

JOURNAL OF THE SENATE

Fifty-first Legislative Assembly

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Bismarck, February 17, 1989

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

The prayer was offered by Rev. Jonathan Starks, Word of Faith Church, Mandan.

Heavenly Father, we pause to approach Your throne of grace for help in time of need. We come before You with thankfulness that You always hear our prayers, when we pray according to Your divine plan and purpose. Therefore, we pray Thy Kingdom come and Thy will be done this day on earth as it is in heaven.

Father, I pray in Jesus' name, that we would personally be filled with the knowledge of Your will in all spiritual wisdom and understanding; for such an infilling will enable each of us to better serve our fellow North Dakotans.

Jesus, You instruct us to bind and loose so I bind every force of darkness that would seek to discourage, depress, confuse or oppress these public servants. I loose Your presence to encourage to enlighten, and to enliven each Senator this day.

Father, please fill this place with Your amazing grace to strengthen these Senators as they endeavor to faithfully represent and serve their constituents. For these blessings we praise You and thank You as we pray in Jesus' name. Amen.

The roll was called and all Senators were present.

A quorum was declared by the President.

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

MR. SPEAKER: The Senate has passed and your favorable consideration is requested on: SB 2085, SB 2098, SB 2248, SB 2360, SB 2361, SB 2408, SB 2417, SB 2506, SB 2507.

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 1172, HB 1178, HB 1211, HB 1259, HB 1287, HB 1321, HB 1331, HB 1353, HB 1365, HB 1366, HB 1408, HB 1420, HB 1440, HB 1442, HB 1456, HB 1468, HB 1475, HB 1476, HB 1496, HB 1510, HB 1549, HB 1556, HB 1561, HB 1577, HB 1585, HB 1595, HB 1596, HB 1598, HB 1602, HB 1622, HCR 3031, HCR 3034, HCR 3036, HCR 3037, HCR 3042, HCR 3044, HCR 3045, HCR 3049, HCR 3050, HCR 3052, HCR 3053.

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

MR. PRESIDENT: The House has passed unchanged: SCR 4006.

CORRECTION and REVISION of the JOURNAL (Sen. Axtman, Chairman)

MR. PRESIDENT: Your Committee on Correction and Revision of the Journal has carefully examined the Journal of the Thirty-first Day and recommends that it

be corrected as follows and when so corrected, recommends that it be approved:

Page 631, line 28, remove "which motion"

Page 631, line 29, remove "prevailed."

Page 631, line 34, replace "amendment" with "amendments"

Page 631, delete line 35

Page 633, line 12, after "that" insert "the proposed amendments to"

Page 633, delete line 13 through the end of the page

Page 634, delete lines 2 through 5 and insert:

"In Section 1, the sentence which reads "Funding may be provided from available appropriations and the highway commissioner may require the furnishing of matching funds as a condition of any expenditure authorized under this section." should be changed to read "Funding may be provided from available appropriations and the highway commissioner shall require the furnishing of matching funds as a condition of any expenditure authorized under this section."

Page 634, line 8, after "that" insert "the amendment to"

Page 634, line 10, after "amendments" insert ", as amended,"

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

CORRECTION and REVISION of the JOURNAL (Sen. Axtman, Chairman)

MR. PRESIDENT: Your Committee on Correction and Revision of the Journal has carefully examined the Journal of the Thirty-second Day and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 666, delete lines 8 through 20

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

MOTIONS

SEN. HEIGAARD MOVED that SB 2244, SB 2259, SB 2470, SB 2460, SB 2517, SB 2368, and SB 2427, which are on the Eleventh order, be laid over one legislative day, which motion prevailed.

SEN. D. MEYER MOVED that the Senate reconsider the action by which SB 2415 failed to pass, which motion prevailed on a verification vote.

SEN. D. MEYER MOVED that SB 2415 be laid over one legislative day, which motion prevailed.

SEN. HEIGAARD MOVED that SB 2263 be placed at the bottom of the calendar, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2309: A BILL for an Act to amend and reenact subsection 1 of section 57-62-02 and section 57-62-03 of the North Dakota Century Code,

relating to loans to oil and gas development impacted counties, cities, and school districts through the coal development trust fund; to provide legislative intent regarding special assessment deficiencies; and to provide an expiration date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 46 YEAS, 7 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Axtman; Dotzenrod; Ewen; Freborg; Hanson; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Meyer, W.; Mushik; Mutch; Nalewaja; Nething; O'Connell; Olson; Peterson; Redlin; Richard; Robinson; Satrom; Schoenwald; Shea; Stenehjem; Stromme; Tallackson; Thane; Vosper; Waldera; Wogsland; Yockim

NAYS: David; Moore; Naaden; Nelson; Streibel; Tennefos; Todd

ABSENT AND NOT VOTING: None

SB 2309 passed and the title was agreed to.

REQUEST

SEN. DAVID REQUESTED that his remarks be printed in the Journal, which request was granted.

Mr. President, members of the Senate: I was on the phone a few moments ago when we voted on SB 2309. I voted negative on that piece of legislation and my intent was to vote positive. So I would like for the Journal to show a correction and if at all possible have my remarks printed next to the action on this particular bill in the Journal.

SECOND READING OF SENATE BILLS

SB 2323: A BILL for an Act to create and enact a new section to chapter 65-02 of the North Dakota Century Code, relating to a workers compensation advisory council.

ROLL CALL

The question being on the final passage of the amended bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 53 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Axtman; David; Dotzenrod; Ewen; Freborg; Hanson; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; O'Connell; Olson; Peterson; Redlin; Richard; Robinson; Satrom; Schoenwald; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Vosper; Waldera; Wogsland; Yockim

NAYS: None

ABSENT AND NOT VOTING: None

SB 2323 passed and the title was agreed to.

SB 2334: A BILL for an Act to provide an appropriation to construct and operate tourist information centers at Bowman, Williston, Fargo, and Grand Forks; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 48 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Axtman; Dotzenrod; Ewen; Freborg; Hanson; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Nalewaja; Nelson; Nething; O'Connell; Olson; Peterson; Redlin; Richard; Robinson; Satrom; Schoenwald; Shea; Stenehjem; Stromme; Tallackson; Thane; Todd; Waldera; Wogsland; Yockim

NAYS: David; Naaden; Streibel; Tennefos; Vosper

ABSENT AND NOT VOTING: None

SB 2334 passed, the title was agreed to, and the emergency clause carried.

SB 2350: A BILL for an Act to create and enact two new sections to chapter 26.1-26 of the North Dakota Century Code, relating to the licensing of insurance adjusters; and to amend and reenact subsections 15 and 16 of section 26.1-01-07, sections 26.1-26-01, 26.1-26-02, 26.1-26-03, 26.1-26-08, 26.1-26-13, 26.1-26-14, 26.1-26-23, 26.1-26-30, 26.1-26-32, 26.1-26-35, and subsection 5 of section 26.1-26-42 of the North Dakota Century Code, relating to the qualifications and procedures for the licensing of insurance adjusters.

ROLL CALL

The question being on the final passage of the amended bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 39 YEAS, 14 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Axtman; Dotzenrod; Ewen; Hanson; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelsh; Kinnoin; Krauter; Langley; Lashkowitz; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Meyer, W.; Mushik; Nalewaja; O'Connell; Olson; Peterson; Redlin; Richard; Robinson; Satrom; Schoenwald; Shea; Stenehjem; Stromme; Tallackson; Thane; Waldera; Wogsland; Yockim

NAYS: David; Freborg; Krebsbach; Lips; Lodoen; Moore; Mutch; Naaden; Nelson; Nething; Streibel; Tennefos; Todd; Vosper

ABSENT AND NOT VOTING: None

SB 2350 passed and the title was agreed to.

SB 2353: A BILL for an Act to amend and reenact subsection 30 of section 52-01-01 and section 52-06-06 of the North Dakota Century Code, relating to the definition of unemployed and the weekly benefit amount earnings reduction for unemployed individuals under the Unemployment Compensation Law.

ROLL CALL

The question being on the final passage of the amended bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 39 YEAS, 14 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Axtman; Dotzenrod; Ewen; Hanson; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelsh; Kinnoin; Krauter; Langley; Lashkowitz; Lips; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Meyer, W.; Mushik; Nalewaja; O'Connell; Olson; Redlin; Richard; Robinson; Satrom; Schoenwald; Shea; Stenehjem; Stromme; Tallackson; Thane; Waldera; Wogsland; Yockim

NAYS: David; Freborg; Krebsbach; Lodoen; Moore; Mutch; Naaden; Nelson; Nething; Peterson; Streibel; Tennefos; Todd; Vosper

ABSENT AND NOT VOTING: None

SB 2353 passed and the title was agreed to.

SB 2481: A BILL for an Act to amend and reenact subsection 2 of section 26.1-30-19 of the North Dakota Century Code, relating to the insurance commissioner's approval of life insurance forms.

ROLL CALL

The question being on the final passage of the amended bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 35 YEAS, 18 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Axtman; Dotzenrod; Ewen; Hanson; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelsh; Kinnoin; Krauter; Langley; Lashkowitz; Maixner; Maxson; Meyer, D.; Meyer, J.; Meyer, W.; Mushik; Nalewaja; O'Connell; Redlin; Richard; Robinson; Satrom; Schoenwald; Shea; Stenehjem; Stromme; Tallackson; Waldera; Wogsland; Yockim

NAYS: David; Freborg; Krebsbach; Lips; Lodoen; Mathern; Moore; Mutch; Naaden; Nelson; Nething; Olson; Peterson; Streibel; Tennefos; Thane; Todd; Vosper

ABSENT AND NOT VOTING: None

SB 2481 passed and the title was agreed to.

SB 2499: A BILL for an Act to create and enact a new subsection to section 57-51.1-03 of the North Dakota Century Code, relating to an exemption from the oil extraction tax for a well requiring a work-over project.

ROLL CALL

The question being on the final passage of the amended bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 53 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Axtman; David; Dotzenrod; Ewen; Freborg; Hanson; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; O'Connell; Olson; Peterson; Redlin; Richard; Robinson; Satrom; Schoenwald; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Vosper; Waldera; Wogsland; Yockim

NAYS: None

ABSENT AND NOT VOTING: None

SB 2499 passed and the title was agreed to.

SB 2502: A BILL for an Act to create and enact a new section to chapter 39-08 of the North Dakota Century Code, relating to the installation of ignition interlock devices, and the seizure, forfeiture, and sale of motor vehicles for alcohol-related traffic offenses.

ROLL CALL

The question being on the final passage of the amended bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 51 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Axtman; David; Dotzenrod; Ewen; Freborg; Hanson; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lashkowitz; Lips; Lodoen; Mathern; Maxson; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; O'Connell; Olson; Peterson; Redlin; Robinson; Satrom; Schoenwald; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Vosper; Waldera; Wogsland; Yockim

NAYS: None

ABSENT AND NOT VOTING: Maixner; Richard

SB 2502 passed and the title was agreed to.

SB 2511: A BILL for an Act to provide for a linked deposit program in the state treasurer's office to assist agriculture and small businesses in North Dakota.

ROLL CALL

The question being on the final passage of the amended bill, which has been read and has committee recommendation of DO NOT PASS, the roll was called and there were 13 YEAS, 40 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Hilken; Keller; Kelsh; Krauter; Lashkowitz; Maxson; Meyer, J.; Mushik; O'Connell; Richard; Schoenwald; Shea; Tallackson

NAYS: Axtman; David; Dotzenrod; Ewen; Freborg; Hanson; Heigaard; Heinrich; Holmberg; Ingstad; Kinnoin; Krebsbach; Langley; Lips; Lodoen; Maixner; Mathern; Meyer, D.; Meyer, W.; Moore; Mutch; Naaden; Nalewaja; Nelson; Nething; Olson; Peterson; Redlin; Robinson; Satrom; Stenehjem; Streibel; Stromme; Tennefos; Thane; Todd; Vosper; Waldera; Wogsland; Yockim

ABSENT AND NOT VOTING: None

SB 2511 lost.

SB 2293: A BILL for an Act to amend and reenact section 5-03-07 of the North Dakota Century Code, relating to the rate of wholesale tax on beer sales.

ROLL CALL

The question being on the final passage of the bill, which has been read and is PLACED ON THE CALENDAR WITHOUT RECOMMENDATION, the roll was called and there were 11 YEAS, 42 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Dotzenrod; Freborg; Hanson; Heigaard; Hilken; Kelsh; Lashkowitz; Maixner; Mathern; O'Connell; Satrom

NAYS: Axtman; David; Ewen; Heinrich; Holmberg; Ingstad; Keller; Kinnoin; Krauter; Krebsbach; Langley; Lips; Lodoen; Maxson; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; Olson; Peterson; Redlin; Richard; Robinson; Schoenwald; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Vosper; Waldera; Wogsland; Yockim

ABSENT AND NOT VOTING: None

SB 2293 lost.

SB 2383: A BILL for an Act to amend and reenact subsection 2 of section 12.1-32-07 of the North Dakota Century Code, relating to conditions of probation.

ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO NOT PASS, the roll was called and there were 3 YEAS, 48 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Mushik; Satrom; Waldera

NAYS: Axtman; David; Dotzenrod; Ewen; Freborg; Hanson; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Naaden; Nalewaja; Nelson; Nething; O'Connell; Olson; Redlin; Richard; Robinson; Schoenwald; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Vosper; Wogsland; Yockim

ABSENT AND NOT VOTING: Mutch; Peterson

SB 2383 lost.

SB 2430: A BILL for an Act to provide for student loan repayment or forgiveness.

ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO NOT PASS, the roll was called and there were 9 YEAS, 44 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Langley; Mathern; Meyer, D.; Meyer, W.; Moore; Shea; Stromme; Tallackson; Thane

NAYS: Axtman; David; Dotzenrod; Ewen; Freborg; Hanson; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelsh; Kinnoin; Krauter; Krebsbach; Lashkowitz; Lips; Lodoen; Maixner; Maxson; Meyer, J.; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; O'Connell; Olson; Peterson; Redlin; Richard; Robinson; Satrom; Schoenwald; Stenehjem; Streibel; Tennefos; Todd; Vosper; Waldera; Wogsland; Yockim

ABSENT AND NOT VOTING: None

SB 2430 lost.

SB 2453: A BILL for an Act to enter into the interstate compact on agricultural grain marketing; and to provide an appropriation.

ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO NOT PASS, the roll was called and there were 23 YEAS, 30 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Axtman; Dotzenrod; Heigaard; Heinrich; Hilken; Keller; Kelsh; Krauter; Lashkowitz; Maixner; Mathern; Maxson; Mushik; O'Connell; Redlin; Richard; Robinson; Schoenwald; Shea; Tallackson; Waldera; Wogsland; Yockim

NAYS: David; Ewen; Freborg; Hanson; Holmberg; Ingstad; Kinnoin; Krebsbach; Langley; Lips; Lodoen; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mutch; Naaden; Nalewaja; Nelson; Nething; Olson; Peterson; Satrom; Stenehjem; Streibel; Stromme; Tennefos; Thane; Todd; Vosper

ABSENT AND NOT VOTING: None

SB 2453 lost.

SB 2480: A BILL for an Act to provide for a student loan interest waiver or repayment.

ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO NOT PASS, the roll was called and there were 1 YEA, 51 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Lashkowitz

NAYS: Axtman; David; Dotzenrod; Ewen; Freborg; Hanson; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lips; Lodoen; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; O'Connell; Olson; Peterson; Richard; Robinson; Satrom; Schoenwald; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Vosper; Waldera; Wogsland; Yockim

ABSENT AND NOT VOTING: Redlin

SB 2480 lost.

SB 2490: A BILL for an Act to amend and reenact section 20.1-01-17 of the North Dakota Century Code, relating to posting of lands to prohibit hunting.

