstad; Stenehjem; Tallackson; Tennefos

HB 1070 passed and the title was agreed to.

REPORT OF CONFERENCE COMMITTEE

SEN. MOORE MOVED that the conference committee report on HB 1077 as printed on pages 1862-1869 of the Senate Journal be adopted, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1077: A BILL for an Act entering into the Dakota interstate low-level radioactive waste management compact; to designate North Dakota's representatives to the administrative body of the interstate compact; 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 45 YEAS, 0 NAYS, 8 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Berube; Christensen; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Kelly; 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; Streibel; Stromme; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Holmberg; Ingstad; Kelsh; Meyer, W.; Shea; Stenehjem; Tallackson; Tennefos

HB 1077 passed and the title was agreed to.

FRIDAY, MARCH 29, 1985

1983

PRESENTATION OF PETITIONS AND COMMUNICATIONS

State of North Dakota
EXECUTIVE OFFICE
Bismarck

March 29, 1985

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

Dear Madam President:

This is to inform you that on March 28, 1985, I signed the following:

SB 2037, SB 2173, SB 2183, SB 2196, SB 2262, SB 2311,
SB 2359, SB 2395, SB 2446, SB 2463, SB 2488, SB 2499,
SB 2051, SB 2069, SB 2070, SB 2089, SB 2198, SB 2259,
SB 2293, SB 2308, SB 2403, SB 2449, SB 2452, SB 2486,
SB 2494, SB 2172, SB 2174, SB 2179, SB 2443, and SB 2480.

Sincerely,

GEORGE A. SINNER
Governor

MESSAGE 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 1002, HB 1006, HB 1011 and HB 1526 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1002: Reps. Wald, Kuchera, Nowatzki
HB 1006: Reps. Kingsbury, Gunsch, Graba
HB 1011: Reps. Kingsbury, Gunsch, Graba
HB 1526: Reps. Kingsbury, Gunsch, Graba

ROY GILBREATH, Chief Clerk

MESSAGE TO THE HOUSE
SENATE CHAMBER

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

HB 1043, HB 1494

LEO LEIDHOLM, Secretary

REPORT OF CONFERENCE COMMITTEE

SEN. KILANDER MOVED that the conference committee report on HB 1493 as printed on page 1811 of the Senate Journal be adopted, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1493: A BILL for an Act to amend and reenact sections 28-22-03 and 28-22-03.1 of the North Dakota Century Code, relating to property exempt from all 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 48 YEAS, 0 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Berube; Christensen; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; 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; Satrom; Shea; Streibel; Stromme; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Holmberg; Ingstad; Reiten; Stenehjem; Tallackson

HB 1493 passed and the title was agreed to.

REPORT OF CONFERENCE COMMITTEE

SEN. KILANDER MOVED that the conference committee report on SB 2223 as printed on page 1924 of the Senate Journal be adopted, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2223: A BILL for an Act to amend and reenact subsection 9 of section 39-24-01, subsection 5 of section 39-24-09, and section 39-24-09.1 of the North Dakota Century Code, relating to the definition and operation of snowmobiles.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 47 YEAS, 0 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Berube; Christensen; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; 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; Streibel; Stromme; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland

NAYS: None

ABSENT AND NOT VOTING: Holmberg; Ingstad; Shea; Stenehjerm; Tallackson; Wright

SB 2223 passed and the title was agreed to.

REPORT OF CONFERENCE COMMITTEE

SEN. CHRISTENSEN MOVED that the conference committee report on SB 2245 as printed on page 1924 of the Senate Journal be adopted, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2245: A BILL for an Act to create and enact a new subdivision to subsection 6 of section 53-06.1-01 of the North Dakota Century Code, relating to uses by chambers of commerce of net proceeds from charitable gambling.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 25 YEAS, 23 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; David; Kelly; Kilander; Lips; Lodoen; Meyer, W.; Moore; Mushik; Naaden; Nelson; Nething; Olson; Parker; Peterson; Reiten; Streibel; Stromme; Thane; Todd; Tweten; Waldera; Wenstrom; Wright

NAYS: Berube; Christensen; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Kelsh; Krauter; Kusler; Langley; Maixner; Matchie; Meyer, D.; Meyer, J.; Mutch; Redlin; Satrom; Shea; Tennefos; Vosper; Walsh; Wogsland

ABSENT AND NOT VOTING: Holmberg; Ingstad; Lashkowitz; Stenehjerm; Tallackson

SB 2245 was declared lost for want of a Constitutional majority.

