

## JOURNAL OF THE HOUSE

## Fifty-second Legislative Assembly

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Bismarck, April 2, 1991

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

The prayer was offered by the Rev. Duane Danielson, Evangelical Lutheran Church of America, Bismarck.

The roll was called and all members were present except Representative Whalen.

A quorum was declared by the Speaker.

MESSAGE to the HOUSE from the SENATE (Marion Houn, Secretary)

MR. SPEAKER: The Senate has passed unchanged: HB 1008, HB 1471, HCR 3067.

MESSAGE to the HOUSE from the SENATE (Marion Houn, Secretary)

MR. SPEAKER: The Senate has amended and subsequently failed to pass: HCR 3064.

MESSAGE to the HOUSE from the SENATE (Marion Houn, Secretary)

MR. SPEAKER: The Senate does not concur in the House amendments to SB 2003, SB 2017, and SB 2020, and the President has appointed as a conference committee to act with a like committee from the House on:

SB 2003: Sens. Heinrich; Kelsh; Lips

SB 2017: Sens. Redlin; Robinson; Goetz

SB 2020: Sens. Satrom; Lindaas; Ingstad

MESSAGE to the HOUSE from the SENATE (Marion Houn, Secretary)

MR. SPEAKER: The Senate has concurred in the House amendments to SCR 4003, SCR 4033, SCR 4036, SCR 4048, and SCR 4061 and subsequently passed the same.

MESSAGE to the HOUSE from the SENATE (Marion Houn, Secretary)

MR. SPEAKER: The Senate has concurred in the House amendments to SCR 4022 and subsequently failed to pass the same.

## CONSIDERATION OF MESSAGE FROM THE SENATE

REP. THOMPSON MOVED that the House do not concur in the Senate amendments to Engrossed HB 1016 as printed on HJ pages 1556-1559 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed.

## APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on Engrossed HB 1016: Reps. Schmidt, Gerntholz, Meyer.

## MOTION

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

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

## COMMUNICATION FROM GOVERNOR GEORGE A. SINNER

April 1, 1991

This is to inform you that on April 1, 1991, I signed the following: HB 1579.

## COMMUNICATION FROM GOVERNOR GEORGE A. SINNER

April 1, 1991

While each of us has strong beliefs, the heart of the controversy over HB 1515 is women's rights during pregnancy and the question of when the separate human person, with immortal intellect and will, is present. Is it at conception, sometime later, or at birth?

No one knows.

The opinions of thoughtful people, religious and secular, on this issue, differ widely throughout history and in the present day.

Given that unknown, government's role must clearly be restrained. History is full of accounts of the misuse of governmental power, often for a "good" cause. On this issue abuse can exist on both sides. Some even suggest legally requiring abortions for cases of AIDS and to curtail overpopulation. Such abuse must be resisted vigorously on both sides. Government must not overstep its bounds. It must not play God.

I am a Catholic and, although throughout history Catholic writings on when life begins vary widely, I agree with the current Catholic judgment that abortion is wrong.

The issue here, however, is the role of law.

I do not agree with those churchmen who urge government to impose extremely restrictive laws. In that regard, I am in far greater agreement with the many Christians of all faiths who rely heavily on Christ's admonition to cling to "faith, hope and love," not "faith, hope and law," remembering that not once did Jesus say, "There ought to be a law."

The fact that so many thoughtful people today and throughout history have differed in their beliefs on this issue is perhaps why a great many caring faith communities, Jewish, Christian and otherwise, have admonished public officials to tread carefully in public policy in this area.

Let me quote some individual statements which indicate the heartfelt differences of opinion (realizing that, in some cases, there may have been varying statements by these organizations):

The Lutheran Church in America, in its 1970 social statement on "Sex, Marriage and Family," stated:

On the basis of the Evangelical ethic, a woman or couple may decide responsibly to seek an abortion. Earnest consideration should be given to the life and total health of the mother, her responsibilities to others in her family, the stage of development of the fetus, the economic and psychological stability of the home, the laws of the land, and the consequences for society as a whole.

The National Council of Catholic Bishops, on November 7, 1989, adopted the following statement:

Our long- and short-range public policy goals include: (1) constitutional protection for the right to life of unborn children to the maximum degree possible; (2) federal and state laws and administrative policies that restrict support for and the practice of abortion; (3) continual refinement and ultimate reversal of Supreme Court and other court decisions that deny the inalienable right to life; (4) supportive legislation to provide morally acceptable alternatives to abortion, and social policy initiatives which provide support to pregnant women for prenatal care and extended support for low income women and their children. We urge public officials, especially Catholics, to advance these goals in recognition of their moral responsibility to protect the weak and defenseless among us.

The United Methodist Church, in General Conference in 1988, adopted the following resolution:

We support the legal right to abortion as established by the 1973 Supreme Court decision. We encourage women in counsel with husbands, doctors, and pastors to make their own responsible decisions concerning the personal and moral questions surrounding the issue of abortion.

The American Jewish Congress, at its Biennial Convention in 1989, said the following:

The American Jewish Congress has long recognized that reproductive freedom is a fundamental right, grounded in the most basic notions of personal privacy, individual integrity and religious liberty. Jewish religious traditions hold that a woman must be left to her own conscience and God to decide for herself what is morally correct.

The policy of the Presbyterian Church, adopted in the General Assembly 1983, and reaffirmed in 1985, 1987, 1988, and 1989 reads:

...The church's position on public policy concerning abortion should reflect respect for other religious traditions and advocacy for full exercise of religious liberty. The Presbyterian Church exists within a very pluralistic environment. Its own members hold a variety of views. It is exactly this pluralism of beliefs which lead us to the conviction that the decision regarding abortion must remain with the individual, to be made on the basis of conscience and personal religious principles, and free from governmental interference.

Consequently, we have a responsibility to work to maintain a public policy of elective abortion, regulated by the health code, not the criminal code. The legal right to have an abortion is a necessary prerequisite to the exercise of conscience in abortion decisions. Legally speaking, abortion should be a woman's right because, theologically speaking, making a decision about abortion is, above all, her responsibility.

The United Church of Christ, in its General Synod 16, wrote the following:

(The Synod) Upholds the right of men and women to have access to adequately funded family planning services, and to safe, legal abortions as one option among others....

The Reorganized Church of Jesus Christ of Latter Day Saints in 1974 (reaffirmed in 1980) adopted the following:

We affirm the inadequacy of simplistic answers that regard all abortions as murder, or, on the other hand, regard abortion only as a medical procedure without moral significance.

We affirm the right of the woman to make her own decision regarding the continuation or termination of problem pregnancies. Preferably, this decision should be made in cooperation with her companion and in consultation with a physician, qualified minister, or professional counselor....

The Episcopal Church, in its General Convention in 1988, adopted the following:

We believe that legislation concerning abortions will not address the root of the problem. We therefore express our deep conviction that any proposed legislation on the part of national or state governments regarding abortions must take special care to see that individual conscience is respected and that the responsibility of individuals to reach informed decisions in this matter is acknowledged and honored.

These are the varied conclusions of thinking, caring religious Americans.

There are many other historical writings as well which have led me to conclude that, since neither I nor anyone else can prove the presence of a separate human person at the moment of conception, women's consciences must be respected.

Government policy must find a balanced way which respects the freedom of women in this difficult area. This bill does not do so.

That is why I have vetoed HB 1515.

#### MOTIONS

REP. KLOUBEC MOVED that HB 1515 be reconsidered pursuant to Article V, Section 9, of the Constitution of the State of North Dakota for the purpose of overriding the Governor's veto, and that HB 1515 be placed on the Eleventh order on the calendar, which motion prevailed.

REP. KLOUBEC MOVED that debate on Engrossed HB 1515 be set for a time certain, and that time being 10:25 a.m., which motion prevailed.

REP. KLOUBEC MOVED that the rules be suspended and that each Representative speaking on the bill be limited to two minutes each, which motion prevailed.

#### RECONSIDERATION OF A VETOED MESSAGE

HB 1515: A BILL for an Act to amend and reenact sections 14-02.1-01, 14-02.1-02, 14-02.1-03, subsection 2 of section 14-02.1-03.1, and sections 14-02.1-04 and 14-02.1-12 of the North Dakota Century Code, relating to abortions and the Human Life Protection Act; and to provide a penalty.

#### ROLL CALL

The question being on the final passage of the bill, as enrolled over the Governor's veto, which has been read, the roll was called and there were 63 YEAS, 43 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Bateman; Belter; Bernstein; Bodine; Boehm; Boucher; Brokaw; Brown; Carlisle; Clayburgh; Cleary; Coats; Dalrymple; Delzer; DeWitz; Dorso; Erickson; Freier; Gerntholz; Gorder; Gorman; Grosz; Grumbo; Hausauer; Howard; Kelsch; Kerzman; Kretschmar; Kunkel; Laughlin; Mahoney; Martin; Meyer; Miller; Muhs; Myrdal; Nicholas; Nichols; Nowatzki; Olsen, D.; Olson, A.; Price; Rennerfeldt; Scherber; Schimke; Schindler; Schmidt; Shide; Skar; Skjerven; Soukup; St. Aubyn; Svedjan; Thompson; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Whalen; Wilkie; Speaker R. Anderson

NAYS: Aarsvold; Anderson, B.; Berg, G.; Berg, R.; Byerly; Carlson; DeMers; Enget; Flaagan; Gabrielson; Gates; Gilmore; Goffe; Hanson; Henegar; Hokana; Huether; Jacobson; Jensen; Kaldor; Kloubec; Kolbo; Kroeber; Larson; Linderman; Martinson; Mutzenberger; Nelson; Oban; Payne; Peterson; Porter; Pyle; Ring; Ritter; Rydell; Schneider; Snyder; Starke; Stofferahn; Thorpe; Wentz; Williams

The House sustained the Governor's veto on Engrossed HB 1515.

#### MOTION

REP. KLOUBEC MOVED that the House stand in recess until 1:00 p.m., which motion prevailed.

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

MESSAGE to the HOUSE from the SENATE (Marion Houn, Secretary)

MR. SPEAKER: The Senate has failed to pass: HB 1228.

MESSAGE to the HOUSE from the SENATE (Marion Houn, Secretary)

MR. SPEAKER: The Senate has concurred in the House amendments to SB 2021, SB 2032, SB 2284, SB 2332, SB 2353, SB 2403, and SB 2457 and subsequently passed the same.

MESSAGE to the HOUSE from the SENATE (Marion Houn, Secretary)

MR. SPEAKER: The Senate has concurred in the House amendments to SB 2458, SB 2512, SB 2534, SB 2557, SB 2560, SB 2579, and SCR 4001 and subsequently passed the same.

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

MR. PRESIDENT: The House has amended and subsequently passed: SB 2231.

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

MR. PRESIDENT: The House does not concur in the Senate amendments to HB 1016, and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1016: Reprs. Schmidt; Gerntholz; Meyer

MESSAGE to the HOUSE from the SENATE (Marion Houn, Secretary)

MR. SPEAKER: The Senate does not concur in the House amendments to SB 2231, and the President has appointed as a conference committee to act with a like committee from the House on:

SB 2231: Sens. Tomac; Moore; DeKrey

MESSAGE to the HOUSE from the SENATE (Marion Houn, Secretary)

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

HB 1043: Sens. Schoenwald; Keller; Krebsbach

HB 1378: Sens. Keller; Krauter; David

HB 1611: Sens. Graba; Maxson; Holmberg

#### MOTION

REP. KLOUBEC MOVED that the House stand in recess until 3:00 p.m., which motion prevailed.

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

#### HOUSE ENROLLING REPORT

The following bills were enrolled: HB 1001, HB 1003, HB 1139, HB 1291, HB 1578.

#### HOUSE ENGROSSING AND ENROLLING REPORT

The following bill was engrossed and enrolled: HB 1261.

MESSAGE to the HOUSE from the SENATE (Marion Houn, Secretary)

MR. SPEAKER: The President has signed and your signature is respectfully requested on: SB 2012, SB 2024, SB 2204, SB 2210, SB 2275, SB 2281, SB 2327, SB 2329, SB 2340, SB 2351, SB 2352, SB 2354, SB 2372, SB 2389, SB 2397, SB 2431, SB 2447, SCR 4057.

MESSAGE to the HOUSE from the SENATE (Marion Houn, Secretary)

MR. SPEAKER: The President has signed and your signature is respectfully requested on: SB 2033, SB 2203, SB 2588, SB 2589, SB 2590, SB 2593, SCR 4067.

MESSAGE to the HOUSE from the SENATE (Marion Houn, Secretary)

MR. SPEAKER: The President has signed and your signature is respectfully requested on: SB 2028, SB 2035, SB 2063, SB 2078, SB 2100, SB 2188, SB 2193, SB 2214, SB 2215, SB 2219, SB 2227, SB 2237, SB 2262, SB 2270, SB 2274, SCR 4011.

MESSAGE to the HOUSE from the SENATE (Marion Houn, Secretary)

MR. SPEAKER: The Senate has amended and subsequently passed: HB 1002, HB 1018, HB 1019.

#### SENATE AMENDMENTS TO ENGROSSED HB 1002

Page 1, line 4, after "courts" insert "; and to provide for a legislative council study of the feasibility and desirability of including all county judges in the public employees retirement system"

Page 1, line 22, replace "193,828" with "213,828"

Page 2, line 1, replace "5,418,758" with "5,398,758"

Page 2, line 6, replace "3,999,324" with "3,959,324"

Page 2, line 9, replace "17,599,800" with "17,559,800"

Page 2, line 11, replace "17,497,858" with "17,457,858"

Page 2, line 20, replace "107,392" with "72,000"

Page 2, line 21, replace "241,080" with "276,472"

Page 2, line 22, replace "23,157,696" with "23,133,088"

Page 2, line 23, replace "403,162" with "387,770"

Page 2, line 24, replace "23,560,858" with "23,520,858"

Page 4, after line 7, insert:

"SECTION 6. LEGISLATIVE COUNCIL STUDY OF INCLUDING ALL COUNTY JUDGES IN THE PUBLIC EMPLOYEES RETIREMENT SYSTEM. During the 1991-92 interim the legislative council shall study the feasibility and desirability of including all county judges in the public employees retirement system. The legislative council shall report its findings and recommendations, together with any legislation necessary to implement the recommendations, to the fifty-third legislative assembly."

Reumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

##### DEPARTMENT 180 - SUPREME COURT

This amendment decreases the general fund appropriation by \$20,000 and increases estimated income by \$20,000 to reflect the amount of anticipated income.