ROLL CALL

The question being on the final passage of the bill, which has been read and is PLACED ON THE CALENDAR WITHOUT RECOMMENDATION, the roll was called and there were 16 YEAS, 37 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Dotzenrod; Heigaard; Kinnoin; Krauter; Langley; Lashkowitz; Maixner; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Shea; Stenehjem; Stromme; Tallackson; Wogsland

NAYS: Axtman; David; Ewen; Freborg; Hanson; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelsh; Krebsbach; Lips; Lodoen; Mathern; Maxson; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; O'Connell; Olson; Peterson; Redlin; Richard; Robinson; Satrom; Schoenwald; Streibel; Tennefos; Thane; Todd; Vosper; Waldera; Yockim

ABSENT AND NOT VOTING: None

SB 2490 lost.

POINT OF PERSONAL PRIVILEGE

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

I am a member of the Judicial Nominating Committee which is meeting in Grand Forks this evening and tomorrow to interview and recommend to the Governor candidates for a district judgeship chambered in Grand Forks. Therefore, I shall not be in attendance the rest of the afternoon.

MOTION

SEN. HEIGAARD MOVED that the Senate stand in recess until 2:35 p.m., which motion prevailed.

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

REPORT OF PROCEDURAL COMMITTEE

MR. PRESIDENT: Your procedural Committee on Committees (Sen. Heigaard, Chairman) respectfully submit the following names for your Select Committee to consider the Governor's nomination for the State Board of Higher Education:

- Sen. Dotzenrod, Chairman
- Sen. Mathern
- Sen. Richard
- Sen. Waldera
- Sen. Thane
- Sen. Moore
- Sen. Todd

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

MOTION

SEN. NELSON MOVED that SB 2512, which is on the Eleventh order, be laid over one legislative day, which motion prevailed.

SECOND READING OF SENATE BILLS

SB 2516: A BILL for an Act to create and enact two new sections to chapter 15-40.1 of the North Dakota Century Code, relating to state aid for special education and sparsely populated districts; and to amend and reenact subsection 3 of section 15-40.1-06, sections 15-40.1-07, 15-40.1-08, subsection 1 of section 15-40.2-03, and section 15-59-06 of the North Dakota Century Code, relating to the educational support per pupil, to deductions from school district foundation aid payments, and to special education reimbursements.

ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO NOT PASS, the roll was called and there were 8 YEAS, 43 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Dotzenrod; Kinnoin; Meyer, W.; Moore; Naaden; O'Connell; Tallackson; Vosper

NAYS: Axtman; Ewen; Freborg; Hanson; Heigaard; Heinrich; Hilken; Ingstad; Keller; Kelsh; Krauter; Krebsbach; Langley; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Mushik; Mutch; Nalawaja; Nelson; Nething; Olson; Peterson; Redlin; Richard; Robinson; Satrom; Schoenwald; Shea; Stenehjem; Streibel; Stromme; Tennefos; Thane; Todd; Waldera; Wogsland; Yockim

ABSENT AND NOT VOTING: David; Holmberg

SB 2516 lost.

SB 2519: A BILL for an Act to create and enact a new subsection to section 54-09-04 of the North Dakota Century Code, relating to the fee charged by the secretary of state for sending documents by electronic transmission.

ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 51 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Axtman; Dotzenrod; Ewen; Freborg; Hanson; Heigaard; Heinrich; Hilken; Ingstad; Keller; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; O'Connell; Olson; Peterson; Redlin; Richard; Robinson; Satrom; Schoenwald; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Vosper; Waldera; Wogsland; Yockim

NAYS: None

ABSENT AND NOT VOTING: David; Holmberg

SB 2519 passed and the title was agreed to.

MOTION

SEN. HEIGAARD MOVED that SCR 4022, SCR 4044, SCR 4045, and SCR 4048, which are on the Eleventh order, be laid over three legislative days, which motion prevailed.

SECOND READING OF SENATE BILLS

SB 2274: A BILL for an Act to create and enact a new section to chapter 63-01.1 of the North Dakota Century Code, relating to noxious weed control programs and funding; to amend and reenact section 57-43.2-18 of the North Dakota Century Code, relating to allocation of a portion of the two percent special excise tax on special fuels; and to provide an appropriation.

ROLL CALL

The question being on the final passage of the amended bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 26 YEAS, 25 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Axtman; Ewen; Hanson; Heigaard; Heinrich; Keller; Kelsh; Kinnoin; Krauter; Langley; Maixner; Mathern; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; O'Connell; Redlin; Richard; Stromme; Tallackson; Vosper; Waldera; Wogsland; Yockim

NAYS: Dotzenrod; Freborg; Hilken; Ingstad; Krebsbach; Lashkowitz; Lips; Lodoen; Maxson; Mutch; Naaden; Nalewaja; Nelson; Nething; Olson; Peterson; Robinson; Satrom; Schoenwald; Shea; Stenehjem; Streibel; Tennefos; Thane; Todd

ABSENT AND NOT VOTING: David; Holmberg

SB 2274 lost for want of a Constitutional majority.

SB 2349: A BILL for an Act to amend and reenact sections 37-14-03.3, 37-14-04, 37-14-05, 37-14-06, and 37-14-07 of the North Dakota Century Code, relating to the veterans' aid fund.

ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 50 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Axtman; Dotzenrod; Ewen; Freborg; Hanson; Heigaard; Heinrich; Hilken; Ingstad; Keller; Kelsh; Kinnoin; Krebsbach; Langley; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; O'Connell; Olson; Peterson; Redlin; Richard; Robinson; Satrom; Schoenwald; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Vosper; Waldera; Wogsland; Yockim

NAYS: None

ABSENT AND NOT VOTING: David; Holmberg; Krauter

SB 2349 passed and the title was agreed to.

SB 2387: A BILL for an Act to create and enact a new subsection to section 6-03-02 of the North Dakota Century Code, relating to the powers of banks.

ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO NOT PASS, the roll was called and there were 2 YEAS, 47 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Langley; Wogsland

NAYS: Axtman; Dotzenrod; Ewen; Freborg; Hanson; Heigaard; Heinrich; Hilken; Ingstad; Keller; Kelsh; Kinnoin; Krebsbach; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; O'Connell; Olson; Peterson; Redlin; Richard; Robinson; Schoenwald; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Vosper; Waldera; Yockim

ABSENT AND NOT VOTING: David; Holmberg; Krauter; Satrom

SB 2387 lost.

SB 2413: A BILL for an Act to provide for application of herbicides or mechanical weed control within tree rows to encourage the planting of trees; and to provide an appropriation.

ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 29 YEAS, 21 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Axtman; Dotzenrod; Ewen; Heigaard; Keller; Kelsh; Kinnoin; Langley; Lashkowitz; Lips; Maixner; Mathern; Meyer, D.; Meyer, J.; Meyer, W.;

Mushik; O'Connell; Redlin; Richard; Robinson; Satrom; Schoenwald; Shea; Stromme; Tallackson; Thane; Waldera; Wogsland; Yockim

NAYS: Freborg; Hanson; Heinrich; Hilken; Ingstad; Krebsbach; Lodoen; Maxson; Moore; Mutch; Naaden; Nalewaja; Nelson; Nething; Olson; Peterson; Stenehjem; Streibel; Tennefos; Todd; Vosper

ABSENT AND NOT VOTING: David; Holmberg; Krauter

SB 2413 passed and the title was agreed to.

SB 2432: A BILL for an Act to create and enact a new section to chapter 57-38 of the North Dakota Century Code, relating to a dependent care income tax credit.

ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO NOT PASS, the roll was called and there were 16 YEAS, 33 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Ingstad; Kelsh; Langley; Lashkowitz; Maxson; Meyer, J.; Meyer, W.; Mushik; Nalewaja; O'Connell; Schoenwald; Stromme; Tallackson; Todd; Waldera; Wogsland

NAYS: Axtman; Dotzenrod; Ewen; Freborg; Hanson; Heigaard; Heinrich; Hilken; Keller; Kinnoin; Krebsbach; Lips; Lodoen; Maixner; Mathern; Meyer, D.; Moore; Mutch; Naaden; Nelson; Nething; Olson; Peterson; Redlin; Robinson; Satrom; Shea; Stenehjem; Streibel; Tennefos; Thane; Vosper; Yockim

ABSENT AND NOT VOTING: David; Holmberg; Krauter; Richard

SB 2432 lost.

SB 2463: A BILL for an Act making an appropriation for defraying the expenses of noxious weed control on the Little Missouri River and state-owned Burlington project.

ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 47 YEAS, 1 NAY, 5 ABSENT AND NOT VOTING.

YEAS: Axtman; Dotzenrod; Ewen; Freborg; Hanson; Heigaard; Heinrich; Hilken; Ingstad; Keller; Kelsh; Kinnoin; Krebsbach; Langley; Lashkowitz; Lips; Lodoen; Mathern; Maxson; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; O'Connell; Olson; Peterson; Redlin; Robinson; Satrom; Schoenwald; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Vosper; Waldera; Wogsland; Yockim

NAYS: Shea

ABSENT AND NOT VOTING: David; Holmberg; Krauter; Maixner; Richard

SB 2463 passed and the title was agreed to.

SB 2472: A BILL for an Act to create and enact a new section to chapter 57-61 of the North Dakota Century Code, relating to a separate and additional coal severance tax and allocation of the revenue from the tax; and to amend and reenact sections 57-61-09 and 57-61-10 of the North Dakota Century Code, relating to penalties and allocation under the coal severance tax laws; and to provide a penalty.

ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO NOT PASS, the roll was called and there were 6 YEAS, 42 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Kelsh; Langley; Mathern; Meyer, D.; Meyer, W.; Schoenwald

NAYS: Axtman; Dotzenrod; Ewen; Freborg; Hanson; Heinrich; Hilken; Ingstad; Keller; Kinnoin; Krebsbach; Lashkowitz; Lips; Lodoen; Maixner; Maxson; Meyer, J.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; O'Connell; Olson; Peterson; Redlin; Robinson; Satrom; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Vosper; Waldera; Wogsland; Yockim

ABSENT AND NOT VOTING: David; Heigaard; Holmberg; Krauter; Richard

SB 2472 lost.

MOTION

SEN. SATROM MOVED that SB 2475 and SB 2504, which are on the Eleventh order, be laid over one legislative day, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2523: A BILL for an Act to appropriate revenue from operation of the aerospace science training facility at the university of North Dakota to repay a loan from the Bank of North Dakota taken to construct the facility; and to declare an emergency.

ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 48 YEAS, 0 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Axtman; Dotzenrod; Ewen; Freborg; Hanson; Heigaard; Heinrich; Hilken; Ingstad; Keller; Kelsh; Kinnoin; Krebsbach; Langley; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; O'Connell; Olson; Peterson; Redlin; Robinson; Satrom; Schoenwald; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Vosper; Waldera; Wogsland; Yockim

NAYS: None

ABSENT AND NOT VOTING: David; Holmberg; Krauter; Maxson; Richard

SB 2523 passed, the title was agreed to, and the emergency clause carried.

MOTIONS

SEN. MAIXNER MOVED that the Senate reprint 500 copies of Engrossed SB 2397, which motion prevailed.

SEN. MAIXNER MOVED that the Senate reprint 500 copies each of the following engrossed bills: SB 2085, SB 2248, SB 2451, and SB 2098, which motion prevailed.

DOCTOR OF THE DAY SCHEDULE

February 20:	David H. Betat, MD	- FP Resident	- Minot
February 21:	David H. Betat, MD	- FP Resident	- Minot
February 22:	Warren C. Keene, MD	- Family Practice	- Minot
February 23:	Howard J. Eliason, DO	- Family Practice	- Beulah

MOTION

SEN. MAIXNER MOVED that the Senate be on the Fifth order of business, and at the conclusion of the Fifth order, the Senate be on the Ninth order of business, and at the conclusion of the Ninth order, the Senate be on the Twelfth order of business, and at the conclusion of the Twelfth order, the Senate be on the Thirteenth order of business, and at the conclusion of the Thirteenth order, and after the reading of SB 2027, SB 2364, SB 2359, SB 2500, SB 2270, SB 2399, SB 2382, SB 2253, SB 2401, SB 2462, SB 2391, and SB 2431, the Senate stand adjourned until 9:00 a.m., Monday, February 20, 1989, which motion prevailed.

REPORTS OF STANDING COMMITTEES

MR. PRESIDENT: Your Committee on Appropriations (Sen. Tallackson, Chairman) to which was referred SB 2002 has had the same under consideration and recommends by a vote of 13 YEAS, 0 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 3, replace the second "and" with a comma and after "27-05-03" insert ", and 27-07.1-04"

Page 1, line 4, replace "and" with a comma and after "district" insert ", and county"

Page 1, line 16, replace "4,043,655" with "3,994,941"

Page 1, line 18, replace "1,210,500" with "1,265,500"

Page 1, line 22, replace "5,887,380" with "5,893,666"

Page 2, line 1, replace "158,300" with "213,300"

Page 2, line 2, replace "5,729,080" with "5,680,366"

Page 2, line 5, replace "12,895,665" with "12,581,553"

Page 2, line 9, replace "18,351,683" with "18,037,571"

Page 2, line 11, replace "18,209,351" with "17,895,239"

Page 2, line 15, replace "211,150" with "212,130"

Page 2, line 18, replace "334,150" with "335,130"

Page 2, line 20, replace "274,150" with "275,130"

Page 2, line 21, replace "24,212,581" with "23,850,735"

Page 2, line 22, replace "360,632" with "415,632"

Page 2, line 23, replace "24,573,213" with "24,266,367"

Page 3, replace lines 12 through 18 with "~~fifty six thousand eight hundred sixty five~~ sixty-three thousand eight hundred seventy-one dollars except that the chief justice of the supreme court shall receive an additional one thousand ~~five hundred eighty two~~ seven hundred seventy-seven dollars per annum and commencing on July 1, ~~1986~~ 1990, each judge of the supreme court shall receive an annual salary of ~~fifty nine thousand one hundred forty sixty-eight thousand three hundred forty-two~~ dollars except that the chief justice of the supreme court shall receive an additional one thousand ~~six hundred forty five~~ nine hundred one dollars per annum."

Page 3, line 24, replace "~~sixty-five thousand~~" with "fifty-eight thousand eight hundred fifty"

Page 3, line 25, remove the overstrike over "~~and commencing July 1,~~"

Page 3, line 26, after "~~nineteen~~" insert "1990, an annual salary of sixty-two thousand three hundred eighty-one" and remove the overstrike over "~~dollars~~"

Page 4, line 3, replace "six" with "three" and after "~~sixty six~~" insert "ninety-five"

Page 4, line 5, after "~~1986~~" insert "and one thousand four hundred seventy-nine dollars per annum commencing July 1, 1990"

Page 4, after line 5, insert:

"SECTION 6. AMENDMENT. Section 27-07.1-04 of the 1987 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

27-07.1-04. Salaries of judges of county courts - Amount and payment. A county judge is entitled to an annual salary of eighty-five percent of the salary paid to a district court judge as of January 1, 1989, but the county or counties may increase that amount up to the same salary as a district court judge. Such salary shall be payable by the county or counties in equal monthly installments and shall be full remuneration for all official duties, including all fees collected for official acts as judge of the county court, except fees charged for performing marriage ceremonies. All fees collected for official acts as judge of the county court, except fees charged for performing marriage ceremonies, shall be deposited by the court into the county treasury of the county in which the court is located."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 180 - SUPREME COURT

The salaries and wages line item is decreased by a net amount of \$48,714 from the general fund.

The salaries and wages line item is decreased by \$62,434 from the general fund to provide the Supreme Court justices salary increases of eight percent the first year and seven percent the second year of the 1989-91 biennium. The bill as introduced provided the justices increases of 18.4 percent beginning July 1, 1989.

The salaries and wages line item is increased by \$13,720 to provide for pay equity adjustments for the Supreme Court staff.

The operating expenses are increased by \$55,000 from other funds for additional income from the State Justice Institute.

DEPARTMENT 185 - DISTRICT COURTS

The salaries and wages line item is a net reduction of \$314,112 from the general fund.

The salaries and wages line item is reduced by \$348,412 from the general fund to provide the district court judges salary increases of six percent for each year of the 1989-91 biennium. The bill as introduced provided the judges increases of 17.1 percent beginning July 1, 1989.

