

JOURNAL OF THE HOUSE

Fifty-first Legislative Assembly

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Bismarck, April 14, 1989

The House convened at 8:00 a.m., with Speaker Kretschmar presiding.

The prayer was offered by Representative Enget.

The roll was called and all Representatives were present, except Representatives G. Berg, Gerl, Lang, Shaft, V. Thompson.

A quorum was declared by the Speaker.

CORRECTION and REVISION of the JOURNAL (Rep. V. Olson, Chairman)
MR. SPEAKER: Your Committee on Correction and Revision of the Journal has carefully examined the Journal of the Sixty-ninth Day and finds it to be correct.

REP. HAUGEN MOVED that the report be adopted.

REP. SCHNEIDER questioned whether the Journal of the Sixty-ninth Day was correct.

REP. SCHNEIDER felt that the House should withhold approving the Journal until all available tapes concerning Rep. Kloubec's motion on page 2261 on messaging bills to the Senate were reviewed.

REQUEST

REP. HAUGEN REQUESTED permission to withdraw his motion on revision and correction of the Journal, which request was granted.

MOTION

REP. KLOUBEC MOVED that the House stand in recess until 10:00 a.m., which motion prevailed.

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

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

THE SPEAKER ANNOUNCED that the following bills were delivered to the Governor for his approval at the hour of 8:35 a.m., April 14, 1989: HB 1071, HB 1401.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

THE SPEAKER ANNOUNCED that the following resolution was delivered to the Secretary of State for his filing at the hour of 8:35 a.m., April 14, 1989: HCR 3087.

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER: Your Conference Committee to which was referred Senate Reengrossed HB 1297 has had the same under consideration and recommends that the HOUSE ACCEDE to the Senate amendments as found on pages 2159-2163 of the House Journal and that Reengrossed HB 1297 be further amended as follows:

Page 1, line 3, remove "and" and after "appropriation" insert "; and to provide an expiration date"

Page 1, after line 11, insert:

"1. "Administrator" means the manager of the state fire and tornado fund."

Page 1, line 15, after the period insert "The term does not include the repair or replacement of damaged equipment."

Page 3, line 22, after "members" insert ", two of whom are active in petroleum marketing,"

Page 4, line 1, replace "commissioner of" with "administrator"

Page 4, line 2, remove "insurance" and replace "commissioner" with "administrator"

Page 4, remove line 5

Page 4, line 6, replace "commissioner" with "administrator"

Page 4, line 8, replace "commissioner of insurance" with "administrator"

Page 4, line 9, remove ", under chapter 28-32,"

Page 4, line 15, replace "commissioner of insurance" with "administrator"

Page 5, line 6, replace "commissioner of insurance" with "administrator"

Page 5, line 9, replace "commissioner of insurance" with "administrator"

Page 5, line 10, replace "commissioner" with "administrator"

Page 5, line 11, replace "commissioner" with "administrator"

Page 5, line 13, replace "commissioner" with "administrator"

Page 5, line 14, remove "of insurance"

Page 5, line 17, replace "commissioner of" with "administrator"

Page 5, line 18, remove "insurance"

Page 5, line 27, replace "commissioner of insurance" with "administrator"

Page 6, line 14, replace "commissioner of insurance" with "administrator"

Page 6, line 16, replace "commissioner of insurance" with "administrator"

Page 6, line 26, replace "commissioner of insurance" with "administrator"

Page 7, line 1, replace "commissioner of insurance" with "administrator"

Page 7, line 7, replace "commissioner of insurance" with "administrator"

Page 7, line 26, replace "commissioner of insurance" with "administrator"

Page 8, line 23, replace "commissioner of insurance" with "administrator"

Page 8, line 25, replace "commissioner of" with "administrator"

Page 8, line 26, remove "insurance"

Page 9, line 1, replace "commissioner of" with "administrator"

Page 9, line 2, remove "insurance"

Page 9, line 12, replace "commissioner of insurance" with "administrator"

Page 9, line 17, replace "commissioner of insurance" with "administrator"

Page 9, line 20, replace "Commissioner of insurance" with "Administrator"

Page 9, line 21, replace "commissioner of" with "administrator"

Page 9, line 22, remove "insurance"

Page 10, line 7, replace "commissioner of insurance" with "administrator"

Page 10, line 13, replace "commissioner of insurance" with "administrator"

Page 10, line 14, replace "commissioner of insurance" with "administrator"

Page 10, line 20, replace "Commissioner of insurance" with "Administrator"

Page 10, line 21, replace "commissioner of insurance" with "administrator"

Page 10, line 28, replace "commissioner of insurance" with "administrator and the board"

Page 11, line 4, replace "commissioner of insurance" with "administrator"

Page 11, line 10, replace "commissioner of insurance" with "administrator"

Page 11, after line 11, insert:

"SECTION 33. EXPIRATION DATE. This Act is effective through June 30, 1991, and after that date is ineffective."

Renumber accordingly

For the Senate: Sens. D. Meyer, O'Connell, Todd

For the House: Reps. Goetz, Tollefson, Nelson

Senate Reengrossed HB 1297 was placed on the Seventh order of business on the calendar.

MESSAGE to the SECRETARY OF STATE'S OFFICE (Roy Gilbreath, Chief Clerk)
MR. SECRETARY OF STATE: The House respectfully requests the return of: Enrolled HCR 3040.

MESSAGE to the SENATE from the HOUSE (Roy Gilbreath, Chief Clerk)
MR. PRESIDENT: The Speaker has appointed as a conference committee to act with a like committee from the Senate on:

SB 2003: Reps. R. Hausauer, Payne, Mertens

MESSAGE to the SENATE from the HOUSE (Roy Gilbreath, Chief Clerk)

MR. PRESIDENT: The House does not concur in the Senate amendments to HB 1025 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1025: Reps. R. Hausauer, Dalrymple, Stofferahn

MESSAGE to the SENATE from the HOUSE (Roy Gilbreath, Chief Clerk)

MR. PRESIDENT: The House does not concur in the Senate amendments to HB 1001 and HB 1002 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1001: Reps. Gunsch, Gerntholz, Laughlin

HB 1002: Reps. K. Thompson, Gates, Hoffner

MESSAGE to the SENATE from the HOUSE (Roy Gilbreath, Chief Clerk)

MR. PRESIDENT: The Speaker has appointed as a conference committee to act with a like committee from the Senate on:

SB 2005: Reps. K. Thompson, O. Hanson, Nowatzki

SB 2006: Reps. Sorensen, Wald, Stofferahn

SB 2114: Reps. Payne, O. Hanson, Nowatzki

MESSAGE to the SENATE from the HOUSE (Roy Gilbreath, Chief Clerk)

MR. PRESIDENT: The Speaker has appointed as a new conference committee to act with a like committee from the Senate on:

HB 1499: Reps. Goetz, A. Hausauer, Tomac

MESSAGE to the SENATE from the HOUSE (Roy Gilbreath, Chief Clerk)

MR. PRESIDENT: The Speaker has appointed as a conference committee to act with a like committee from the Senate on:

SB 2016: Reps. Kingsbury, Gunsch, Solberg

MESSAGE to the SENATE from the HOUSE (Roy Gilbreath, Chief Clerk)

MR. PRESIDENT: The House has passed and your favorable consideration is requested on: HCR 3090.

MESSAGE to the SENATE from the HOUSE (Roy Gilbreath, Chief Clerk)

MR. PRESIDENT: The House has passed unchanged: SB 2094, SB 2210, SCR 4074.

MESSAGE to the SENATE from the HOUSE (Roy Gilbreath, Chief Clerk)

MR. PRESIDENT: The House has adopted the conference committee report on HB 1134, HB 1158, and HB 1200 and subsequently passed the same.

REPORT OF CONFERENCE COMMITTEE

REP. SORENSEN MOVED that the conference committee report on Engrossed HB 1006 be adopted.

REQUESTS

REP. DALRYMPLE REQUESTED a verification vote.

REP. KOLBO REQUESTED a recorded roll call vote on the motion to adopt the conference committee report on HB 1006, which request was granted.

