

JOURNAL OF THE HOUSE

Fifty-second Legislative Assembly

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Bismarck, April 10, 1991

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

The prayer was offered by the Rev. Barry Lee, Church of God of Prophecy, Bismarck.

The roll was called and all members were present except Representatives B. Anderson, Bodine, Dalrymple, and Payne.

A quorum was declared by the Speaker.

REQUEST

REP. KLOUBEC REQUESTED that the record show that Rep. Payne was excused due to the death of his father, which request was granted.

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

MR. SPEAKER: The Senate has adopted the conference committee report on HB 1167 and subsequently passed the same.

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

MR. SPEAKER: The President has signed: HB 1048, HB 1383.

MOTION

REP. KLOUBEC MOVED that the House be on the Seventh order of business and at the conclusion of the Seventh order, the House stand in recess until 10:00 a.m., which motion prevailed.

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

MR. SPEAKER: The Senate has adopted the conference committee report on SB 2594 and SCR 4073 and subsequently passed the same.

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

MR. SPEAKER: The Senate has adopted the conference committee report on HB 1018 and HB 1517 and subsequently passed the same.

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

MR. SPEAKER: The President has signed and your signature is respectfully requested on: SB 2003.

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

MR. PRESIDENT: The House has concurred in the Senate amendments to HB 1603 and subsequently passed the same.

REPORTS OF CONFERENCE COMMITTEES

SB 2594, as engrossed: Your conference committee (Sens. Satrom, Yockim, Goetz and Reps. Wentz, Gerntholz, Laughlin) recommends that the HOUSE RECEDE from the House amendments on HJ pages 1577-1578, amend as follows, and then place on the Seventh order:

That the House recede from its amendments as printed on pages 1577 and 1578 of the House Journal and page 1478 of the Senate Journal, and that Engrossed Senate Bill No. 2594 be amended as follows:

Page 1, line 1, after "A BILL" replace the remainder of the bill with " for an Act 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.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. 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	\$ 8,435		\$ 8,435
Lieutenant governor	1,691		1,691
Secretary of state	14,089		14,089
Office of management and budget			
Facility management	33,571		33,571
Central operations	36,066		36,066
Information services division		\$ 72,680	72,680
State auditor	23,078	13,553	36,631
Central duplicating services		13,524	13,524
State treasurer	5,072		5,072
Attorney general	68,453	3,602	72,055
Tax department	87,896		87,896
Legislative council	22,772		22,772
Supreme court	32,589		32,589
Judicial qualifications commission	2,254		2,254
District court	54,322		54,322
Retirement and investment office		12,361	12,361
Public employees retirement board		12,962	12,962
Public instruction	34,155	41,744	75,899
Board of higher education	7,816		7,816
Land department		10,989	10,989
Bismarck state college	80,120		80,120
UND-Lake Region	26,550		26,550
UND-Williston	27,836		27,836
University of North Dakota	585,288		585,288
Medical center rehabilitation hospital		109,395	109,395
University of North Dakota medical center	122,387	81,931	204,318
State toxicologist	4,332		4,332
North Dakota state university	456,891		456,891
North Dakota state college of science	145,154		145,154
Dickinson state university	75,129		75,129
Mayville state university	45,136		45,136
Minot state university	159,204		159,204
Valley City state university	68,265		68,265
NDSU-Bottineau branch	25,440		25,440
North Dakota forest service	11,947		11,947
State library	13,810		13,810
School for the deaf	29,615		29,615
School for the blind	19,806		19,806
Vocational education	8,169	9,984	18,153
State department of health and consolidated laboratories	97,076	64,718	161,794
Veterans home	16,071	24,106	40,177
Indian affairs commission	1,127		1,127
Veterans affairs	2,818		2,818