The salaries and wages line item is increased by \$34,300 from the general fund to provide for pay equity adjustments for the district courts' staff.

DEPARTMENT 183 - JUDICIAL CONDUCT COMMISSION

The salaries and wages line item is increased by \$980 from the general fund to provide for pay equity adjustments for the commission staff.

A new section is added that will freeze the county court judges' minimum salary at 85 percent of a district court judge's salary as of January 1, 1989.

The amendment in total reduces the appropriation by \$306,846, a \$361,846 reduction in general funds and a \$55,000 increase in other funds.

The following is a schedule of the reductions and changes made to the justices' and judges' salaries:

Supreme Court justices: 8% for the first year; 7% for the second.
District court judges: 6% for the first year; 6% for the second.

	SB 2002 AS INTRODUCED	AMENDED AMOUNT	GENERAL FUND REDUCTION
Supreme Court (8,7)	\$ 180,000	\$ 117,566	\$ 62,434
District courts (6,6)	<u>761,000</u>	<u>412,588</u>	<u>348,412</u>
Total	\$ 941,000	\$ 530,154	\$ 410,846

	PRESENT SALARY	SALARY CONTAINED IN BILL AS INTRODUCED*	SALARY IN AMENDED BILL
Justices	\$ 59,140	\$ 70,000	1st yr. \$63,871 2nd yr. 68,342
Chief Justice	60,785	72,000	1st yr. 65,648 2nd yr. 70,243
District court judges	55,519	65,000	1st yr. 58,850 2nd yr. 62,381
Presiding district judges	56,835	66,600	1st yr. 60,245 2nd yr. 63,860

*Salary effective July 1, 1989.

SB 2002 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Appropriations (Sen. Tallackson, Chairman) to which was referred SB 2003 has had the same under consideration and recommends by a vote of 12 YEAS, 2 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 3, after the semicolon insert "to provide authority to issue evidences of indebtedness; to provide an exemption to the provisions of section 54-44.1-11 of the North Dakota Century Code; to provide for appropriation reductions;"

Page 1, line 4, after "grants" insert ", construction of Minot state university library, higher education planning, board of higher education staff support,"

Page 1, line 7, after the first period insert "PROJECT AUTHORIZATION AND"

Page 1, line 14, after the third comma insert "and providing authorization for the issuance of evidences of indebtedness for the construction and acquisition of capital improvements"

Page 1, line 17, replace "1,016,859" with "1,348,591"

Page 1, line 19, replace "308,872" with "573,872"

Page 1, line 20, replace "6,000" with "16,600"

Page 1, after line 20, insert:

"Telecommunications 1,250,000"

Page 1, line 22, replace "1,972,100" with "2,217,500"

Page 2, replace line 2 with:

"Scholars program 485,476"

Page 2, line 7, replace "1,900,000" with "3,900,000"

Page 2, line 8, replace "9,906,980" with "13,345,188"

Page 2, line 10, replace "7,837,999" with "11,276,207"

Page 2, line 13, replace "10,846,195" with "11,192,914"

Page 2, line 14, replace "2,534,892" with "2,954,700"

Page 2, line 15, replace "279,454" with "531,214"

Page 2, after line 15, insert:

"Critical area adjustment fund 122,701"

Page 2, line 16, replace "173,322" with "451,050"

Page 2, line 17, replace "13,833,863" with "15,252,579"

Page 2, line 18, replace "7,115,506" with "7,448,610"

Page 2, line 19, replace "6,718,357" with "7,803,969"

Page 2, line 22, replace "2,657,872" with "3,222,454"

Page 2, line 23, replace "977,626" with "1,138,058"

Page 2, line 24, replace "81,267" with "115,587"

Page 2, after line 24, insert:

"Critical area adjustment fund 27,317"

Page 2, line 25, replace "231,312" with "408,010"

Page 2, line 26, replace "3,948,077" with "4,911,426"

Page 2, line 27, replace "2,080,729" with "2,216,938"

Page 2, line 28, replace "1,867,348" with "2,694,488"

Page 3, line 2, replace "2,845,752" with "3,538,446"

Page 3, line 3, replace "944,651" with "1,095,980"

Page 3, line 4, replace "101,350" with "140,310"

Page 3, after line 4, insert:

"Critical area adjustment fund 29,403"

Page 3, line 5, replace "33,013" with "71,560"

Page 3, line 6, replace "3,924,766" with "4,875,699"

Page 3, line 7, replace "2,072,441" with "2,208,762"

Page 3, line 8, replace "1,852,325" with "2,666,937"

Page 3, line 11, replace "74,595,832" with "78,624,293"

Page 3, line 12, replace "20,303,752" with "23,376,664"

Page 3, line 13, replace "1,258,308" with "2,000,028"

Page 3, after line 13, insert:

"Critical area adjustment fund 834,640"

Page 3, line 14, replace "1,047,221" with "1,487,641"

Page 3, line 15, replace "97,205,113" with "106,323,266"

Page 3, line 16, replace "32,695,578" with "35,041,608"

Page 3, line 17, replace "64,509,535" with "71,281,658"

Page 3, after line 17, insert "The industrial commission may construct and acquire and issue evidences of indebtedness pursuant to North Dakota Century Code chapter 54-17.2 in an amount not exceeding \$5,020,000, which is hereby appropriated, to defray that portion of the project cost associated with the Abbott hall addition of \$3,300,000 and the acquisition of the united hospital - north unit of \$1,720,000, at the university of North Dakota, hereby declared to be in the public interest, during the biennium beginning July 1, 1989, and ending June 30, 1990. The industrial commission shall issue evidences of indebtedness authorized under this subdivision with the condition that lease rental payments need not begin until July 1, 1991. This authority of the industrial commission to issue evidences of indebtedness 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 3, line 20, replace "61,439,530" with "65,258,807"

Page 3, line 21, replace "17,846,873" with "20,414,103"

Page 3, line 22, replace "1,459,362" with "2,112,762"

Page 3, after line 22, insert:

"Critical area adjustment fund 765,235"

Page 3, line 23, replace "723,786" with "1,241,661"

Page 3, line 24, replace "81,469,551" with "89,792,568"

Page 3, line 25, replace "27,282,978" with "28,691,638"

Page 3, line 26, replace "54,186,573" with "61,100,930"

Page 3, after line 26, insert "The industrial commission may construct and acquire and issue evidences of indebtedness pursuant to North Dakota Century Code chapter 54-17.2 in an amount not exceeding \$5,375,000, which is hereby appropriated, to defray that portion of the project cost associated with the construction of a computer center at North Dakota state university, hereby declared to be in the public interest, during the biennium beginning July 1, 1989, and ending June 30, 1991."

The industrial commission shall issue evidences of indebtedness authorized under this subdivision with the condition that lease rental payments need not begin until July 1, 1991. This authority of the industrial commission to issue evidences of indebtedness 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.

In addition, the state board of higher education may obtain and utilize federal funds to expand the computer center project to an agriculture technology transfer center at North Dakota state university. There is hereby appropriated to the state board of higher education from any federal or other funds that become available the sum of \$5,375,000, or so much thereof as may be necessary, for the construction of such a facility at North Dakota state university for the biennium beginning July 1, 1989, and ending June 30, 1991."

Page 3, line 29, replace "18,102,195" with "18,872,243"

Page 4, line 1, replace "4,245,512" with "4,916,086"

Page 4, line 2, replace "676,891" with "1,365,491"

Page 4, after line 2, insert:

"Critical area adjustment fund 148,490"

Page 4, line 3, replace "196,074" with "533,809"

Page 4, line 4, replace "23,220,672" with "25,836,119"

Page 4, line 5, replace "6,999,655" with "6,051,805"

Page 4, line 6, replace "16,221,017" with "19,784,314"

Page 4, after line 6, insert "The industrial commission may construct and acquire and issue evidences of indebtedness pursuant to North Dakota Century Code chapter 54-17.2 in an amount not exceeding \$2,916,000, which is hereby appropriated, to defray that portion of the project cost associated with the construction of an agricultural mechanics technology facility at the North Dakota state college of science, hereby declared to be in the public interest, during the biennium beginning July 1, 1989, and ending June 30, 1991. The industrial commission shall issue evidences of indebtedness authorized under this subdivision with the condition that lease rental payments need not begin until July 1, 1991. This authority of the industrial commission to issue evidences of indebtedness 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 4, line 9, replace "8,828,542" with "9,807,102"

Page 4, line 10, replace "2,627,426" with "3,013,863"

Page 4, line 11, replace "179,577" with "274,257"

Page 4, after line 11, insert:

"Critical area adjustment fund

71,311"

Page 4, line 12, replace "152,181" with "611,699"

Page 4, line 13, replace "11,787,726" with "13,778,232"

Page 4, line 14, replace "2,984,064" with "3,058,882"

Page 4, line 15, replace "8,803,662" with "10,719,350"

Page 4, line 18, replace "5,372,276" with "6,302,736"

Page 4, line 19, replace "1,438,356" with "2,009,075"

Page 4, line 20, replace "93,881" with "148,481"

Page 4, after line 20, insert:

"Critical area adjustment fund

42,614"

Page 4, line 21, replace "40,140" with "109,844"

Page 4, line 22, replace "6,944,653" with "8,612,750"

Page 4, line 23, replace "1,937,242" with "1,996,834"

Page 4, line 24, replace "5,007,411" with "6,615,916"

Page 4, line 27, replace "20,583,148" with "22,113,021"

Page 4, line 28, replace "3,032,820" with "3,777,971"

Page 4, line 29, replace "357,982" with "603,382"

Page 4, after line 29, insert:

"Critical area adjustment fund

190,588"

Page 5, line 1, replace "132,786" with "295,442"

Page 5, line 2, replace "24,106,736" with "26,980,404"

Page 5, line 3, replace "7,758,140" with "7,916,742"

Page 5, line 4, replace "16,348,596" with "19,063,662"

Page 5, after line 4, insert "The industrial commission may construct and acquire and issue evidences of indebtedness pursuant to North Dakota Century Code chapter 54-17.2 in an amount not exceeding \$7,728,000, which is hereby appropriated, to defray that portion of the project cost associated with the construction of a library facility at Minot state university, hereby declared to be in the public interest, during the biennium beginning July 1, 1989, and ending June 30, 1991. The industrial commission shall issue evidences of indebtedness authorized under this subdivision with the condition that lease rental payments need not begin until July 1, 1991. This authority of the industrial commission to issue evidences of indebtedness 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 5, line 7, replace "7,696,874" with "8,525,423"

Page 5, line 8, replace "1,594,506" with "2,301,958"

Page 5, line 9, replace "138,774" with "216,814"

Page 5, after line 9, insert:

"Critical area adjustment fund 59,743"

Page 5, line 10, replace "132,354" with "208,390"

Page 5, line 11, replace "9,562,508" with "11,312,328"

Page 5, line 12, replace "2,758,182" with "2,836,364"

Page 5, line 13, replace "6,804,326" with "8,475,964"

Page 5, line 16, replace "2,535,887" with "3,072,174"

Page 5, line 17, replace "612,352" with "934,523"

Page 5, line 18, replace "54,190" with "83,110"

Page 5, after line 18, insert:

"Critical area adjustment fund 22,900"

Page 5, line 19, replace "13,464" with "48,125"

Page 5, line 20, replace "3,215,893" with "4,160,832"

Page 5, line 21, replace "1,062,322" with "1,093,969"

Page 5, line 22, replace "2,153,571" with "3,066,863"

Page 5, line 25, replace "460,688" with "495,120"

Page 5, line 28, replace "576,853" with "611,285"

Page 5, line 29, replace "40,892" with "68,864"

Page 6, line 1, replace "535,961" with "542,421"

Page 6, line 5, replace "329,449" with "429,449"

Page 6, line 8, replace "1,666,293" with "1,766,293"

Page 6, line 10, replace "982,152" with "1,082,152"

Page 6, line 13, replace "36,898,233" with "38,150,518"

Page 6, line 14, replace "14,446,233" with "15,428,598"

Page 6, line 15, replace "897,322" with "1,022,122"

Page 6, line 16, replace "52,241,788" with "54,601,238"

Page 6, line 17, replace "27,866,186" with "26,815,992"

Page 6, line 18, replace "24,375,602" with "27,785,246"

Page 6, line 25, replace "218,204,435" with "253,960,077"

Page 6, line 26, replace "149,011,392" with "178,218,485"

Page 6, line 27, replace "367,215,827" with "432,178,562"

Page 8, after line 16, insert:

"SECTION 9. EXEMPTION. The student financial assistance grants appropriation contained in section 1 of chapter 3 of the 1987 Session Laws shall not be subject to the provisions of North Dakota Century Code section 54-44.1-11 and any unexpended funds from this appropriation shall be available for student assistance grants during the biennium beginning July 1, 1989, and ending June 30, 1991.

SECTION 10. LEGISLATIVE INTENT. It is the intent of the legislative assembly that up to \$1,500,000 from nongeneral fund sources will become available to assist in the retirement of the evidences of indebtedness issued for the project costs associated with construction of the Minot state university library.

SECTION 11. LEGISLATIVE INTENT - LINE ITEM TRANSFERS. It is the intent of the legislative assembly that the transfers allowed in Section 6 of this Act include the transfer of funds, if necessary, from the operating expenses line items to the salaries and wages line items for the purpose of maintaining the present level of instructional, academic, and institutional support, student services, and physical plant positions at the institutions during the 1989-91 biennium.

SECTION 12. LEGISLATIVE INTENT - PLANNING. It is the intent of the legislative assembly that \$175,000 of the operating expense line item in subdivision 1 of section 1 be used for developing an alternative plan to the current system of higher education. The Board of Higher Education shall develop a plan which may include constitutional revision that will make optimum use of the financial resources as well as developing the best quality system with these resources. In an attempt to develop the plan the following areas should be studied:

1. Unified academic calendar.
2. Unified university system.
3. Institutional role, scope and mission statements.
4. Joint appointments of faculty members and statewide tenure system.
5. Need for and the cost effectiveness of duplicate program offerings.
6. Telecommunications as a means of service.

SECTION 13. LEGISLATIVE INTENT - BOARD OF HIGHER EDUCATION STAFF SUPPORT. It is the intent of the legislative assembly that \$298,733 of the salaries and wages line item, \$37,000 of the operating expense line item, and \$7,100 of the equipment line item in subdivision 1 of section 1 be used for three additional employees in the Board of Higher Education. The three positions are as follows:

1. Program cost analyst - responsible for implementing and maintaining a program cost system.
2. Assistant commission for academic planning-lower division - to assist in ensuring that all lower division courses and programs, transfer and vocational, throughout the system of higher education operate at maximum efficiency and quality.
3. Assistant commissioner for academic planning-university programs - to assist in ensuring that all baccalaureate and graduate courses and programs, academic and professional, throughout the system of higher education operate at maximum efficiency and quality.

SECTION 14. APPROPRIATION REDUCTIONS. If, as a result of action taken pursuant to article III of the Constitution of North Dakota, any measure approved by the fifty-first legislative assembly which would have increased the moneys available in the state general fund is suspended in whole or in part, so that the amount of moneys available in the general fund is less than the estimate on adjournment of the legislative assembly, the director of the budget, notwithstanding North Dakota Century Code section 54-44.1-13.1, shall first proportionally reduce the general fund appropriations contained in this and other Acts approved by the 1989 legislative assembly authorizing and identifying areas for reductions in appropriations to the extent of the reduced revenues to the state general fund before reducing budgets as provided by section 54-44.1-13.1. Reductions of the general fund appropriations contained in this Act must be proportionate with respect to the institutions named in this Act and are limited to the following amounts:

Bismarck state college	\$ 650,600
University of North Dakota - lake region	204,200
University of North Dakota - Williston	233,300
University of North Dakota	6,028,000
North Dakota state university	5,122,700
North Dakota state college of science	1,574,600
Dickinson state university	842,600
Mayville state university	557,300
Minot state university	1,600,400
Valley City state university	723,200
North Dakota state university - Bottineau	257,700
University of North Dakota - medical center	<u>2,205,400</u>
Total	\$ 20,000,000"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment provides authority to issue bonds and spend available federal or other funds for the construction of the following projects:

North Dakota State University	Computer-technology transfer center	\$ 10,750,000
North Dakota State College of Science	Agricultural mechanics technology facility	2,916,000
University of North Dakota	Complete acquisition of United Hospital - North Unit	1,720,000
University of North Dakota	Abbott Hall addition	3,300,000
Minot State University	Library facility	<u>7,728,000</u>
Total		\$ 26,414,000

Also, this amendment provides an exemption from Section 54-44.1-11 for the 1987 student financial assistance grants appropriation to allow any unspent funds remaining at the end of the 1987-89 biennium to be spent during the 1989-91 biennium.