ROLL CALL

The question being on the motion to adopt the conference committee report on Engrossed HB 1006, the roll was called and there were 58 YEAS, 47 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Aas; Anderson, R.; Belter; Berg, R.; Bernstein; Christman; Dalrymple; Dorso; Enget; Flaagan; Gates; Gerntholz; Goetz; Gorman; Gunsch; Hanson, O.; Haugen; Hausauer, A.; Hausauer, R.; Hoffner; Jensen; Kingsbury; Kloubec; Knell; Kouba; Larson, D.; Larson, R.; Laughlin; Lindgren; Martin; Martinson; Murphy; Ness; Nicholas; Oban; Olson, V.; O'Shea; Payne; Peterson; Rydell; Schatz; Schmidt; Shaft; Solberg; Sorensen; Soukup; Stenehjem; Stofferahn; Thompson, K.; Timm; Tokach; Tomac; Ulmer; Urlacher; Wald; Whalen; Williams, A.; Speaker Kretschmar

NAYS: Aarsvold; Anderson, B.; Berg, G.; Brokaw; Carlson; Clayburgh; DeMers, J.; DeMers, P.; Frey; Gerhardt; Gerl; Gilmore; Graba; Halmrast; Hanson, L.; Haugland; Hokana; Howard; Huether; Kaldor; Kelly; Kolbo; Marks; Melby; Mertens; Myrdal; Nelson; Nowatzki; Olsen, D.; Olson, A.; Ring; Scherber; Schindler; Schneider; Shide; Shockman; Skjerven; Smette; Starke; Thompson, V.; Tollefson; Trautman; Vander Vorst; Watne; Wentz; Wilkie; Williams, W.

ABSENT AND NOT VOTING: Lang

The motion to adopt the conference committee report Engrossed HB 1006 was adopted.

Engrossed HB 1006, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1006: A BILL for an Act making an appropriation for defraying the expenses of the school for the deaf and the school for the blind of the state of North Dakota; to provide for a statement of legislative intent; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 88 YEAS, 17 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Aas; Anderson, B.; Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Enget; Flaagan; Gates; Gerhardt; Gerl; Gerntholz; Goetz; Gorman; Graba; Gunsch; Halmrast; Hanson, L.; Hanson, O.; Haugen; Hausauer, A.; Hausauer, R.; Hoffner; Howard; Huether; Jensen; Kaldor; Kelly; Kingsbury; Kloubec; Knell; Kouba; Larson, D.; Larson, R.; Laughlin; Lindgren; Marks; Martin; Martinson; Mertens; Murphy; Nelson; Ness; Nicholas; Nowatzki; Oban; Olson, V.; O'Shea; Payne; Peterson; Ring; Rydell; Schatz; Scherber; Schindler; Schmidt; Schneider; Shaft; Shockman; Skjerven; Solberg; Sorensen; Soukup; Stenehjem; Stofferahn; Thompson, K.; Timm; Tokach; Tomac; Trautman; Ulmer; Urlacher; Vander Vorst; Wald; Whalen; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: Brokaw; Frey; Gilmore; Haugland; Hokana; Kolbo; Melby; Myrdal; Olsen, D.; Olson, A.; Shide; Smette; Starke; Thompson, V.; Tollefson; Watne; Wentz

ABSENT AND NOT VOTING: Lang

HB 1006 passed, the title was agreed to, and the emergency clause carried.

MESSAGE to the HOUSE from the SENATE (Patricia Conrad, Secretary)

MR. SPEAKER: The President has appointed as a conference committee to act with a like committee from the House on:

HB 1001: Sens. Wogslund, Shea, Nelson
 HB 1002: Sens. Tallackson, Ewen, Lips
 HB 1025: Sens. Waldera, Yockim, Nelson

REPORT OF CONFERENCE COMMITTEE

REP. HAUGEN MOVED that the conference committee report on Engrossed HB 1267 as printed on pages 2254-2256 of the House Journal be adopted, which motion prevailed.

Engrossed HB 1267, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1267: A BILL for an Act to create and enact a new section to chapter 57-39.2 of the North Dakota Century Code, relating to a refund of sales tax for purchases made by residents of Canada; and to amend and reenact subsection 12 of section 57-39.2-04 of the North Dakota Century Code, relating to a sales tax exemption for purchases made by residents of certain adjoining states.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 101 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Aas; Anderson, B.; Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; Brokaw; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Enget; Flaagan; Frey; Gates; Gerhardt; Gerl; Gerntholz; Gilmore; Goetz; Gorman; Graba; Gunsch; Halmrast; Hanson, L.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hoffner; Hokana; Howard; Huether; Jensen; Kaldor; Kelly; Kingsbury; Kloubec; Knell; Kouba; Larson, D.; Larson, R.; Laughlin; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Myrdal; Nelson; Ness; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Peterson; Ring; Rydell; Schatz; Scherber; Schindler; Schmidt; Schneider; Shaft; Shide; Shockman; Skjerven; Solberg; Sorensen; Soukup; Starke; Stenehem; Stofferahn; Thompson, K.; Thompson, V.; Timm; Tokach; Tollefson; Tomac; Trautman; Ulmer; Urlacher; Vander Vorst; Wald; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: Hanson, O.; Kolbo; Murphy; Smette

ABSENT AND NOT VOTING: Lang

HB 1267 passed and the title was agreed to.

HOUSE ENROLLING REPORT

The following bill was enrolled: HB 1012.

HOUSE ENGROSSING AND ENROLLING REPORT

The following bills were engrossed and enrolled: HB 1449, HB 1564, HB 1581.

HOUSE ENROLLING REPORT

The following bill was enrolled: HB 1077.

HOUSE ENGROSSING AND ENROLLING REPORT

The following bills were engrossed and enrolled: HB 1021, HB 1205, HB 1185, HB 1155, HB 1558.

REPORT OF CONFERENCE COMMITTEE

REP. GOETZ MOVED that the conference committee report on Senate Reengrossed HB 1297 be adopted.

MOTION

REP. DORSO MOVED the previous question, which motion prevailed.

The question being on the motion to adopt the conference committee report on Senate Reengrossed HB 1297.

The conference committee report on Senate Reengrossed HB 1297 was adopted.

Senate Reengrossed HB 1297, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1297: A BILL for an Act to provide for cleanup of petroleum spills through the establishment of a petroleum release compensation fund; to provide a penalty; to provide a continuing appropriation; to provide an appropriation; and to provide an expiration date.

MOTION

REP. L. HANSON MOVED the previous question, which motion prevailed.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 79 YEAS, 24 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Aas; Anderson, B.; Anderson, R.; Belter; Berg, G.; Berg, R.; Bernstein; Brokaw; Christman; Clayburgh; Dalrymple; DeMers, P.; Dorso; Enget; Gates; Gerhardt; Gerntholz; Gilmore; Goetz; Gorman; Graba; Gunsch; Halmrast; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hoffner; Howard; Jensen; Kaldor; Kloubec; Knell; Kouba; Larson, D.; Larson, R.; Lindgren; Martin; Melby; Myrdal; Nelson; Ness; Nicholas; Nowatzki; Olsen, D.; Olson, A.; Olson, V.; Payne; Rydell; Schatz; Schindler; Schmidt; Shaft; Shide; Shockman; Skjerven; Smette; Solberg; Soukup; Starke; Stenehjem; Thompson, K.; Thompson, V.; Timm; Tokach; Tollefson; Tomac; Trautman; Urlacher; Vander Vorst; Wald; Watne; Wentz; Whalen; Wilkie; Williams, A.; Speaker Kretschmar

NAYS: Carlson; DeMers, J.; Flaagan; Frey; Gerl; Hanson, L.; Hokana; Huether; Kelly; Kingsbury; Kolbo; Laughlin; Marks; Martinson; Mertens; Murphy;

Oban; O'Shea; Ring; Scherber; Schneider; Stofferahn; Ulmer;
Williams, W.

ABSENT AND NOT VOTING: Lang; Peterson; Sorensen

HB 1297 passed and the title was agreed to.

MOTION

REP. KLOUBEC MOVED that SB 2004, which is on the Fourteenth order, be rereferred to the Committee on Appropriations, which motion prevailed. Pursuant to Rep. Kloubec's motion, SB 2004 was rereferred.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. PETERSON MOVED that the House do not concur in the Senate amendments to HB 1024 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed.

APPOINTMENT OF A CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1024: Reps. O. Hanson, Payne, Mertens.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. WHALEN MOVED that the House do not concur in the Senate amendments to HB 1036 as printed on page 1937 of the House Journal and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed.

APPOINTMENT OF A CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1036: Reps. Whalen, Soukup, Starke.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. PETERSON MOVED that the House do not concur in the Senate amendments to Reengrossed HB 1637 as printed on pages 2146-2154 of the House Journal and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed.

APPOINTMENT OF A CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on Reengrossed HB 1637: Reps. K. Thompson, Gates, L. Hanson.

MOTION

REP. KLOUBEC MOVED that the House stand in recess until 1:30 p.m., which motion prevailed.