Children's services coordinating committee	2,215		2,215
Department of human services			
Executive office	997	111	1,108
Managerial support	34,577	15,535	50,112
Economic assistance	19,345	6,448	25,793
Medical assistance	7,924	13,491	21,415
Vocational rehabilitation	12,050	11,578	23,628
Office of field services	38,147	1,180	39,327
Regional centers	337,161	21,521	358,682
State hospital	409,223	8,352	417,575
Developmental center	136,633	277,405	414,038
Protection and advocacy project	16,263		16,263
Insurance commissioner		19,142	19,142
Industrial commission		30,414	30,414
Labor commissioner	3,905		3,905
Public service commission	18,288	9,848	28,136
Aeronautics commission	358	2,460	2,818
Department of banking and financial institutions		12,962	12,962
Securities commissioner	3,945		3,945
Bank of North Dakota		103,044	103,044
Housing finance agency		21,134	21,134
Job service		257,493	257,493
Workers compensation bureau		60,019	60,019
Highway patrol		114,476	114,476
Radio communications	16,906		16,906
Emergency management	2,536	7,608	10,144
Department of corrections			
Central office	2,818		2,818
Juvenile services	13,226		13,226
Industrial school	32,017	13,722	45,739
State penitentiary	103,271		103,271
Penitentiary industries		12,962	12,962
Parole and probation	21,302	2,367	23,669
Adjutant general	19,123	49,665	68,788
Economic development and finance department	18,542		18,542
Department of agriculture	18,935	4,734	23,669
Milk stabilization board		3,156	3,156
Oilseed council		564	564
Seed department		20,007	20,007
Board of animal health	3,495		3,495
State wheat commission		4,175	4,175
Transportation institute	2,112	3,596	5,708
Extension service	111,639	13,798	125,437
Northern crops institute	2,771	1,132	3,903
Main research center	141,325	60,568	201,893
Dickinson research center	6,317		6,317
Central grassland research center	2,812		2,812
Hettinger research center	3,285	365	3,650
Langdon research center	2,866	506	3,372
North central research center	3,369		3,369
Williston research center	3,653		3,653
Carrington research center	5,828	2,048	7,876
Agronomy seed farm		1,685	1,685
Land reclamation research center		11,344	11,344
Historical society	27,839	1,465	29,304
Council on the arts	1,803	451	2,254
Soil conservation committee	6,156		6,156
Centennial trees commission	564		564
Game and fish department		66,500	66,500
Department of tourism	5,072		5,072
Department of parks and recreation	20,880	1,099	21,979
Water commission	45,630		45,630
Department of transportation			
Transportation operation		567,091	567,091

Fleet services	9,242	9,242
Motor vehicle	27,614	27,614
Total	<u>\$4,141,553</u>	<u>\$2,345,626</u>
		<u>\$6,487,179</u>

SECTION 2. 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 employee compensation increases of forty dollars per month for each permanent full-time employee.

SECTION 3. AMENDMENT. Section 4-C1-21 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~~ forty nine thousand three hundred seventy-two dollars through June 30, 1992, and fifty-one thousand seven hundred fifty-two dollars thereafter.

SECTION 4. 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 ~~forty five~~ fifty five thousand three hundred twelve dollars through June 30, 1992, and fifty-two thousand seven hundred ninety-two 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 5. 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~~ forty nine thousand three hundred seventy-two dollars through June 30, 1992, and fifty-one thousand seven hundred fifty-two dollars thereafter.

SECTION 6. 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 thousand seven hundred eighty-one dollars ~~except that the through June 30, 1992, and seventy-one thousand five hundred fifty-five~~ through June 30, 1992, and seventy-one thousand five hundred fifty-five dollars thereafter. The chief justice of the supreme court ~~shall~~ is entitled to receive an additional one thousand seven hundred 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 thousand three hundred forty-two~~ through June 30, 1992, and two thousand forty dollars per annum ~~through June 30, 1992, and two thousand forty~~ through June 30, 1992, and two thousand forty dollars per annum thereafter.

SECTION 7. 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 thousand six hundred four hundred five dollars ~~and commencing July 1, 1990, an annual salary of sixty-two thousand nine hundred sixty-nine~~ through June 30, 1992, and sixty-five thousand nine hundred seventy 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 8. 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 thousand three nine hundred dollars through June 30, 1992, and fifty-one thousand seven hundred fifty-two dollars thereafter.

SECTION 9. 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-one thousand seven hundred fifty-two 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 10. 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-eight thousand two hundred eighty-four dollars thereafter.

SECTION 11. 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 fifty-three fifty-five thousand five six hundred thirty-six dollars through June 30, 1992, and fifty-six thousand one hundred sixteen dollars thereafter.