In addition, this amendment provides legislative intent that up to \$1,500,000 from nongeneral fund sources will become available to assist in the retirement of the evidences of indebtedness issued for the construction of the Minot State University library. Also legislative intent is added regarding higher education planning by the Board of Higher Education.

This amendment provides for appropriation reductions on a proportional basis of up to \$20 million at the institutions of higher education in the event any general fund revenue measures passed by the 1989 Legislative Assembly are suspended or do not go into effect.

The amendments merge the Governor's enhancement package for higher education contained in Senate Bill No. 2027 into Senate Bill No. 2003 and make other changes as shown in the attached schedule.

SUMMARY OF GENERAL FUND CHANGES TO SENATE BILL NO. 2003

	Senate Bill No. 2003 as Introduced	Add Senate Bill No. 2002	Total 1989-91 Executive Budget	Less Faculty Salary Increases Adjustment	Critical Area Adjustment Line Changes	Additional Faculty Funds	Additional Staff and Operating Expenses	Other Adjust- ments	Additional Fund Department Income	Place Scholars in Board Budget	Total General Fund Appropriation As Amended	
Board of Higher Education	\$ 7,837,777	\$ 6,094,591	\$ 12,604,590		\$ 12,319,257 ¹	322,701		\$ 245,400		\$ 465,476	\$ 11,276,207	
Bismarck State College	6,720,357	1,021,003	7,741,360		1,101,937			100,000			7,803,769	
USD-Lake Region	1,667,148	418,025	2,204,173		(30,104)	\$ 150,512	\$ 235,346	133,806			1,694,404	
USD-Millington	1,052,125	120,147	1,242,272		141,704	29,403					1,244,927	
University of North Dakota	64,509,515	7,280,928	71,790,443		1,976,643	856,440		640,495	\$ 1920,947	\$ 306,578	71,281,456	
North Dakota State University	54,181,573	6,438,002	60,005,375		1,794,850	1,281,552			\$ 119,435	\$ 179,722	61,100,910	
College of Science	11,221,017	2,880,474	14,101,491		1,051,143	348,470		500,000	137,721		14,787,314	
Dickinson State University	8,803,442	1,044,882	9,848,324		1,196,151	71,111	195,567	244,777	418,744	16,000	10,713,550	
Mayville State University	5,007,411	805,500	5,812,911		151,509	42,414	310,408	534,476	130,292	17,200	6,415,914	
North State University	16,348,594	2,740,714	19,109,310		1,227,434	190,568			16,000	14,800	19,611,442	
Valley City State University	6,806,324	1,102,113	7,908,437		1,74,234	59,743	67,799	550,217	125,381	13,418	8,475,944	
NDSU-Bottineau	2,153,571	370,743	2,524,314		125,233	22,700	209,582	339,278	16,000		3,066,443	
State Toxicologist ⁶	535,941		535,941		4,440				100,000		542,421	
Forest Service	982,152		982,152								1,082,357	
USD Medical Center	24,375,007	2,563,643	26,932,215		(211,328)			1,059,305			27,789,293	
Total	218,204,415	431,744,573	649,948,928	\$ 12,878,747¹	\$ 500,000²	\$ 1,211,816	\$ 1,226,799	\$ 1,197,370³	\$ 1,834,202	1 - 0	\$ 545,000	225,740,677

¹ Faculty salaries increases to eight and seven percent at all four-year universities and to six and five percent at the two-year institutions. The Governor's budget had recommended annual increases for faculty of 9.31 percent and USD/NDSU, 8.93 percent at the remaining four-year universities and 6.84 percent at the two-year schools. Also, provides faculty increase for State Toxicologist.

² The critical area adjustment line is to be used for faculty salary increases in areas experiencing difficulty in recruitment and retention. The critical area adjustment line is removed from the Board of Higher Education and allocated to the institutions on an FTE student basis. Also, an additional \$250,000 is provided to USD and NDSU for faculty increases in critical areas. In addition, \$24,317 is transferred to NDSU to provide sufficient funds for fringe benefit costs not included in the executive budget.

³ The other adjustments include:

Board of Higher Education - Reciprocal programs	\$ 245,400
Bismarck State College - Army equipment and improvements	500,000
USD-Lake Region - Roof repairs	133,806
USD - Transfer of nursing faculty salary increases	440,495
State College of Science - Equipment	500,000
Dickinson State University - Fossil collection and electrical switching	418,744
Forest Service - Funds management program	100,000
Medical School - Replacement of income (1,500,000) and reduction to transfer faculty salary increases for nursing faculty to USD (- 440,495)	1,059,305
Total changes	11,197,970

⁶ In addition, \$27,472 from other funds was added for a .5 FTE chemist in the State Toxicologist.

SB 2003 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Appropriations (Sen. Tallackson, Chairman) to which was referred SB 2005 has had the same under consideration and recommends by a vote of 14 YEAS, 0 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 2, replace "experiment" with "research"

Page 1, line 5, remove "and" and after "appropriation" insert "; to provide for appropriation reductions; to provide for the investment of the agronomy seed farm reserve income fund; and to amend and reenact sections 4-05-01, 4-05-02, 4-05-03, 4-05-03.1, 4-05-03.3, 4-05-04, 4-05-05, 4-05-06, 4-05-08.1, 4-05-08.4, 4-05-08.6, 4-05-09.1, 4-05-10, 4-05-11, 4-28-03, 4-35-02, subsection 2 of section 15-10-01, sections 15-12-05, 15-12-08, 15-12-10, 15-12-17, subdivision c of subsection 16 of section 19-18-02, subdivision c of subsection 6 of section 19-20.1-02, sections 23-20-04, 48-02-02, 61-24-20, 61-24-21, subsection 1 of section 63-01.1-05.1, subsection 2 of section 63-01.1-06, and subsection 3 of section 63-01.1-06.5 of the North Dakota Century Code, relating to the names of the experiment stations"

Page 1, line 11, replace "experiment" with "research"

Page 1, line 17, replace "15,825,315" with "16,772,597"

Page 1, line 18, replace "3,144,602" with "3,494,602"

Page 1, line 20, replace "19,529,917" with "20,827,199"

Page 1, line 21, replace "10,557,710" with "10,590,411"

Page 1, line 22, replace "8,972,207" with "10,236,788"

Page 2, line 17, replace "MAIN EXPERIMENT" with "NORTH DAKOTA STATE UNIVERSITY RESEARCH"

Page 2, line 18, replace "27,215,906" with "28,781,477"

Page 2, line 19, replace "5,990,963" with "6,157,165"

Page 2, line 20, replace "1,812,585" with "1,835,585"

Page 2, line 23, replace "35,864,454" with "37,619,227"

Page 2, line 24, replace "15,726,800" with "15,935,408"

Page 2, line 25, replace "20,137,654" with "21,683,819"

Page 2, line 27, replace "EXPERIMENT" with "RESEARCH"

Page 2, line 28, replace "696,310" with "755,175"

Page 2, line 29, replace "415,077" with "423,919"

Page 3, line 1, replace "41,076" with "41,076"

Page 3, remove line 2

Page 3, line 3, replace "3,710,531" with "1,220,170"

Page 3, line 5, replace "3,441,541" with "951,180"

Page 3, line 7, replace "GRASSLAND EXPERIMENT" with "GRASSLANDS RESEARCH"

Page 3, line 8, replace "339,087" with "372,638"

Page 3, line 9, replace "315,306" with "329,983"

Page 3, line 11, replace "771,098" with "819,326"

Page 3, line 13, replace "521,097" with "569,325"

Page 3, line 15, replace "EXPERIMENT STATION" with "RESEARCH EXTENSION CENTER"

Page 3, line 16, replace "329,435" with "360,034"

Page 3, line 17, replace "175,933" with "180,309"

Page 3, line 19, replace "613,831" with "648,806"

Page 3, line 21, replace "412,586" with "447,561"

Page 3, line 23, replace "EXPERIMENT" with "RESEARCH"

Page 3, line 24, replace "348,628" with "381,213"

Page 3, line 25, replace "175,180" with "181,735"

Page 3, line 27, replace "563,808" with "602,948"

Page 3, line 29, replace "472,808" with "511,948"

Page 4, line 2, replace "EXPERIMENT STATION" with "RESEARCH EXTENSION CENTER"

Page 4, line 3, replace "362,681" with "396,820"

Page 4, line 6, replace "689,697" with "723,836"

Page 4, line 8, replace "362,681" with "396,820"

Page 4, line 10, replace "EXPERIMENT" with "RESEARCH"

Page 4, line 11, replace "412,812" with "449,347"

Page 4, line 12, replace "133,615" with "134,905"

Page 4, line 14, replace "556,549" with "594,374"

Page 4, line 16, replace "476,547" with "514,372"

Page 4, line 18, replace "EXPERIMENT STATION" with "RESEARCH EXTENSION CENTER"

Page 4, line 19, replace "946,466" with "1,009,529"

Page 4, line 20, replace "598,574" with "603,544"

Page 4, line 22, replace "1,682,540" with "1,750,573"

Page 4, line 24, replace "772,406" with "840,439"

Page 4, line 27, replace "233,740" with "238,835"

Page 5, line 2, replace "797,670" with "802,765"

Page 5, line 5, replace "1,373,198" with "1,400,267"

Page 5, line 8, replace "1,498,059" with "1,525,128"

Page 5, after line 8, insert:

 "Subdivision 14.

 DICKINSON EXPERIMENT STATION BOND PAYMENTS

Principal and interest on bond payments	<u>\$ 2,558,068</u>
Total general fund appropriation	<u>\$ 2,558,068</u>

Page 5, line 9, replace "36,134,020" with "39,274,813"

Page 5, line 10, replace "31,607,261" with "31,880,734"

Page 5, line 11, replace "67,741,281" with "71,155,547"

Page 5, line 14, replace "main experiment" with "state university research"

Page 6, line 2, replace "agricultural experiment" with "North Dakota state university research"

Page 6, line 8, replace "Prime farmland soil productivity" with "Development of criteria for evaluating reclamation success for bond release based on vegetative reestablishment and soil parameters"

Page 6, line 9, replace "Development of productivity indices for reclaimed land" with "Effect of postmine topography on soil moisture levels and crop yields"

Page 6, line 10, replace "Soil respreading and depth of soil replacement" with "Effect of reclamation techniques on soil compaction and soil productivity"

Page 6, line 11, replace "Run-off and erosion on reclaimed land" with "Methods of evaluating and controlling run-off and erosion from reclaimed land"

Page 6, line 22, remove "are not required by federal or state reclamation law"

Page 6, line 23, remove "and which"

Page 7, line 8, replace "main agricultural" with "North Dakota state university research"

Page 7, line 9, remove "experiment"

Page 7, line 19, replace "907,720" with "827,300"

Page 7, after line 25, insert:

"SECTION 9. APPROPRIATION REDUCTIONS. If, as a result of action taken pursuant to article III of the Constitution of North Dakota, any measure approved by the fifty-first legislative assembly which would have increased the moneys available in the state general fund is suspended in whole or in part, so that the amount of moneys available in the general fund is less than the estimate on adjournment of the legislative assembly, the director of the budget, notwithstanding North Dakota Century Code section 54-44.1-13.1, shall first proportionally reduce the general fund appropriations contained in this and other Acts approved by the 1989 Legislative Assembly authorizing and identifying areas for reductions in appropriations to the extent of the reduced revenues to the state general fund before reducing budgets as provided by section 54-44.1-13.1. Reductions of the general fund appropriations contained in this Act must be proportionate with respect to the institutions named in this Act and are limited to the following amounts:

North Dakota state university extension service	\$ 528,000
North Dakota state university research station	1,472,000
Total	<u>\$ 2,000,000</u>

SECTION 10. APPROPRIATION REDUCTIONS. The funds appropriated for bond payments in subdivision 14 of section 1 of this Act are not subject to North Dakota Century Code section 54-44.1-13.1.

SECTION 11. LEGISLATIVE INTENT. It is the intent of the legislative assembly that the extension division develop a comprehensive plan for the creation of area resource centers. The purpose of the centers will be to provide, not only a greater depth of expertise at a particular location, but also a greater range of expertise for the conduct of multidisciplinary educational programs that focus on the issues and needs of families, businesses, and communities in North Dakota.

SECTION 12. DURUM WHEAT MILLER POSITION - AUTHORIZATION. The North Dakota state university research station is authorized to establish a durum wheat miller position for the 1989-91 biennium. The North Dakota state university research station may accept gifts and grants which are hereby appropriated to fund this position for the 1989-91 biennium.

SECTION 13. AGRONOMY SEED FARM - INVESTMENT OF RESERVE INCOME FUND. The state treasurer, at the direction of the superintendent of the agronomy seed farm with the approval of the director of the North Dakota state university research station, shall provide for the investment of available moneys in the agronomy seed farm reserve income fund. The state treasurer shall credit the investment income to the agronomy seed farm reserve income fund. The moneys in the fund may be spent only within the limits of legislative appropriation.

SECTION 14. AMENDMENT. Section 4-05-01 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

4-05-01. Experiment Research station to test flour and cereals. The North Dakota ~~agricultural experiment state university research station at Fargo~~ is under the control of and subject to the supervision of the state board of higher education. It shall conduct experiments and determine the comparative milling values of the different grades and kinds of cereals and shall conduct baking tests of the flours made therefrom. Such experiments and tests, as far as possible, must be made with products grown on soils in North Dakota which have been analyzed, tested, and reported on by the geological survey branch of the government agricultural experiment station. A record must be kept and published showing the different kinds and grades of cereals received, by whom the same were graded, the name and address of the person from whom they were received, the nature of the soil upon which they were raised, the previous cropping of the land, and the number of years which the land has been cropped. No cereals may be tested if they cannot be so identified and reported on. The result of the chemical analysis of each sample must be kept, and must show the total weight of the sample, total weight of flour, total weight of feed, total weight and percent of flour recovered, and also data showing the moisture and proteids in the different grades of cereals, the analysis of the flour or other product made from the different kinds and grades of cereals, and the yield and quality of bread or other product made from the same. The ~~said experiment North Dakota state university research station~~ also shall obtain, tabulate, and publish such further information on the comparative values of the different kinds and grades of cereals and products made from cereals as are of value to the residents of this state.

SECTION 15. AMENDMENT. Section 4-05-02 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

4-05-02. Dickinson experiment research station. An agricultural and grass ~~experiment research station~~ must be maintained at or near Dickinson in Stark County, in connection with the North Dakota state university of agriculture and applied science, and such station is under the direction of the state board of higher education.

SECTION 16. AMENDMENT. Section 4-05-03 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

4-05-03. Experiments to be made at Dickinson research station. Experiments with native and other grasses and forage products and other agricultural products of the soil must be made at the Dickinson research station, with a view to improving and enlarging the supply of forage and extending and increasing the agricultural products of the district.

SECTION 17. AMENDMENT. Section 4-05-03.1 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

4-05-03.1. Addition to Dickinson experiment research station. There is hereby created and established an addition to the Dickinson ~~agricultural experiment research station~~ located on section five, township one hundred thirty-nine, range ninety-six, Stark County, North Dakota, or other suitable and adequate acreage selected by the state board of higher education under the supervision and control of the North Dakota state university of agriculture and applied science at Fargo and under the supervision and direction of the ~~agricultural~~

~~experiment~~ North Dakota state university research station director of ~~said~~ North Dakota state university. The enlarged agricultural ~~experiment~~ research station is under the jurisdiction of the state board of higher education.