##### DEPARTMENT 183 - JUDICIAL CONDUCT COMMISSION

This amendment increases the general fund appropriation by \$35,392 to fund the salary of the secretary position provided in the executive budget. Estimated income is reduced by the same amount since the moneys are not available from the State Bar Association as included in the House version.

A section is added to provide a Legislative Council study to consider including all county judges in the Public Employees Retirement System.

##### DEPARTMENT 185 - DISTRICT COURTS

The operating expenses line item is reduced by \$40,000 from the general fund to reduce indigent defense moneys which was in error in the budget request for the Northwest District Court.

#### SENATE FLOOR AMENDMENTS TO ENGROSSED HB 1002

Page 1, line 2, remove "and to amend and reenact sections 27-02-02 and 27-05-03"

Page 1, remove line 3

Page 1, line 4, replace "the supreme and district courts" with "to provide an appropriation for additional compensation to North Dakota state employees; to amend and reenact sections 4-01-21, 15-21-02, 26.1-01-09, 27-02-02, 27-05-03, 34-05-01.2, 49-01-05, 54-07-04, 54-08-03, 54-09-05, 54-10-10, 54-11-13, 54-12-11, and 57-01-04 of the North Dakota Century Code, relating to the salaries of the commissioner of agriculture, superintendent of public instruction, commissioner of insurance, supreme court justices, district court judges, commissioner of labor, public service commissioners, governor, lieutenant governor, secretary of state, state auditor, state treasurer, attorney general, and tax commissioner; and to provide an effective date"

Page 2, line 22, replace "23,157,696" with "29,216,133"

Page 2, line 23, replace "403,162" with "3,555,167"

Page 2 line 24, replace "23,560,858" with "32,771,300"

Page 3, remove lines 9 through 29

Page 4, replace lines 1 through 7 with:

"SECTION 4. APPROPRIATION. The sums hereinafter listed, or so much thereof as may be necessary, are hereby appropriated out of the general fund and from special funds or moneys derived from federal funds or income in the state treasury as indicated to the agencies and institutions of state government named for the purpose of providing additional compensation to employees for the various agencies and institutions for the period beginning July 1, 1992, and ending June 30, 1993:

AGENCY OR INSTITUTION	GENERAL FUND	SPECIAL FUNDS	TOTAL
Governor	\$ 13,072		\$ 13,072
Lieutenant governor	2,313		2,313
Secretary of state	17,748		17,748
Office of management and budget			
Facility management	43,019		43,019
Central operations	50,222		50,222
Information services division		\$ 97,125	97,125
State auditor	31,296	18,380	49,676
Central duplicating services		16,912	16,912
State treasurer	7,010		7,010
Attorney general	96,954	5,103	102,057
Tax department	117,346		117,346
Legislative council	33,066		33,066
Supreme court	43,355		43,355
Judicial qualifications commission	3,439		3,439
District court	130,612		130,612
Retirement and investment office		17,045	17,045
Public employees retirement board		16,752	16,752
Public instruction	45,703	55,860	101,563
Board of higher education	16,156		16,156
Land department		15,001	15,001
Bismarck state college	124,426		124,426
UNO-Lake Region	37,657		37,657
UNO-Williston	40,191		40,191
University of North Dakota	922,455		922,455
Medical center rehabilitation hospital		153,976	153,976
University of North Dakota medical center	217,122	145,352	362,474
State toxicologist	6,100		6,100
North Dakota state university	747,163		747,163
North Dakota state college of science	201,188		201,188

Dickinson state university	107,925		107,925
Mayville state university	64,628		64,628
Minot state university	241,336		241,336
Valley City state university	94,758		94,758
NDSU-Bottineau branch	35,419		35,419
North Dakota forest service	15,698		15,698
State library	17,756		17,756
School for the deaf	38,721		38,721
School for the blind	25,423		25,423
Vocational education	11,064	13,522	24,586
State department of health and consolidated laboratories	128,379	85,586	213,965
Veterans home	20,180	30,271	50,451
Indian affairs commission	1,409		1,409
Veterans affairs	3,724		3,724
Children's services coordinating committee	2,979		2,979
Department of human services			
Executive office	2,155	240	2,395
Managerial support	46,021	20,676	66,697
Economic assistance	26,293	8,764	35,057
Medical assistance	10,253	17,457	27,710
Vocational rehabilitation	15,920	15,296	31,216
Office of field services	53,296	1,648	54,944
Regional centers	443,364	28,300	471,664
State hospital	560,479	11,439	571,918
Developmental center	174,378	354,039	528,417
Protection and advocacy project	20,564		20,564
Insurance commissioner		27,386	27,386
Industrial commission		43,917	43,917
Labor commissioner	5,300		5,300
Public service commission	27,246	14,671	41,917
Aeronautics commission	481	3,306	3,787
Department of banking and financial institutions		18,449	18,449
Securities commissioner	5,441		5,441
Bank of North Dakota		141,669	141,669
Housing finance agency		27,209	27,209
Job service		341,969	341,969
Workers compensation bureau		76,654	76,654
Highway patrol		147,812	147,812
Radio communications	21,489		21,489
Emergency management	3,280	9,841	13,121
Department of corrections			
Central office	4,477		4,477
Juvenile services	17,102		17,102
Industrial school	41,191	17,653	58,844
State penitentiary	130,382		130,382
Penitentiary industries		16,805	16,805
Parole and probation	27,011	3,001	30,012
Adjutant general	25,077	63,224	88,301
Economic development and finance department	26,869		26,869
Department of agriculture	24,475	6,119	30,594
Milk stabilization board		4,158	4,158
Oilseed council		705	705
Seed department		26,250	26,250
Board of animal health	4,257		4,257
State wheat commission		6,698	6,698
Transportation institute	3,627	6,176	9,803
Extension service	171,402	21,184	192,586
Northern crops institute	4,254	1,737	5,991
Main research center	221,065	94,743	315,808
Dickinson research center	8,689		8,689
Central grassland research center	3,743		3,743
Hettinger research center	4,388	488	4,876
Langdon research center	3,696	653	4,349

North central research center	4,601		4,601
Williston research center	5,253		5,253
Carrington research center	7,795	2,740	10,535
Agronomy seed farm		2,341	2,341
Land reclamation research center		16,170	16,170
Historical society	35,119	1,848	36,967
Council on the arts	2,277	569	2,846
Soil conservation committee	7,972		7,972
Centennial trees commission	804		804
Game and fish department		87,377	87,377
Department of parks and tourism	33,280	1,752	35,032
Water commission	66,659		66,659
Department of transportation			
Transportation operation		740,986	740,986
Fleet services		11,642	11,642
Motor vehicle		35,359	35,359
Total	<u>\$6,058,437</u>	<u>\$3,152,005</u>	<u>\$9,210,442</u>

SECTION 5. STATE EMPLOYEE SALARY INCREASES - EFFECTIVE DATE. The amounts appropriated in section 1 of this Act are only to be available to state agencies and institutions beginning on July 1, 1992, to be paid beginning on August 1, 1992, or later, for average employee compensation increases of two percent with a minimum of fifty dollars per month for each permanent full-time employee.

SECTION 6. AMENDMENT. Section 4-01-21 of the 1989 Supplement to the North Dakota Century Code is amended and reenacted as follows:

4-01-21. Salary of commissioner of agriculture. The annual salary of the commissioner of agriculture is ~~forty-nine~~ fifty-one thousand ~~three~~ two hundred ~~seventy-two~~ seventy-two dollars through June 30, 1992, and fifty-two thousand ~~two~~ two hundred ~~ninety-seven~~ ninety-seven dollars thereafter.

SECTION 7. AMENDMENT. Section 15-21-02 of the 1989 Supplement to the North Dakota Century Code is amended and reenacted as follows:

15-21-02. Salary and traveling expenses. The annual salary of the superintendent of public instruction is ~~fifty~~ fifty-two thousand ~~three~~ three hundred ~~twelve~~ twelve dollars through June 30, 1992, and fifty-three thousand ~~three~~ three hundred ~~fifty-eight~~ fifty-eight dollars thereafter. The superintendent is also entitled to reimbursement for expenses incurred in the discharge of official duties, such expenses to be paid monthly on a warrant prepared by the office of management and budget and signed by the state auditor, upon the filing of an itemized and verified statement of expenses.

SECTION 8. AMENDMENT. Section 26.1-01-09 of the North Dakota Century Code is amended and reenacted as follows:

26.1-01-09. Salary of commissioner. The annual salary of the commissioner is ~~forty-nine~~ fifty-one thousand ~~three~~ two hundred ~~seventy-two~~ seventy-two dollars through June 30, 1992, and fifty-two thousand ~~two~~ two hundred ~~ninety-seven~~ ninety-seven dollars thereafter.

SECTION 9. AMENDMENT. Section 27-02-02 of the 1989 Supplement to the North Dakota Century Code is amended and reenacted as follows:

27-02-02. Salaries of judges of supreme court. Each judge of the supreme court ~~shall~~ is entitled to receive an annual salary ~~commencing July 1, 1989,~~ of sixty-three ~~seventy-one~~ seventy-one thousand ~~eight~~ eight hundred ~~seventy-one~~ seventy-five dollars ~~except that the~~ through June 30, 1992, and seventy-two thousand ~~four~~ four hundred ~~ninety-seven~~ ninety-seven dollars thereafter. ~~The~~ The chief justice of the supreme court ~~shall~~ is entitled to receive an additional ~~one~~ two thousand ~~seven~~ seven hundred ~~seventy-seven~~ seventy-seven dollars per annum and commencing on July 1, 1990; each judge of the supreme court ~~shall~~ receive an annual salary of ~~sixty-eight~~ sixty-eight thousand ~~three~~ three hundred ~~forty-two~~ forty-two dollars ~~except that the~~

chief justice of the supreme court shall receive an additional one thousand nine hundred one dollars per annum through June 30, 1992, and two thousand forty dollars per annum thereafter.

SECTION 10. AMENDMENT. Section 27-05-03 of the 1989 Supplement to the North Dakota Century Code is amended and reenacted as follows:

27-05-03. Salaries and expenses of district judges. Each district judge of this state ~~shall~~ is entitled to receive an annual salary ~~commencing July 1, 1989, of fifty-nine sixty-five thousand four hundred five ninety dollars and commencing July 1, 1990, an annual salary of sixty-two thousand nine hundred sixty-nine dollars and his through June 30, 1992, and sixty-six thousand eight hundred dollars thereafter.~~ Each district judge is entitled to actual travel expenses-~~which shall include~~ including mileage and subsistence while engaged in the discharge of his official duties outside the county in which his the judge's chambers are located. Such salary and expenses shall be payable monthly in the manner provided by law.

Each district judge who has been appointed by the supreme court to act as presiding judge of a judicial district ~~shall~~ is entitled to receive an additional one thousand ~~four five hundred eight fifty~~ dollars per annum ~~commencing July 1, 1989, and one thousand four hundred ninety-three dollars per annum commencing July 1, 1990,~~ through June 30, 1992, and one thousand five hundred eighty-one dollars thereafter.

SECTION 11. AMENDMENT. Section 34-05-01.2 of the 1989 Supplement to the North Dakota Century Code is amended and reenacted as follows:

34-05-01.2. Department of labor to be administered by commissioner of labor. The department of labor must be administered by a commissioner of labor who must be elected for a four-year term on a no-party ballot in the year 1966 and every four years thereafter in the same manner as provided for no-party candidates pursuant to title 16.1. Following his election, the term of the commissioner of labor commences on the same day as the terms for other elected state officials. The commissioner of labor shall possess the same qualifications for office as the commissioner of agriculture. The annual salary of the commissioner of labor is ~~forty-nine~~ fifty-one thousand ~~three two~~ hundred ~~seventy-two~~ dollars through June 30, 1992, and ~~fifty-two thousand two hundred ninety-seven~~ dollars thereafter.

SECTION 12. AMENDMENT. Section 49-01-05 of the 1989 Supplement to the North Dakota Century Code is amended and reenacted as follows:

49-01-05. Salary of commissioners. The annual salary of a commissioner is ~~forty-nine~~ fifty-one thousand ~~three two~~ hundred ~~seventy-two~~ dollars through June 30, 1992, and ~~fifty-two thousand two hundred ninety-seven~~ dollars thereafter. All fees received or charged by any such commissioner for any act or service rendered in any official capacity, shall be accounted for and paid over by him monthly to the state treasurer and shall be credited to the general fund of the state.

SECTION 13. AMENDMENT. Section 54-07-04 of the North Dakota Century Code is amended and reenacted as follows:

54-07-04. Salary of governor. The annual salary of the governor is ~~sixty-five~~ sixty-seven thousand ~~two eight~~ hundred ~~four~~ dollars through June 30, 1992, and ~~sixty-nine thousand one hundred sixty~~ dollars thereafter.

SECTION 14. AMENDMENT. Section 54-08-03 of the North Dakota Century Code is amended and reenacted as follows:

54-08-03. Salary of lieutenant governor. The annual salary of the lieutenant governor is up to ~~forty-three~~ fifty-five thousand ~~five~~ six hundred ~~thirty-six~~ dollars through June 30, 1992, and ~~forty-six~~ thousand seven hundred forty-nine dollars thereafter.

SECTION 15. AMENDMENT. Section 54-09-05 of the North Dakota Century Code is amended and reenacted as follows:

54-09-05. Salary of secretary of state. The annual salary of the secretary of state is ~~forty-nine~~ fifty-one thousand ~~three~~ two hundred ~~seventy-two~~ dollars through June 30, 1992, and ~~forty-two~~ thousand two hundred ninety-seven dollars thereafter.

SECTION 16. AMENDMENT. Section 54-10-10 of the North Dakota Century Code is amended and reenacted as follows:

54-10-10. Salary of state auditor. The annual salary of the state auditor is ~~forty-nine~~ fifty-one thousand ~~three~~ two hundred ~~seventy-two~~ dollars through June 30, 1992, and ~~forty-two~~ thousand two hundred ninety-seven dollars thereafter.

SECTION 17. AMENDMENT. Section 54-11-13 of the North Dakota Century Code is amended and reenacted as follows:

54-11-13. Salary of state treasurer. The annual salary of the state treasurer is ~~forty-nine~~ fifty-one thousand ~~three~~ two hundred ~~seventy-two~~ dollars through June 30, 1992, and ~~forty-two~~ thousand two hundred ninety-seven dollars thereafter.