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

REPORTS OF CONFERENCE COMMITTEES

MR. SPEAKER: Your Conference Committee to which was referred Engrossed HB 1164 has had the same under consideration and recommends that the SENATE RECEDE from the Senate amendments as found on pages 1925-1927 of the House Journal and that Engrossed HB 1164 be amended as follows:

Page 1, line 1, after "to" insert "create and enact a new subdivision to subsection 1 of section 57-38-01.3 and a new subsection to section

57-38-01.3 of the North Dakota Century Code, relating to net operating loss deductions and special deductions; and to" and after "reenact" insert "subsection 4.2 of section 57-38-01,"

Page 1, remove line 2

Page 1, line 4, after "to" insert "alternative minimum taxable income and"

Page 1, after line 5, insert:

"SECTION 1. AMENDMENT. Subsection 4.2 of section 57-38-01 of the 1987 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

- 4.2. "North Dakota alternative minimum taxable income" in the case of corporations means alternative minimum taxable income as computed under the Internal Revenue Code provisions in effect at the close of the corporation's taxable year, reduced by any interest received from obligations of the United States included in alternative minimum taxable income or in the computation of alternative minimum taxable income on the federal return, ~~as~~ reduced by the federal income tax deduction computed under subdivision c of subsection 1 of section 57-38-01.3, increased by the amount of any net operating loss deductions to the extent that those items were deducted in determining federal alternative minimum taxable income, increased by the amount of any special deductions to the extent that those items were deducted in determining federal alternative minimum taxable income, and either increased or decreased by the adjustments provided in subdivisions a and b of subsection 3 of section 57-38-01 and subdivision g of subsection 1 of section 57-38-01.3, with the remaining amount apportioned to North Dakota by the same fraction computed under the provisions of chapter 57-38, 57-38.1, or 57-59. The sum calculated pursuant to this subsection must be reduced by the amount of any net operating loss that is attributable to North Dakota sources. If the net operating loss that is attributable to North Dakota sources exceeds the sum calculated pursuant to this subsection, the excess may be carried back or carried forward for the same time period that an identical federal net operating loss may be carried back or carried forward. If a corporation uses an apportionment formula to determine the amount of income that is attributable to North Dakota, the corporation must use the same formula to determine the amount of net operating loss that is attributable to North Dakota. In addition, no deduction may be taken for a carryback or carryforward when determining the amount of net operating loss that is attributable to North Dakota sources.

SECTION 2. A new subdivision to subsection 1 of section 57-38-01.3 of the 1987 Supplement to the North Dakota Century Code is hereby created and enacted to read as follows:

Increased by the amount of any special deductions and net operating loss deductions to the extent that these items were deducted in determining federal taxable income.

SECTION 3. A new subsection to section 57-38-01.3 of the 1987 Supplement to the North Dakota Century Code is hereby created and enacted to read as follows:

The sum calculated pursuant to subsection 1 of section 57-38-01.3 must be reduced by the amount of any net operating loss that is attributable to North Dakota sources. If the net operating loss that is attributable to North Dakota sources exceeds the sum calculated pursuant to subsection 1 of section 57-38-01.3, the excess may be carried back or carried forward for the same time period that an identical federal net operating loss may be carried back or carried forward. If a corporation uses an apportionment formula to determine the amount of income that is attributable to North Dakota, the corporation must use the same formula to determine the amount of net operating loss that is attributable to North Dakota. In addition, no deduction may be taken for a carryback or carryforward when determining the amount of net operating loss that is attributable to North Dakota sources."

Page 2, remove lines 17 through 29

Page 3, remove lines 1 through 29

Renumber accordingly

For the Senate: Sens. Maixner, Satrom, Moore

For the House: Reps. A. Hausauer, R. Anderson, Hokana

Engrossed HB 1164 was placed on the Seventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Conference Committee to which was referred Engrossed HB 1499 has had the same under consideration and recommends that the HOUSE ACCEDE to the Senate amendments as found on page 1815 of the House Journal.

For the Senate: Sens. Satrom, Dotzenrod, Moore

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

Engrossed HB 1499 was placed on the Seventh order of business on the calendar.

HOUSE ENGROSSING AND ENROLLING REPORT

The following bill was engrossed and enrolled: HB 1660.

REPORT OF STANDING COMMITTEE

MR. SPEAKER: Your Committee on Appropriations (Rep. Peterson, Chairman) to which was rereferred Engrossed HB 1669 has had the same under consideration and recommends by a vote of 15 YEAS, 7 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

Page 1, line 2, replace "evidences of indebtedness" with "loan notes"

Page 1, line 4, after "penitentiary" insert "and for handicapped access projects at the institutions of higher education under the control of the board of higher education"

Page 1, line 6, after "AUTHORIZATION" insert "- APPROPRIATION" and after "commission" insert ", acting as the state building authority,"

Page 1, line 7, replace "evidences of indebtedness" with "loan notes"

Page 1, line 14, after the period insert "The industrial commission may offer loan notes issued under this section for sale only to the Bank of North Dakota at a price that is as representative as possible of the current market interest rates for comparable loan notes purchased by the Bank of North Dakota. The proceeds of the loan notes and other available funds are hereby appropriated for the construction of various buildings and facilities at the North Dakota state penitentiary for the period beginning on the effective date of this Act and ending June 30, 1991."

Page 1, line 15, replace "evidences of indebtedness" with "loan notes"

Page 1, line 17, replace "evidences" with "loan notes"

Page 1, line 18, remove "of indebtedness"

Page 1, after line 20, insert:

"SECTION 2. PROJECT AUTHORIZATION - APPROPRIATION. The industrial commission, acting as the state building authority, may construct and acquire and issue loan notes pursuant to chapter 54-17.2 of the North Dakota Century Code in an amount not exceeding \$1,600,000 to defray that portion of the project costs associated with selected handicapped access projects at the institutions of higher education under the control of the board of higher education, hereby declared to be in the public interest, for the biennium beginning July 1, 1989, and ending June 30, 1991. The industrial commission may offer loan notes issued under this section for sale only to the Bank of North Dakota at a price that is as representative as possible of the current market interest rates for comparable loan notes purchased by the Bank of North Dakota. The proceeds of the loan notes and other available funds are hereby appropriated for the handicapped access projects at the institutions of higher education under the control of the board of higher education for the biennium beginning July 1, 1989, and ending June 30, 1991. The industrial commission shall issue loan notes authorized under this section with the condition that lease rental payments need not begin until July 1, 1991. This authority of the industrial commission to issue loan notes ends on June 30, 1991, but the industrial commission may continue to exercise all other powers granted to it under chapter 54-17.2 and this Act and to comply with any covenants entered into before that date."

Page 1, line 22, after "by" insert "section 1 of"

Page 2, line 1, replace "This" with "Sections 1 and 3 of this", replace "is" with "are", and remove "an"

Page 2, line 2, replace "measure" with "measures"

Reumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 530 - DEPARTMENT OF CORRECTIONS AND REHABILITATION

This amendment provides that the Industrial Commission shall arrange for financing the State Penitentiary construction projects by offering loan notes to the Bank of North Dakota rather than issuing bonds in the open market.

This amendment also allows for the issuance of \$1.6 million of loan notes for selected handicapped access projects at the institutions of higher education.

HB 1669 was placed on the Sixth order of business on the calendar.

MOTIONS

REP. MARTIN MOVED that the House reconsider its action whereby HCR 3040 was signed, enrolled, and passed, which motion prevailed.

REP. KLOUBEC MOVED that the House accede to the Senate's request for the return of HCR 3040, which motion prevailed.

REP. KLOUBEC MOVED that Engrossed HB 1669 be placed at the head of the Sixth order on the calendar, which motion prevailed.