REPORT OF CONFERENCE COMMITTEE

SEN. VOSPER MOVED that the conference committee report on SB 2273 as printed on pages 1924-1925 of the Senate Journal be adopted, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2273: A BILL for an Act to amend and reenact sections 55-11-04, 55-11-05, and 55-11-10 of the North Dakota Century Code, relating to advisers to the state parks and recreation department on the nature preserve program and acquisition of nature preserves and natural areas.

Which has been read.

ROLL CALL

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

YEAS: Adams; Bakewell; Berube; Christensen; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; 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; Streibel; Stromme; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Holmberg; Ingstad; Stenehjem; Tallackson

SB 2273 passed and the title was agreed to.

REPORT OF STANDING COMMITTEE

MADAM PRESIDENT: Your Committee on Appropriations to which was referred HB 1003 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 3, delete the word "to"

On page 1 of the engrossed bill, delete lines 4 and 5

On page 1 of the engrossed bill, line 6, delete the words "to the budget committee of the legislative council;"

On page 1 of the engrossed bill, line 23, delete the numerals "1,500,634" and insert in lieu thereof the numerals "1,800,634"

- On page 1 of the engrossed bill, line 27, delete the numerals "29,970,432" and insert in lieu thereof the numerals "30,270,432"
- On page 2 of the engrossed bill, line 1, delete the numerals "5,218,659" and insert in lieu thereof the numerals "5,518,659"
- On page 2 of the engrossed bill, line 4, delete the numerals "6,329,640" and insert in lieu thereof the numerals "6,558,765"
- On page 2 of the engrossed bill, line 7, delete the numerals "23,210,086" and insert in lieu thereof the numerals "23,439,211"
- On page 2 of the engrossed bill, line 15, delete the numerals "5,218,659" and insert in lieu thereof the numerals "5,518,659"
- On page 2 of the engrossed bill, line 16, delete the numerals "49,930,707" and insert in lieu thereof the numerals "50,159,832"
- On page 2 of the engrossed bill, line 17, delete the numerals "55,149,366" and insert in lieu thereof the numerals "55,678,491"
- On page 3 of the engrossed bill, delete lines 1 through 21
- On page 3 of the engrossed bill, line 22, delete the numeral "6" and insert in lieu thereof the numeral "5"

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Office of Management and Budget

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 data processing line item is increased by \$300,000 from the general fund to provide funding toward implementation of the statewide accounting and management information system (SAMIS).

The section of the bill is deleted which provided for the Office of Management and Budget to report to the Legislative Council's Budget Section payments of bonuses, cash incentive awards, and temporary salary adjustments to state officials and state employees.

Central Data Processing

The salaries and wages line item is increased by \$229,125 from other funds to provide funding for the following six FTE positions the House deleted:

4 FTE Computer Operators
1 FTE Planner III
1 FTE Account Technician

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).

State Printing

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 1003 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MOTION

SEN. LIPS MOVED that the rules be suspended, that HB 1003 be placed on the Sixth order of business for consideration of amendments at this time, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SEN. LIPS MOVED that the amendments to HB 1003 as recommended by the Committee on Appropriations be adopted, and when so adopted, recommends that HB 1003 DO PASS, which motion prevailed.

MOTION

SEN. TENNEFOS MOVED that the rules be suspended, that HB 1003 be placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1003: A BILL for an Act making an appropriation for defraying the expenses of the various divisions under the supervision of the director of the office of management and budget of the state of North Dakota; and providing for an exemption.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 47 YEAS, 0 NAYS, 6 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Heigaard, Holmberg, Ingstad, Mushik, Stenehjelm, Tallackson

HB 1003 passed and the title was agreed to.

MOTIONS

SEN. NOTHING MOVED that the vote by which HB 1003 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

SEN. D. MEYER MOVED that the Senate reconsider the action by which SB 2245 failed to pass, which motion prevailed.