SECTION 18. AMENDMENT. Section 54-12-11 of the North Dakota Century Code is amended and reenacted as follows:

54-12-11. Salary of attorney general. The annual salary of the attorney general is ~~fifty-five~~ fifty-seven thousand ~~seven~~ nine hundred ~~twenty-eight~~ dollars through June 30, 1992, and ~~forty-nine~~ thousand ~~eighty-seven~~ dollars thereafter.

SECTION 19. AMENDMENT. Section 57-01-04 of the 1989 Supplement to the North Dakota Century Code is amended and reenacted as follows:

57-01-04. Salary. The annual salary of the state tax commissioner is ~~forty-nine~~ fifty-one thousand ~~three~~ two hundred ~~seventy-two~~ dollars through June 30, 1992, and ~~forty-two~~ thousand two hundred ninety-seven dollars thereafter.

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

This amendment provides for an employee salary increase during the second year of the 1991-93 biennium of two percent, with a minimum of \$50 per month, for each permanent full-time employee. A total of \$6,058,437 from the general fund is added with an additional \$3,152,005 of other funds, for a total addition of \$9,210,442.

#### SENATE AMENDMENTS TO ENGROSSED HB 1018

Page 1, line 15, replace "1,720,936" with "5,269,369"

Page 1, line 16, replace "1,860,325" with "5,408,758"

Page 1, line 17, replace "1,755,383" with "3,303,816"

Page 1, line 18, replace "104,942" with "2,104,942"

Page 1, remove lines 19 through 22

Page 2, remove lines 1 and 2

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 324 - CHILDREN'S SERVICES COORDINATING COMMITTEE

This amendment restores \$2,000,000 from the general fund removed in the House for grants to other state agencies for children at risk programs and \$462,415 of federal and other funds removed in the House for the Families First - project administration program for grants to the regional boards and other grants. In addition, federal and other funds of \$1,086,018 which may be available as a result of the \$2,000,000 general fund appropriation are added to the grants line item. The increased grants are as follows:

GRANT	GENERAL FUND	FEDERAL FUNDS	OTHER FUNDS	TOTAL
Department of Human Services				
Regional pre-vention and intervention	\$ 150,000			\$ 150,000
Day treatment Children and adolescents at risk teams	141,432	\$189,000	\$248,400	578,832
Children's psy-chiatric teams	1,129,445	190,000		1,319,445
Treatment for sexually abused children	347,487	61,179		408,666
		200,000	197,439	397,439
Department of Public Instruction				
Day treatment	173,916			173,916
Department of Corrections and Rehabilitation				
Day treatment	57,720			57,720
Families First - regional boards			202,385	202,385
Other grants		<u>260,030</u>		<u>260,030</u>
Total	\$2,000,000	\$900,209	\$648,224	\$3,548,433

The following schedule compares the executive budget recommendation, the House version, and the Senate version by funding source:

	EXECUTIVE BUDGET RECOMMEN-DATION	HOUSE VERSION	SENATE VERSION	HOUSE CHANGE TO THE EXECUTIVE BUDGET	SENATE CHANGE TO THE EXECUTIVE BUDGET	SENATE CHANGE TO HOUSE VERSION
General fund	\$2,111,375	\$ 104,942	\$2,104,942	\$(2,006,433)	\$ (6,433)	\$2,000,000
Federal funds	280,000	19,970	920,179	(260,030)	640,179	900,209
Other funds	1,937,798	1,735,413	2,383,637	(202,385)	445,839	648,224
Total	<u>\$4,329,173</u>	<u>\$1,860,325</u>	<u>\$5,408,758</u>	<u>\$(2,468,848)</u>	<u>\$1,079,585</u>	<u>\$3,548,433</u>

SENATE AMENDMENTS TO ENGROSSED HB 1019

In lieu of the amendments as provided on pages 1376-1379 of the Senate Journal, that Engrossed House Bill No. 1019 be amended as follows:

Page 1, line 4, after the semicolon insert "to repeal section 7 of House Bill No. 1005, as approved by the fifty-second legislative assembly, relating to the land reclamation research center; to provide for a bond issuance for a Bismarck state college parking lot;"

Page 1, line 16, replace "4,168,699" with "4,421,919"

Page 1, line 17, replace "208,924" with "209,624"

Page 1, line 18, replace "1,500,644" with "1,540,797"

Page 1, line 19, replace "135,293" with "141,293"

Page 1, line 20, replace "6,364,000" with "6,743,807"

Page 2, line 1, replace "50,000" with "50,000"

Page 2, remove line 2

Page 2, line 3, replace "special funds appropriation" with "all funds" and replace "24,935,824" with "25,600,704"

Page 2, after line 3, insert:

"Less estimated income	<u>25,220,897</u>
Total general fund appropriation	\$ 379,807"

Page 2, remove line 18

Page 2, line 20, replace "20,839,141" with "16,404,141"

Page 2, line 23, replace "2,077,979" with "2,101,429"

Page 2, line 28, replace "50,000" with "100,000"

Page 2, line 29, replace "34,107,631" with "34,181,081"

Page 2, after line 29, insert:

"Grand total general fund appropriation H.B. 1019	\$ 379,807"
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Page 3, line 1, replace "102,891,887" with "99,165,410"

Page 3, after line 1, insert:

"Grand total all funds appropriation H.B. 1019	\$99,545,217"
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Page 3, line 9, replace "\$5,517,775" with "\$5,532,775"

Page 4, remove lines 6 through 10

Page 7, line 3, replace "budget" with "emergency commission"

Page 7, line 4, remove "section"

Page 7, remove lines 5 through 20

Page 7, line 22, replace "\$623,533" with "\$379,807"

Page 7, line 23, replace "lignite" with "general"

Page 7, line 24, remove "research"

Page 7, after line 26, insert:

"SECTION 13. APPROPRIATION - HOUSING FINANCE AGENCY. In addition to the amount appropriated to the housing finance agency in subdivision

4 of section 1 of this Act, there is hereby appropriated any additional income from federal or other funds which may become available to the agency for the biennium beginning July 1, 1991, and ending June 30, 1993.

SECTION 14. SOLID WASTE MANAGEMENT FUND. The estimated income line item included in section 1 of this Act includes \$140,000 which the geological survey may spend from the solid waste management fund for the biennium beginning July 1, 1991, and ending June 30, 1993.

SECTION 15. BOARD OF HIGHER EDUCATION - BOND ISSUANCE - APPROPRIATION. The state board of higher education, in accordance with chapter 15-55, is hereby authorized to issue and sell self-liquidating, tax-exempt bonds in any amount up to, but not exceeding, \$350,000, for the purpose of constructing a revenue-producing parking lot at Bismarck state college. Bonds issued under the provisions of this Act may not become a general obligation of the state of North Dakota. The proceeds from the sale of bonds, or so much thereof as may be necessary, plus any available funds received from federal or private sources, are hereby appropriated for the construction and equipping of a parking lot. Any unexpended balance from the sale of bonds must be placed in a sinking fund for the retirement of the authorized bonds.

SECTION 16. LEGISLATIVE INTENT - MILL AND ELEVATOR ASSOCIATION. It is the intent of the fifty-second legislative assembly that the mill and elevator association phase out its certified seed grains processing and marketing program.

SECTION 17. REPEAL. Section 7 of House Bill No. 1005, as approved by the fifty-second legislative assembly, is repealed."

ReNUMBER accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 405 - INDUSTRIAL COMMISSION

Salaries and Wages

Salaries and wages are increased by \$253,220 from other funds for the following positions:

	OTHER FUNDS
1 FTE research analyst (Industrial Commission) (added in executive budget and deleted in House)	\$ 65,261
1 FTE geologist II (Geological Survey) (added in executive budget and deleted in House)	68,212
Geological Survey - Funding was to come from core library user fees but bill was defeated	15,000
1 FTE geologist and temporary summer help for solid waste management per House Bill No. 1060 funded from the solid waste management fund	104,747
	-----
Total	\$253,220

Operating Expenses

Operating expenses are increased by \$4,900 to restore the amount deleted by the House relating to the research analyst position. Also, \$35,253 is added from the solid waste management fund for solid waste management per House Bill No. 1060.

The amendments restore \$700 from other funds for data processing and \$6,000 from other funds for equipment relating to funding for the research analyst position.

Grants

The grants line item is increased by \$379,807 from the general fund to provide funding for the Land Reclamation Research Center for the first year of the biennium including the Governor's salary package. The House provided funding for the center from the lignite research fund for both years of the biennium and the executive budget provided funding from the general fund for the first year of the biennium. The center may apply on a competitive basis for grants from the lignite research fund for operating funds for the second year of the biennium. Section 7 of House Bill No. 1005 is repealed as it conflicts with the above provisions since it provides funding for the research center from the lignite research fund for both years of the biennium.

Geological Survey Contingency

This line item and the related section are removed since the funding was to be from increased core library user fees. The fee increase proposal was defeated. The \$15,000 is added back to salaries.

A new section appropriates \$140,000 from the solid waste management fund to the Geological Survey for completing site suitability reviews. Of the \$140,000, \$104,747 is in salaries and \$35,253 is in operating expenses.

## DEPARTMENT 473 - HOUSING FINANCE AGENCY

Salaries and wages are increased by \$23,450 from other funds to allow for 2.5 FTE positions rather than these employees being classified as temporary. The executive budget allowed for the positions to be FTE positions and the House changed their status back to temporary.

The contingency line item is increased by \$50,000 from other funds to restore funding deleted by the House.

## DEPARTMENT 475 - MILL AND ELEVATOR

The capital improvements line item of \$4,435,000 from other funds and the related section added by the House are deleted. It is the intent of the Senate, as in the past, the Mill and Elevator's capital improvement projects be approved by the Industrial Commission and need not be part of the appropriation.

Also, a section of legislative intent is added requiring the Mill and Elevator to phase out its certified seed grains processing and marketing program.

The amendments also provide that Bismarck State College may issue revenue bonds in the amount of \$350,000 for the construction and equipping of a parking lot. The parking lot is needed only if funding for the science center is approved.

## SIGNING OF BILLS and RESOLUTIONS

The Speaker signed the following enrolled bills and resolutions: SB 2022, SB 2448, SB 2554, SB 2569, SB 2570, SB 2574, SB 2581, SB 2582, SB 2584, SB 2585, SCR 4020, SCR 4023, SCR 4041, SCR 4042, SCR 4045, SCR 4069.

## MOTIONS

REP. KLOUBEC MOVED that the House consider all bills on the Sixth order in one motion, with the exception of SB 2259, SB 2005, SB 2006, SB 2007, SB 2019, SB 2070, SB 2272, and SB 2596, which motion prevailed.

REP. KLOUBEC MOVED that SB 2018 and SB 2058 be laid over one legislative day, which motion prevailed.

REP. KLOUBEC MOVED that the rules be suspended and that the amendments to SB 2259, SB 2005, SB 2006, SB 2007, SB 2019, SB 2070, SB 2272, and SB 2596 be adopted, which motion prevailed.

SB 2259, SB 2005, SB 2006, SB 2007, SB 2019, SB 2070, SB 2272, and SB 2596, as amended, were placed on the Fourteenth order of business on the calendar.

#### SIXTH ORDER OF BUSINESS

SB 2234, as engrossed: REP. THOMPSON (Committee on Appropriations) MOVED that the amendments on HJ pages 1544-1549 be adopted and then be placed on the Fourteenth order with DO NOT PASS, which motion lost on a verification vote.

#### MOTION

REP. TOLLEFSON MOVED that the House waive the reading of the title to SB 2234, which motion prevailed.

#### SECOND READING OF SENATE BILL

SB 2234: A BILL for an Act to provide for the creation of an office of administrative hearings, the appointment of a director of administrative hearings and other administrative hearings officers, to require the adoption of uniform rules of administrative practice and procedure, and to establish an advisory council; to repeal subsection 2 of section 50-24.4-18 and subsection 18 of section 54-12-01 of the North Dakota Century Code, relating to appointment of administrative hearings officers by the attorney general and certain appeals by nursing homes; 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 70 YEAS, 34 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Bateman; Bodine; Boucher; Brokaw; Brown; Byerly; Carlson; Clayburgh; Cleary; Coats; DeMers; DeWitz; Enget; Erickson; Freier; Gabrielson; Gilmore; Goffe; Gorder; Grosz; Grumbo; Hanson; Hokana; Huether; Jacobson; Jensen; Kaldor; Kelsch; Kerzman; Kolbo; Kretschmar; Kroeber; Larson; Laughlin; Linderman; Mahoney; Martinson; Meyer; Miller; Mutzenberger; Myrdal; Nelson; Nicholas; Nichols; Nowatzki; Oban; Peterson; Porter; Price; Pyle; Ring; Ritter; Scherber; Schimke; Schneider; Skar; Skjerven; Snyder; Soukup; St. Aubyn; Starke; Svedjan; Thorpe; Tollefson; Trautman; Wentz; Wilkie; Speaker R. Anderson

NAYS: Belter; Berg, G.; Berg, R.; Bernstein; Boehm; Carlisle; Dalrymple; Delzer; Dorso; Gates; Gerntholz; Gorman; Hausauer; Henegar; Howard; Kloubec; Kunkel; Martin; Muhs; Olsen, D.; Olson, A.; Payne; Rennerfeldt; Rydell; Schindler; Schmidt; Shide; Thompson; Timm; Urlacher; Wald; Wardner; Whalen; Williams

ABSENT AND NOT VOTING: Flaagan; Stofferahn

Engrossed SB 2234 passed and the title was agreed to.

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#### MOTION

REP. TOLLEFSON MOVED that the House reconsider its action whereby HB 1596 passed, which motion lost on a verification vote.

#### SIXTH ORDER OF BUSINESS

SB 2451, as engrossed: REP. THOMPSON (Committee on Appropriations) MOVED that the amendments on HJ pages 1550-1551 be adopted and then be placed on the Fourteenth order with DO PASS, which motion prevailed.

Engrossed SB 2451, as amended, was placed on the Fourteenth order on the calendar.