SECTION 12. 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 fifty-one thousand seven hundred fifty-two dollars thereafter.

SECTION 13. 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 fifty-one thousand seven hundred fifty-two dollars thereafter.

SECTION 14. 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 fifty-one thousand seven hundred fifty-two dollars thereafter.

SECTION 15. 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 ~~forty-five~~ fifty-seven thousand ~~seven~~ nine hundred ~~twenty-eight~~ dollars through June 30, 1992, and fifty-eight thousand four hundred eight dollars thereafter.

SECTION 16. 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 fifty-one thousand seven hundred fifty-two dollars thereafter."

Renumber accordingly

SCR 4073, as engrossed: Your conference committee (Sens. Satrom, Kelsh, Naaden and Reps. Trautman, Wardner, Scherber) recommends that the SENATE ACCEDE to the House amendments on HJ page 1699, further amend as follows, and then place on the Seventh order:

Page 1, after line 23, insert "Assistant Appropriations Committee Clerk"

Renumber accordingly

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

MOTION

REP. KLOUBEC MOVED that SB 2234, SB 2282, SB 2324, SB 2594, and SCR 4073 be placed at the head of the calendar, which motion prevailed.

REPORT OF CONFERENCE COMMITTEE

REP. CLAYBURGH MOVED that the conference committee report on Engrossed SB 2234 as printed on HJ pages 1846-1852 be adopted, which motion prevailed.

Engrossed SB 2234, as amended, was placed on the Fourteenth order of business on the calendar.

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; to provide an appropriation; and to provide for a transfer.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 91 YEAS, 8 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

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

NAYS: Berg, G.; Delzer; DeWitz; Olsen, D.; Schindler; Shide; Thompson; Wardner

ABSENT AND NOT VOTING: Anderson, B.; Dalrymple; Erickson; Gerntholz; Kaldor; Nicholas; Payne

Engrossed SB 2234 passed and the title was agreed to.

REPORT OF CONFERENCE COMMITTEE

REP. PAYNE MOVED that the conference committee report on Reengrossed SB 2282 as printed on HJ page 1852 be adopted, which motion prevailed on a verification vote.

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, the roll was called and there were 37 YEAS, 63 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Bateman; Belter; Enget; Freier; Gerntholz; Gorman; Grosz; Hausauer; Henegar; Hokana; Kerzman; Kloubec; Kretschmar; Kunkel; Martin; Miller; Muhs; Myrdal; Nichols; Nowatzki; Olsen, D.; Peterson; Porter; Rennerfeldt; Scherber; Shide; Skjerven; Soukup; Thompson; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Whalen

NAYS: Berg, G.; Bernstein; Bodine; Boehm; Boucher; Brokaw; Brown; Byerly; Carlisle; Carlson; Clayburgh; Cleary; Coats; Delzer; DeMers; DeWitz; Dorso; Flaagan; Gabrielson; Gates; Gilmore; Goffe; Gorder; Grumbo; Hanson; Howard; Huether; Jacobson; Jensen; Kaldor; Kelsch; Kolbo; Kroeber; Larson; Laughlin; Linderman; Mahoney; Martinson; Meyer; Mutzenberger; Nelson; Oban; Olson, A.; Price; Pyle; Ring; Ritter; Rydell; Schimke; Schindler; Schmidt; Schneider; Skar; Snyder; St. Aubyn; Starke; Stofferahn; Svedjan; Thorpe; Wentz; Wilkie; Williams; Speaker R. Anderson

ABSENT AND NOT VOTING: Anderson, B.; Berg, R.; Dalrymple; Erickson; Nicholas; Payne

Reengrossed SB 2282 was declared lost.

REPORT OF CONFERENCE COMMITTEE

REP. FREIER MOVED that the conference committee report on Engrossed SB 2324 as printed on HJ pages 1852-1853 be adopted, which motion lost.

MOTION

REP. MARTINSON MOVED that the Conference Committee on Engrossed SB 2324 be discharged and a new Conference Committee be appointed on Engrossed SB 2324, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

SPEAKER R. ANDERSON APPOINTED as a new Conference Committee on Engrossed SB 2324: Reps. Clayburgh, Svedjian and Gabrielson.