SEN. D. MEYER MOVED that SB 2245 be laid over one legislative day, which motion prevailed.

REPORTS OF CONFERENCE COMMITTEES

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 delete the word "for"

On page 1, line 12, delete the words "the president and one hundred dollars for all other members", 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, Belter, C. Williams

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 Reengrossed SB 2257 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on pages 1730 of the Senate Journal and that Reengrossed SB 2257 be amended as follows:

That the House recede from its amendments as printed on pages 2104 and 2105 of the House Journal and on page 1730 of the Senate Journal and that Engrossed Senate Bill No. 2257 be amended as follows:

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, delete the words "; and to provide an effective date and an" and insert in lieu thereof the words ", and to the rate of tax on coal conversion facilities"

On page 1 of the reengrossed bill, line 5, delete the words "expiration date"

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."

On page 1 of the reengrossed bill, delete lines 24 through 26

And renumber the lines, sections, and pages accordingly

For the Senate: Sens. Wright, Adams, Satrom

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

Reengrossed SB 2257 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 Engrossed SB 2267 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on page 1372 of the Senate Journal and that Engrossed SB 2267 be amended as follows:

- On page 1 of the engrossed bill, line 1, delete the word "section" and insert in lieu thereof the word "sections", and after the numerals "15-60-04" insert the words "and 15-60-05"
- On page 1 of the engrossed bill, line 2, delete the words "limitations on the amount of"
- On page 1 of the engrossed bill, line 4, after the word "fund" insert the words "and the interest incurred by school districts on such loans"
- On page 1 of the engrossed bill, line 11, delete the word "five" and insert in lieu thereof the word "four"
- On page 1 of the engrossed bill, immediately following line 19, insert the following:

"SECTION 2. AMENDMENT. Section 15-60-05 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

15-60-05. Contracts to lease and leases by school districts from board. Any school district within the state shall have power and authority to enter into contracts with the board to lease as lessee from the board, any school building constructed or improved by the board, for a term not exceeding thirty years, at such rental or rentals as may be determined by the board, and upon the completion of said school building the school district shall have power and authority to lease as lessee any school building completed by the board for a term, with respect to each not exceeding thirty years, at such rental or rentals as may be determined by the board. Such rental or rentals shall be applied on the total cost of the construction or improvement for such district until the full amount expended by the board shall have been repaid together with ~~two and one-half~~ three percent interest per annum. Any unexpended proceeds of any bond issue of any school district may be paid over to the fund in the form of advance rentals under such contract. Upon full payment of all rentals by the school district, the board shall execute and deliver such deeds or bills of sale as may be necessary to transfer complete title and interest to the school district."

And renumber the lines and pages accordingly

For the Senate: Sens. Peterson, Bakewell, Wogsland

For the House: Reps. D. Olsen, Nalewaja, C. Williams (refused to sign)

Engrossed SB 2267 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 2354 has had the same under consideration and recommends that the SENATE ACCEDE to the amendments as found on page 1610 of the Senate Journal.

For the Senate: Sens. Mutch, Parker, Satrom
For the House: Reps. Kent, Belter, C. Williams

SB 2354 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 2374 has had the same under consideration and recommends that the SENATE ACCEDE to the amendments as found on page 1524 of the Senate Journal and that SB 2374 be further amended as follows:

On page 2, line 28, delete the word "requirement" and insert in lieu thereof the words "and degree requirements"

And renumber the lines and pages accordingly.

For the Senate: Sens. Christensen, Kelly, Matchie (refused to sign)
For the House: Reps. Dalrymple, Gates, DeMers (refused to sign)

SB 2374 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 Engrossed HB 1081 has had the same under consideration and recommends that the SENATE RECEDE from its amendments as found on page 1360 of the Senate Journal and that Engrossed HB 1081 be amended as follows:

That the Senate recede from its amendments as printed on page 1360 of the Senate Journal and that Engrossed House Bill No. 1081 be amended as follows:

On page 1 of the engrossed bill, line 1, after the word "sections" insert the numerals "51-07-11, 57-22-18,"

On page 1 of the engrossed bill, after line 7, insert the following two sections:

"SECTION 1. AMENDMENT. Section 51-07-11 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

51-07-11. Property sold under conditional sale contract not attached, repossessed, or acquired until taxes paid. Where personal property has been sold under a conditional sale contract and such contract has been canceled or foreclosed, the owner, holder, or assignee of such contract shall not

attach, repossess, or acquire by bill of sale the property sold under the contract until the taxes levied upon such property have been paid ~~fully~~ as follows:

1. For property other than mobile homes subject to tax under chapter 57-55, all taxes levied upon the property must be paid in full.
2. For mobile homes subject to tax under chapter 57-55, the tax levied upon the property for the current year and the most recent preceding year must be paid in full.