#### SECOND READING OF SENATE BILL

SB 2451: A BILL for an Act to create and enact a new section to chapter 19-18 of the North Dakota Century Code, relating to the environment and

rangeland protection fund; to amend and reenact section 19-18-04 of the North Dakota Century Code, relating to registration of pesticides; 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 100 YEAS, 3 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Bateman; Belter; Berg, G.; Berg, R.; Bernstein; Bodine; Boehm; Boucher; Brokaw; Brown; Carlisle; Carlson; Clayburgh; Cleary; Coats; Dalrymple; Delzer; DeMers; DeWitz; Dorso; Enget; Erickson; Freier; Gabrielson; Gates; Gertholz; Gilmore; Goffe; Gorder; Gorman; Grosz; Grumbo; Hanson; Hausauer; Henegar; Hokana; Howard; Huether; Jacobson; Jensen; Kaldor; Kelsch; Kerzman; Kloubec; Kolbo; Kretschmar; Kroeber; Kunkel; Larson; Laughlin; Linderman; Mahoney; Martin; Martinson; Meyer; Miller; Muhs; Mutzenberger; Myrdal; Nelson; Nicholas; Nichols; Nowatzki; Oban; Olsen, D.; Olson, A.; Payne; Peterson; Porter; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Shide; Skar; Skjervan; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thorpe; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Whalen; Wilkie; Williams; Speaker R. Anderson

NAYS: Byerly; Schindler; Schmidt

ABSENT AND NOT VOTING: Flaagan; Schneider; Thompson

Engrossed SB 2451 passed and the title was agreed to.

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#### MOTION

REP. TOLLEFSON MOVED that the House waive the reading of the titles to SB 2002, SB 2004, SB 2058, SB 2384, SB 2594, and SB 2596, which motion prevailed.

#### SIXTH ORDER OF BUSINESS

SB 2002, as engrossed: REP. THOMPSON (Committee on Appropriations) MOVED that the amendments on HJ pages 1527-1538 be adopted and then be placed on the Fourteenth order with DO PASS, which motion prevailed.

#### CONFLICT OF INTEREST

REP. PAYNE STATED that he had a conflict of interest on the adoption of the amendments to SB 2002 and requested permission to vote.

The question being on whether or not Rep. Payne could vote on the adoption of the amendments to SB 2002, which request was granted pursuant to House Rules 321 and 322.

#### SECOND READING OF SENATE BILL

SB 2002: A BILL for an Act making an appropriation for defraying the expenses of the department of human services, making an appropriation from the lands and minerals trust fund to the common schools trust fund, and providing an appropriation from the revolving loan fund maintained in the Bank of North Dakota; to provide authority for lease of real and personal property at the state developmental center and the state hospital; to provide alternative contingent appropriations; to allow the sale of surplus steam heat at the state developmental center; regarding administration of the child care block grant and at-risk child care programs; to create and enact a new section to chapter 50-06 of the North Dakota Century Code; to provide for insurance payments by the department of human services for persons with acquired immune deficiency syndrome; and to provide a legislative intent statement relating to federal financial participation.

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 102 YEAS, 3 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Bateman; Belter; Berg, G.; Berg, R.; Bernstein; Bodine; Boehm; Brokaw; Brown; Byerly; Carlisle; Carlson; Clayburgh; Cleary; Coats; Dalrymple; Delzer; DeMers; DeWitz; Dorso; Enget; Erickson; Freier; Gabrielson; Gates; Gerntholz; Gilmore; Goffe; Gorder; Gorman; Grosz; Grumbo; Hanson; Hausauer; Henegar; Hokana; Howard; Huether; Jacobson; Jensen; Kaldor; Kelsch; Kerzman; Kloubec; Kolbo; Kretschmar; Kroeber; Kunkel; Larson; Laughlin; Linderman; Mahoney; Martin; Martinson; Meyer; Miller; Muhs; Mutzenberger; Myrdal; Nelson; Nicholas; Nichols; Nowatzki; Oban; Olsen, D.; Olson, A.; Peterson; Porter; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schindler; Schmidt; Schneider; Shide; Skar; Skjerven; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thompson; Thorpe; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Wilkie; Williams; Speaker R. Anderson

NAYS: Payne; Schimke; Whalen

ABSENT AND NOT VOTING: Flaagan

Engrossed SB 2002 passed and the title was agreed to.

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

MR. PRESIDENT: The Speaker has signed: SB 2022, SB 2448, SB 2554, SB 2569, SB 2570, SB 2574, SB 2581, SB 2582, SB 2584, SB 2585, SCR 4020, SCR 4023, SCR 4041, SCR 4042, SCR 4045, SCR 4069.

SIXTH ORDER OF BUSINESS

SB 2004, as reengrossed: REP. THOMPSON (Committee on Appropriations) MOVED that the amendments on HJ pages 1538-1539 be adopted and then be placed on the Fourteenth order with DO PASS.

REQUEST

REP. OBAN REQUESTED that his remarks be printed in the Journal, which request was granted.

Thank you Mr. Speaker, members of the Assembly. I rise in opposition to the amendments to SB 2004 or to the portion of the amendments that deal with the supported employment program. I have no objections to the other amendments at all. I tried, and the Chief Clerk worked very hard to try to be able to figure out a way to divide the amendments before us today. Unfortunately, the way that they were worded, it was not possible to do that.

The supported employment program, Mr. Speaker and members of the Assembly, is something that's very dear to me, both personally and professionally. I work for the Bismarck Public Schools, and for the last two years Bismarck Public Schools, along with a number of other agencies and parents, have been involved in a Bismarck-Mandan Interagency Task Force on Transition, and last February you received a letter from some of the members, including myself, regarding that program. The supported employment program, and this transition task force goal was simply to provide employment, competitive employment, for people with moderate to severe disabilities, and one of the obstacles that we've dealt with over the two years is trying to be able to find that employment available in the public sector.

And if I could just read very briefly from the letter that was placed on your desk February 13, Section 7 would have allowed for the establishment of supported employment positions within state government. This section would enable supported employees to be employed within guidelines of the Central Personnel Division. Some of the students that we are advocating for had been denied employment because they could only do part of a job description or

could only work on a part-time basis due to health or physical limitations. This section would have enabled people with disabilities to be employed to the maximum of their potential, and would have also provided an opportunity for state government to be a positive role model to other employers.

I received a letter from the supported employment staff people, and again, some of the things that they wanted to point out, and the reason I'm rising on this particular amendment is simply to make sure that the Assembly is aware of this need so that when it gets to conference committee, again, it can be revisited. The supported employment program, which deals not just with students who are developmentally disabled but mentally ill, traumatic head injury, and other physically challenged individuals, has placed 345 individuals with severe disabilities in jobs in the private sector who are working at least twenty hours per week. The aggregate earning of these individuals totals in excess of \$2.5 million. For many years the office of Vocational Rehabilitation has placed handicapped individuals in jobs in the private sector, and this is going on in every one of your communities back home. These employers have been very faithful in providing employment for our handicapped citizens. As we increase our efforts to place even more severely disabled individuals and, again we're talking about all levels of disability and not just mentally handicapped in private employment, employers are asking one very legitimate question. Why isn't the public sector, particularly state government, employing individuals with severe disabilities? The supported employment program staff have visited every public appointed official regarding employment opportunities for the severely disabled, and the transition task force, that I referred to, that I was a part of, also visited with state officials to try to get them to be encouraged to hire people with disabilities. They have made numerous attempts at placing severely disabled individuals in jobs within state agencies. Almost without fail, the response to these attempts has been very positive and a high degree in hiring individuals with disabilities. However, the agencies either did not have the FTE or they do not have adequate appropriations in their salaries and wages line item. Section 7, again, would have provided the means for state agencies to hire individuals with severe disabilities. Any new positions that would be created would be carved out. And that's a new terminology that's not just here in North Dakota, but it's going on all over the country, and in many ways North Dakota is leading the charge on that issue. Carving out existing jobs means that parts of a job requiring lower skill levels would be combined, thus freeing up time of the current employees to do other higher skill level jobs. And, contrary to what Representative Gerntholz said, I believe there is clear evidence that this does save money. It's much cheaper to have individuals working out in a competitive market, whether it's in the private or public sector, than it is to have them receiving their training in sheltered workshops. It's much more costly.

But the bottom line is philosophical in our beliefs. The right to employment opportunities is the right of every citizen in North Dakota whether they are disabled or not. The responsibility to provide and create these employment opportunities is shared by both the public and the private sector. Reconsideration of Section 7 of SB 2004 when it enters the conference committee will demonstrate the State's commitment to this shared responsibility. I was disappointed that the amendments were not divided in the committee. There were attempts here to try to get it divided. It just was not possible from what I was told by the Chief Clerk. I intend to oppose this portion of the amendments; unfortunately, I have no other alternative but to oppose all of them, but I am not asking anyone else to oppose the amendments. I'm doing it because I believe this is an important program and to make a point that this needs to be considered in the conference committee.

Again, I rise to make the House aware of this need, and Mr. Speaker, if we could be on the Seventeenth order, I would request that my remarks be printed in the Journal.

The question being on the motion to adopt the amendments to Reengrossed SB 2004.

The motion to adopt the amendments to Reengrossed SB 2004 passed.

Reengrossed SB 2004, as amended, was placed on the Fourteenth order of business on the calendar.

#### SECOND READING OF SENATE BILL

SB 2004: A BILL for an Act to make an appropriation for defraying the expenses of the various divisions under the supervision of the director of the office of management and budget; to provide an exemption from the provisions of section 54-44.1-11 of the North Dakota Century Code; to provide a statement of legislative intent relating to state employee compensation adjustments; and to authorize the disposition of San Haven properties.

#### 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 102 YEAS, 3 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Bateman; Belter; Berg, G.; Berg, R.; Bernstein; Bodine; Boehm; Boucher; Brokaw; Brown; Byerly; Carlisle; Carlson; Clayburgh; Cleary; Coats; Dalrymple; Delzer; DeMers; DeWitz; Dorso; Enget; Erickson; Freier; Gabrielson; Gates; Gerntholz; Gilmore; Goffe; Gorder; Gorman; Grosz; Grumbo; Hanson; Hausauer; Henegar; Hokana; Howard; Huether; Jacobson; Jensen; Kaldor; Kelsch; Kerzman; Kloubec; Kretschmar; Kroeber; Kunkel; Larson; Laughlin; Linderman; Mahoney; Martin; Martinson; Meyer; Miller; Muhs; Mutzenberger; Myrdal; Nelson; Nicholas; Nichols; Nowatzki; Olsen, D.; Olson, A.; Payne; Peterson; Porter; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schindler; Schmidt; Schneider; Shide; Skar; Skjerven; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thompson; Thorpe; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Whalen; Wilkie; Williams; Speaker R. Anderson

NAYS: Kolbo; Oban; Schimke

ABSENT AND NOT VOTING: Flaagan

Reengrossed SB 2004 passed and the title was agreed to.

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MESSAGE to the HOUSE from the SENATE (Marion Houn, Secretary)

MR. SPEAKER: The Senate has passed unchanged: HCR 3071.

MESSAGE to the HOUSE from the SENATE (Marion Houn, Secretary)

MR. SPEAKER: The Senate has not adopted the conference committee report on SB 2039.

#### SIXTH ORDER OF BUSINESS

SB 2282, as reengrossed: REP. THOMPSON (Committee on Appropriations) MOVED that the amendments on HJ pages 1575-1576 be adopted and then be placed on the Fourteenth order with DO PASS, which motion prevailed.

Reengrossed SB 2282, as amended, was placed on the Fourteenth order of business on the calendar.

#### SECOND READING OF SENATE BILL

SB 2282: A BILL for an Act to provide for a North Dakota corn utilization council; to provide for an assessment on corn production; to provide a penalty; 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 97 YEAS, 8 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Bateman; Belter; Berg, G.; Berg, R.; Bernstein; Bodine; Boucher; Brown; Byerly; Carlisle; Carlson; Clayburgh; Cleary; Coats; Dalrymple; DeMers; DeWitz; Dorso; Enget; Erickson; Freier; Gabrielson; Gates; Gerntholz; Gilmore; Goffe; Gorder; Gorman; Grosz; Grumbo; Hanson; Hausauer; Henegar; Hokana; Howard; Jensen; Kaldor; Kelsch; Kerzman; Kloubec; Kolbo; Kretschmar; Kroeber; Kunkel; Larson; Mahoney; Martin; Martinson; Meyer; Miller; Muhs; Mutzenberger; Myrdal; Nelson; Nicholas; Nichols; Nowatzki; Oban; Olsen, D.; Olson, A.; Payne; Peterson; Porter; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schindler; Schmidt; Schneider; Shide; Skar; Skjerven; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thompson; Thorpe; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Whalen; Wilkie; Williams; Speaker R. Anderson

NAYS: Boehm; Brokaw; Delzer; Huether; Jacobson; Laughlin; Linderman; Schimke

ABSENT AND NOT VOTING: Flaagan

Reengrossed SB 2282 passed and the title was agreed to.

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#### SIXTH ORDER OF BUSINESS

SB 2384, as reengrossed: REP. THOMPSON (Committee on Appropriations) MOVED that the amendments on HJ pages 1576-1577 be adopted and then be placed on the Fourteenth order with DO PASS.

#### REQUEST

REP. SCHERBER REQUESTED a recorded roll call vote on the motion to adopt the proposed amendments to Reengrossed SB 2384, which request was granted.

#### ROLL CALL

The question being on the motion to adopt the amendments to Reengrossed SB 2384, the roll was called and there were 27 YEAS, 77 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Berg, R.; Brown; Byerly; Carlisle; Dalrymple; Delzer; Dorso; Freier; Gerntholz; Gorder; Grosz; Hausauer; Jensen; Kloubec; Kunkel; Larson; Miller; Olsen, D.; Payne; Rennerfeldt; Schimke; Schmidt; Thompson; Timm; Urlacher; Whalen; Speaker R. Anderson

NAYS: Aarsvold; Anderson, B.; Bateman; Belter; Berg, G.; Bernstein; Bodine; Boehm; Boucher; Brokaw; Carlson; Clayburgh; Cleary; Coats; DeMers; DeWitz; Enget; Erickson; Gabrielson; Gates; Gilmore; Goffe; Gorman; Grumbo; Hanson; Henegar; Hokana; Howard; Huether; Jacobson; Kaldor; Kelsch; Kerzman; Kolbo; Kretschmar; Kroeber; Laughlin; Linderman; Mahoney; Martin; Martinson; Meyer; Muhs; Mutzenberger; Myrdal; Nelson; Nichols; Nowatzki; Oban; Olson, A.; Peterson; Porter; Price; Pyle; Ring; Ritter; Rydell; Scherber; Schindler; Schneider; Shide; Skar; Skjerven; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thorpe; Tollefson; Trautman; Wald; Wardner; Wentz; Wilkie; Williams

ABSENT AND NOT VOTING: Flaagan; Nicholas

The motion to adopt the amendments to Reengrossed SB 2384 lost.