SIXTH ORDER OF BUSINESS

REP. PETERSON MOVED that the amendments to Engrossed HB 1669 as recommended by the Committee on Appropriations be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

Engrossed HB 1669, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1669: A BILL for an Act to authorize the industrial commission acting as the North Dakota building authority to issue loan notes to make funds available for the construction of various buildings and facilities at the North Dakota state penitentiary and for handicapped access projects at the institutions of higher education under the control of the board of higher education; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 77 YEAS, 29 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Aas; Anderson, B.; Anderson, R.; Berg, G.; Bernstein; Brokaw; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Flaagan; Frey; Gates; Gerhardt; Gerl; Gerntholz; Gilmore; Goetz; Graba; Halmrast; Hanson, L.; Haugland; Hausauer, A.; Hausauer, R.; Hoffner; Hokana; Howard; Huether; Jensen; Kaldor; Kelly; Kingsbury; Kloubecc; Kolbo; Larson, R.; Laughlin; Lindgren; Marks; Martinson; Mertens; Nelson; Ness; Nicholas; Nowatzki; Oban; Olson, V.; O'Shea; Payne; Peterson; Ring; Rydell; Scherber; Schneider; Shaft; Shockman; Skjerven; Sorensen; Soukup; Starke; Stenehjelm; Stofferahn; Thompson, V.; Timm; Tollefson; Tomac; Trautman; Ulmer; Wald; Watne; Wentz; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: Belter; Berg, R.; Dorso; Enget; Gorman; Gunsch; Hanson, O.; Haugen; Knell; Kouba; Lang; Larson, D.; Martin; Melby; Murphy; Myrdal; Olsen, D.; Olson, A.; Schatz; Schindler; Schmidt; Shide; Smette; Solberg; Thompson, K.; Tokach; Urlacher; Vander Vorst; Whalen

ABSENT AND NOT VOTING: None

HB 1669 passed, the title was agreed to, and the emergency clause carried.

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER: Your Conference Committee to which was referred Reengrossed HB 1058 has had the same under consideration and recommends that the SENATE RECEDE from the Senate amendments as found on pages 1937-1938 of the House Journal and that Reengrossed HB 1058 be amended as follows:

Page 1, line 2, after the semicolon insert "to provide for a statement of legislative intent regarding the funding of the vulnerable adult protective services program;"

Page 3, line 16, after the second "or" insert "lack of"

Page 12, line 8, after "Act" insert "with respect to any region, area, or county of this state"

Page 12, line 9, after "Act" insert "within that region, area, or county"

Page 12, after line 9, insert:

"SECTION 15. LEGISLATIVE INTENT - PROGRAM FUNDING. It is the intent of the legislative assembly that \$150,000 of the appropriation to the department of human services, as contained in Senate Bill No. 2538, shall be used to continue the adult protective service demonstration program, pursuant to this Act, as initially authorized by section 2 of chapter 293 of the 1987 Session Laws of North Dakota, in Cass County and the multicounty region served by the Lake Region human service center."

Reumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 325 - DEPARTMENT OF HUMAN SERVICES

This amendment provides a section of legislative intent that \$150,000 of the appropriation contained in Senate Bill No. 2538 be used to fund the vulnerable adult protective services program, limits the implementation and enforcement of this Act to those areas receiving funding, and clarifies the definition of "neglect."

For the Senate: Sens. Mathern, Heinrich, Peterson
For the House: Reps. Sorensen, R. Larson, Kelly

Reengrossed HB 1058 was placed on the Seventh order of business on the calendar.

RECONSIDERATION OF A VETOED MEASURE

HB 1228: A BILL for an Act to amend and reenact section 48-02-19 of the North Dakota Century Code, relating to access by the handicapped to institutions of higher education; to provide an appropriation; and to provide legislative intent regarding the funding of handicapped access projects in future bienniums.

ROLL CALL

The question being on the passage of Section 2 of HB 1228, as enrolled, over the Governor's veto, which has been read, the roll was called and there were 36 YEAS, 70 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Belter; Berg, R.; Bernstein; Brokaw; Christman; Dorso; Gorman; Gunsch; Hanson, L.; Hanson, O.; Larson, D.; Martinson; Melby; Murphy; Myrdal; Nicholas; Olsen, D.; Olson, A.; Olson, V.; Rydell; Schatz; Schindler; Schmidt; Schneider; Shide; Shockman; Sorensen; Starke; Stenehjem; Thompson, K.; Thompson, V.; Timm; Tokach; Vander Vorst; Whalen; Speaker Kretschmar

NAYS: Aarsvold; Aas; Anderson, B.; Anderson, R.; Berg, G.; Carlson; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Enget; Flaagan; Frey; Gates; Gerhardt; Gerl; Gerntholz; Gilmore; Goetz; Graba; Halmrast; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hoffner; Hokana; Howard; Huether; Jensen; Kaldor; Kelly; Kingsbury; Kloubec; Kneil; Kolbo; Kouba; Lang; Larson, R.; Laughlin; Lindgren; Marks; Martin; Mertens; Nelson; Ness; Nowatzki; Oban; O'Shea; Payne; Peterson; Ring; Scherber; Shaft; Skjerven; Smette; Solberg; Soukup; Stofferahn; Tollefson; Tomac; Trautman; Ulmer; Urlacher; Wald; Watne; Wentz; Wilkie; Williams, A.; Williams, W.

ABSENT AND NOT VOTING: None

The House sustained the Governor's veto of Section 2 of HB 1228.

MOTION

REP. KLOUBEC MOVED that the rules be suspended and that HB 1669 be messaged to the Senate immediately, which motion prevailed.

MESSAGE to the HOUSE from the SENATE (Patricia Conrad, Secretary)

MR. SPEAKER: The President has signed and your signature is respectfully requested: SB 2042, SB 2093, SB 2501.

MESSAGE to the HOUSE from the SENATE (Patricia Conrad, Secretary)

MR. SPEAKER: The Senate does not concur in the House amendments to SB 2243 and the President has appointed as a conference committee to act with a like committee from the House on:

SB 2243: Sens. Satrom, Hilken, Mutch

MESSAGE to the HOUSE from the SENATE (Patricia Conrad, Secretary)

MR. SPEAKER: The Senate has concurred in the House amendments to SB 2222 and SB 2539 and subsequently passed the same.

The Senate does not concur in the House amendments to SB 2332 and SB 2455 and the President has appointed as a conference committee to act with a like committee from the House on:

SB 2332: Sens. Maxson, J. Meyer, Stenehjem
SB 2455: Sens. Dotzenrod, Robinson, Ingstad

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2455: Reps. A. Hausauer, Timm, Tomac.

MOTION

REP. KLOUBEC MOVED that the House stand in recess until 3:30 p.m., which motion prevailed.

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

MESSAGE to the HOUSE from the SENATE (Patricia Conrad, Secretary)

MR. SPEAKER: The Senate has passed unchanged: HB 1604.

MESSAGE to the HOUSE from the SENATE (Patricia Conrad, Secretary)

MR. SPEAKER: The Senate has adopted the conference committee report on HB 1369.

MESSAGE to the HOUSE from the SENATE (Patricia Conrad, Secretary)

MR. SPEAKER: The Senate has adopted the conference committee report on HB 1200 and subsequently passed the same.

MESSAGE to the HOUSE from the SENATE (Patricia Conrad, Secretary)

MR. SPEAKER: The Senate has concurred in the House amendments to SB 2412 and subsequently passed the same.

MESSAGE to the HOUSE from the SENATE (Patricia Conrad, Secretary)

MR. SPEAKER: The Senate has adopted the conference committee report on SB 2153.

MESSAGE to the HOUSE from the SENATE (Patricia Conrad, Secretary)

MR. SPEAKER: The Senate has adopted the conference committee report on SB 2222 and SB 2237 and subsequently passed the same.

REPORTS OF CONFERENCE COMMITTEES

MR. SPEAKER: Your Conference Committee to which was referred Engrossed SB 2153 has had the same under consideration and recommends that the HOUSE RECEDE from the House amendments as found on pages 1463-1464 of the House Journal.

For the Senate: Sens. Dotzenrod, Maxson, Ingstad

For the House: Reps. Clayburgh, Martinson (refused to sign), Carlson

Engrossed SB 2153 was placed on the Seventh order of business on the calendar.

MR. SPEAKER: Your Conference Committee to which was referred SB 2222 has had the same under consideration and recommends that the HOUSE RECEDE from the House amendments as found on pages 2063-2064 of the House Journal and that SB 2222 be amended as follows:

In lieu of the conference committee amendments to Senate Bill No. 2222 adopted by the Senate as printed on page 1685 of the Senate Journal and adopted by the House as printed on pages 2063 and 2064 of the House Journal, Senate Bill No. 2222 is amended as follows:

Page 1, line 5, after "Nondisclosure" insert "- Record of information maintained"

Page 1, line 8, after the period insert "A criminal justice agency shall maintain a list of all files containing active criminal intelligence and investigative information which have been in existence for more

than one year. With respect to each file, the list must contain the file's number or other identifying characteristic, and the date the file was established. The list required under this subsection is subject to section 44-04-18."

Reorder accordingly

For the Senate: Sens. J. Meyer, Hanson, Holmberg
For the House: Reps. D. Larson, Stenehjem, Kolbo

Reengrossed SB 2222 was placed on the Seventh order of business on the calendar.