MOTION

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

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

MR. SPEAKER: The President has signed and your signature is respectfully requested on: SB 2006, SB 2009, SB 2015, SB 2025, SB 2039, SB 2070, SB 2258, SB 2451, SB 2507, SB 2541, SB 2595.

REPORTS OF CONFERENCE COMMITTEES

HB 1439, as engrossed: Your conference committee (Sens. Schoenwald (refused to sign), Meyer, David and Reps. Whalen, Soukup, Skjerven) recommends that the SENATE RECEDE from the Senate amendments on HJ page 1267, amend as follows, and then place on the Seventh order:

That the Senate recede from its amendments as printed on pages 1078 and 1079 of the Senate Journal and page 1267 of the House Journal, and that Engrossed House Bill No. 1439 be amended as follows:

Page 1, line 2, remove "to repeal sections 1"

Page 1, remove line 3

Page 1, line 4, remove "Dakota;"

Page 1, line 5, after the first semicolon insert "and" and remove "; and to declare an"

Page 1, line 6, remove "emergency"

Page 2, after line 13, insert:

"8. "Insurance premium" means an insurance premium payment assessed on all petroleum products subject to any taxes imposed under chapters 57-43.1 and 57-43.2, except liquefied petroleum."

Page 2, line 14, replace "8" with "9"

Page 2, line 16, replace "9" with "10"

Page 2, line 18, replace "10" with "11"

Page 2, line 23, replace "11" with "12"

Page 2, line 27, replace "12" with "13"

Page 3, line 4, replace "13" with "14"

Page 4, remove lines 4 through 6

Page 7, line 6, replace "tariffs" with "insurance premiums"

Page 7, line 14, replace "Tariff" with "Insurance premium"

Page 7, line 15, replace "tax" with "insurance" and replace "tariff" with "insurance premium"

Page 7, line 16, replace "tax" with "insurance" and replace "tariff" with "insurance premium"

Page 7, line 17, replace "tax" with "insurance"

Page 7, line 18, replace "tariff" with "insurance premium"

Page 7, line 19, replace "two" with "three"

Page 7, line 20, replace "tariff" with "insurance premium"

Page 7, line 21, replace "tariff" with "insurance premium"

Page 7, line 22, replace "tariff" with "insurance premium"

Page 7, line 24, replace "fund tariff" with "insurance premium"

Page 7, line 25, replace "Tariff" with "Insurance premium" and replace "tax" with "insurance"

Page 7, line 26, replace "a tariff" with "an insurance premium of nine-fortieths"

Page 7, line 27, remove "except liquefied petroleum"

Page 7, line 29, after "equipment" insert "and liquefied petroleum"

Page 8, line 1, replace "shall" with "may", replace "tariff" with "insurance premium", and replace "purchaser or user" with "owner or operator"

Page 8, line 2, replace "tariff" with "insurance premium"

Page 8, line 3, replace "tariff" with "insurance premium"

Page 8, line 4, replace "tax" with "insurance"

Page 8, line 7, remove "The provisions"

Page 8, remove lines 8 and 9

Page 8, line 10, remove "administration of the tariff levied by this section."

Page 8, line 11, replace "tariff" with "insurance premium" and replace "tax" with "insurance"

Page 8, line 12, after "dealer" insert "with the tax commissioner"

Page 8, line 14, replace "tax" with "insurance"

Page 8, line 15, after "correct" insert "copy of their"

Page 8, line 20, replace "tax" with "insurance"

Page 8, line 22, replace "tariffs" with "insurance premiums"

Page 8, line 25, replace "tariffs" with "insurance premiums"

Page 8, line 26, replace "tax" with "insurance"

Page 8, line 27, replace "tariffs" with "insurance premiums"

Page 8, line 28, replace "a tariff" with "insurance premiums"

Page 9, line 1, replace "a tariff is" with "insurance premiums are" and replace "it is" with "they are"

Page 9, line 2, replace "tariff" with "premium"

Page 13, remove lines 19 and 20

Page 13, line 29, after the period insert "When this Act becomes ineffective, or at any earlier time that the state health officer certifies to the state treasurer that federal law no longer requires the state to maintain a petroleum release compensation fund, the state treasurer shall transfer the entire balance of the petroleum release compensation fund to the highway fund."