Reengrossed SB 2384, was placed on the Fourteenth order of business on the calendar.

#### SECOND READING OF SENATE BILL

SB 2384: A BILL for an Act to adopt a statement of legislative policy relating to the family; to provide for family life education; to create and enact two new sections to title 50, a new subsection to section 50-06-05.1, a new section to chapter 50-09, and a new section to chapter 50-11.1 of the North Dakota Century Code, relating to the coordination of services for pregnant women, benefits for pregnant

women, aid to dependent children and medical assistance for adopted children with special needs, and early childhood services resource and referral programs; to provide an appropriation; and to provide an effective date.

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 85 YEAS, 20 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Bateman; Berg, G.; Bernstein; Bodine; Boehm; Boucher; Brokaw; Carlisle; Carlson; Clayburgh; Cleary; Coats; DeMers; DeWitz; Dorso; Enget; Erickson; Freier; Gabrielson; Gates; Gerntholz; Gilmore; Goffe; Gorman; Grumbo; Hanson; Henegar; Hokana; Howard; Huether; Jacobson; Jensen; Kaldor; Kelsch; Kerzman; Kolbo; Kretschmar; Kroeber; Kunkel; Larson; Laughlin; Linderman; Mahoney; Martin; Martinson; Meyer; Miller; Muhs; Mutzenberger; Myrdal; Nelson; Nicholas; Nichols; Nowatzki; Oban; Peterson; Porter; Price; Pyle; Ring; Ritter; Rydell; Scherber; Schindler; Schneider; Skar; Skjerven; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thorpe; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Whalen; Wilkie; Williams

NAYS: Belter; Berg, R.; Brown; Byerly; Dalrymple; Delzer; Gorder; Grosz; Hausauer; Kloubec; Olsen, D.; Olson, A.; Payne; Rennerfeldt; Schimke; Schmidt; Shide; Thompson; Timm; Speaker R. Anderson

ABSENT AND NOT VOTING: Flaagan

Reengrossed SB 2384 passed and the title was agreed to.

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SIXTH ORDER OF BUSINESS

SB 2594, as engrossed: REP. THOMPSON (Committee on Appropriations) MOVED that the amendments on HJ pages 1577-1578 be adopted and then be placed on the Fourteenth order with DO PASS.

REQUEST

REP. STOFFERAHN REQUESTED a recorded roll call vote on the motion to adopt the proposed amendments to Engrossed SB 2594, which request was granted.

ROLL CALL

The question being on the motion to adopt the amendments to Engrossed SB 2594, the roll was called and there were 53 YEAS, 51 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Bateman; Berg, R.; Bernstein; Boehm; Brown; Byerly; Carlisle; Clayburgh; Delzer; DeWitz; Dorso; Gates; Gerntholz; Gorman; Grosz; Hausauer; Henegar; Jensen; Kelsch; Kloubec; Kretschmar; Kunkel; Larson; Martin; Martinson; Miller; Muhs; Myrdal; Nicholas; Olsen, D.; Olson, A.; Payne; Porter; Price; Rennerfeldt; Ritter; Rydell; Schimke; Schindler; Schmidt; Shide; Soukup; St. Aubyn; Svedjan; Thompson; Timm; Trautman; Urlacher; Wald; Wardner; Wentz; Whalen; Speaker R. Anderson

NAYS: Aarsvold; Anderson, B.; Belter; Berg, G.; Bodine; Boucher; Brokaw; Carlson; Cleary; Coats; Dalrymple; DeMers; Enget; Erickson; Freier; Gabrielson; Gilmore; Goffe; Gorder; Grumbo; Hanson; Hokana; Howard; Huether; Jacobson; Kaldor; Kerzman; Kolbo; Kroeber; Laughlin; Linderman; Mahoney; Meyer; Mutzenberger; Nelson; Nichols; Nowatzki; Oban; Peterson; Pyle; Ring; Scherber; Schneider; Skar; Skjerven; Snyder; Starke; Stofferahn; Thorpe; Tollefson; Wilkie

ABSENT AND NOT VOTING: Flaagan; Williams

The motion to adopt the amendments to Engrossed SB 2594 passed.

Engrossed SB 2594, as amended, was placed on the Fourteenth order of business on the calendar.

#### SECOND READING OF SENATE BILL

SB 2594: A BILL for an Act to provide a contingent appropriation for additional compensation to North Dakota state employees; to amend and reenact sections 4-01-21, 15-21-02, 26.1-01-09, 27-02-02, 27-05-03, 34-05-01.2, 49-01-05, 54-07-04, 54-08-03, 54-09-05, 54-10-10, 54-11-13, 54-12-11, and 57-01-04 of the North Dakota Century Code, relating to the salaries of the commissioner of agriculture, superintendent of public instruction, commissioner of insurance, supreme court justices, district court judges, commissioner of labor, public service commissioners, governor, lieutenant governor, secretary of state, state auditor, state treasurer, attorney general, and tax commissioner; and to provide an effective date.

#### CONFLICT OF INTEREST

REP. DEMERS STATED that she had a conflict of interest on SB 2594, and requested permission to vote.

The question being on whether or not Rep. DeMers could vote on SB 2594, which request was granted pursuant to House Rules 321 and 322.

#### MOTION

REP. GATES MOVED that the remarks of Rep. Rydell be printed in the Journal, which motion prevailed.

#### REMARKS OF REPRESENTATIVE RYDELL

A 1990 salary survey sent to 604 North Dakota private employers had a forty-two percent return rate. It showed that 5,400 classified employees are paid ten to fifteen percent below market; 3,000 classified employees are paid five to ten percent below market; and only twelve of the 9,320 classified employees are paid slightly over the market for their job classification.

A memo to the Office of Management and Budget from Central Personnel, dated February 1991, dealt with critical retention and recruitment issues involving pharmacists; auditor I and II positions; nurses; clerical and plant services personnel; and others. According to the Director of Central Personnel, "recruiting and retention difficulties stemming from low salary ranges are becoming more numerous."

We often hear that our salaries may be low, but our fringe benefits are wonderful and make up for the low wages. The survey also dealt with fringe benefits. These figures are based on an employee with nine years of service who earns \$20,000 per year and receives family health insurance:

- Annual leave: State workers get 18 days; the private sector gets up to 29 days, with an average of 15.1 days.
- Sick leave: State workers get 12 days; the private sector gets up to 22 days with an average of 10 days.
- Other leave: State workers get none; the private sector gets up to 6 days with an average of 1 day.
- Holidays: State workers get 10 days; the private sector gets up to 12 days with an average of 8.1 days.
- Health insurance: State workers get \$3,365; the private sector gets up to \$4,622 with an average of \$2,420.

We are the policymakers. We pass laws that mandate programs and regulations, many times without adequate funding or personnel. We assume that through some mysterious process, these programs will be implemented, and we go home to our other jobs and our other lives.

Who are the people that oversee, implement, and dedicate themselves to our ideas? They are the people that answer the phone when we call a department and request information. They work on the weekends to get a report prepared for a legislator who needs the information at 8:00 a.m. on Monday morning. They make sure our highways are cleared of snow and free of drunk drivers. They work in our Human Service Center and, on a daily basis, deal with problems that we would rather believe did not exist. They counsel sex offenders, take suicide calls at 3:00 a.m., comfort battered children, and attempt to mend broken families and broken people.

Mr. Speaker and Members of the Assembly, the least we can do for the taxpayers of this state who call themselves state employees is to show them in a tangible way that we applaud their dedication, appreciate their hard work, and are willing to pay a fair wage that at the very least chips away at the below-market wages many of them now receive.

This modest two percent salary increase, which is contingent on adequate funds being available after the anticipated end fund balance has been reached, received a "DO PASS" from your Appropriations committee. I would ask that you concur.

#### 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 88 YEAS, 15 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Anderson, B.; Berg, G.; Berg, R.; Bernstein; Bodine; Boucher; Brown; Carlisle; Carlson; Clayburgh; Cleary; Coats; Dalrymple; DeMers; Dorso; Enget; Erickson; Gabrielson; Gates; Gerntholz; Gilmore; Goffe; Gorder; Gorman; Grumbo; Hanson; Hausauer; Henegar; Hokana; Howard; Huether; Jacobson; Jensen; Kaldor; Kelsch; Kerzman; Kloubec; Kolbo; Kretschmar; Kroeber; Kunkel; Larson; Laughlin; Linderman; Mahoney; Martin; Martinson; Meyer; Miller; Muhs; Mutzenberger; Myrdal; Nichols; Nowatzki; Oban; Olsen, D.; Olson, A.; Payne; Peterson; Porter; Price; Pyle; Ring; Ritter; Rydell; Scherber; Schneider; Shide; Skar; Skjerven; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thorpe; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Wilkie; Williams; Speaker R. Anderson

**NAYS:** Bateman; Belter; Boehm; Brokaw; Byerly; Delzer; DeWitz; Freier; Grosz; Nelson; Rennerfeldt; Schimke; Schindler; Schmidt; Thompson

**ABSENT AND NOT VOTING:** Flaagan; Nicholas; Whalen

Engrossed SB 2594 passed and the title was agreed to.

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#### MESSAGE to the HOUSE from the SENATE (Marion Houn, Secretary)

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

HB 1013: Sens. Redlin; Satrom; Nething  
 HB 1014: Sens. Mushik; Kelly; Naaden  
 HB 1016: Sens. Satrom; Robinson; Ingstad  
 HB 1020: Sens. Redlin; Lindaas; Ingstad  
 HB 1333: Sens. Meyer; Tomac; Moore  
 HB 1558: Sens. Mushik; Wogslund; Thane  
 HCR 3038: Sens. Meyer; Traynor; DeKrey

#### SECOND READING OF SENATE BILLS

SB 2259: A BILL for an Act to establish a North Dakota real estate appraiser qualifications and ethics board; to provide for the licensure and certification of real estate appraisers; to provide a penalty; to provide an appropriation; 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 97 YEAS, 6 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Bateman; Belter; Berg, G.; Berg, R.; Bernstein; Bodine; Boucher; Brokaw; Byerly; Carlisle; Carlson; Clayburgh; Cleary; Coats; Dalrymple; DeMers; DeWitz; Dorso; Enget; Erickson; Freier; Gabrielson; Gates; Gerntholz; Gilmore; Goffe; Gorder; Gorman; Grumbo; Hanson; Hausauer; Henegar; Hokana; Howard; Huether; Jacobson; Jensen; Kaldor; Kelsch; Kerzman; Kolbo; Kretschmar; Kroeber; Kunkel; Larson; Laughlin; Linderman; Mahoney; Martin; Martinson; Meyer; Miller; Muhs; Mutzenberger; Myrdal; Nelson; Nicholas; Nichols; Nowatzki; Oban; Olsen, D.; Olson, A.; Payne; Peterson; Porter; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schindler; Schmidt; Schneider; Shide; Skar; Skjerven; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thompson; Thorpe; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Whalen; Wilkie; Williams

NAYS: Boehm; Brown; Delzer; Grosz; Schimke; Speaker R. Anderson

ABSENT AND NOT VOTING: Flaagan; Kloubec; Timm

Reengrossed SB 2259 passed, the title was agreed to, and the emergency clause was declared carried.

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SB 2005: A BILL for an Act making an appropriation for defraying the expenses of the state radio communications department; and providing for a transfer.

## 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 95 YEAS, 6 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Belter; Berg, G.; Berg, R.; Bodine; Boehm; Boucher; Brokaw; Brown; Byerly; Carlisle; Carlson; Clayburgh; Cleary; Coats; Dalrymple; Delzer; DeMers; DeWitz; Dorso; Enget; Erickson; Freier; Gabrielson; Gates; Gerntholz; Gilmore; Goffe; Gorder; Grumbo; Hanson; Hausauer; Henegar; Hokana; Howard; Huether; Jacobson; Jensen; Kaldor; Kelsch; Kerzman; Kolbo; Kretschmar; Kroeber; Kunkel; Larson; Laughlin; Linderman; Mahoney; Martin; Martinson; Meyer; Miller; Muhs; Mutzenberger; Myrdal; Nelson; Nichols; Nowatzki; Oban; Olsen, D.; Olson, A.; Payne; Peterson; Porter; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schindler; Schneider; Shide; Skar; Skjerven; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thompson; Thorpe; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Wilkie; Williams; Speaker R. Anderson

NAYS: Aarsvold; Bernstein; Gorman; Grosz; Schimke; Whalen

ABSENT AND NOT VOTING: Bateman; Flaagan; Kloubec; Nicholas; Schmidt

Engrossed SB 2005 passed and the title was agreed to.

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SB 2006: A BILL for an Act making an appropriation for defraying the expenses of the division of emergency management.

## ROLL CALL

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

YEAS: Aarsvold; Anderson, B.; Bateman; Belter; Berg, G.; Berg, R.; Bernstein; Bodine; Boehm; Boucher; Brokaw; Brown; Byerly; Carlisle; Carlson; Clayburgh; Cleary; Coats; Dalrymple; Delzer; DeMers; DeWitz; Dorso; Enget; Erickson; Freier; Gabrielson; Gates; Gerntholz; Gilmore; Goffe; Gorder; Gorman; Grosz; Grumbo; Hanson; Hausauer; Henegar; Hokana; Howard; Huether; Jacobson; Jensen; Kaldor; Kelsch; Kerzman; Kolbo; Kretschmar; Kroeber; Kunkel; Larson; Laughlin; Linderman; Mahoney; Martin; Martinson; Meyer; Miller; Muhs; Mutzenberger; Myrdal; Nelson; Nichols; Nowatzki; Oban; Olsen, D.; Olson, A.; Payne; Peterson; Porter; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schindler; Schmidt; Schneider; Shide; Skar; Skjerven; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thompson; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Whalen; Wilkie; Williams; Speaker R. Anderson

ABSENT AND NOT VOTING: Flaagan; Kloubec; Nicholas; Thorpe

Engrossed SB 2006 passed and the title was agreed to.

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SB 2007: A BILL for an Act to provide for an appropriation for defraying the expenses of the adjutant general; to provide for an appropriation of funds from the national guard tuition trust fund; to provide an appropriation for the North Dakota veterans' cemetery; and to provide legislative intent.