SECTION 2. AMENDMENT. Section 57-22-18 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

57-22-18. Conditional sales - Taxes payable before change of possession. If personal property has been sold or transferred under a conditional sale contract, the owner, holder, or assignee of such contract shall not attach nor repossess such property nor acquire it by bill of sale, on account of the cancellation or foreclosure of such contract, until the taxes levied upon the said property have been paid ~~in full~~ as follows:

1. For property other than mobile homes subject to tax under chapter 57-55, all taxes levied upon the property must be paid in full.
2. For mobile homes subject to tax under chapter 57-55, the tax levied upon the property for the current year and the most recent preceding year must be paid in full."

On page 3 of the engrossed bill, delete lines 9 and 10

On page 3 of the engrossed bill, line 31, remove the overstrike over the words "~~for the preceding year~~"

On page 5 of the engrossed bill, line 31, delete the word "and" and insert in lieu thereof the word "or"

On page 5 of the engrossed bill, line 34, after the period insert the following sentence: "While the mobile home is being transported, a permit must be displayed on the mobile home or the owner must provide the mover with a current tax release statement."

And renumber the lines, sections, and pages accordingly

For the Senate: Sens. Wright, Moore, Satrom
For the House: Reps. Timm, Goetz, Schneider

Engrossed HB 1081 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 Engrossed HB 1318 has had the same under consideration and recommends that the HOUSE ACCEDE to the amendments as found on pages 1555-1556 of the Senate Journal.

For the Senate: Sens. Christensen, Kelly, Heinrich
For the House: Reps. Gates, D. Olsen, DeMers

Engrossed HB 1318 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 Appropriations to which was referred HB 1001 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 3, after the word "Dakota" insert the words "; and to create and enact a new section to chapter 57-01 of the North Dakota Century Code, relating to reports by the state tax commissioner to the budget section of the legislative council regarding the auditing enhancement program and settlements of tax assessments"
- On page 1 of the engrossed bill, line 17, delete the numerals "960,094" and insert in lieu thereof the numerals "969,094"
- On page 1 of the engrossed bill, line 21, delete the numerals "1,132,373" and insert in lieu thereof the numerals "1,141,373"
- On page 1 of the engrossed bill, line 28, delete the numerals "161,941" and insert in lieu thereof the numerals "164,730"
- On page 2 of the engrossed bill, line 4, delete the numerals "174,551" and insert in lieu thereof the numerals "177,340"
- On page 2 of the engrossed bill, line 7, delete the numerals "840,178" and insert in lieu thereof the numerals "866,268"
- On page 2 of the engrossed bill, after line 9, insert the following line:

"Data processing	100,000"
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- On page 2 of the engrossed bill, line 11, delete the numerals "990,238" and insert in lieu thereof the numerals "1,116,328"