SECTION 18. AMENDMENT. Section 4-05-03.3 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

4-05-03.3. Experiments to be made at enlarged Dickinson research station. The ~~agricultural experiment~~ Dickinson research station, when enlarged as provided for in section 4-05-03.1, shall make experiments with livestock breeding, nutrition, management, and diseases and shall conduct such other agricultural research as may further contribute to the benefit of the agricultural and livestock production of western North Dakota and the state of North Dakota in addition to the experiments now conducted under the provisions of section 4-05-03.

SECTION 19. AMENDMENT. Section 4-05-04 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

4-05-04. Williston ~~experiment~~ research station. An irrigation and dry farming ~~experiment~~ research station must be maintained at or near Williston in Williams County, in connection with the North Dakota state university of agriculture and applied science, under the direction of the state board of higher education.

SECTION 20. AMENDMENT. Section 4-05-05 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

4-05-05. Experiments to be made at Williston research station. ~~Experiments~~ The Williston research station shall make experiments under irrigation and dry farming methods ~~must be made~~ with native and other forage plants, fruit trees, grains, and grasses, and other agricultural products with a view to improving and enlarging the supply thereof in the district.

SECTION 21. AMENDMENT. Section 4-05-06 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

4-05-06. Lands at Williston research station - Usage - May be exchanged when. The north half of the southwest quarter of section sixteen, township one hundred fifty-three, north of range one hundred one, west of the fifth principal meridian, McKenzie County, North Dakota, less that portion of said premises heretofore transferred and conveyed for highway right of way, said premises containing seventy-nine and thirty-two hundredths acres [32.10 hectares], more or less, according to the United States governmental survey thereof, must be maintained as an irrigation demonstration and experiment farm in connection with the North Dakota state university of agriculture and applied science and the ~~experiment~~ Williston research station at Williston to:

1. Demonstrate what crops can best be grown and profitably produced under irrigation.
2. Demonstrate how to irrigate growing crops.

3. Demonstrate when various crops can and should be irrigated to produce the best results.
4. In general, to aid, assist, and instruct farmers in irrigating their lands.

If it is found that the lands described herein may be exchanged, without additional consideration, for a tract of land of equal size and value within the Lewis and Clark irrigation district of McKenzie County which is more suitably and conveniently located for the irrigation demonstration and experiment farm, the lands described herein may be exchanged for such tract of land. The governor may execute and deliver for and on behalf of the state the necessary instrument or deed conveying title to the lands mentioned in this section.

SECTION 22. AMENDMENT. Section 4-05-08.1 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

4-05-08.1. Minot station North central research extension center. There is hereby created and established an An agricultural experiment station research extension center and state seed farm to must be located at or near Minot in Ward County under the supervision and control of the North Dakota state university of agriculture and applied science at Fargo and under the supervision and direction of the agricultural experiment North Dakota state university research station director of said North Dakota state university, provided that such station the center may not be established until a suitable tract of land containing not less than four hundred eighty acres [194.25 hectares] has been donated to the state of North Dakota for such purpose by a proper deed of warranty. This agricultural experiment station research extension center and state seed farm must be known as the north central agricultural experiment station research extension center and must be under the jurisdiction of the state board of higher education.

SECTION 23. AMENDMENT. Section 4-05-08.4 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

4-05-08.4. Experiments at Minot station north central research extension center. The north central agricultural experiment station research extension center when established as provided by section 4-05-08.1 must make experiments with grains and grasses, native and other forage plants, including corn, sunflowers, sorghums, and millets, garden and orchard crops, shelterbelt and ornamental trees and shrubs, livestock and poultry, and must become a center for the increase and dissemination of purebred seeds, poultry, and livestock, and must conduct such other agricultural research as may further inure to the benefit of the agriculture of north central North Dakota and the this state of North Dakota.

SECTION 24. AMENDMENT. Section 4-05-08.6 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

4-05-08.6. Board of visitors - Members - Inspection - Expenses - Duties. It is the duty of the board of county commissioners of Renville, Bottineau, Rolette, Benson, Ward, McHenry, Pierce, McLean, Mountrail, Sheridan, Burke, and Wells Counties to name two farmers operating farms in their respective counties to serve as a board of

visitors to said the north central agricultural experiment station research extension center. The members of the board of visitors shall serve for three years and are not eligible for reappointment until after a lapse of three years following each term of office. Vacancies occurring on such board must be filled by the county commissioners of the county where such vacancy occurs. It is the duty of said the board of visitors to make an annual inspection of said the north central agricultural experiment station research extension center upon call of the director of the North Dakota agricultural experiment state university research station. At least one of the inspections in a biennium must be in the growing season. The board of visitors is entitled to a fee of five dollars for each visit, plus mileage at the same rate as provided by law for other state officials for every mile [1.61 kilometer] actually traveled to and from said farm. It is the duty of the board of visitors to inspect the work of the north central agricultural experiment station research extension center and to counsel and advise with the officials in charge. The board of visitors shall name one of its members to serve as chairman and another to serve as secretary, and they shall make a written report to the director of the North Dakota agricultural experiment state university research station.

SECTION 25. AMENDMENT. Section 4-05-09.1 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

4-05-09.1. Central North Dakota beef experiment grasslands research station - Purpose, location, and scope. In order to fulfill those research needs which cannot be accomplished at any presently existing experimental facility, because of peculiar types of grasses, soils, precipitation, and climate, there is hereby established a centrally located North Dakota beef cattle experiment grasslands research station within an area bounded by the Missouri River on the west and the James River on the east.

Research objectives at this location must be:

1. To increase the range-carrying capacity of native range, yet conserve and preserve it for generations to follow. This program would include fertilization, weed control, and management of native and tame grasses in concert to allow full season use and maximum utilization of the land resource for the production of calves.
2. To stabilize grass production from year to year or to discover how best to compensate for the vagaries of the weather and precipitation as it influences forage production in a dryland agriculture.
3. To identify impact of different management systems upon the incidence of calf scours and other disease problems.
4. To explore increased use of crop residues and byproducts for the maintenance of the cowherd.
5. To demonstrate management techniques and advise operators of results obtained.

This station ~~shall~~ must be of sufficient size to accommodate a herd of not less than three hundred brood cows on an annual basis.

SECTION 26. AMENDMENT. Section 4-05-10 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

4-05-10. Reports to director at Fargo and to state board of higher education. The superintendent of each ~~experiment~~ research station or center shall submit a biennial report to the director of the ~~experiment station at Fargo~~ North Dakota state university research station on or before the first day of August of each odd-numbered year. Each report must set forth in detail the investigations and experiments made during the preceding fiscal biennium, recommendations for the welfare of the station or center, the financial condition of the station, how all moneys have been expended, and the results of experiments carried on. The director shall submit these reports, with a biennial report of the ~~Fargo~~ North Dakota state university research station, to the board of higher education on or before the first day of September of each odd-numbered year. In addition to any requirements established pursuant to section 54-06-04, the board of higher education shall include a composite of the reports from the ~~experimental~~ research stations and centers in its biennial report to the governor and the office of management and budget.

SECTION 27. AMENDMENT. Section 4-05-11 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

4-05-11. ~~Edgeley, Hettinger, research extension center and Langdon subexperiment stations~~ research station. There ~~are~~ is hereby reestablished the following named ~~subexperiment stations~~ research center and station of the North Dakota state university of agriculture and applied science under the jurisdiction of the director of the ~~agricultural experiment~~ North Dakota state university research station: One at or near Edgeley in the county of LaMoure, one at or near Hettinger in the county of Adams, to be known as the Hettinger research extension center and one at or near Langdon in the county of Cavalier to be known as the Langdon research station.

SECTION 28. AMENDMENT. Section 4-28-03 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

4-28-03. Wheat commission - Members. There is hereby created the North Dakota state wheat commission which consists of seven members. One member must be appointed or elected from each of the districts of the state established by the provisions of this chapter and one member must be appointed or elected from the state at large. Each member, except the member from the state at large, must be a bona fide resident of and a qualified elector in the district he represents, must have farming operations in such district, and must have been actually engaged in the production of wheat and have derived a substantial portion of his income therefrom for at least five years next preceding his appointment or election. The member from the state at large must have similar qualifications except as limited by district lines.

Not more than sixty days prior to expiration of the term of the member from the state at large, a nominating committee consisting of the commissioner of agriculture, the president of the North Dakota crop

improvement association, the director of the North Dakota state experiment university research station, the director of the state extension service, the president of the North Dakota farm bureau, the president of the North Dakota farmers union, and the president of the North Dakota grain dealers association, or their duly authorized representatives, shall submit to the governor a list of three names and within sixty days after expiration of the term the governor shall appoint, from the nominees so named, the member at large to the commission.

Each member of the commission shall hold office for a term of four years and until his successor has been selected and has qualified except that the commissioners elected and serving from the first and fourth districts shall hold office for terms ending on June 30, 1984; the commissioners elected and serving from the second and fifth districts shall hold office for terms ending on June 30, 1985; and the commissioners elected and serving from the third and sixth districts shall hold office for terms ending on June 30, 1982; and the commissioner appointed and serving as the state at large member shall hold office for a term ending on June 30, 1983. No producer is entitled to serve more than three terms.

At least sixty days prior to the expiration of the term of office of a commissioner representing any district, a meeting of producers must be held in each county in the district for the purpose of electing a county representative. The county agent shall call such meeting by publishing notice in the official newspaper of the county for two successive weeks, the last publication to be not less than five nor more than ten days prior to the meeting. The meeting must be held at a central location within the county and must be called to order by the county agent. Each producer whose name appears as a wheat producer on the list of the county agricultural stabilization committee, if present in person, is entitled to vote. Votes must be canvassed by the county agent and certified by him with the name and post-office address of the elected county representative to the director of the state extension service who shall thereupon, as expeditiously as possible, call a meeting of the county representatives of the district. Notice of such meeting must be sent to each county representative by registered or certified mail not less than five days prior to the meeting which must be held at a central location within the district. At such district meeting, the county representatives shall elect one of their number as the district member of the commission. The ballots at such meeting must be canvassed by the state extension service and the result of election certified to the governor by the director. Additional meetings of county representatives may be called by the state wheat commission for the purpose of promoting its programs. All expenses of all such meetings and elections must be paid from commission funds. County representatives must be reimbursed for expenses necessarily incurred in attending meetings and performing other official duties on the same basis as other state officers. Any vacancy occurring on the commission other than by expiration of term of office must be filled by the county representatives who shall elect one of their number as the district member of the commission for the remainder of the unexpired term. If the vacancy is from the state at large, appointment must be made from three nominations submitted by the nominating committee as in the case of the original appointment.

SECTION 29. AMENDMENT. Section 4-35-02 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

4-35-02. Creation of pesticide control board. There is hereby created the pesticide control board, hereinafter also called the "board", consisting of the commissioner of agriculture, the director of the cooperative extension division of the North Dakota state university of agriculture and applied science, and the director of the ~~agricultural experiment~~ North Dakota state university research station at North Dakota state university of agriculture and applied science. The commissioner of agriculture must be chairman of the board and is responsible for the enforcement of this chapter. The board shall meet at the call of the chair. The members of the board must be compensated for their expenses in performing their duties under this chapter at the same rate as other state officials and the board's expenses must be paid from funds provided for the administration of this chapter to the commissioner of agriculture. The board may act through the office of the commissioner of agriculture, and one person on the commissioner's staff may be specifically responsible to, or act as the state-level agent of, the board.

SECTION 30. AMENDMENT. Subsection 2 of section 15-10-01 of the 1987 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

2. The North Dakota state university of agriculture and applied science and the ~~experiment~~ research station at Fargo, with their substations or centers.

SECTION 31. AMENDMENT. Section 15-12-05 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

15-12-05. Faculty - Annual report to board. The faculty shall make an annual report to the state board of higher education on such date of each year as may be fixed by the board. The report shall show the condition of the school, ~~experiment~~ research station, and farm, and the results of farm experiments, and shall contain such recommendations as the welfare of the institution demands.

SECTION 32. AMENDMENT. Section 15-12-08 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

15-12-08. Legislative assent to grant by Congress. The assent of the legislative assembly is hereby given in pursuance of the requirements of section 9 of said Act of Congress, approved March 2, 1887, to the grant of money therein made and to the establishing of ~~an~~ ~~experiment~~ a research station in accordance with section 1 of said Act, and assent is hereby given to carrying out the provisions of such Act.

SECTION 33. AMENDMENT. Section 15-12-10 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

15-12-10. ~~Experiment~~ Research station - Administered by board - Purpose. The ~~agricultural experiment~~ North Dakota state university research station established in connection with the North Dakota state university of agriculture and applied science shall be operated under the direction of the state board of higher education for the purpose of conducting experiments in agriculture according to the provisions of

section 1 of the Act of Congress approved March 2, 1887, entitled "An act to establish agricultural experiment stations in connection with the colleges established in the several states under the provisions of an act approved July 2, 1862, and of the acts supplementary thereto".

SECTION 34. AMENDMENT. Section 15-12-17 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

15-12-17. Publish reports of North Dakota ~~experiment state university~~ research station. There shall be published from time to time, as bulletins of the North Dakota ~~experiment state university~~ research station, preliminary reports of such survey, as the work progresses, showing the results of the survey and investigations conducted, together with preliminary maps, showing the areas covered, and these preliminary reports shall be sent gratis to all citizens of ~~North Dakota~~ this state making application.

SECTION 35. AMENDMENT. Subdivision c of subsection 16 of section 19-18-02 of the 1987 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

- c. To which reference is made on the label or in literature accompanying the economic poison or device, except when accurate, nonmisleading reference is made to current official publications of the United States department of agriculture or interior, the United States public health service, state ~~experiment~~ research stations or centers, state agricultural colleges, or other similar federal institutions or official agencies of this state or other states authorized by law to conduct research in the fields of economic poisons.

SECTION 36. AMENDMENT. Subdivision c of subsection 6 of section 19-20.1-02 of the 1987 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

- c. Guarantees for plant nutrients other than nitrogen, phosphorus, and potassium may be permitted or required by regulation of the department. The guarantees for such other nutrients shall be expressed in the form of the element. The sources of such other nutrients, oxides, salt, chelates, etc., may be required to be stated on the application for registration and may be included as a parenthetical statement on the label. Other beneficial substances or compounds, determinable by laboratory methods, also may be guaranteed by permission of the department and with the advice of the director of the ~~agricultural experiment~~ North Dakota state university research station. When any plant nutrients or other substances or compounds are guaranteed, they shall be subject to inspection and analysis in accord with the methods and regulations prescribed by the department.

SECTION 37. AMENDMENT. Section 23-20-04 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

23-20-04. Registration required. Each manufacturer, processor, and refiner of radioactive isotopes and each hospital, clinic,

manufacturing establishment, research or educational institution, ~~experiment~~ research station or center, processing mill, or other institution or place of business or process where radiation is produced or radioactive materials are used, manufactured, processed, packaged, refined, produced, disposed or concentrated shall register with the state department of health and consolidated laboratories. The state mine inspector shall register with the state department of health and consolidated laboratories any mine which is producing or has produced radioactive substances. It shall be the duty of each manager or officer in charge of any institution or establishment concerned with radioactive materials as described herein to make written application to the state health officer for a registration form.

SECTION 38. AMENDMENT. Section 48-02-02 of the 1987 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

48-02-02. Prerequisite to building and repair by contract - Exceptions. If in altering, repairing, or constructing any building belonging or appertaining to any of the public institutions of the state, or to any county, city, park district, school district, or other political subdivision of the state, or in making any improvements connected with the building, the total estimated cost of all work involved amounts to more than fifty thousand dollars for the completed project, the governing body of the public institution, municipality, or political subdivision shall procure plans, drawings, and specifications for the work, upon competitive bids or otherwise as the board may deem necessary. In all cases where the estimated cost of the work exceeds fifty thousand dollars, the plans, drawings, and specifications must be procured from a licensed architect; provided, that in the case of public buildings in use by or to be used by the North Dakota ~~agricultural experiment~~ state university research station in connection with farm or agricultural research operations, the plans, drawings, and specifications may, with the approval of the board of higher education, be procured from a registered professional engineer, providing the engineer is in the regular employment of the ~~agricultural experiment~~ research station.