MR. SPEAKER: Your Conference Committee to which was referred Engrossed SB 2237 has had the same under consideration and recommends that the HOUSE RECEDE from the House amendments as found on pages 1606-1607 of the House Journal and that Engrossed SB 2237 be amended as follows:

Page 1, line 4, remove "utilization review," and remove "financial and"

Page 1, line 5, remove "management consultation,"

Page 1, line 17, overstrike "The" and insert immediately thereafter "With prior approval of the emergency commission, the"

Page 1, line 18, remove "utilization review, financial audits, management"

Page 1, line 19, remove "consultation, actuarial audit and fees, and" and remove "without the need for"

Page 1, remove line 20

Page 1, line 21, remove "to the office of management and budget"

Page 7, line 24, remove the overstrike over "of", after "~~seven~~" insert "ten", and remove the overstrike over "~~dollars~~"

Page 7, line 25, remove the overstrike over "~~per week~~" and replace "as follows:" with "for each child. This rate must be paid to each eligible child regardless of the date of death"

Page 7, remove lines 26 through 28

Page 7, line 29, remove "seven dollars per week per child"

Page 15, line 18, after "who" insert "willfully"

Reorder accordingly

For the Senate: Sens. Keller, Schoenwald (absent), Nething
For the House: Reps. Dorso, Shide, Enget

Engrossed SB 2237 was placed on the Seventh order of business on the calendar.

MESSAGE to the SENATE from the HOUSE (Roy Gilbreath, Chief Clerk)
MR. PRESIDENT: The House does not concur in the Senate amendments to HB 1024, HB 1036, and HB 1637 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1024: Reps. O. Hanson, Payne, Mertens
HB 1036: Reps. Whalen, Soukup, Starke
HB 1637: Reps. K. Thompson, Gates, L. Hanson

SIGNING of BILLS and RESOLUTIONS (Roy Gilbreath, Chief Clerk)
THE CHIEF CLERK ANNOUNCED that the Speaker signed the following enrolled bills: HB 1012, HB 1021, HB 1077, HB 1155, HB 1185, HB 1205, HB 1449, HB 1558, HB 1564, HB 1581.

MESSAGE to the SENATE from the HOUSE (Roy Gilbreath, Chief Clerk)
MR. PRESIDENT: The Speaker has signed and your signature is respectfully requested: HB 1012, HB 1021, HB 1077, HB 1155, HB 1185, HB 1205, HB 1449, HB 1558, HB 1564, HB 1581.

MESSAGE to the SENATE from the HOUSE (Roy Gilbreath, Chief Clerk)
MR. PRESIDENT: The House accedes to the Senate's request for the return of HCR 3040.

SIGNING of BILLS and RESOLUTIONS (Roy Gilbreath, Chief Clerk)
THE CHIEF CLERK ANNOUNCED that the Speaker signed the following enrolled bill: HB 1660.

MESSAGE to the SENATE from the HOUSE (Roy Gilbreath, Chief Clerk)
MR. PRESIDENT: The Speaker has signed and your signature is respectfully requested: HB 1660.

MESSAGE to the SENATE from the HOUSE (Roy Gilbreath, Chief Clerk)
MR. PRESIDENT: The Speaker has appointed as a conference committee to act with a like committee from the Senate on:

SB 2455: Reps. A. Hausauer, Timm, Tomac

SIGNING of BILLS and RESOLUTIONS (Roy Gilbreath, Chief Clerk)
THE CHIEF CLERK ANNOUNCED that the Speaker signed the following enrolled bills: SB 2042, SB 2093, SB 2501.

MESSAGE to the SENATE from the HOUSE (Roy Gilbreath, Chief Clerk)
MR. PRESIDENT: The Speaker has signed: SB 2042, SB 2093, SB 2501.

MESSAGE to the HOUSE from the SENATE (Patricia Conrad, Secretary)
MR. SPEAKER: The President has signed: HB 1012, HB 1021, HB 1077, HB 1155, HB 1185, HB 1205, HB 1449, HB 1558, HB 1564, HB 1581.

MOTION

REP. KLOUBEC MOVED that Engrossed SB 2536 be placed at the head of the Sixth order on the calendar, which motion prevailed.

SIXTH ORDER OF BUSINESS

REP. A. HAUSAUER MOVED that the amendments to Engrossed SB 2536 as recommended by the Committee on Finance and Taxation as printed on pages 2270-2271 of the House Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

Engrossed SB 2536, as amended, was placed on the Fourteenth order of business on the calendar.

SECOND READING OF SENATE BILL

SB 2536: A BILL for an Act to create and enact a new section to chapter 57-51 of the North Dakota Century Code, relating to the taxation of the federal land bank.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 98 YEAS, 4 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Aas; Anderson, B.; Anderson, R.; Berg, G.; Bernstein; Brokaw; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Enget; Flaagan; Frey; Gates; Gerhardt; Gerl; Gertholz; Gilmore; Goetz; Gorman; Graba; Gunsch; Halmrast; Hanson, L.; Haugen; Haugland; Hausauer, A.; Hoffner; Hokana; Howard; Huether; Jensen; Kaldor; Kelly; Kingsbury; Kloubec; Knell; Kouba; Lang; Larson, D.; Larson, R.; Laughlin; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Murphy; Myrdal; Nelson; Ness; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Peterson; Ring; Rydell; Schatz; Scherber; Schindler; Schmidt; Schneider; Shide; Shockman; Skjervem; Smette; Solberg; Sorensen; Soukup; Starke; Stenehjem; Stofferahn; Thompson, K.; Thompson, V.; Timm; Tokach; Tollefson; Tomac; Trautman; Ulmer; Urlacher; Vander Vorst; Wald; Watne; Wentz; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: Aarsvold; Belter; Hanson, O.; Shaft

ABSENT AND NOT VOTING: Berg, R.; Hausauer, R.; Kolbo; Whalen

SB 2536 passed and the title was agreed to.

REPORT OF CONFERENCE COMMITTEE

REP. SORENSEN MOVED that the conference committee report on Reengrossed HB 1058 be adopted, which motion prevailed.

Reengrossed HB 1058, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1058: A BILL for an Act to establish a program of protective services for vulnerable adults; to provide for a statement of legislative intent regarding the funding of the vulnerable adult protective services program; to repeal section 14-07.1-09 of the North Dakota Century Code, relating to immunity for making reports and penalties for making false reports; to provide a penalty; and to provide an effective date.

ROLL CALL

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

YEAS: Aarsvold; Aas; Anderson, B.; Anderson, R.; Belter; Berg, G.; Bernstein; Brokaw; Carlson; Christman; Clayburgh; Dalrymple;

DeMers, J.; DeMers, P.; Dorso; Enget; Flaagan; Frey; Gates; Gerhardt; Gerl; Gerntholz; Gilmore; Goetz; Gorman; Graba; Halmrast; Hanson, L.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hoffner; Hokana; Howard; Huether; Jensen; Kaldor; Kelly; Kloubec; Knell; Kouba; Lang; Larson, D.; Larson, R.; Laughlin; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Murphy; Nelson; Ness; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Peterson; Ring; Rydell; Schatz; Scherber; Schindler; Schmidt; Schneider; Shaft; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Soukup; Starke; Stenehjem; Stofferahn; Thompson, K.; Thompson, V.; Timm; Tokach; Tollefson; Tomac; Trautman; Ulmer; Uriacher; Vander Vorst; Wald; Watne; Wentz; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: Gunsch; Hanson, O.; Kingsbury; Myrdal

ABSENT AND NOT VOTING: Berg, R.; Kolbo; Whalen

HB 1058 passed and the title was agreed to.

MESSAGE to the HOUSE from the SENATE (Patricia Conrad, Secretary)
MR. SPEAKER: The President has signed: HB 1660.

REPORT OF CONFERENCE COMMITTEE

REP. A. HAUSAUER MOVED that the conference committee report on Engrossed HB 1164 be adopted, which motion prevailed.