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 101 YEAS, 2 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Bateman; Belter; Berg, G.; Berg, R.; Bernstein; Bodine; Boehm; Boucher; Brokaw; Brown; Byerly; Carlisle; Carlson; Clayburgh; Cleary; Coats; Dalrymple; Delzer; DeMers; DeWitz; Dorso; Enget; Erickson; Freier; Gabrielson; Gates; Gerntholz; Goffe; Gorder; Gorman; Grosz; Grumbo; Hanson; Hausauer; Henegar; Hokana; Howard; Huether; Jacobson; Jensen; Kaldor; Kelsch; Kerzman; Kolbo; Kretschmar; Kroeber; Kunkel; Larson; Laughlin; Linderman; Mahoney; Martin; Martinson; Meyer; Miller; Muhs; Mutzenberger; Myrdal; Nelson; Nicholas; Nichols; Nowatzki; Oban; Olsen, D.; Olson, A.; Payne; Peterson; Porter; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schindler; Schmidt; Schneider; Shide; Skjerven; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thompson; Thorpe; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Whalen; Wilkie; Williams; Speaker R. Anderson

NAYS: Gilmore; Skar

ABSENT AND NOT VOTING: Flaagan; Kloubec; Timm

Engrossed SB 2007 passed and the title was agreed to.

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SB 2019: A BILL for an Act making an appropriation for defraying the expenses of the workers compensation bureau and its divisions; to provide a contingent appropriation; to provide for an appropriation for defraying certain expenses of the attorney general; and to amend and reenact subsection 1 of section 65-13-03 of the North Dakota Century Code, relating to administration of the Uniform Crime Victims Reparations Act.

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 103 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Bateman; Belter; Berg, G.; Berg, R.; Bernstein; Bodine; Boehm; Boucher; Brokaw; Brown; Byerly; Carlisle; Carlson; Clayburgh; Cleary; Coats; Dalrymple; Delzer; DeMers; DeWitz; Dorso; Enget; Erickson; Freier; Gabrielson; Gates; Gerntholz; Gilmore; Goffe; Gorder; Gorman; Grosz; Grumbo; Hanson; Hausauer; Henegar; Hokana; Howard; Huether; Jacobson; Jensen; Kaldor; Kelsch; Kerzman; Kolbo; Kretschmar; Kroeber; Kunkel; Larson; Laughlin; Linderman; Mahoney; Martin; Martinson; Meyer; Miller; Muhs; Mutzenberger; Myrdal; Nelson; Nicholas; Nichols; Nowatzki; Oban; Olsen, D.; Olson, A.; Payne; Peterson; Porter; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schindler; Schmidt; Schneider; Shide; Skar; Skjervan; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thompson; Thorpe; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Whalen; Wilkie; Williams; Speaker R. Anderson

ABSENT AND NOT VOTING: Flaagan; Kloubec; Timm

SB 2019 passed and the title was agreed to.

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SB 2070: A BILL for an Act to amend and reenact section 54-10-14 of the North Dakota Century Code, relating to political subdivision audits and audit fees; and to provide an exemption to the provisions of section 54-44.1-11 regarding cancellation of unexpended appropriation authority.

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 103 YEAS, 2 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Bateman; Belter; Berg, G.; Berg, R.; Bernstein; Bodine; Boehm; Boucher; Brokaw; Brown; Byerly; Carlisle; Carlson; Clayburgh; Cleary; Coats; Dalrymple; Delzer; DeMers; DeWitz; Dorso; Enget; Erickson; Freier; Gabrielson; Gates; Gerntholz; Gilmore; Goffe; Gorder; Gorman; Grosz; Grumbo; Hanson; Hausauer; Henegar; Hokana; Howard; Huether; Jacobson; Jensen; Kaldor; Kelsch; Kloubec; Kolbo; Kretschmar; Kroeber; Kunkel; Larson; Laughlin; Linderman; Mahoney; Martin; Martinson; Miller; Muhs; Mutzenberger; Myrdal; Nelson; Nicholas; Nichols; Nowatzki; Oban; Olsen, D.; Olson, A.; Payne; Peterson; Porter; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schindler; Schmidt; Schneider; Shide; Skar; Skjervan; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thompson; Thorpe; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Whalen; Wilkie; Williams; Speaker R. Anderson

NAYS: Kerzman; Meyer

ABSENT AND NOT VOTING: Flaagan

Engrossed SB 2070 passed and the title was agreed to.

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MOTION

REP. KLOUBEC MOVED that SB 2069 be placed at the top of the calendar, which motion prevailed.

SECOND READING OF SENATE BILLS

SB 2069: A BILL for an Act to amend and reenact section 54-10-01 of the North Dakota Century Code, relating to the powers and duties of the state auditor; and to provide for a transition period.

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 102 YEAS, 2 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Bateman; Belter; Berg, G.; Berg, R.; Bernstein; Bodine; Boehm; Boucher; Brokaw; Brown; Byerly; Carlisle; Carlson; Clayburgh; Cleary; Coats; Dalrymple; Delzer; DeMers; DeWitz; Dorso; Enget; Erickson; Freier; Gabrielson; Gates; Gerntholz; Gilmore; Goffe; Gorder; Gorman; Grosz; Grumbo; Hanson; Hausauer; Henegar; Hokana; Howard; Huether; Jacobson; Jensen; Kaldor; Kelsch; Kloubec; Kolbo; Kretschmar; Kroeber; Kunkel; Larson; Laughlin; Linderman; Mahoney; Martin; Martinson; Miller; Muhs; Mutzenberger; Myrdal; Nelson; Nicholas; Nichols; Nowatzki; Oban; Olsen, D.; Olson, A.; Payne; Peterson; Porter; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schindler; Schmidt; Shide; Skar; Skjerven; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thompson; Thorpe; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Whalen; Wilkie; Williams; Speaker R. Anderson

NAYS: Kerzman; Meyer

ABSENT AND NOT VOTING: Flaagan; Schneider

Engrossed SB 2069 passed and the title was agreed to.

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SB 2272: A BILL for an Act to amend and reenact section 57-15-56 of the North Dakota Century Code, relating to state matching funds for services and programs for senior citizens; and to provide an appropriation from the state aid distribution fund.

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 104 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Bateman; Belter; Berg, G.; Berg, R.; Bernstein; Bodine; Boehm; Boucher; Brokaw; Brown; Byerly; Carlisle; Carlson; Clayburgh; Cleary; Coats; Dalrymple; Delzer; DeMers; DeWitz; Dorso; Enget; Erickson; Freier; Gabrielson; Gates; Gerntholz; Gilmore; Goffe; Gorder; Gorman; Grosz; Grumbo; Hanson; Hausauer; Henegar; Hokana; Howard; Huether; Jacobson; Jensen; Kaldor; Kelsch; Kerzman; Kloubec; Kolbo; Kretschmar; Kroeber; Kunkel; Larson; Laughlin; Linderman; Mahoney; Martin; Martinson; Meyer; Miller; Muhs; Mutzenberger; Myrdal; Nelson; Nicholas; Nichols; Nowatzki; Oban; Olsen, D.; Olson, A.; Payne; Peterson; Porter; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schindler; Schmidt; Schneider; Shide; Skar; Skjerven; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thompson; Thorpe; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Whalen; Wilkie; Williams; Speaker R. Anderson

ABSENT AND NOT VOTING: Flaagan; Whalen

Engrossed SB 2272 passed and the title was agreed to.

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SB 2596: A BILL for an Act to provide for adjusted compensation for eligible veterans of Operation Desert Shield and Operation Desert Storm and for

the method of filing and payment of claims, duties of the adjutant general, and exemption from taxation and execution for such payments; to provide a penalty; to provide an appropriation; to provide a contingent payment to the department of health and consolidated laboratories; 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 105 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Bateman; Belter; Berg, G.; Berg, R.; Bernstein; Bodine; Boehm; Boucher; Brokaw; Brown; Byerly; Carlisle; Carlson; Clayburgh; Cleary; Coats; Dalrymple; Delzer; DeMers; DeWitz; Dorso; Enget; Erickson; Freier; Gabrielson; Gates; Gerntholz; Gilmore; Goffe; Gorder; Gorman; Grosz; Grumbo; Hanson; Hausauer; Henegar; Hokana; Howard; Huether; Jacobson; Jensen; Kaldor; Kelsch; Kerzman; Kloubec; Kolbo; Kretschmar; Kroeber; Kunkel; Larson; Laughlin; Linderman; Mahoney; Martin; Martinson; Meyer; Miller; Muhs; Mutzenberger; Myrdal; Nelson; Nicholas; Nichols; Nowatzki; Oban; Olsen, D.; Olson, A.; Payne; Peterson; Porter; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schindler; Schmidt; Schneider; Shide; Skar; Skjerven; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thompson; Thorpe; Timm; Tollefsen; Trautman; Urlacher; Wald; Wardner; Wentz; Whalen; Wilkie; Williams; Speaker R. Anderson

ABSENT AND NOT VOTING: Flaagan

SB 2596 passed, the title was agreed to, and the emergency clause was declared carried.

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#### CONSIDERATION OF MESSAGE FROM THE SENATE

REP. THOMPSON MOVED that the House do not concur in the Senate amendments to Engrossed HB 1021 as printed on HJ pages 1559-1561 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed.

#### APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on Engrossed HB 1021: Reps. Dalrymple, Rydell, Wilkie.

#### CONSIDERATION OF MESSAGE FROM THE SENATE

REP. THOMPSON MOVED that the House do not concur in the Senate amendments to HB 1022 as printed on HJ pages 1561-1562 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed.

#### APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1022: Reps. R. Berg, Dorso, Starke.

#### CONSIDERATION OF MESSAGE FROM THE SENATE

REP. TIMM MOVED that the House do not concur in the Senate amendments to Engrossed HB 1117 as printed on HJ page 1467 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed.

#### APPOINTMENT OF CONFERENCE COMMITTEES

THE SPEAKER APPOINTED as a Conference Committee on Engrossed HB 1117: Reps. Grosz, Freier, Nichols.

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2231: Reps. Brown, Schindler, Nelson.

MOTION

REP. KLOUBEC MOVED that the House reconsider its action whereby the Conference Committee reports on HB 1152 and HB 1157 were accepted and placed on the Seventh order of business on the calendar, which motion prevailed.

REPORTS OF CONFERENCE COMMITTEES

REP. BYERLY MOVED that the conference committee report on Engrossed HB 1051 as printed on HJ page 1439 be adopted, which motion prevailed.

REP. CLAYBURGH MOVED that the conference committee report on Engrossed HB 1053 as printed on HJ page 1462 be adopted, which motion prevailed.

Engrossed HB 1053, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1053: A BILL for an Act to amend and reenact section 53-06.1-10 of the North Dakota Century Code, relating to the playing of twenty-one and pooling of tips received by twenty-one dealers.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 95 YEAS, 10 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Bateman; Belter; Berg, G.; Berg, R.; Bernstein; Bodine; Boucher; Brown; Byerly; Carlisle; Carlson; Clayburgh; Cleary; Coats; Dalrymple; DeMers; DeWitz; Dorso; Enget; Erickson; Freier; Gabrielson; Gates; Gerntholz; Gilmore; Gorder; Gorman; Grumbo; Hanson; Hausauer; Henegar; Hokana; Howard; Huether; Jacobson; Jensen; Kaldor; Kelsch; Kloube; Kolbo; Kretschmar; Kroeber; Kunkel; Larson; Laughlin; Linderman; Mahoney; Martinson; Meyer; Miller; Muhs; Mutzenberger; Myrdal; Nelson; Nicholas; Nichols; Nowatzki; Oban; Olsen, D.; Olson, A.; Payne; Peterson; Porter; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schindler; Schmidt; Schneider; Skar; Skjerven; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thorpe; Timm; Tollefson; Trautman; Wald; Wardner; Wentz; Whalen; Wilkie; Williams; Speaker R. Anderson

NAYS: Boehm; Brokaw; Delzer; Goffe; Grosz; Kerzman; Martin; Shide; Thompson; Urlacher

ABSENT AND NOT VOTING: Flaagan

Engrossed HB 1053 passed and the title was agreed to.

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REPORT OF CONFERENCE COMMITTEE

REP. PRICE MOVED that the conference committee report on HB 1073 as printed on HJ page 1481 be adopted, which motion prevailed.

HB 1073, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1073: A BILL for an Act to amend and reenact sections 14-03-10 and 14-03-19 of the North Dakota Century Code, relating to requirements for the issuance of marriage licenses.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 105 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Bateman; Belter; Berg, G.; Berg, R.; Bernstein; Bodine; Boehm; Boucher; Brokaw; Brown; Byerly; Carlisle;

Carlson; Clayburgh; Cleary; Coats; Dalrymple; Delzer; DeMers; DeWitz; Dorso; Enget; Erickson; Freier; Gabrielson; Gates; Gerntholz; Gilmore; Goffe; Gorder; Gorman; Grosz; Grumbo; Hanson; Hausauer; Henegar; Hokana; Howard; Huether; Jacobson; Jensen; Kaldor; Kelsch; Kerzman; Kloubec; Kolbo; Kretschmar; Kroeber; Kunkel; Larson; Laughlin; Linderman; Mahoney; Martin; Martinson; Meyer; Miller; Muhs; Mutzenberger; Myrdal; Nelson; Nicholas; Nichols; Nowatzki; Oban; Olsen, D.; Olson, A.; Payne; Peterson; Porter; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schindler; Schmidt; Schneider; Shide; Skar; Skjerven; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thompson; Thorpe; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Whalen; Wilkie; Williams; Speaker R. Anderson

ABSENT AND NOT VOTING: Flaagan

HB 1073 passed and the title was agreed to.

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MOTION

REP. KLOUBEC MOVED that Engrossed HB 1127, which is on the Seventh order, be laid over one legislative day, which motion prevailed.

REPORT OF CONFERENCE COMMITTEE

REP. CARLISLE MOVED that the conference committee report on HB 1132 as printed on HJ page 1481 be adopted, which motion prevailed.