SECTION 39. AMENDMENT. Section 61-24-20 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

61-24-20. Director of ~~agricultural experiment~~ North Dakota state university research station to determine best management practices - Reports to the Garrison Diversion Conservancy District - Monitoring of ground water quality.

1. The director of the ~~agricultural experiment~~ North Dakota state university research station, with respect to all land to be irrigated by water from the Garrison Diversion Unit of the Pick-Sloan Missouri River basin project, shall ~~promulgate~~ adopt rules and regulations for the determination of best management practices on the affected land. The rules and regulations may be amended from time to time. For the purposes of this section and section 61-24-21, "best management practices" means the application of water, fertilizers, pesticides, and herbicides in amounts that maximize crop production and economically efficient farming, while, at the same time, minimizing chemical or other

pollution and degradation of ground or surface water supplies in areas irrigated with water from the Garrison Diversion Unit. Upon determining the best management practices for all land in question, the director of the agricultural experiment station shall file the information with the headquarters office of the district.

2. The district in cooperation with other state agencies shall monitor the ground and surface water quality in all areas irrigated with water from the Garrison Diversion Unit, to determine compliance with the regulations concerning best management practices for farming of that land. If violations of best management practices are discovered, the district shall determine the location of all irrigators causing the violation and shall reduce the amount of water which may be distributed to the violating irrigator consistent with best management practices.

SECTION 40. AMENDMENT. Section 61-24-21 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

61-24-21. District to allocate water in accordance with best management practices. The district shall distribute water to irrigators purchasing water from the district in amounts that are consistent with the determinations of the director of the ~~agricultural experiment~~ North Dakota state university research station for best management practices in the farming of the applicable land.

SECTION 41. AMENDMENT. Subsection 1 of section 63-01.1-05.1 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

1. The commissioner shall adopt rules setting forth the requirements for certification of county weed control officers, after consultation with the director of the ~~agricultural experiment~~ North Dakota state university research station and the director of the extension division, Fargo, or their respective designees. The commissioner shall certify all persons meeting the established requirements. All appointed or designated county weed control officers shall be certified pursuant to the rules and requirements adopted by the commissioner before assuming duties pursuant to this chapter.

SECTION 42. AMENDMENT. Subsection 2 of section 63-01.1-06 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

2. The commissioner shall allocate the funds of any legislative appropriation to the county weed boards and cities which establish a program under section 63-01.1-10.1 pursuant to a formula adopted by the commissioner, after consultation with the director of the extension division and the director of the ~~agricultural experiment~~ North Dakota state university research station, Fargo, or their respective designees. No county weed board may receive an amount under this subsection which, when added to the amount generated by a tax levy of three mills on the taxable valuation of all taxable property

in the county, would exceed eighty percent of the total cost of the actual expenditures for noxious weed control. Landowners shall contribute twenty percent of the cost of noxious weed control on their land. No county weed board or city shall receive an amount in excess of one-half of its actual expenditures for noxious weed control from any legislative appropriation, unless the appropriation provides assistance in noxious weed control to a board or city under subsection 3.

SECTION 43. AMENDMENT. Subsection 3 of section 63-01.1-06.5 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

3. The state department of agriculture shall contribute the amount under subsection 2 which cannot be funded by the county weed board or city. The commissioner shall allocate the funds of any legislative appropriation for cannabis control to the county weed boards and cities pursuant to a formula adopted by the commissioner, after consultation with the director of the extension division and the director of the ~~agricultural experiment~~ North Dakota state university research station, Fargo, or their respective designees. No county weed board or city shall receive an amount in excess of one-third of its actual expenditures for cannabis control from any legislative appropriation, unless the appropriation provides specific assistance in cannabis control to seriously endangered areas of a county or the state."

Re-number accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment merges the Governor's enhancement package for the research stations and the Extension Service contained in Senate Bill No. 2027 into Senate Bill No. 2005 and makes other changes as shown in schedules A and B.

In addition, this amendment provides the following:

1. Appropriation reductions on a proportional basis of up to \$2 million at the NDSU - Research Station and the NDSU - Extension Service in the event any general fund revenue measures passed by the 1989 Legislative Assembly are suspended or do not go into effect.
2. Legislative intent that the NDSU - Extension Service develop a plan for the creation of area resource centers throughout the state to provide additional services to families, businesses, and communities.
3. The removal of the \$2,558,068 Dickinson Experiment Station bond payments from the Dickinson Research Station's appropriation and establishes a new subdivision in this bill for the bond principle and interest payments. A separate section is also added exempting the payments from general fund budget allotments which may occur during the 1989-91 biennium.

4. Authorization for the NDSU - Research Station to hire a durum wheat miller for the 1989-91 biennium and authorizes the NDSU - Research Station to accept gifts and grants to fund the position. This change provides the NDSU - Research Station with 347.52 FTE, one FTE more than the 1987-89 biennium.
5. That the investment income of the Agronomy Seed Forum reserve income fund be credited to the Agronomy Seed Forum reserve income fund rather than the state general fund.
6. That the names of the main and branch experiment stations be changed to:

North Dakota State University Research Station
Dickinson Research Station
Central Grasslands Research Station
Hettinger Research Extension Center
Langdon Research Station
North Central Research Extension Center
Williston Research Station
Carrington Research Extension Center

SUMMARY OF GENERAL FUND CHANGES TO SENATE BILL NO. 2005

Senate Bill No. 2005 As Introduced	Add Senate Bill No. 2027	Total 1989-91 Executive Budget	Less Faculty Salary Increase Adjustment	Total General Fund Appropri- ation After Faculty Salary Adjustment	Add Additional Funding to Branch Stations	Total General Fund Appropriation as Amended
Extension Service	\$ 8,972,207	\$1,366,760	\$10,338,967	\$(102,179)	\$10,236,788	\$10,236,788
Northern Crops Institute	564,493		564,493		564,493	564,493
NDSU - Research Station	20,137,654	1,775,458	21,913,112	(229,293)	21,683,819	21,683,819
Dickinson Research Station	3,441,541	22,560	3,464,101	(6,285)	3,457,816	\$ 51,432 3,509,248
Central Grasslands Research Station	521,097	7,459	528,556	(2,078)	526,478	42,847 569,325
Hettinger Research Extension Center	412,586	13,417	426,003	(3,738)	422,265	25,296 447,561
Langdon Research Station	472,808	12,247	485,055	(3,412)	481,643	30,305 511,948
North Central Research Extension Center	362,681	14,289	376,970	(3,901)	372,989	23,831 396,820
Hilliston Research Station	476,547	16,692	493,239	(4,650)	488,589	25,783 514,372
Carrington Research Extension Center	772,406	26,525	798,931	(7,389)	791,542	48,097 840,439
Agronomy Seed Farm Land Reclamation Research Center						
Total	<u>\$36,134,020</u>	<u>\$3,255,407</u>	<u>\$39,389,427</u>	<u>\$(1363,005)</u> ¹	<u>\$39,026,422</u>	<u>\$248,391</u> ² <u>\$39,274,813</u>

¹ Reduces salaries for faculty at the experiment stations and extension service to eight and seven percent. The Governor had recommended annual increases for faculty of 9.31 percent and 8.93 percent.

² See Schedule C.

SUMMARY OF TOTAL CHANGES TO SENATE BILL NO. 2005

	Senate Bill No. 2005 As Introduced	Add Senate Bill No. 2027	Total 1989-91 Executive Budget	Less Faculty Salary Increase Adjustment	Total Appropri- ation After Faculty Salary Adjustment	Add Additional Funding to Branch Stations	Total Appropriation as Amended
Extension Service	\$19,529,917	\$1,412,090	\$20,942,007	\$(114,808)	\$20,827,199		\$20,827,199
Extension Division - Food and Nutrition	737,270		737,270		737,270		737,270
Northern Crops Institute	725,857		725,857		725,857		725,857
NDSU Research Station	35,864,454	2,064,620	37,929,082	(309,855)	37,619,227		37,619,227
Dickinson Research Station	3,710,531	22,560	3,733,091	(6,205)	3,726,806	\$ 51,432	3,778,238
Central Grasslands Research Station	771,098	7,459	770,557	(2,078)	776,479	42,047	819,326
Hettinger Research Extension Center	613,831	13,417	627,248	(3,738)	623,510	25,296	648,806
Langdon Research Station	563,808	12,247	576,055	(3,412)	572,643	30,305	602,948
North Central Research Extension Center	689,497	14,289	703,986	(3,901)	700,005	23,831	723,836
Hilliston Research Station	556,549	16,692	573,241	(4,650)	568,591	25,783	594,374
Carrington Research Extension Center	1,682,540	26,525	1,709,065	(7,389)	1,701,676	48,897	1,750,573
Agronomy Seed Farm	797,670	7,062	804,732	(1,967)	802,765		802,765
Land Reclamation Research Center	1,498,059	37,524	1,535,583	(10,455)	1,525,128		1,525,128
Total	<u>\$67,741,281</u>	<u>\$3,634,493</u>	<u>\$71,375,774</u>	<u>\$(1460,618)</u> ¹	<u>\$70,907,156</u>	<u>\$248,391</u> ²	<u>\$71,155,547</u>

¹ Reduces salaries for faculty at the experiment stations and extension service to eight and seven percent. The Governor had recommended annual increases for faculty of 9.31 percent and 8.93 percent.

² See Schedule C.

SCHEDULE C

ADDITIONAL FTE AND FUNDS PROVIDED TO
BRANCH EXPERIMENT STATIONS

Additional FTE and general fund moneys were provided to the branch experiment stations as presented below:

	<u>FTE</u>	<u>Salaries and Wages</u>	<u>Operating Expenses</u>	<u>Total</u>
Dickinson Research Station	.54	\$ 42,590	\$ 8,842	\$ 51,432
Central Grasslands Research Station	.20	28,170	14,677	42,847
Hettinger Research Extension Center	.25	20,920	4,376	25,296
Langdon Research Station	.25	23,750	6,555	30,305
North Central Research Extension Center	.25	23,831	0	23,831
Williston Research Station	.30	24,493	1,290	25,783
Carrington Research Extension Center	.45	43,927	4,970	48,897
Total	<u>2.24</u>	<u>\$207,681</u>	<u>\$40,710</u>	<u>\$248,391</u>

2005E

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

MR. PRESIDENT: Your Committee on Appropriations (Sen. Tallackson, Chairman) to which was referred SB 2006 has had the same under consideration and recommends by a vote of 14 YEAS, 0 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 14, replace "17,580,811" with "17,908,631"

Page 1, line 19, replace "8,217,600" with "9,467,600"

Page 1, after line 19, insert:

"Diabetes control project 50,000"

Page 1, line 22, replace "49,124,587" with "50,752,407"

Page 2, line 1, replace "35,936,532" with "35,876,120"

Page 2, line 2, replace "13,188,055" with "14,876,287"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 301 - DEPARTMENT OF HEALTH AND CONSOLIDATED LABORATORIES

This amendment makes the following changes:

	GENERAL FUND	OTHER FUNDS	TOTAL
<u>Salaries and wages</u>			
Adds funds for salary increases for chemists and environmental engineers and scientists to assist in recruitment and retainment for these positions	\$ 163,910	\$ 163,910	\$ 327,820
<u>Grants, benefits, and claims</u>			
Adds funds for the child evaluation and treatment program at the UND Rehabilitation Hospital. Funding provided is the same as the 1987-89 level, which was deleted in the 1989-91 executive budget	\$ 250,000		\$ 250,000
Adds funds to provide training grants (\$736,000) and equipment grants (\$264,000) to licensed ambulance services	\$ 1,000,000		\$ 1,000,000

Other

Adds a diabetes control project line item	\$ 50,000		\$ 50,000
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Changes the funding source for the Division of Emergency Health Services from other funds to the general fund	\$ 224,322	\$ (224,322)	
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Total increase (decrease)	\$ 1,688,232	\$ (60,412)	\$ 1,627,820
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SB 2016 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Appropriations (Sen. Tallackson, Chairman) to which was referred SB 2016 has had the same under consideration and recommends by a vote of 14 YEAS, 0 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, replace "63,866,654" with "65,470,373"

Page 1, line 15, replace "244,392,139" with "242,788,420"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 801 - HIGHWAY DEPARTMENT

The salaries and wages line item is increased by \$1,603,719 of other funds with a corresponding decrease to capital improvements to provide average monthly increases of \$95 per month and \$234 per month for the department's engineer technicians and engineers, respectively, in an effort to address the difficulty in recruiting and retaining those employees.

SB 2016 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Appropriations (Sen. Tallackson, Chairman) to which was referred SB 2021 has had the same under consideration and recommends by a vote of 14 YEAS, 0 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 13, replace "3,042,232" with "3,079,685"

Page 1, line 14, replace "14,909" with "21,600"

Page 1, line 15, replace "786,611" with "923,707"

Page 1, line 16, replace "35,965" with "142,959"

Page 1, line 17, replace "115,825" with "215,825"

Page 1, line 19, replace "4,500,542" with "4,888,776"

Page 1, line 20, replace "1,163,137" with "1,200,590"

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Page 1, line 21, replace "3,337,405" with "3,688,186"

Page 2, line 5, replace "3,826,967" with "4,177,748"

Page 2, line 6, replace "1,163,137" with "1,200,590"

Page 2, line 7, replace "4,990,104" with "5,378,338"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 701 - HISTORICAL SOCIETY

The salaries and wages line item is increased by \$37,453 from other funds for an architectural historian position. This change provides the Historical Society with 51 FTE, the same as the 1987-89 biennium.

The data processing line item is increased by \$6,691 from the general fund.

The operating expenses line item is increased by \$137,096 from the general fund, \$9,000 of which is for additional motor pool costs and \$128,096 for exhibition and program activities.

The equipment line item is increased by \$106,994 from the general fund for the following:

Heritage Center security system	\$ 70,000
Education and Interpretation Division equipment	3,800
State Archives and Historical Research Library equipment	18,835
Other equipment	14,359
Total	\$106,994

The capital improvements line item is increased by \$100,000 from the general fund for historic site development needs.

SB 2021 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Appropriations (Sen. Tallackson, Chairman) to which was referred SB 2022 has had the same under consideration and recommends by a vote of 12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

Page 1, line 20, replace "11,124,165" with "11,228,745"

Page 2, line 1, replace "33,753,826" with "33,858,406"

Page 2, line 2, replace "9,634,681" with "9,574,897"

Page 2, line 3, replace "24,119,145" with "24,283,509"

Page 2, line 8, replace "24,120,764" with "24,285,128"

Page 2, line 9, replace "9,634,681" with "9,574,897"

Page 2, line 10, replace "33,755,445" with "33,860,025"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 530 - DEPARTMENT OF CORRECTIONS

Operating expenses are increased by \$104,580 from the general fund to provide funding for mileage expenses to transport children for court-ordered medical examinations and treatment. Senate Bill No. 2298 passed by the Senate requires the mileage cost to be paid by the state rather than the county.

Also, the general fund appropriation is increased by \$59,784 and income is reduced by an equal amount to fully fund an additional parole agent position from the general fund. It appears that the Drug Enforcement Act funding will not be available for this position.

SB 2022 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Appropriations (Sen. Tallackson, Chairman) to which was referred SB 2025 has had the same under consideration and recommends by a vote of 11 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act making an appropriation for defraying the expenses of the various retirement and investment agencies of the state of North Dakota.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys from special funds derived from income, to the various retirement and investment agencies of the state of North Dakota for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1989, and ending June 30, 1991, as follows:

Subdivision 1.