- On page 2 of the engrossed bill, line 18, delete the numerals "4,694,578" and insert in lieu thereof the numerals "4,758,920"
- On page 2 of the engrossed bill, line 19, delete the numerals "1,257,449" and insert in lieu thereof the numerals "1,260,929"
- On page 2 of the engrossed bill, line 20, delete the numerals "123,265" and insert in lieu thereof the numerals "232,260"
- On page 2 of the engrossed bill, line 22, delete the numerals "596,000" and insert in lieu thereof the numerals "744,400"
- On page 2 of the engrossed bill, line 24, delete the numerals "7,018,775" and insert in lieu thereof the numerals "7,343,992"
- On page 2 of the engrossed bill, line 25, delete the numerals "663,280" and insert in lieu thereof the numerals "1,038,280"
- On page 2 of the engrossed bill, line 26, delete the numerals "6,355,495" and insert in lieu thereof the numerals "6,305,712"
- On page 2 of the engrossed bill, line 29, delete the numerals "3,050,880" and insert in lieu thereof the numerals "3,056,970"
- On page 2 of the engrossed bill, line 33, delete the numerals "3,455,548" and insert in lieu thereof the numerals "3,461,638"
- On page 2 of the engrossed bill, line 35, delete the numerals "3,156,191" and insert in lieu thereof the numerals "3,162,281"
- On page 3 of the engrossed bill, line 3, delete the numerals "493,575" and insert in lieu thereof the numerals "499,665"
- On page 3 of the engrossed bill, line 7, delete the numerals "582,729" and insert in lieu thereof the numerals "588,819"
- On page 3 of the engrossed bill, line 10, delete the numerals "7,888,998" and insert in lieu thereof the numerals "7,895,088"
- On page 3 of the engrossed bill, line 11, delete the numerals "1,701,047" and insert in lieu thereof the numerals "1,736,047"

- On page 3 of the engrossed bill, line 12, delete the numerals "1,234,236" and insert in lieu thereof the numerals "1,351,236"
- On page 3 of the engrossed bill, line 14, delete the numerals "10,844,435" and insert in lieu thereof the numerals "11,002,525"
- On page 3 of the engrossed bill, line 17, delete the numerals "1,181,452" and insert in lieu thereof the numerals "1,209,247"
- On page 3 of the engrossed bill, line 21, delete the numerals "1,461,006" and insert in lieu thereof the numerals "1,488,801"
- On page 3 of the engrossed bill, line 24, delete the numerals "388,889" and insert in lieu thereof the numerals "407,255"
- On page 3 of the engrossed bill, line 27, delete the numerals "531,124" and insert in lieu thereof the numerals "549,490"
- On page 3 of the engrossed bill, line 29, delete the numerals "444,124" and insert in lieu thereof the numerals "462,490"
- On page 3 of the engrossed bill, line 32, delete the numerals "3,811,955" and insert in lieu thereof the numerals "3,830,225"
- On page 3 of the engrossed bill, line 33, delete the numerals "4,331,314" and insert in lieu thereof the numerals "4,343,314"
- On page 3 of the engrossed bill, line 34, delete the numerals "763,938" and insert in lieu thereof the numerals "783,938"
- On page 3 of the engrossed bill, line 35, delete the numerals "152,649" and insert in lieu thereof the numerals "132,649"
- On page 4 of the engrossed bill, line 1, delete the numerals "9,059,856" and insert in lieu thereof the numerals "9,090,126"
- On page 4 of the engrossed bill, line 2, delete the numerals "4,912,456" and insert in lieu thereof the numerals "4,915,639"
- On page 4 of the engrossed bill, line 3, delete the numerals "4,147,400" and insert in lieu thereof the numerals "4,174,487"
- On page 4 of the engrossed bill, line 6, delete the numerals "1,853,778" and insert in lieu thereof the numerals "1,922,009"

- On page 4 of the engrossed bill, line 7, delete the numerals "667,351" and insert in lieu thereof the numerals "669,351"
- On page 4 of the engrossed bill, after line 10, insert the following lines:
- | | |
|-------------------------------|---------|
| "Agriculture in the classroom | 250,000 |
| North Dakota products label | 70,000" |
- On page 4 of the engrossed bill, line 12, delete the numerals "2,955,140" and insert in lieu thereof the numerals "3,345,371"
- On page 4 of the engrossed bill, line 13, delete the numerals "233,434" and insert in lieu thereof the numerals "553,434"
- On page 4 of the engrossed bill, line 14, delete the numerals "2,721,706" and insert in lieu thereof the numerals "2,791,937"
- On page 4 of the engrossed bill, line 15, delete the numerals "30,899,194" and insert in lieu thereof the numerals "31,273,244"
- On page 4 of the engrossed bill, line 16, delete the numerals "7,656,533" and insert in lieu thereof the numerals "8,382,511"
- On page 4 of the engrossed bill, line 17, delete the numerals "38,555,727" and insert in lieu thereof the numerals "39,655,755"
- On page 5 of the engrossed bill, after line 14, insert the following sections:

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

SECTION 8. APPROPRIATION - TRANSFER - ATTORNEY GENERAL. There is hereby authorized, as included in the appropriation for the attorney general in subdivision 6 of section 1 of this Act, a transfer of \$375,000, or so much thereof as may be necessary, from the state fire and tornado fund for the purpose of funding the state fire marshal program. Such funds shall be transferred by the office of management and budget only at such times as the moneys are required for disbursement by the attorney general.