HB 1132, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1132: A BILL for an Act to amend and reenact section 39-02-05 of the North Dakota Century Code, relating to the fee for furnishing copies of records of the department of transportation.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 81 YEAS, 24 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Berg, G.; Berg, R.; Bernstein; Bodine; Boucher; Brokaw; Byerly; Carlson; Cleary; Coats; DeMers; DeWitz; Enget; Erickson; Freier; Gabrielson; Gerntholz; Gilmore; Goffe; Gorder; Gorman; Grumbo; Hanson; Hausauer; Henegar; Hokana; Howard; Huether; Jacobson; Jensen; Kaldor; Kerzman; Kloubec; Kolbo; Kretschmar; Kroeber; Kunkel; Larson; Laughlin; Linderman; Mahoney; Meyer; Miller; Muhs; Mutzenberger; Myrdal; Nelson; Nicholas; Nichols; Nowatzki; Oban; Olson, A.; Payne; Peterson; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schimke; Schindler; Schneider; Skar; Skjerven; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thorpe; Tollefson; Trautman; Waldner; Wentz; Wilkie; Williams

NAYS: Bateman; Belter; Boehm; Brown; Carlisle; Clayburgh; Dalrymple; Delzer; Dorso; Gates; Grosz; Kelsch; Martin; Martinson; Olsen, D.; Porter; Schmidt; Shide; Thompson; Timm; Urlacher; Wald; Whalen; Speaker R. Anderson

ABSENT AND NOT VOTING: Flaagan

HB 1132 passed and the title was agreed to.

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## MOTIONS

REP. KLOUBEC MOVED that that portion of House Rule 506 pertaining to when bills must be reported out of committee in the second House be suspended until the Sixty-second legislative day, which motion prevailed.

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

REP. KLOUBEC MOVED that the House be on the Fifth order of business, and at the conclusion of the Fifth order, the House be on the Seventh order of business, and at the conclusion of the Seventh order, the House stand adjourned until 8:00 a.m., Wednesday, April 3, 1991, which motion prevailed.

## REPORTS OF STANDING COMMITTEES

SB 2001, as reengrossed: Committee on Appropriations (Rep. Thompson, Chairman) A MAJORITY of your committee (Reps. Thompson, Dalrymple, Wald, Brokaw, Jensen, Hausauer, Gerntholz, R. Berg, Howard, Kaldor, Meyer, Nowatzki, Rydell, Starke, Wentz, Myrdal, Payne, Schmidt, Stofferahn) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS.

Page 1, line 2, after "officials" insert "and the state firemen's association" and replace the comma with "and"

Page 1, line 3, after the first comma insert "subsection 2 of section 27-20-49, sections"

Page 1, line 4, remove "and" and after "57-01-04" insert ", and 57-39.2-26.1"

Page 1, line 8, after "commissioner" insert ", prosecution witness fees paid by the attorney general, and to the state aid distribution fund" and remove the second "and"

Page 1, line 9, after "intent" insert "; to provide an appropriation; and to declare an emergency"

Page 1, line 15, after "officials" insert "and the state firemen's association"

Page 1, line 16, after "officials" insert "and the state firemen's association"

Page 1, line 21, replace "1,184,856" with "1,111,580"

Page 2, line 1, replace "291,821" with "290,000"

Page 2, line 7, replace "25,000" with "10,000"

Page 2, line 8, replace "15,000" with "10,000"

Page 2, after line 8, insert:

"Status of women

20,000"

Page 2, line 10, replace "1,596,603" with "1,521,506"

Page 3, line 3, replace "2,008,662" with "2,084,412"

Page 3, line 7, replace "4,585,000" with "4,530,000"

Page 3, line 11, replace "17,875,681" with "17,896,431"

Page 3, line 12, replace "9,584,107" with "9,406,407"

Page 3, line 13, replace "8,291,574" with "8,490,024"

Page 3, line 21, replace "2,038,795" with "1,919,733"

Page 3, line 22, replace "3,151,156" with "3,270,218"

Page 4, line 17, replace "485,639" with "484,039"

Page 4, line 21, replace "583,158" with "581,558"

Page 4, line 23, replace "540,158" with "538,558"

Page 5, line 6, replace "2,343,112" with "2,280,561"

Page 5, line 7, replace "101,224" with "99,424"

Page 5, line 8, replace "1,496,224" with "1,368,722"

Page 5, after line 9, insert:

"Ag in the classroom	25,000
Waterbank program	50,000"

Page 5, line 13, replace "6,474,496" with "6,357,643"

Page 5, line 15, replace "3,730,768" with "3,613,915"

Page 5, after line 22, insert:

"Subdivision 12.	
STATE FIREMEN'S ASSOCIATION	
Grants, benefits, and claims	\$55,000
Total appropriation from the state fire and tornado fund	\$55,000"

Page 5, line 23, replace "38,906,529" with "39,305,491"

Page 5, line 24, replace "22,767,015" with "22,545,253"

Page 5, line 25, replace "61,673,544" with "61,850,744"

Page 6, line 3, replace "\$679,393" with "\$624,393"

Page 6, line 6, remove "and the state firemen's association grants of \$55,000"

Page 8, line 10, replace "\$1,470,906" with "\$1,351,844"

Page 8, after line 25, insert:

"SECTION 16. AMENDMENT. Subsection 2 of section 27-20-49 of the 1989 Supplement to the North Dakota Century Code is amended and reenacted as follows:

2. The supreme court shall pay reasonable compensation for services and related expenses of counsel appointed by the court for a party and reasonable compensation for a guardian ad litem. The attorney general shall pay the ~~expense of service of summons, notices, subpoenas,~~ travel expense of witnesses, ~~and other like expenses~~ incurred in the proceedings under this chapter. Expenses of the state include the cost of any necessary transportation for medical and other examinations and treatment of a child ordered by the court if the child is in the legal custody of a state agency in which case the cost must be borne by that state agency at the state mileage rate excluding meals and lodging."

Page 9, line 7, remove the overstrike over "~~forty-nine~~" and remove "fifty-one"

Page 9, line 8, replace "two" with "nine", remove "seventy-two", and after "dollars" insert "through June 30, 1992, and fifty-one thousand two hundred seventy-two dollars thereafter".

Page 10, after line 22, insert:

"SECTION 26. AMENDMENT. Section 57-39.2-26.1 of the 1989 Supplement to the North Dakota Century Code is amended and reenacted as follows:

57-39.2-26.1. Allocation of sales, use, and motor vehicle excise tax revenues to revenue sharing and personal property tax replacement. Notwithstanding any other provision of law, a portion of sales, use, and motor vehicle excise tax collections equal to sixty percent of an amount determined by multiplying the quotient of one percent divided by the general sales tax rate, that was in effect when the taxes were collected, times the net sales, use, and motor vehicle excise tax collections under chapters 57-39.2, 57-40.2, and 57-40.3 must be deposited by the state treasurer in the state aid distribution fund. The state tax commissioner shall certify to the state treasurer the portion of sales, use, and motor vehicle excise tax net revenues that must be deposited in the state aid distribution fund as determined under this section. The state aid distribution fund must be allocated, subject to legislative appropriation, as follows:

1. Fifty percent of the revenues must be allocated in the ~~last~~ first month of subsequent to each quarterly period for state revenue sharing as provided in sections 54-27-20.2 and 54-27-20.3.
2. Fifty percent of the revenues must be allocated for personal property tax replacement as provided in section 57-58-01."

Page 11, after line 12, insert:

"SECTION 30. APPROPRIATION. There is hereby appropriated out of any moneys in the petroleum tank release compensation fund in the state treasury, not otherwise appropriated, the sum of \$20,000, or so much thereof as may be necessary, for the purpose of administering the fund for the period beginning with the effective date of this Act and ending June 30, 1991.

SECTION 31. ATTORNEY GENERAL - CONTINGENT APPROPRIATION. If House Bill No. 1515 or House Bill No. 1579 of the fifty-second legislative assembly becomes effective, there is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$275,000, or so much thereof as may be necessary, to the attorney general for the purpose of defraying the expenses relating to the state's defense in court of the provisions of this legislation for the biennium beginning July 1, 1991, and ending June 30, 1993.

SECTION 32. AGRICULTURE COMMISSIONER - COYOTE BOUNTY. The agriculture commissioner may administer a twenty-five dollar per coyote bounty program in cooperation with the predatory animal control program of the United States department of agriculture for the biennium beginning July 1, 1991, and ending June 30, 1993.

SECTION 33. STATE AUDITOR - PERFORMANCE REVIEWS. The state auditor shall conduct performance reviews of divisions or programs of the department of human services utilizing at least one full-time equivalent position. The state auditor shall present the resulting reports to the legislative council's interim budget committee on human services and other committees as selected by the legislative council during the biennium beginning July 1, 1991, and ending June 30, 1993.

SECTION 34. EMERGENCY. Section 30 of this Act is declared to be an emergency measure."

Re-number accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 085 - PAYMENTS TO POLITICAL SUBDIVISIONS

The amendment provides that the state revenue sharing payments are delayed by one month so that the exact amount to be distributed is known on the payment due date.

DEPARTMENT 101 - GOVERNOR'S OFFICE

Salaries and wages are reduced by \$73,276 from the general fund and operating expenses are reduced by \$1,821 from the general fund relating to the elimination of one FTE economic development coordinator position added in the executive budget.

The Governor's transition in line item is reduced by \$15,000 from the general fund, from \$25,000 to \$10,000. The Governor's transition out line item is reduced by \$5,000 from the general fund, from \$15,000 to \$10,000.

Funding of \$20,000 from the general fund for the Status of Women Committee is added as a special line item because funding for the committee was removed from the Board for Vocational Education budget.

The total change to the Governor's office budget is a general fund reduction of \$75,097, from \$1,596,603 to \$1,521,506.

DEPARTMENT 117 - STATE AUDITOR

This amendment provides funding of \$119,062 for one FTE audit director in the political subdivisions program from the general fund rather than from other funds as provided in the executive budget.

A section is added providing that the equivalent of at least one FTE position in the State Auditor's office conduct performance reviews of divisions or programs of the Department of Human Services. The resulting reports must be presented to the interim Budget Committee on Human Services and other committees as selected by the Legislative Council.

DEPARTMENT 125 - ATTORNEY GENERAL

A section is added amending Section 27-20-49 to provide that the Attorney General will not pay prosecution witness fees for expenses relating to the service of summons, notices, subpoenas, and other like expenses.

Funding of \$115,750 from the general fund removed in the Senate for prosecution witness fees is restored in the amount of \$75,750 from the general fund to the operating expenses line item. The \$40,000 reduction is as a result of the amendment to Section 27-20-49 referred to above.

The grants line item is reduced by \$55,000 of special funds from the fire and tornado fund for the State Firemen's Association grants which is being appropriated in a separate subdivision of Section 1 of this bill, due to the defeat of House Bill No. 1124, which would have allowed the appropriation in the Attorney General's budget.

The estimated income line item is reduced by \$122,700 of fees collected from state agencies and the general fund appropriation is increased by \$122,700 to provide general fund support for one FTE attorney, due to the defeat of House Bill No. 1214, which would have made the Securities Commissioner a special fund agency rather than a general fund agency.

A section is added providing a contingent appropriation of \$275,000 from the general fund if House Bill No. 1515 or 1579 becomes effective to provide funding for the state's defense of the provisions of this legislation.

The total change to the Attorney General's budget is a general fund increase of \$473,450, from \$8,291,574 to \$8,765,024, and a special fund decrease of \$177,700, from \$9,584,107 to \$9,406,407.

#### DEPARTMENT 401 - INSURANCE COMMISSIONER

A section is added providing a deficiency appropriation of \$20,000 from the petroleum tank release compensation fund for the administrative costs relating to the fund for the remainder of the 1989-91 biennium.

#### DEPARTMENT 406 - LABOR COMMISSIONER

This amendment reduces the proposed four percent annual salary increase for the Labor Commissioner by \$1,372, from \$1,972 to \$600 for the first year of the biennium and provides the remaining \$1,372 increase the second year of the biennium. The salaries and wages line item is reduced by \$1,600 from the general fund as a result of this change.

#### DEPARTMENT 602 - AGRICULTURE COMMISSIONER

This amendment makes the following changes to the Agriculture Department's budget:

Funding for the Ag in the Classroom program (\$25,000) and the waterbank program (\$50,000) of other funds included in the operating expenses line item in the executive budget are listed as separate line items, and therefore, removed from the operating expenses line item.

The two FTE positions added in the executive budget for the farmer/rancher demonstration project are contingent upon federal funds received through Job Service being available to pay the salary and fringe benefits of the two FTE positions.

Funding for one FTE noxious weed program administrator position and related expenses added in the executive budget from the general fund is removed as follows:

Salaries and wages (1 FTE)	\$62,551
Information services	(1,800)
Operating expenses	(18,200)
Total general fund reduction	\$82,551

Funding for noxious weed control in addition to the \$458,368 from the general fund included in this bill will be provided in Senate Bill No. 2451.

Increased funding for operating expenses included in the executive budget from the general fund for the predatory animal control program is reduced by \$74,302 as follows:

- Operating fees are reduced by \$72,912, from \$526,189 to \$453,277, relating to the removal of three cost-of-living increases for the 10 full-time animal damage control specialists.
- Lease rental equipment for aerial coyote hunting is reduced by \$1,390, from \$79,890 to \$78,500.

Funding of \$40,000 from the general fund is added to the operating expenses line item to provide funding to the Agriculture Department to initiate a bounty system for coyotes of \$25 per coyote. A section is added authorizing the Agriculture Commissioner to administer the program for the 1991-93 biennium.

The total change to the Agriculture Department's budget is a reduction of one FTE position, from 42 FTE to 41 FTE, and a general fund reduction of \$116,853, from \$3,730,768 to \$3,613,915.

Senate Bill No. 2001 in total is increased by \$177,200, a \$398,962 increase from the general fund and a \$221,762 decrease in other funds.

SB 2001, as reengrossed: Committee on Appropriations (Rep. Thompson, Chairman) A MINORITY of your committee (Reps. G. Berg, Brokaw, DeMers, Kaldor, Laughlin, Meyer, Nowatzki, Starke, Stofferahn, Wilkie) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS.