STATE RETIREMENT AND INVESTMENT OFFICE

Salaries and wages	\$1,036,826
Data processing	265,542
Operating expenses	585,313
Equipment	41,000
Contingency	50,000
Total appropriation from the state retirement and investment fund	<u>\$1,978,681</u>

Subdivision 2.

PUBLIC EMPLOYEES RETIREMENT SYSTEM

Salaries and wages	\$ 908,689
Data processing	331,000
Operating expenses	463,612
Equipment	15,000
Grants, benefits, and claims	38,000
Contingency	50,000
Total appropriation from the public employees retirement fund	<u>\$1,806,301</u>
Grand total special funds appropriation S.B. 2025	\$3,784,982"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment separates the appropriations for the Public Employees Retirement System (PERS) and the State Retirement and Investment office. The amendment reduces the total amount appropriated in the bill by \$88,525 from other funds. A comparison of the bill as amended to the bill as introduced is as follows:

	AMENDED SENATE BILL NO. 2025				
SENATE BILL NO. 2025 AS INTRODUCED	TEACHERS' FUND AND INVESTMENT OFFICE	PERS	TOTAL AMENDED BILL	INCREASE (DECREASE)	
Salaries and wages	\$2,086,335	\$1,036,826	\$ 908,689	\$1,945,515	\$ (140,820)
Data processing	506,042	265,542	331,000	596,542	90,500
Operating expenses	1,023,130	585,313	463,612	1,048,925	25,795
Equipment	120,000	41,000	15,000	56,000	(64,000)
Grants, benefits, and claims	38,000		38,000	38,000	
Contingency	100,000	50,000	50,000	100,000	
Total appropriation	<u>\$3,873,507</u>	<u>\$1,978,681</u>	<u>\$1,806,301</u>	<u>\$3,784,982</u>	<u>\$ (88,525)</u>
FTEs	32	14	15	29	(3)

The reduction of three FTE positions relates to deleting funding for 2.25 FTE positions in PERS due to the health insurance program contract being awarded to Blue Cross and Blue Shield rather than remaining a self-insured program and a net reduction of a .75 FTE position in PERS for the other programs.

SB 2025 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Appropriations (Sen. Tallackson, Chairman) to which was referred SB 2027 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO NOT PASS.

SB 2027 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Appropriations (Sen. Tallackson, Chairman) to which was rereferred SB 2037 has had the same under consideration and recommends by a vote of 14 YEAS, 0 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 7, remove "subsection 6 of section 15-40.1-08,"

Page 1, remove lines 18 through 22

Page 2, remove lines 1 through 7

Page 3, line 14, remove the overstrike over "~~school district of residence and by the~~" and "~~in the~~"

Page 3, line 15, remove the overstrike over "~~proportions set forth in~~", after "~~subsection~~" insert "subsections", remove the overstrike over "2" and insert immediately thereafter "and 3"

Page 3, line 27, remove the overstrike over "~~For the biennium beginning July 1, 1987, and ending June 30, 1989,~~"

Page 3, remove the overstrike over lines 28 and 29

Page 4, remove the overstrike over lines 1 through 18

Page 4, line 19, remove the overstrike over "~~1991, the school district of residence is liable for~~" and after "~~sixty~~" insert "twenty"

Page 4, line 20, remove the overstrike over "~~percent of the cost and the state is liable for~~", after "~~forty~~" insert "eighty", and remove the overstrike over "~~percent~~"

Page 4, remove the overstrike over line 21

Page 4, line 22, remove the overstrike over "~~b-~~"

Page 5, line 1, remove the overstrike over "~~After June 30,~~", after "~~1995~~" insert "1991", and remove the overstrike over "~~, the state is liable for one hundred~~"

Page 5, line 2, remove the overstrike

Page 5, line 3, remove the overstrike over "~~4-~~" and "~~and the school district of residence are~~" and remove "is"

Page 5, line 6, remove the overstrike over "~~, the district of residence,~~"

Page 5, line 10, remove the overstrike over "~~5-~~" and remove "3-"

Page 5, line 19, remove the overstrike over "~~6-~~" and remove "4-"

Page 12, line 6, replace "\$7,000,000" with "\$3,515,000"

Re-number accordingly

SB 2037 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Human Services and Veterans Affairs (Sen. Kelsh, Chairman) to which was referred Engrossed SB 2055 has had the same under consideration and recommends by a vote of 7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

Page 4, line 19, remove the underscored comma

Page 4, remove line 20

Page 4, line 21, remove "operator's license"

Page 13, line 20, remove "By"

Page 13, line 21, replace "July 1, 1991, the" with "The"

Renumber accordingly

Engrossed SB 2055 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Appropriations (Sen. Tallackson, Chairman) to which was referred SB 2253 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO NOT PASS.

SB 2253 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Appropriations (Sen. Tallackson, Chairman) to which was referred SB 2260 has had the same under consideration and recommends by a vote of 13 YEAS, 0 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 1, after "to" insert "create and enact a new subsection to section 15-60-01 and a new section to chapter 15-60 of the North Dakota Century Code, relating to definitions and to loans from the Bank of North Dakota and interest rate buydowns on the loans from the state school construction fund for energy efficiency improvements in public school buildings; to"

Page 1, line 2, replace "transformation" with "use"

Page 1, line 3, remove "into an interest buydown fund"

Page 1, after line 7, insert:

"SECTION 1. A new subsection to section 15-60-01 of the 1987 Supplement to the North Dakota Century Code is hereby created and enacted to read as follows:

"Energy efficiency improvement" means an installation or modification or an installation in a building which is primarily intended to reduce energy consumption or to allow the use of an alternative energy source and which may contain integral control and measurement devices."

Page 3, line 20, replace "three" with "five"

Page 4, after line 26, insert:

"SECTION 3. A new section to chapter 15-60 of the North Dakota Century Code is hereby created and enacted to read as follows:

Loans for energy efficiency improvement. The Bank of North Dakota may make loans to public school districts for energy efficiency improvements in an amount not to exceed two hundred thousand dollars per facility or five hundred thousand dollars per school district. The requirements of subsection 2 of section 15-60-03 that a school district

must levy no less than ten mills for maintenance of a building fund and that a school district must have a maximum existing indebtedness as permitted by law do not apply to loans made under this section. The Bank may charge an interest rate not to exceed four percent per annum for loans made under this section. The state school construction fund must be used by the board to cover the difference between the Bank's current loan rate and the rate of interest charged under this section. The board shall adopt rules providing procedures for making applications for loans and for administering the provisions of this section. Loans must be made based upon the financial need of the school district under criteria established by the board."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment provides that public school districts may apply for energy efficiency loans from the state school construction fund. The loans cannot exceed \$200,000 per school nor \$500,000 per district and the interest rate on the loans is four percent.

The amendment also increases the maximum loan amount that a school district can receive from the state school construction fund from \$3 million to \$5 million.

SB 2260 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Appropriations (Sen. Tallackson, Chairman) to which was rereferred Reengrossed SB 2270 has had the same under consideration and recommends by a vote of 12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

Reengrossed SB 2270 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Human Services and Veterans Affairs (Sen. Kelsh, Chairman) to which was referred SB 2283 has had the same under consideration and recommends by a vote of 7 YEAS, 0 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 9, remove "or an employer"

Page 1, line 15, after "beneficiary" insert "selecting a participating or contracting provider"

Page 1, line 17, after "plan" insert "selecting a participating or contracting provider"

Page 1, line 21, after "state" insert ", and accepts the terms of the third-party payor's contract"

Page 1, after line 21, insert:

"2. Notwithstanding the provisions of subsection 1, the department of human services may exclude, from participation in the medical assistance program administered under

chapter 50-24.1 and title XIX of the Social Security Act [Pub. L. 89-97; 79 Stat. 343; 42 U.S.C. 1396, et seq.], as amended, any provider of pharmacy services who does not agree to comply with state and federal requirements governing the program, or who, after so agreeing, fails to comply with those requirements."

Page 2, line 1, remove "or employee benefit plan"

Page 2, line 2, remove "offered"

Page 2, line 5, after the period insert "The commissioner may levy an administrative penalty not to exceed ten thousand dollars for a violation of this section."

Renumber accordingly

SB 2283 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Human Services and Veterans Affairs (Sen. Kelsh, Chairman) to which was referred SB 2291 has had the same under consideration and recommends by a vote of 4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

Page 3, line 14, remove ", and employ staff for"

Page 3, line 15, remove "the board as it determines necessary"

Page 5, line 27, overstrike "the licensure of boarding homes for the"

Page 5, line 28, overstrike "aged and infirm, utilization control,"

Renumber accordingly

SB 2291 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Human Services and Veterans Affairs (Sen. Kelsh, Chairman) to which was referred SB 2310 has had the same under consideration and recommends by a vote of 4 YEAS, 3 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 4, after "condition" insert "; and to provide an effective date"

Page 2, line 19, remove "or"

Page 2, line 20, remove "supervision"

Page 3, line 11, replace "three" with "two"

Page 3, line 13, replace "six" with "four"

Page 3, line 18, replace "six" with "four"

Page 7, after line 10, insert:

"SECTION 11. EFFECTIVE DATE. This Act becomes effective on January 1, 1990."

Renumber accordingly

SB 2310 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Appropriations (Sen. Tallackson, Chairman) to which was rereferred SB 2344 has had the same under consideration and recommends by a vote of 13 YEAS, 0 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 8, after "~~five~~" insert "six"

Page 1, line 9, remove the overstrike over "~~hundred~~" and remove "one thousand"

Renumber accordingly

SB 2344 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Appropriations (Sen. Tallackson, Chairman) to which was rereferred SB 2354 has had the same under consideration and recommends by a vote of 14 YEAS, 0 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 2, remove "; and to"

Page 1, line 3, remove "provide an appropriation"

Page 4, remove lines 12 through 20

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

The amendment removes the general fund appropriation of \$940,000. Spending authority for grants, gifts, and contributions as contained in Section 5 of the bill remains.

SB 2354 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Judiciary (Sen. J. Meyer, Chairman) to which was rereferred SB 2355 has had the same under consideration and recommends by a vote of 6 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

Page 2, line 12, after "board" insert "in consultation with the state department of health and consolidated laboratories"

Page 2, line 14, after the underscored period insert "As used in this section, "study" means state of the art, nondestructive analysis that involves measuring, weighing, visual observation, photography, x-ray exposure of some bones, and written description, through which the bones and artifacts are not damaged."

Renumber accordingly

SB 2355 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Appropriations (Sen. Tallackson, Chairman) to which was referred SB 2359 has had the same under consideration and recommends by a vote of 13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same DO NOT PASS.

SB 2359 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Appropriations (Sen. Tallackson, Chairman) to which was referred SB 2364 has had the same under consideration and recommends by a vote of 12 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING that the same DO NOT PASS.

SB 2364 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Human Services and Veterans Affairs (Sen. Kelsh, Chairman) to which was referred SB 2371 has had the same under consideration and recommends by a vote of 7 YEAS, 0 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 18, remove "and"

Page 1, line 19, after "students" insert ", and does not include cytologists performing cytology procedures and histologists or histotechnicians performing histology procedures"

Page 3, after line 18, insert:

"9. Agents of the state or federal government performing hematological tests for anemia upon participants of the special supplemental food program for women, infants, and children."

Page 4, line 11, after the period insert "The rules must specifically address the special needs of rural hospitals and clinics with regard to laboratory personnel."

Page 9, line 8, after the period insert "Persons licensed under this section must meet the same continuing education requirements as any other licensees."

Page 10, line 18, replace "5,000" with "4,900"

Renumber accordingly

SB 2371 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Political Subdivisions (Sen. Dotzenrod, Chairman) to which was referred SB 2376 has had the same under consideration

and recommends by a vote of 6 YEAS, 0 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 14, remove "floor-to-ceiling solid opaque" and remove "with no inside public access"

Page 1, line 15, remove "from the nonlicensed portion of the business" and replace "A small counter" with "An"

Page 1, line 16, after "sales" insert "and access"

Page 1, line 18, remove "; however, no alcoholic beverages may be visible from the"

Page 1, line 19, remove "nonlicensed portion of the premises"

Renumber accordingly

SB 2376 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Appropriations (Sen. Tallackson, Chairman) to which was rereferred Engrossed SB 2382 has had the same under consideration and recommends by a vote of 10 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

Engrossed SB 2382 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Judiciary (Sen. J. Meyer, Chairman) to which was rereferred SB 2391 has had the same under consideration and recommends by a vote of 7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO NOT PASS.

SB 2391 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Appropriations (Sen. Tallackson, Chairman) to which was rereferred Engrossed SB 2399 has had the same under consideration and recommends by a vote of 11 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

Engrossed SB 2399 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Appropriations (Sen. Tallackson, Chairman) to which was referred SB 2401 has had the same under consideration and recommends by a vote of 11 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION:

Page 1, line 10, replace "116,614" with "100,000"

Page 1, line 13, after "Total" insert "general fund" and replace "257,421" with "240,807"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

The salaries and wages line item is reduced by \$16,614 from the general fund. The amendment is intended to reduce the salary levels of staff to be employed in the center.

SB 2401 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Human Services and Veterans Affairs (Sen. Kelsh, Chairman) to which was referred SB 2416 has had the same under consideration and recommends by a vote of 6 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

Page 1, line 1, after "26.1-36" insert "and a new section to chapter 54-52.1"

Page 1, line 18, after "body" insert ", and applies if the treatment is administered or prescribed by a physician or an oral and maxillofacial surgeon. Benefits for the coverage may be limited to a lifetime maximum of ten thousand dollars per person for surgery, and five hundred dollars for nonsurgical treatment"

Page 1, after line 18, insert:

"SECTION 2. A new section to chapter 54-52.1 of the North Dakota Century Code is hereby created and enacted to read as follows:

Coverage for treatment of certain disorders. The board shall provide coverage under either a contract for insurance pursuant to section 54-52.1-04 or under a self-insurance plan pursuant to section 54-52.1-04.2 for coverage for surgical and nonsurgical treatment of temporomandibular joint disorder and craniomandibular disorder. Coverage must be the same as that for treatment to any other joint in the body, and applies if the treatment is administered or prescribed by a physician or an oral and maxillofacial surgeon. Benefits for the coverage may be limited to a lifetime maximum of ten thousand dollars per person for surgery, and five hundred dollars for nonsurgical treatment."

ReNUMBER accordingly

SB 2416 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Human Services and Veterans Affairs (Sen. Kelsh, Chairman) to which was referred SB 2422 has had the same under consideration and recommends by a vote of 6 YEAS, 0 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 3, replace "; and to amend and" with a period

Page 1, remove lines 4 and 5

Page 1, line 19, after the underscored period insert "The immunity from civil liability provided by this section does not extend to a physician who renders emergency obstetrical care or assistance with an expectation of

remuneration or who collects a fee for rendering that care or assistance."

Page 1, remove lines 20 through 22

Page 2, remove lines 1 through 24

ReNUMBER accordingly

SB 2422 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Human Services and Veterans Affairs (Sen. Kelsh, Chairman) to which was referred SB 2431 has had the same under consideration and recommends by a vote of 7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

SB 2431 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Judiciary (Sen. J. Meyer, Chairman) to which was rereferred SB 2456 has had the same under consideration and recommends by a vote of 7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS and be rereferred to the Committee on Appropriations:

Page 1, line 1, remove "to provide a surcharge on fines, penalties, and forfeitures"

Page 1, line 2, remove "for alcohol- and drug-related offenses and"

Page 1, line 3, remove "within the office of attorney general"

Page 1, line 4, replace "a continuing" with "an"

Page 1, remove lines 6 through 18

Page 1, line 19, remove the dash

Page 1, line 20, remove "Continuing appropriation"

Page 1, line 22, replace "attorney general" with "superintendent of public instruction" and remove "all proceeds from the surcharge"

Page 2, remove line 1

Page 2, line 2, remove "for credit to the fund and" and after "any" insert "legislative appropriations,"

Page 2, line 3, remove "by the attorney general"

Page 2, line 5, remove "The moneys deposited in the chemical abuse awareness and prevention"

Page 2, remove lines 6 through 8

Page 2, line 10, replace "attorney general" with "superintendent of public instruction"

Page 2, line 21, replace "attorney general" with "superintendent of public instruction"

Page 3, line 13, replace "attorney general" with "superintendent of public instruction"

Page 3, line 15, replace "attorney general" with "superintendent of public instruction" and "attorney" with "superintendent of public instruction"

Page 3, line 16, remove "general"

Page 3, line 17, replace "attorney general" with "superintendent of public instruction"

Page 3, line 18, replace "attorney general" with "superintendent of public instruction"

Page 3, after line 20, insert:

"SECTION 3. APPROPRIATION. There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$50,000, or so much thereof as may be necessary, to the chemical abuse awareness and prevention program fund for the purpose of implementing and administering the chemical abuse awareness and prevention program under this Act."