Engrossed HB 1164, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1164: A BILL for an Act to create and enact a new subdivision to subsection 1 of section 57-38-01.3 and a new subsection to section 57-38-01.3 of the North Dakota Century Code, relating to net operating loss deductions and special deductions; and to amend and reenact subsection 4.2 of section 57-38-01, subsection 5 of section 57-38-30.3, subsections 1 and 5 of section 57-38.4-01, and section 57-38.4-02 of the North Dakota Century Code, relating to alternative minimum taxable income and individual and corporation income tax.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 102 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Aas; Anderson, B.; Anderson, R.; Belter; Berg, G.; Bernstein; Brokaw; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Enget; Flaagan; Frey; Gates; Gerhardt; Gerl; Gerntholz; Gilmore; Goetz; Gorman; Graba; Gunsch; Halmrast; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hoffner; Hokana; Howard; Huether; Jensen; Kaldor; Kelly; Kingsbury; Kloubec; Knell; Kouba; Lang; Larson, D.; Larson, R.; Laughlin; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Murphy; Myrdal; Nelson; Ness; Nicholas; Nowatzki; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Peterson; Ring; Rydell; Schatz; Scherber; Schindler; Schmidt; Schneider; Shaft; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Soukup; Starke; Stenehjem; Stofferahn; Thompson, K.;

Thompson, V.; Timm; Tokach; Tollefson; Tomac; Trautman; Ulmer; Urlacher; Vander Vorst; Wald; Watne; Wentz; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: None

ABSENT AND NOT VOTING: Berg, R.; Kolbo; Oban; Whalen

HB 1164 passed and the title was agreed to.

MESSAGE to the HOUSE from the SENATE (Patricia Conrad, Secretary)

MR. SPEAKER: The President has appointed as a conference committee to act with a like committee from the House on:

HB 1036: Sens. D. Meyer, Lodoen, Vosper
 HB 1637: Sens. O'Connell, Kelsh, Peterson

REPORT OF CONFERENCE COMMITTEE

REP. GOETZ MOVED that the conference committee report on Engrossed HB 1499 be adopted, which motion prevailed.

Engrossed HB 1499, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1499: A BILL for an Act to create and enact a new section to chapter 57-39.2 and a new section to chapter 57-40.2 of the North Dakota Century Code, relating to a reduced sales and use tax rate for manufacturing equipment purchased by a new or expanding business; and to amend and reenact section 57-40.2-02.1 of the North Dakota Century Code, relating to a reduced use tax rate for manufacturing equipment purchased by a new business.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 82 YEAS, 21 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Aas; Anderson, B.; Anderson, R.; Belter; Berg, G.; Bernstein; Brokaw; Christman; Clayburgh; Dalrymple; Dorso; Enget; Flaagan; Gates; Gerhardt; Gerntholz; Gilmore; Goetz; Gorman; Graba; Halmrast; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hoffner; Hokana; Howard; Huether; Jensen; Kaldor; Kelly; Kloubec; Knell; Kouba; Lang; Larson, D.; Larson, R.; Laughlin; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Nelson; Ness; Nicholas; Nowatzki; Olson, V.; O'Shea; Payne; Peterson; Rydell; Schatz; Schindler; Schmidt; Schneider; Shaft; Shide; Skjerven; Smette; Solberg; Sorensen; Soukup; Starke; Stenehjelm; Stofferahn; Thompson, V.; Timm; Tollefson; Tomac; Trautman; Urlacher; Vander Vorst; Wald; Watne; Wentz; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: Carlson; DeMers, J.; DeMers, P.; Frey; Gerl; Gunsch; Hanson, L.; Hanson, O.; Kingsbury; Murphy; Myrdal; Oban; Olsen, D.; Olson, A.; Ring; Scherber; Shockman; Thompson, K.; Tokach; Ulmer; Wilkie

ABSENT AND NOT VOTING: Berg, R.; Kolbo; Whalen

HB 1499 passed and the title was agreed to.

REPORT OF CONFERENCE COMMITTEE

REP. CLAYBURGH MOVED that the conference committee report on Engrossed SB 2153 be adopted, which motion prevailed.

Engrossed SB 2153, as amended, was placed on the Fourteenth order of business on the calendar.

SECOND READING OF SENATE BILL

SB 2153: A BILL for an Act to create and enact a new section to chapter 1-03 of the North Dakota Century Code, relating to a personal holiday for state employees and the closing of state offices on Christmas Eve.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 89 YEAS, 13 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Anderson, R.; Belter; Berg, G.; Bernstein; Brokaw; Carlson; Christman; Clayburgh; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Enget; Flaagan; Frey; Gates; Gerhard; Gerl; Gerntholz; Gilmore; Goetz; Gorman; Graba; Halmrast; Hanson, L.; Haugland; Hausauer, A.; Hausauer, R.; Hoffner; Hokana; Howard; Huether; Jensen; Kaldor; Kelly; Kloubec; Knell; Larson, D.; Larson, R.; Laughlin; Lindgren; Marks; Martinson; Melby; Mertens; Myrdal; Nelson; Ness; Nicholas; Nowatzki; Oban; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Peterson; Ring; Rydell; Schatz; Scherber; Schmidt; Schneider; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Soukup; Starke; Stenehjem; Stofferahn; Thompson, K.; Thompson, V.; Tokach; Tollefson; Tomac; Trautman; Ulmer; Vander Vorst; Watne; Wentz; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

NAYS: Aas; Gunsch; Hanson, O.; Haugen; Kingsbury; Kouba; Lang; Martin; Murphy; Schindler; Shaft; Timm; Urlacher

ABSENT AND NOT VOTING: Berg, R.; Kolbo; Wald; Whalen

SB 2153 passed and the title was agreed to.

MOTIONS

REP. KLOUBEC MOVED that the rules be suspended and that all Senate bills on which final action has been taken be messaged to the Senate immediately, which motion prevailed.

REP. KLOUBEC MOVED that the rules be suspended and that all House bills on which final action has been taken, except HB 1479, be messaged to the Senate immediately, which motion prevailed.

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

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

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

THE SPEAKER ANNOUNCED that the following bills were delivered to the Governor for his approval at the hour of 3:52 p.m., April 14, 1989: HB 1012, HB 1021, HB 1077, HB 1155, HB 1185, HB 1205, HB 1449, HB 1558, HB 1564, HB 1581, HB 1660.

MESSAGE to the HOUSE from the SENATE (Patricia Conrad, Secretary)

MR. SPEAKER: The Senate has reconsidered its action whereby it passed SB 2475. The Senate has reconsidered its action whereby it adopted the conference committee report on SB 2475 and now has not adopted the conference committee report on SB 2475. The President has appointed as a new conference committee to meet with a like committee from the House on:

SB 2475: Sens. Richard, Robinson, Moore

MOTIONS

REP. A. HAUSAUER MOVED that the House reconsider its action whereby SB 2475 passed, which motion prevailed.

REP. A. HAUSAUER MOVED that the House reconsider its action whereby the conference committee report on SB 2475 was adopted, which motion prevailed.

REP. A. HAUSAUER MOVED that the conference committee report on SB 2475 not be adopted and that a new conference committee be appointed to meet with a like committee from the Senate on SB 2475, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEES

THE SPEAKER APPOINTED as a new Conference Committee on SB 2475: Reps. Goetz, A. Hausauer, Tomac.

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2243: Reps. Timm, Dorso, V. Thompson.

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2332: Reps. Aas, Shaft, A. Williams.

SIXTH ORDER OF BUSINESS

REP. LINDGREN MOVED that the amendments to Engrossed SB 2397 as recommended by a majority of the Committee on Political Subdivisions as printed on pages 2016-2017 of the House Journal be adopted, and when so adopted, recommends the same DO NOT PASS.

REQUEST

REP. HAUGEN REQUESTED a recorded roll call vote on the motion to adopt the majority proposed amendments to Engrossed SB 2397, which request was granted.

ROLL CALL

The question being on the motion to adopt the majority amendments to Engrossed SB 2397, the roll was called and there were 64 YEAS, 41 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Aas; Anderson, R.; Belter; Berg, G.; Brokaw; Christman; Dalrymple; DeMers, P.; Enget; Frey; Gerntholz; Gilmore; Graba; Gunsch; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hoffner; Howard; Jensen; Kaldor; Kingsbury; Knell; Lang; Larson, D.; Laughlin; Marks; Martin; Martinson; Melby; Mertens; Murphy; Myrdal; Nelson; Nowatzki; Olsen, D.; Olson, A.; Olson, V.; Rydell; Schindler; Shide; Shockman; Skjerven; Smette; Solberg; Starke; Thompson, K.; Timm;

Tokach; Tollefson; Tomac; Trautman; Ulmer; Urlacher; Vander Vorst; Watne; Wentz; Whalen; Wilkie; Williams, A.; Speaker Kretschmar

NAYS: Anderson, B.; Berg, R.; Bernstein; Carlson; Clayburgh; DeMers, J.; Dorso; Flaagan; Gates; Gerhardt; Gerl; Goetz; Gorman; Halmrast; Hausauer, R.; Hokana; Huether; Kelly; Kloubec; Kouba; Larson, R.; Lindgren; Ness; Nicholas; Oban; O'Shea; Payne; Peterson; Ring; Schatz; Scherber; Schmidt; Schneider; Shaft; Sorensen; Soukup; Stenehjem; Stofferahn; Thompson, V.; Wald; Williams, W.