Page 1, line 2, after "officials" insert "and the state firemen's association" and replace the comma with "and"

Page 1, line 3, after the first comma insert "subsection 2 of section 27-20-49, sections"

Page 1, line 4, remove "and" and after "57-01-04" insert ", and 57-39.2-26.1"

Page 1, line 8, after "commissioner" insert ", prosecution witness fees paid by the attorney general, and to the state aid distribution fund" and remove the second "and"

Page 1, line 9, after "intent" insert "; to provide an appropriation; and to declare an emergency"

Page 1, line 15, after "officials" insert "and the state firemen's association"

Page 1, line 16, after "officials" insert "and the state firemen's association"

Page 2, line 7, replace "25,000" with "10,000"

Page 2, line 8, replace "15,000" with "10,000"

Page 2, after line 8, insert:

"Status of women 20,000"

Page 3, line 1, replace "10,072,743" with "10,354,567"

Page 3, line 2, replace "452,877" with "458,877"

Page 3, line 3, replace "2,008,662" with "2,138,412"

Page 3, line 5, replace "311,449" with "377,549"

Page 3, line 7, replace "4,585,000" with "4,530,000"

Page 3, line 11, replace "17,875.681" with "18,304,355"

Page 3, line 12, replace "9,584,107" with "9,406,407"

Page 3, line 13, replace "8,291,574" with "8,897,948"

Page 3, line 21, replace "2,038,795" with "1,919,733"

Page 3, line 22, replace "3.151.156" with "3.270.218"

Page 4, line 17, replace "485,639" with "484,039"

Page 4, line 21, replace "583.158" with "581,558"

Page 4, line 23, replace "540,158" with "538,558"

Page 5, line 8, replace "1,496,224" with "1,386,922"

Page 5, after line 9, insert:

"Ag in the classroom	25,000
Waterbank program	50,000"

Page 5, line 13, replace "6,474,496" with "6,440,194"

Page 5, line 15, replace "3,730,768" with "3,696,466"

Page 5, after line 22, insert:

"Subdivision 12.	
STATE FIREMEN'S ASSOCIATION	
Grants, benefits, and claims	\$55,000
Total appropriation from the state fire and tornado fund	\$55,000"

Page 5, line 23, replace "38,906,529" with "39,871,063"

Page 5, line 24, replace "22,767,015" with "22,545,253"

Page 5, line 25, replace "61,673,544" with "62,416,316"

Page 6, line 3, replace "\$679,393" with "\$624,393"

Page 6, line 6, remove "and the state firemen's association grants of \$55,000"

Page 8, line 10, replace "\$1,470,906" with "\$1,351,844"

Page 8, after line 25, insert:

"SECTION 16. AMENDMENT. Subsection 2 of section 27-20-49 of the 1989 Supplement to the North Dakota Century Code is amended and reenacted as follows:

2. The supreme court shall pay reasonable compensation for services and related expenses of counsel appointed by the court for a party and reasonable compensation for a guardian ad litem. The attorney general shall pay the ~~expense of service of summons, notices, subpoenas,~~ travel expense of witnesses, ~~and other like expenses~~ incurred in the proceedings under this chapter. Expenses of the state include the cost of any necessary transportation for medical and other examinations and treatment of a child ordered by the court if the child is in the legal custody of a state agency in which case the cost must be borne by that state agency at the state mileage rate excluding meals and lodging."

Page 9, line 7, remove the overstrike over "~~forty nine~~" and remove "fifty-one"

Page 9, line 8, replace "~~two~~" with "nine", remove "~~seventy-two~~", and after "dollars" insert "through June 30, 1992, and fifty-one thousand two hundred seventy-two dollars thereafter"

Page 10, after line 22, insert:

"SECTION 26. AMENDMENT. Section 57-39.2-26.1 of the 1989 Supplement to the North Dakota Century Code is amended and reenacted as follows:

57-39.2-26.1. Allocation of sales, use, and motor vehicle excise tax revenues to revenue sharing and personal property tax replacement. Notwithstanding any other provision of law, a portion of sales, use,

and motor vehicle excise tax collections equal to sixty percent of an amount determined by multiplying the quotient of one percent divided by the general sales tax rate, that was in effect when the taxes were collected, times the net sales, use, and motor vehicle excise tax collections under chapters 57-39.2, 57-40.2, and 57-40.3 must be deposited by the state treasurer in the state aid distribution fund. The state tax commissioner shall certify to the state treasurer the portion of sales, use, and motor vehicle excise tax net revenues that must be deposited in the state aid distribution fund as determined under this section. The state aid distribution fund must be allocated, subject to legislative appropriation, as follows:

1. Fifty percent of the revenues must be allocated in the ~~last~~ first month ~~of~~ subsequent to each quarterly period for state revenue sharing as provided in sections 54-27-20.2 and 54-27-20.3.
2. Fifty percent of the revenues must be allocated for personal property tax replacement as provided in section 57-58-01."

Page 11, after line 12, insert:

"SECTION 30. APPROPRIATION. There is hereby appropriated out of any moneys in the petroleum tank release compensation fund in the state treasury, not otherwise appropriated, the sum of \$20,000, or so much thereof as may be necessary, for the purpose of administering the fund for the period beginning with the effective date of this Act and ending June 30, 1991.

SECTION 31. ATTORNEY GENERAL - CONTINGENT APPROPRIATION. If House Bill No. 1515 or House Bill No. 1579 of the fifty-second legislative assembly becomes effective, there is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$275,000, or so much thereof as may be necessary, to the attorney general for the purpose of defraying the expenses relating to the state's defense in court of the provisions of this legislation for the biennium beginning July 1, 1991, and ending June 30, 1993.

SECTION 32. AGRICULTURE COMMISSIONER - COYOTE BOUNTY. The agriculture commissioner may administer a twenty-five dollar per coyote bounty program in cooperation with the predatory animal control program of the United States department of agriculture for the biennium beginning July 1, 1991, and ending June 30, 1993.

SECTION 33. STATE AUDITOR - PERFORMANCE REVIEWS. The state auditor shall conduct performance reviews of divisions or programs of the department of human services utilizing at least one full-time equivalent position. The state auditor shall present the resulting reports to the legislative council's interim budget committee on human services and other committees as selected by the legislative council during the biennium beginning July 1, 1991, and ending June 30, 1993.

SECTION 34. EMERGENCY. Section 30 of this Act is declared to be an emergency measure."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 085 - PAYMENTS TO POLITICAL SUBDIVISIONS

The amendment provides that the state revenue sharing payments are delayed by one month so that the exact amount to be distributed is known on the payment due date.

DEPARTMENT 101 - GOVERNOR'S OFFICE

The Governor's transition in line item is reduced by \$15,000 from the general fund, from \$25,000 to \$10,000. The Governor's transition out line item is reduced by \$5,000 from the general fund, from \$15,000 to \$10,000.

Funding of \$20,000 from the general fund for the Status of Women Committee is added as a special line item because funding for the committee was removed from the Board for Vocational Education budget.

#### DEPARTMENT 117 - STATE AUDITOR

This amendment provides funding of \$119,062 for one FTE audit director in the political subdivisions program from the general fund rather than from other funds as provided in the executive budget.

A section is added providing that the equivalent of at least one FTE position in the State Auditor's office conduct performance reviews of divisions or programs of the Department of Human Services. The resulting reports must be presented to the interim Budget Committee on Human Services and other committees as selected by the Legislative Council.

#### DEPARTMENT 125 - ATTORNEY GENERAL

A section is added amending Section 27-20-49 to provide that the Attorney General will not pay prosecution witness fees for expenses relating to the service of summons, notices, subpoenas, and other like expenses.

Funding of \$115,750 from the general fund removed in the Senate for prosecution witness fees is restored in the amount of \$75,750 from the general fund to the operating expenses line item. The \$40,000 reduction is as a result of the amendment to Section 27-20-49 referred to above.

Funding of \$407,924 from the general fund is added for three FTE narcotics agents and related expenses as listed below. One of the three agents added is to work specifically with the rural narcotics law enforcement task forces.

Salaries and wages - 3 FTE	\$281,824
Information services	6,000
Operating expenses	54,000
Equipment	66,100
Total	<u>\$407,924</u>

The grants line item is reduced by \$55,000 of special funds from the fire and tornado fund for the State Firemen's Association grants which is being appropriated in a separate subdivision of Section 1 of this bill, due to the defeat of House Bill No. 1124, which would have allowed the appropriation in the Attorney General's budget.

The estimated income line item is reduced by \$122,700 of fees collected from state agencies and the general fund appropriation is increased by \$122,700 to provide general fund support for one FTE attorney, due to the defeat of House Bill No. 1214, which would have made the Securities Commissioner a special fund agency rather than a general fund agency.

A section is added providing a contingent appropriation of \$275,000 from the general fund to provide funding for the state's defense of the provisions of this legislation if House Bill No. 1515 or 1579 becomes effective.

The total change to the Attorney General's budget is a general fund increase of \$881,374, from \$8,291,574 to \$9,172,948, and a special fund decrease of \$177,700, from \$9,584,107 to \$9,406,407.

#### DEPARTMENT 401 - INSURANCE COMMISSIONER

A section is added providing a deficiency appropriation of \$20,000 from the petroleum tank release compensation fund for the administrative costs relating to the fund for the remainder of the 1989-91 biennium.

## DEPARTMENT 406 - LABOR COMMISSIONER

This amendment reduces the proposed four percent annual salary increase for the Labor Commissioner by \$1,372, from \$1,972 to \$600 for the first year of the biennium and provides the remaining \$1,372 increase the second year of the biennium. The salaries and wages line item is reduced by \$1,600 from the general fund as a result of this change.

## DEPARTMENT 602 - AGRICULTURE COMMISSIONER

This amendment makes the following changes to the Agriculture Department's budget:

Funding for the Ag in the Classroom program (\$25,000) and the waterbank program (\$50,000) of other funds included in the operating expenses line item in the executive budget are listed as separate line items, and therefore, removed from the operating expenses line item.

The two FTE positions added in the executive budget for the farmer/rancher demonstration project are contingent upon federal funds received through Job Service being available to pay the salary and fringe benefits of the two FTE positions.

Increased funding for operating expenses included in the executive budget from the general fund for the predatory animal control program is reduced by \$74,302 as follows:

- Operating fees are reduced by \$72,912, from \$526,189 to \$453,277, relating to the removal of three cost-of-living increases for the 10 full-time animal damage control specialists.
- Lease rental equipment for aerial coyote hunting is reduced by \$1,390, from \$79,890 to \$78,500.

Funding of \$40,000 from the general fund is added to the operating expenses line item to provide funding to the Agriculture Department to initiate a bounty system for coyotes of \$25 per coyote. A section is added authorizing the Agriculture Commissioner to administer the program for the 1991-93 biennium.

The total change to the Agriculture Department's budget is a reduction of one FTE position, from 42 FTE to 41 FTE, and a general fund reduction of \$34,302, from \$3,730,768 to \$3,696,466.

Senate Bill No. 2001 in total is increased by \$742,772, a \$964,534 increase from the general fund and a \$221,762 decrease in other funds.

The reports of the majority and the minority were placed on the Sixth order of business on the calendar for the succeeding legislative day.

SB 2509, as engrossed: Committee on Political Subdivisions (Rep. Martin, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (8 YEAS, 5 NAYS, 4 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

In lieu of the amendments adopted by the House as printed on page 1149 of the House Journal, Engrossed Senate Bill No. 2059 is amended as follows:

Page 1, line 3, replace "government" with "public"

Page 1, line 17, replace "state or" with "public"

Page 1, line 18, remove "local government"

Page 1, line 22, replace "state or local government" with "public"

Page 2, line 21, remove "or a state department"

- Page 2, line 29, after "in" insert ", for a period not to exceed the length of the development agreement"
- Page 3, line 6, remove ", and enter into"
- Page 3, line 7, remove "development agreements with,"
- Page 3, line 9, remove "at least in part"
- Page 3, line 10, remove "Public solicitation of proposals is not"
- Page 3, line 11, replace "required. A" with "After a hearing, the" and replace "the public authority" with "it"
- Page 3, line 12, remove "Public authorities are not required"
- Page 3, line 13, remove "to select the lowest bidder among competing proposals."
- Page 3, line 14, after "negotiate" insert "and enter into"
- Page 4, line 4, after the second comma insert "or" and remove ", or other lawful"
- Page 4, line 5, remove "means"
- Page 4, line 8, remove "sell or"
- Page 4, line 10, after "years" insert "and must be reviewed and may be revised every five years"
- Page 4, line 11, remove "- Arbitration by attorney general"
- Page 4, line 15, remove "In the event of any conflict between a state or local"
- Page 4, remove lines 16 through 18
- Page 5, line 8, after "That" insert ", after public notice,"
- Page 5, line 11, remove "and"
- Page 5, line 13, replace the period with a semicolon
- Page 5, line 14, after the period insert:
- "That the anticipated fees, rental income, and revenues from the operation of the facility, or other sources of funding, or any combination thereof, be sufficient to pay the maintenance and operation costs for the facility, and principal of and interest on any evidence of indebtedness to finance the facility; and
- 6."
- and replace "Development agreements may contain any" with "Any"
- Page 6, line 18, replace "New or existing" with "If approved by the governing body of the city, for property within city limits, or by the governing body of the county, for property outside city limits, new"
- Page 6, line 19, remove ", or any other form of property, excise, or use tax for the"
- Page 6, remove line 20
- Page 6, line 21, remove "agreement"

Page 6, line 22, replace "The" with "For portions of the project that do not involve contractor ownership, the"

Page 6, line 24, replace "exempt from" with "subject to"

Page 7, line 4, remove "In addition, this"

Page 7, remove lines 5 through 7

ReNUMBER accordingly

#### REPORTS OF CONFERENCE COMMITTEES

HB 1200: Your conference committee (Sens. Wogslund, Kinnoin, Moore (refused to sign) and Reps. Gorman, A. Olson, B. Anderson) recommends that the SENATE RECEDE from the Senate amendments on HJ pages 1154-1155, and that HB 1200 be amended as follows, and then place on the Seventh order:

That the Senate recede from its amendments as printed on pages 982 and 983 of the Senate Journal and pages 1154 and 1155 of the House Journal and that House Bill No. 1200 be amended as follows:

Page 2, line 12, remove the overstrike over "~~ten~~", remove "five", remove the overstrike over "~~4.05~~", and remove "2.02"

Page 2, line 14, remove the overstrike over "~~five~~", remove "two", remove the overstrike over "~~2.02~~", and remove "0.40"

Page 2, line 16, remove the overstrike over "~~ten~~" and remove "five"

Page 2, line 17, remove the overstrike over "~~4.05~~" and remove "2.02"

Page 2, line 18, after "a" insert "metes and bounds"

ReNUMBER accordingly

HB 1569, as engrossed: Your conference committee (Sens. Mathern, Lindgren, Bowman and Reps. Larson, Svedjan, Scherber) recommends that the HOUSE ACCEDE to the Senate amendments on HJ page 1155 and then place it on the Seventh order.

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

ROY GILBREATH, Chief Clerk