Page 14, remove lines 1 and 2

Renumber accordingly

HB 1016, as engrossed: Your conference committee (Sens. Satrom, Robinson, Ingstad and Reps. Schmidt, Gerntholz, Meyer) recommends that the SENATE RECEDE from the Senate amendments on HJ pages 1556-1559, amend as follows, and then place on the Seventh order:

That the Senate recede from its amendments as printed on pages 1329-1333 and page 1360 of the Senate Journal and pages 1556-1559 of the House Journal, and that Engrossed House Bill No. 1016 be amended as follows:

Page 1, line 3, after the semicolon insert "to create and enact a new section to chapter 39-04 of the North Dakota Century Code, relating to the assignment of motor vehicle number plates; to provide for a contingent temporary transfer from the petroleum tank release compensation fund;"

Page 1, line 14, replace "67,228,301" with "69,435,365"

Page 1, line 16, replace "47,317,225" with "49,474,121"

Page 1, line 17, replace "5,600,500" with "5,915,500"

Page 1, line 18, replace "277,243,000" with "331,785,000"

Page 1, line 21, replace "409,867,849" with "469,088,809"

Page 2, line 4, replace "1,440,893" with "1,840,000"

Page 2, line 7, replace "781,659" with "1,800,000"

Page 2, line 8, replace "5,512,241" with "6,929,689"

Page 2, line 16, replace "432,974,931" with "499,689,851"

Page 2, line 21, after "FUND" insert "- ADDITIONAL INCOME - TRANSFER"

Page 2, line 25, after the period insert "Income in excess of the amounts appropriated for operating expenses and equipment in subdivision 3 of section 1 of this Act may be spent within the provisions of Senate Bill No. 2168 for purposes of those items. The director of the department of transportation may transfer \$2,500,000, or so much thereof as may be necessary, from the operating fund to the highway fund and may transfer appropriation authority of \$2,500,000 from the equipment line item in subdivision 3 of section 1 of this Act to the capital improvements line item in subdivision 1 of section 1 of this Act for the purpose of matching federal funds for highway construction."

Page 2, replace lines 26 through 29 with:

"SECTION 4. LEGISLATIVE INTENT - REVIEW OF FEDERAL MATCHING NEEDS. It is the intent of the legislative assembly that the reconvened fifty-second legislative assembly address the need for providing additional state funding via the motor vehicle fuel tax to the department of transportation for the purpose of matching federal funds for highway maintenance, construction, and reconstruction for the biennium beginning July 1, 1991, and ending June 30, 1993."

Page 3, remove lines 1 and 2

Page 3, replace lines 10 through 17 with:

"SECTION 6. CONTINGENT APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated, subject to approval of the budget section of the legislative council, out of any moneys in the state treasury, not otherwise appropriated, from special funds derived from federal funds and other income, to the various divisions under the supervision of the director of the department of transportation for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1991, and ending June 30, 1993, as follows:

Subdivision 1.	TRANSPORTATION OPERATIONS	
Salaries and wages		\$1,580,863
Operating expenses		4,294,649
Total special funds appropriation		\$5,875,512
Subdivision 2.	FLEET SERVICES	
Operating expenses		\$201,000
Total special funds appropriation		\$201,000

SECTION 7. A new section to chapter 39-04 of the North Dakota Century Code is created and enacted as follows:

Assignment of motor vehicle number plates. Motor vehicle number plates may not be assigned as a reward for any political activity, in recognition of any political affiliation or membership in any political party, or on the basis of political favoritism. However, an elected state office may be assigned a single or double digit number on a number plate as requested by that official. The department of transportation shall adopt rules governing the assignment of numbers on motor vehicle number plates in accordance with this section.

SECTION 8. SPECIAL ROAD FUND. Notwithstanding section 24-02-37, the director of the department of transportation may use the moneys in the special road fund for the purpose of matching federal funds for highway maintenance, construction, and reconstruction for the biennium beginning July 1, 1991, and ending June 30, 1993.