ReNUMBER accordingly

SB 2456 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Appropriations (Sen. Tallackson, Chairman) to which was rereferred SB 2462 has had the same under consideration and recommends by a vote of 12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

SB 2462 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Judiciary (Sen. J. Meyer, Chairman) to which was referred SB 2466 has had the same under consideration and recommends by a vote of 4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO NOT PASS:

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

Page 1, line 7, replace the comma with "shall study all human skeletal remains and grave goods in its collections. "Study" means nondestructive physical anthropological and archeological analysis conducted by qualified professionals."

Page 1, remove lines 8 through 12

Page 1, line 13, replace "determined to have originated in the year 1600 A.D. or later. Upon" with "After analysis and upon"

Page 1, line 17, after "remains" insert "and grave goods"

Page 1, line 19, replace "Human remains may be returned to" with "Upon written request of the Indian affairs commission, the board may transfer to the commission all human skeletal Indian remains and grave goods for which the tribal origin cannot be identified through analysis, for the purpose of providing an appropriate resting place for the remains. Upon written request of the next of kin, if known, or the state health officer, the board may transfer to the next of kin or state health officer the human skeletal remains and grave goods determined by scientific evidence to be non-Indian remains, for the purpose of providing an appropriate resting place for the remains. If analysis determines that grave goods possess exceptional importance to the interpretation of the history or prehistory of this state, the grave goods must be retained in the collection."

Page 1, remove lines 20 through 22

Page 2, remove lines 1 through 19

Page 2, after line 19, insert:

"SECTION 2. EXPIRATION DATE. This Act is effective through June 30, 1994, and after that date is ineffective."

Renumber accordingly

SB 2466 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Appropriations (Sen. Tallackson, Chairman) to which was rereferred SB 2500 has had the same under consideration and recommends by a vote of 13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

SB 2500 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Human Services and Veterans Affairs (Sen. Kelsh, Chairman) to which was referred SCR 4047 has had the same under consideration and recommends by a vote of 7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

Page 2, line 11, remove "at the"

Page 2, line 12, remove "first meeting of the Budget Section after September 1, 1990"

Renumber accordingly

SCR 4047 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Judiciary (Sen. J. Meyer, Chairman) to which was rereferred HB 1152 has had the same under consideration and recommends by a vote of 7 YEAS, 0 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 1, after "to" insert "create and enact a new section to chapter 44-08 of the North Dakota Century Code, relating to validation of certificates of acknowledgment; and to"

Page 1, line 2, remove "; and to provide an"

Page 1, line 3, remove "effective date"

Page 1, line 12, overstrike "embossed,"

Page 1, line 15, remove "The requirement of an"

Page 1, remove line 16

Page 1, line 17, remove "or after July 1, 1989."

Page 1, line 18, replace "EFFECTIVE DATE. This Act is retroactive to July 1," with "A new section to chapter 44-08 of the North Dakota Century Code is hereby created and enacted to read as follows:

Validation - Certificates of acknowledgment. All certificates of acknowledgment by notaries public on all documents filed for record with a register of deeds in the state, notwithstanding any defects or irregularities with the notary seal, are hereby validated, ratified, approved, and confirmed. Notwithstanding section 44-08-06, all seals of a court or officer of this state are binding, legal, and enforceable. The provisions of this section relating to validation of acknowledgments are applicable to all documents filed with any county register of deeds in the state after July 1, 1987."

Page 1, remove line 19

Renumber accordingly

HB 1152 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Transportation (Sen. Hilken, Chairman) to which was referred HB 1174 has had the same under consideration and recommends by a vote of 7 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

HB 1174 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Agriculture (Sen. W. Meyer, Chairman) to which was referred HB 1180 has had the same under consideration and recommends by a vote of 8 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

HB 1180 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Political Subdivisions (Sen. Dotzenrod, Chairman) to which was referred HB 1236 has had the same under consideration and recommends by a vote of 7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

HB 1236 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Political Subdivisions (Sen. Dotzenrod, Chairman) to which was referred HB 1251 has had the same under consideration and recommends by a vote of 5 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

Page 1, line 13, remove "and cities"

Page 1, line 15, remove "or city"

Page 1, line 16, remove "or city"

Renumber accordingly

HB 1251 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Political Subdivisions (Sen. Dotzenrod, Chairman) to which was referred HB 1317 has had the same under consideration and recommends by a vote of 7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

HB 1317 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Agriculture (Sen. W. Meyer, Chairman) to which was referred HB 1328 has had the same under consideration and recommends by a vote of 8 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

HB 1328 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Natural Resources (Sen. Krauter, Chairman) to which was referred HB 1346 has had the same under consideration and recommends by a vote of 6 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING that the same DO NOT PASS.

HB 1346 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Agriculture (Sen. W. Meyer, Chairman) to which was referred HB 1377 has had the same under consideration and recommends by a vote of 8 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

HB 1377 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Political Subdivisions (Sen. Dotzenrod, Chairman) to which was referred HB 1378 has had the same under consideration and recommends by a vote of 6 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING that the same DO NOT PASS.

HB 1378 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Agriculture (Sen. W. Meyer, Chairman) to which was referred HB 1397 has had the same under consideration and recommends by a vote of 8 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

HB 1397 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Natural Resources (Sen. Krauter, Chairman) to which was referred HB 1491 has had the same under consideration and recommends by a vote of 4 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING that the same DO NOT PASS.

HB 1491 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

FIRST READING OF SENATE CONCURRENT RESOLUTIONS

Sen. Tennesfos introduced:

SCR 4054: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of regulating the use of pesticides near apiaries.

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

Sens. Nalewaja, Mathern and Reps. J. DeMers, Bernstein introduced:

SCR 4055: A concurrent resolution directing the Legislative Council to study the ethical, social, economic, and legal implications of various medical, bioethical, and health issues.

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

FIRST READING OF HOUSE BILLS

HB 1172: A BILL for an Act to create and enact a new subsection to section 39-06-02 of the North Dakota Century Code, relating to national guard operator's licenses; and to amend and reenact subsection 1 of section 39-06-01, sections 39-06-04, 39-06-13, subsection 7 of section 39-06-14, and section 39-16-03 of the North Dakota Century Code, relating to the surrender of drivers' licenses, instruction permits, the examination of applicants, and the recovery of canceled, suspended, or revoked licenses.

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

HB 1178: A BILL for an Act to amend and reenact sections 24-02-26.1, 24-02-27, and 24-02-32 of the North Dakota Century Code, relating to the arbitration of claims on contracts for the construction or repair of highways.

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

HB 1211: A BILL for an Act to amend and reenact sections 6-09.9-02, 6-09.9-03, and 6-09.9-04 of the North Dakota Century Code, relating to operating loans to farmers and agribusinesses; and to repeal section 6-09.9-06 of the North Dakota Century Code, relating to participation interests in operating loans to agribusinesses.

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

HB 1259: A BILL for an Act to amend and reenact sections 49-18-41.1 and 49-18-42 of the North Dakota Century Code, relating to the collection of fees for registration of interstate motor carriers and dedicating the use of the fees; and to provide for allocation of the fees.

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

HB 1287: A BILL for an Act to amend and reenact section 35-05-01 of the North Dakota Century Code, relating to security agreements on crops.

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

HB 1321: A BILL for an Act to amend and reenact sections 54-52-02 and 54-52-02.1 of the North Dakota Century Code, relating to participation in the public employees retirement system by a city health department providing health services in a county and city health district.

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

HB 1331: A BILL for an Act to create and enact chapter 39-16.2 of the North Dakota Century Code, relating to financial responsibility requirements for liquified petroleum gas transporters; and to provide a penalty.

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

HB 1353: A BILL for an Act to amend and reenact subsection 3 of section 51-07-18 and section 51-07-22 of the North Dakota Century Code, relating to the location of dispute settlement hearings when a consumer seeks to return a defective motor vehicle and disclosure upon resale of returned vehicles.

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

HB 1365: A BILL for an Act to amend and reenact the new subsection 4 to section 12.1-32-02 of the North Dakota Century Code as created by section 2 of House Bill No. 1052, if approved by the fifty-first legislative assembly, relating to a court's authority to impose deferred impositions of sentence; or in the alternative, if House Bill No. 1052 does not become effective, to amend and reenact section 12-53-13 of the North Dakota Century Code, relating to a court's authority to impose deferred impositions of sentence.

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

HB 1366: A BILL for an Act to create and enact a new subsection to section 40-49-12 and a new subsection to section 57-15-12.2 of the North Dakota Century Code, relating to a tax levy by park districts for comprehensive health care benefits.

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

HB 1408: A BILL for an Act to amend and reenact subdivision a of subsection 1 of section 26.1-25-03 of the North Dakota Century Code, relating to the making of rates for insurance companies.

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

HB 1420: A BILL for an Act to amend and reenact section 4-27-04 of the North Dakota Century Code, relating to the membership on the North Dakota dairy promotion commission.

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

HB 1440: A BILL for an Act to amend and reenact section 10-06-01 of the North Dakota Century Code, relating to conversion of a farm corporation to a business corporation.

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

HB 1442: A BILL for an Act to create and enact a new subdivision to subsection 1 of section 57-38-01.3 of the North Dakota Century Code, relating to adjustments to taxable income for corporations.

Was read the first time and referred to the Committee on Finance and Taxation.

HB 1456: A BILL for an Act to allow the centennial commission to establish a centennial decade trees committee by rule, to establish a centennial tree program trust fund, and to provide for uses of the fund; to create and enact a new section to chapter 57-38 of the North Dakota Century Code, relating to an optional contribution to the centennial tree program trust fund to be included on North Dakota income tax returns; to provide a continuing appropriation; to provide an effective date; and to provide an expiration date.

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

HB 1468: A BILL for an Act to amend and reenact sections 14-03-09, 16.1-15-08, 16.1-15-09, 16.1-15-11, 16.1-15-13, and 16.1-16-07 of the North Dakota Century Code, relating to the authority of magistrates to perform marriages and the duty of magistrates to preserve election ballots.

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

HB 1475: A BILL for an Act to amend and reenact subdivision a of subsection 4 of section 4-35-05, subsection 3 of section 4-35-06, sections 4-35-08, 4-35-09, 4-35-10, 4-35-11, 4-35-12, 4-35-13, subsection 3 of section 4-35-14, sections 4-35-15, 4-35-16, 4-35-17, 4-35-18, subsections 1 and 2 of section 4-35-19, section 4-35-22, subsection 7 of section 4-35-24, and section 4-35-28 of the North Dakota Century Code, relating to certification of pesticide applicators and distribution of funds; and to provide an effective date.

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

HB 1476: A BILL for an Act to create and enact two new subsections to section 19-20.2-06 of the North Dakota Century Code, relating to anhydrous ammonia transfer hose requirements.

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

HB 1496: A BILL for an Act to amend and reenact section 12-44.1-02 of the North Dakota Century Code, relating to the abilities of cities and counties to contract with private entities to provide adult jail services.

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

HB 1510: A BILL for an Act to create and enact a new section to chapter 58-04 to allow expansion of the board of township supervisors from three to five members; and to amend and reenact sections 58-04-02 and 58-05-02 of the North Dakota Century Code, relating to special township meetings and officers of a township.

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

HB 1549: A BILL for an Act to amend and reenact section 57-40.4-01.1 of the North Dakota Century Code, relating to refunds of motor vehicle excise

taxes with respect to returned motor vehicles; and to provide for application of the Act.

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

HB 1556: A BILL for an Act to create and enact subsection 5 of section 15-01-02 of the North Dakota Century Code, relating to the authority of the board of university and school lands to issue refunds; and to declare an emergency.

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

HB 1561: A BILL for an Act to amend and reenact section 23-11-05 of the North Dakota Century Code, relating to per diem compensation of commissioners of a housing authority.

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

HB 1577: A BILL for an Act to amend and reenact section 10-23-01 of the North Dakota Century Code, relating to annual reports of domestic and foreign corporations.

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

HB 1585: A BILL for an Act to provide for regulation of wholesale drug distributors; and to provide a penalty.

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

HB 1595: A BILL for an Act to amend and reenact section 39-20-04, subsection 1 of section 39-20-05, and section 39-20-14 of the North Dakota Century Code, relating to pleading guilty to avoid a section 39-20-04 revocation, performing a chemical test after refusing a screening test to avoid a section 39-20-04 revocation, and the temporary operator's permit serving notice to driver.

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

HB 1596: A BILL for an Act to amend and reenact section 15-44-02 of the North Dakota Century Code, relating to reporting of criminal fines proceeds by the county treasurer to the state treasurer.

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

HB 1598: A BILL for an Act to create and enact two new sections to chapter 4-09 of the North Dakota Century Code, relating to a state seed mediation board.

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

HB 1602: A BILL for an Act to amend and reenact subsection 5 of section 11-10-10 of the North Dakota Century Code, relating to salaries of county commissioners; and to provide an effective date.

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

HB 1622: A BILL for an Act to amend and reenact sections 43-26-06 and 43-26-09 of the North Dakota Century Code, relating to payment of application and renewal fees by physical therapists.

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

FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

- HCR 3031: A concurrent resolution urging the Secretary of Transportation to refrain from adopting regulations to reduce essential air service levels or impede current service levels until the Congress of the United States has had the opportunity to review the department's actions and appropriate supplemental funding for the Essential Air Service program.
Was read the first time and referred to the Committee on Transportation.
- HCR 3034: A concurrent resolution urging the National Economic Commission and Congress to reject any proposals to increase federal excise taxes on motor fuels.
Was read the first time and referred to the Committee on Transportation.
- HCR 3036: A concurrent resolution urging Congress to restore full funding of the Little Missouri Bay public recreation area to ensure its continued operation.
Was read the first time and referred to the Committee on Natural Resources.
- HCR 3037: A concurrent resolution directing the Legislative Council to study the role of agricultural education in the public schools in this state.
Was read the first time and referred to the Committee on Education.
- HCR 3042: A concurrent resolution urging the Governor to designate May 1989 as Motorcycle Safety and Awareness Month.
Was read the first time and referred to the Committee on Transportation.
- HCR 3044: A concurrent resolution urging federal agencies owning real property in North Dakota to participate in the North Dakota Centennial 100,000,000 Tree Project.
Was read the first time and referred to the Committee on Agriculture.
- HCR 3045: A concurrent resolution urging the Governor of North Dakota to declare 1989 as the Year of the Young Reader.
Was read the first time and referred to the Committee on Education.
- HCR 3049: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of consolidating the various agricultural loan programs administered by the Bank of North Dakota.
Was read the first time and referred to the Committee on Agriculture.
- HCR 3050: A concurrent resolution directing the Legislative Council to study the fees charged by agencies, boards, commissions, departments, and other instrumentalities of the state and its political subdivisions.
Was read the first time and referred to the Committee on State and Federal Government.
- HCR 3052: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of periodically and systematically reviewing all statutorily created boards, commissions, committees, and councils to determine the necessity of those bodies.
Was read the first time and referred to the Committee on State and Federal Government.
- HCR 3053: A concurrent resolution directing the Legislative Council to study the problems associated with the grading and purchasing of barley for malting purposes.
Was read the first time and referred to the Committee on Agriculture.

The Senate stood adjourned pursuant to Senator Maixner's motion.

PATRICIA CONRAD, Secretary