ABSENT AND NOT VOTING: Kolbo

The motion to adopt the majority amendments to Engrossed SB 2397 passed.

Engrossed SB 2397, as amended, was placed on the Fourteenth order of business on the calendar.

SECOND READING OF SENATE BILL

SB 2397: A BILL for an Act to create and enact three new sections to chapter 12.1-30 of the North Dakota Century Code, relating to the conduct of business on Sundays, an employee day of rest, and business leases or agreements; to amend and reenact sections 5-02-05, 12.1-30-01, and 12.1-30-02 of the North Dakota Century Code, relating to the conduct of business on Sundays; and to provide a penalty.

MOTION

REP. KLOUBEC MOVED the previous question, which motion prevailed.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 39 YEAS, 66 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Aas; Anderson, B.; Berg, R.; Bernstein; Carlson; Clayburgh; DeMers, J.; Dorso; Gates; Gerhardt; Gerl; Gorman; Halmrast; Hausauer, R.; Hokana; Jensen; Kelly; Kloubec; Larson, R.; Lindgren; Martinson; Mertens; Murphy; Myrdal; Oban; Payne; Peterson; Ring; Rydell; Scherber; Schneider; Sorensen; Soukup; Stenehjem; Stofferahn; Thompson, V.; Timm; Tomac; Ulmer

NAYS: Aarsvold; Anderson, R.; Belter; Berg, G.; Brokaw; Christman; Dalrymple; DeMers, P.; Enget; Flaagan; Frey; Gerntholz; Gilmore; Goetz; Graba; Gunsch; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hoffner; Howard; Huether; Kaldor; Kingsbury; Knell; Kouba; Lang; Larson, D.; Laughlin; Marks; Martin; Melby; Nelson; Ness; Nicholas; Nowatzki; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Schatz; Schindler; Schmidt; Shaft; Shide; Shockman; Skjerven; Smette; Solberg; Starke; Thompson, K.; Tokach; Tollefson; Trautman; Urlacher; Vander Vorst; Wald; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, W.; Speaker Kretschmar

ABSENT AND NOT VOTING: Kolbo

SB 2397 lost.

MOTION

REP. GUNSCH MOVED that the vote by which SB 2397 lost be reconsidered and the motion to reconsider be laid on the table.

CALL OF THE HOUSE

REP. HALMRAST REQUESTED a Call of the House, which request was granted.

All members were present with the exception of Rep. Kolbo.

REP. KLOUBEC REQUESTED that the Call of the House be dispensed with, which request was granted.

RECORDED ROLL CALL REQUEST

REP. LINDGREN REQUESTED a recorded roll call vote on the motion that the vote by which SB 2397 lost be reconsidered and the motion to reconsider be laid on the table, which request was granted.

ROLL CALL

The question being on the motion that the vote by which SB 2397 lost be reconsidered and the motion to reconsider be laid on the table, the roll was called and there were 47 YEAS, 57 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Anderson, R.; Belter; Brokaw; Christman; Dalrymple; Enget; Gerntholz; Gilmore; Goetz; Graba; Gunsch; Hanson, O.; Haugen; Howard; Kingsbury; Knell; Kouba; Lang; Larson, D.; Marks; Martin; Melby; Murphy; Myrdal; Nelson; Nicholas; Nowatzki; Olsen, D.; Olson, A.; Olson, V.; Schindler; Shide; Shockman; Skjerven; Smette; Solberg; Starke; Thompson, K.; Tokach; Tollefson; Trautman; Urlacher; Vander Vorst; Wald; Wentz; Whalen; Wilkie

NAYS: Aarsvold; Aas; Anderson, B.; Berg, G.; Berg, R.; Bernstein; Carlson; Clayburgh; DeMers, J.; DeMers, P.; Dorso; Flaagan; Frey; Gates; Gerhardt; Gerl; Gorman; Halmrast; Hanson, L.; Haugland; Hausauer, A.; Hausauer, R.; Hoffner; Hokana; Huether; Jensen; Kaldor; Kelly; Kloubec; Larson, R.; Laughlin; Lindgren; Martinson; Mertens; Ness; Oban; O'Shea; Payne; Ring; Rydell; Schatz; Scherber; Schmidt; Schneider; Shaft; Sorensen; Soukup; Stenehjem; Stofferahn; Thompson, V.; Timm; Tomac; Ulmer; Watne; Williams, A.; Williams, W.; Speaker Kretschmar

ABSENT AND NOT VOTING: Kolbo; Peterson

So the motion, that the vote by which SB 2397 lost be reconsidered and the motion to reconsider be laid on the table, failed.

MESSAGE to the HOUSE from the SENATE (Perry Grotberg, Asst. Secretary)

MR. SPEAKER: The President has dissolved the Conference Committee on HB 1036 and has appointed as a new conference committee to act with a like committee from the House on:

HB 1036: Sens. Maixner, Heinrich, Vosper

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER: Your Conference Committee to which was referred Engrossed HB 1626 has had the same under consideration and recommends that the SENATE RECEDE from the Senate amendments as found on pages 1892-1893 of the House Journal and that Engrossed HB 1626 be amended as follows:

Page 1, line 16, replace "\$500,000" with "\$160,000"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 602 - AGRICULTURE DEPARTMENT

This amendment provides a \$160,000 general fund appropriation for noxious weed control. The House had passed this bill with a \$500,000 general fund appropriation for noxious weed control which the Senate removed.

In addition, the Senate amendment to Section 63-01.1-06.2, which provided that no expenditure pursuant to legislative appropriations for leafy spurge control shall be made related to private land if the land is owned by a corporation, is removed.

For the Senate: Sens. W. Meyer, Kinnoin, Krebsbach

For the House: Reps. Gunsch, O. Hanson, Laughlin

Engrossed HB 1626 was placed on the Seventh order of business on the calendar.

MESSAGE to the SENATE from the HOUSE (Roy Gilbreath, Chief Clerk)

MR. PRESIDENT: The House has failed to pass: SCR 4040.

MESSAGE to the SENATE from the HOUSE (Roy Gilbreath, Chief Clerk)

MR. PRESIDENT: The Speaker has appointed as a conference committee to act with a like committee from the Senate on:

SB 2243: Reps. Timm, Dorso, V. Thompson

SB 2332: Reps. Aas, Shaft, A. Williams

MESSAGE to the SENATE from the HOUSE (Roy Gilbreath, Chief Clerk)

MR. PRESIDENT: The Speaker has appointed as a new conference committee to act with a like committee from the Senate on:

SB 2475: Reps. Goetz, A. Hausauer, Tomac

MESSAGE to the SENATE from the HOUSE (Roy Gilbreath, Chief Clerk)

MR. PRESIDENT: The House has amended and subsequently passed: SB 2536.

MESSAGE to the SENATE from the HOUSE (Roy Gilbreath, Chief Clerk)

MR. PRESIDENT: The House has adopted the conference committee report on SB 2153 and subsequently passed the same.

MESSAGE to the SENATE from the HOUSE (Roy Gilbreath, Chief Clerk)

MR. PRESIDENT: The House has adopted the conference committee report on HB 1006, HB 1058, HB 1164, HB 1267, HB 1297, and HB 1499 and subsequently passed the same.

MESSAGE to the SENATE from the HOUSE (Roy Gilbreath, Chief Clerk)

MR. PRESIDENT: The House has adopted the conference committee report on HB 1089 and subsequently failed to pass the same.

MESSAGE to the SENATE from the HOUSE (Roy Gilbreath, Chief Clerk)

MR. PRESIDENT: The House has passed and your favorable consideration is requested on: HB 1669.

MESSAGE to the SENATE from the HOUSE (Roy Gilbreath, Chief Clerk)

MR. PRESIDENT: The House has adopted the conference committee report on HB 1479 and subsequently passed the same.

REMARKS OF REP. SCHNEIDER ON THIRD ORDER OF BUSINESS

REP. SCHNEIDER STATED that on review of the available material, that he felt the Journal of the Sixty-ninth Day was probably correct and would not object to the report of the Committee on Correction and Revision report regarding the Sixty-ninth Day.