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

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

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

And renumber the lines, sections and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Governor's Office

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

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

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

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

Lieutenant Governor

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

The remaining salaries and wages line item provides for the continuation of a 5.5 percent increase the first year of the

biennium (\$50/month minimum) and a four percent increase the second year of the biennium (\$50/month minimum).

Secretary of State

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

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

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

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

Attorney General

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

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

In addition, \$61,328 from the general fund is added to provide funds for a hazardous material coordinator position. Of the total, \$57,848 is added to salaries and wages and \$3,480 to operating expenses.

The data processing line item is increased by \$108,995 from the general fund, \$55,000 for increased needs of the Gaming Division, and \$53,995 for costs of automated legal research (Westlaw).

The grants line item is increased by \$148,400 from the general fund to provide matching funds for federal criminal justice funds to be used for data processing equipment.

A new section is added to transfer \$375,000 from the fire and tornado fund to the Attorney General's budget to fund the estimated costs of the Fire Marshal and his staff. The estimated line item is increased by \$375,000 with a corresponding general fund decrease to reflect the transfer of funds.

State Auditor

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

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

State Treasurer

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

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

Tax Commissioner

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

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

The data processing line item is increased by \$85,000 from the general fund and the operating expenses line item by \$35,000 to provide funds for the handling of the Grand Forks city sales tax.

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

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

Insurance Commissioner

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

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

Labor Commissioner

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

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

Public Service Commission

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

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

The operating expenses line item is increased by \$12,000, \$8,817 from the general fund and \$3,183 from other funds for liability insurance.

The equipment line item is decreased by \$20,000 with a corresponding increase to the data processing line item.

Agriculture Commissioner

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

The salaries and wages line item also is increased by \$62,141 from the general fund to provide funds for a milk lab officer. The operating expenses line item is increased by \$2,000 from the general fund for travel for the position.

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

Two new lines are added: one to provide \$250,000 from any available other funds for an agriculture in the classroom program

and a second to provide \$70,000 from any available other funds for development of a North Dakota products label.

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

SEN. LIPS, Chairman

HB 1001 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 1004 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 12, delete the numerals "5,341,000" and insert in lieu thereof the numerals "5,000,000"

On page 1, line 13, delete the numerals "5,341,000" and insert in lieu thereof the numerals "5,000,000"

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Homestead Tax Credit

The grants line item is decreased by \$341,000 from the general fund.

SEN. LIPS, Chairman

HB 1004 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 HCR 3099 has had the same under consideration and recommends that the same DO NOT PASS.

SEN. LIPS, Chairman

HCR 3099 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 referred HCR 3100 has had the same under consideration and recommends that the same DO NOT PASS.

SEN. LIPS, Chairman

HCR 3100 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 referred HCR 3101 has had the same under consideration and recommends that the same DO PASS.

SEN. LIPS, Chairman

HCR 3101 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

FIRST READING OF HOUSE CONCURRENT RESOLUTION

HCR 3105: A concurrent resolution directing the Legislative Council to study the oil and gas laws, with emphasis on those laws relating to royalty owners and surface owner protection.

Was read the first time and referred to the Committee on Natural Resources.

COMMUNICATION

Doctor of the Day Schedule

There will be no Doctor of the Day on April 1 or April 3.

April 2 - Dr. Brad Buell - Bismarck
Ear, Nose, Throat

April 4 - Dr. John Gryte - Fargo
Family Practice

MOTIONS

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

SEN. NETHING MOVED that at the conclusion of the Fifth order of business, the Seventh order of business and after the reading of SB 2245, HCR 3099, HCR 3100, and HCR 3101, the Senate adjourn and convene at 9:00 a.m., Monday, April 1, 1985, which motion prevailed.

LEO LEIDHOLM, Secretary