CORRECTION and REVISION of the JOURNAL (Rep. V. Olson, Chairman)

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

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

MESSAGE to the HOUSE from the SENATE (Perry Grotberg, Asst. Secretary)

MR. SPEAKER: The President has appointed as a conference committee to act with a like committee from the House on:

HB 1024: Sens. Yockim, Stromme, Thane

REPORTS OF STANDING COMMITTEE

MR. SPEAKER: Your Committee on Appropriations (Rep. Peterson, Chairman) to which was referred Engrossed SB 2036 has had the same under consideration and recommends by a vote of 13 YEAS, 10 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO NOT PASS:

Page 3, line 25, after "grounds" insert "and college and university"

Page 3, line 26, replace "plan" with "plans"

Page 3, line 27, after the first "commission" insert ", the state board of higher education,"

Page 4, line 7, after "monitor" insert ", without supervising,"

Page 4, remove lines 15 and 16

Re-number accordingly

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

MR. SPEAKER: Your Committee on Appropriations (Rep. Peterson, Chairman) to which was referred Engrossed SB 2538 has had the same under consideration and recommends by a vote of 18 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

Page 1, line 11, remove "stating"

Page 1, remove lines 12 through 14

Page 1, line 15, remove "increased utilization;"

- Page 1, line 17, after the semicolon insert "to amend and reenact section 3 of House Bill No. 1037, as approved by the fifty-first legislative assembly, relating to the capital construction fund; authorizing the developmental disabilities revolving loan fund to sell its loans to the Bank of North Dakota; allowing the proceeds of the sale of the loans to assure the availability of funds for predicted caseload growth in medical assistance, aid to families with dependent children, and foster care;"
- Page 2, line 14, after the period insert "However, the first \$400,000 must be used to fund child evaluation and treatment and adult protective services as set forth in sections 8 and 9 of this Act."
- Page 3, remove lines 21 through 29
- Page 4, remove lines 1 through 10
- Page 4, line 14, replace "bond" with "lease"
- Page 4, line 15, replace "improvements" with "improvement projects financed"
- Page 4, line 16, after "hospital" insert "under chapter 54-17.2" and remove "Upon request of the director of the office of management and"
- Page 4, remove lines 17 through 19
- Page 5, line 11, replace "out of any moneys in the general fund in the" with "from special funds in the department of human services operating fund"
- Page 5, line 12, remove "state treasury"
- Page 5, line 13, replace "to the university of North Dakota medical center" with "to be provided by the department of human services to"
- Page 5, line 14, remove "rehabilitation hospital to provide funds for"
- Page 5, line 15, replace "program" with "center at its request"
- Page 5, line 17, remove "out of any"
- Page 5, line 18, replace "moneys in the general fund in the state treasury" with "from special funds in the department of human services operating fund"
- Page 5, after line 25, insert:

"SECTION 10. AMENDMENT. Section 3 of House Bill No. 1037, as approved by the fifty-first legislative assembly, is hereby amended and reenacted to read as follows:

SECTION 3. GENERAL FUND TRANSFER - APPROPRIATION. The state treasurer shall transfer an amount, not to exceed a total of ~~46,545,000~~ \$4,831,943, which is hereby appropriated, for the biennium beginning July 1, 1989, and ending June 30, 1991, from the general fund to the capital construction fund. The state treasurer shall make the transfer or transfers as provided in this section at such times as may be requested by the industrial commission acting as a state building authority.

SECTION 11. DEVELOPMENTAL DISABILITIES REVOLVING LOAN FUND - AUTHORITY TO SELL LOANS - TRANSFERS. Between April 1 and June 30, 1991, the developmental disabilities revolving loan fund created under North Dakota Century Code section 6-09.6-01, at the request of the executive director of the department of human services, may sell to the Bank of North Dakota up to \$4,200,000 of the outstanding loans of the fund. The sale of loans may be made only if all of the following events occur: (1) other funds do not become available from changes in medicaid funding formula or the enactment of drought relief measures, and (2) the department has requested and been denied funds by the emergency commission, and (3) a deficiency appropriation has not been provided by the fifty-second legislative assembly. Under these circumstances and upon request of the executive director of the department of human services, in addition to other transfers provided for in this Act, up to \$4,200,000 may be transferred between April 1 and June 30, 1991, from and by the developmental disabilities revolving loan fund to the department of human services operating fund as needed to provide the \$4,158,511 of matching funds required in section 13 of this Act and any additional funds that may be required to complete the transfer in section 1 of this Act.

SECTION 12. DEPOSIT OF STATE FUNDS - BANK OF NORTH DAKOTA. The state treasurer shall maintain a certificate of deposit at the Bank of North Dakota, in such an amount as requested by the president of the Bank of North Dakota not to exceed \$4,200,000, until all loans held by the Bank of North Dakota pursuant to section 11 of this Act have been repaid. The certificate shall earn interest at a rate equal to the weighted average blended interest rate of the loans purchased and outstanding as of July first each year, pursuant to section 11 of this Act reduced by one-half of one percent. The certificate of deposit shall be reduced on July first of each year to equal the outstanding loan balance of the loans purchased pursuant to section 11.

SECTION 13. APPROPRIATION. There is hereby appropriated from special funds in the department of human services operating fund, not otherwise appropriated, the sum of \$12,271,669, or so much thereof as may be necessary, to the department of human services for the purpose of providing grants for increased medical assistance, aid to families with dependent children, and foster care caseloads for the biennium beginning July 1, 1989, and ending June 30, 1991. Unless otherwise available within the department of human services budget, the \$4,158,511 of matching funds are contingently available pursuant to section 11 of this Act from the developmental disabilities loan fund."

Page 5, remove line 26

Page 5, line 27, replace "7,946,138" with "20,617,807"

Page 5, remove line 28

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment changes the funding for the child evaluation and treatment program and adult protective services of \$400,000 from the general fund to special funds available to the Department of Human Services. Also this amendment reduces the general fund transfer - appropriation to the capital

construction fund in House Bill No. 1037 by \$1,713,057 relating to the lease payments included in House Bill No. 1012 for the Grafton State School and the State Hospital. The general fund transfer in House Bill No. 1037 is reduced from \$6,545,000 to \$4,831,943.

In addition, these amendments provide for a contingency sale of loans outstanding up to \$4,200,000 in the developmental disabilities revolving loan fund to the Bank of North Dakota with \$4,158,511 of the proceeds transferred to the Department of Human Services and appropriated for the cost of predicted increased caseloads in the medical assistance, AFDC, and foster care programs. This transfer would take place only if other income does not become available, and a request for funds are denied by the Emergency Commission and the Fifty-second Legislative Assembly. In addition, federal and county matching funds of \$8,113,158 are appropriated in this bill.

The following is a summary of the appropriations in the bill as amended:

Section 1 - Expanded programs for the CMI	\$ 5,871,138
Section 2 - Senior citizens mill levy match	460,000
Section 3 - SPED program	300,000
Section 4 - Family subsidy program	300,000
Section 7 - Matching funds for visually impaired	1,015,000
Section 8 - Child evaluation and treatment program	250,000
Section 9 - Adult protection services - HB 1058	150,000
Section 14 - Additional predicted medical assistance, AFDC, and foster care caseloads (includes \$4,158,511 from special funds made available to the department)	12,271,669*
Total special funds appropriation	<u>\$20,617,807</u>
Total general fund appropriation	<u>0</u>
Total appropriation	\$20,617,807

NOTE: Section 10 of this Act provides a general fund appropriation reduction of \$1,713,057 with a corresponding decrease in general fund revenues.

* Consists of additional funds for increased:

AFDC caseload	\$ 2,587,446
Medical assistance	7,398,448
Foster care	<u>2,285,775</u>
Total	<u>\$12,271,669</u>

SB 2538 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MOTIONS

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

REP. KLOUBEC MOVED that the House be on the Fourth order of business, and at the conclusion of the Fourth order, the House stand adjourned until 8:00 a.m., Saturday, April 15, 1989, which motion prevailed.

COMMUNICATION

State of North Dakota
OFFICE OF THE GOVERNOR
Bismarck.

April 14, 1989

The Honorable William Kretschmar
Speaker of the House
House Chamber
State Capitol
Bismarck, North Dakota 58505

Dear Mr. Speaker:

This is to inform you that on April 14, 1989, I signed the following: HB 1063, HB 1098, HB 1191, HB 1245, HB 1365, HB 1422, HB 1504, HB 1614, HB 1634, HB 1641.

Sincerely,

GEORGE A. SINNER
Governor

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

ROY GILBREATH, Chief Clerk