SECTION 9. PETROLEUM TANK RELEASE COMPENSATION FUND. If House Bill No. 1439 of the fifty-second legislative assembly does not become effective, the state treasurer, at the request of the director of the department of transportation, shall transfer \$1,000,000, or so much thereof as may be necessary, from the petroleum tank release compensation fund to the highway fund for the purpose of matching federal funds for highway maintenance, construction, and reconstruction for the biennium beginning July 1, 1991, and ending June 30, 1993. An amount equal to all moneys transferred must be paid to the petroleum tank release compensation fund from the highway fund by December 31, 1992."

ReNUMBER accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 801 - DOT - TRANSPORTATION OPERATIONS

This amendment makes the following changes to the Transportation Operations Division of the Department of Transportation:

Salaries and wages are increased by \$2,207,064, of which \$441,413 is from the highway fund and \$1,765,651 is from federal funds for an additional 28 FTE positions, from 991.6 FTE to 1,019.6 FTE, and temporary and overtime pay relating to highway maintenance, construction, and reconstruction.

In addition, a separate contingent appropriation section is added to the bill providing that upon Budget Section approval additional funds of \$1,580,863, of which \$316,172 is from the highway fund and \$1,264,691 of federal funds, may be spent by the department to hire up to 20 additional FTE positions, from 1,019.6 FTE to 1,039.6 FTE, and temporary and overtime pay relating to highway maintenance, construction, and reconstruction.

Operating expenses are increased by \$2,156,896, of which \$431,379 is from the highway fund and \$1,725,517 is from federal funds for consultant engineers (\$1,750,000) and for travel and other operating costs (\$406,896).

In addition, a separate contingent appropriation section is added to the bill providing that upon Budget Section approval additional funds of \$4,294,649, of which \$858,930 is from the highway fund and \$3,435,719 of federal funds, may be spent by the department for consultant engineers (\$4,000,000) and for travel and other operating costs (\$294,649).

Equipment is increased by \$315,000, of which \$63,000 is from the highway fund and \$252,000 is from federal funds for engineering and computer equipment.

Capital improvements are increased by \$56,342,000, of which \$11,268,400 is from the highway fund and \$45,073,600 is from federal funds for additional highway construction projects.

Capital improvements are also decreased by \$1,800,000 from the highway fund relating to the elimination of funding for the construction of a new Fargo district headquarters. Highway fund revenues are reduced by \$2,500,000 as a result of the elimination of the sale of the present Fargo district headquarters.

A section of legislative intent is added providing that the reconvened 52nd Legislative Assembly address the need for additional state funding via the motor vehicle fuel tax to match federal funds for highway maintenance, construction, and reconstruction.

A section is added providing that the department may use moneys in the special road fund to match federal funds for highway maintenance, construction, and reconstruction rather than for recreational roads. The special road fund contains interest income collections on the highway fund balance beginning July 1, 1991.

A section is added providing that if House Bill No. 1439 does not become effective, the department may use up to \$1,000,000 from the petroleum tank release compensation fund to match federal funds for highway maintenance, construction, and reconstruction. All moneys transferred from the fund must be returned by the highway fund by December 31, 1992.

DEPARTMENT 802 - FLEET SERVICES

A section is added to the bill providing that upon Budget Section approval operating expenses are increased by \$201,000 from other funds for increased usage of motor pool vehicles by the Transportation Operations Division.

Section 3 of the bill is amended to allow Fleet Services to spend additional income for operating expenses and equipment upon Emergency Commission approval and to allow the director of the Department of Transportation to transfer up to \$2,500,000 from the Fleet Services operating fund to the

highway fund to provide matching funds for federal highway construction funds.

DEPARTMENT 803 - MOTOR VEHICLE

The operating expenses line item is increased by \$399,107 and the license plates and tabs line item is increased by \$1,018,341 for costs related to a new general license plate issue to begin in November 1992. Funding for the increases is from motor vehicle registration fees. Additional funding to complete the general issue during the 1993-95 biennium is to be addressed by the 53rd Legislative Assembly.

A section is added providing guidelines regarding the assignment of motor vehicle number plates.

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

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

MR. PRESIDENT: The House has adopted the conference committee report on SB 2234 and subsequently passed the same.

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

MR. PRESIDENT: The House has not adopted the conference committee report on SB 2324. The Speaker has appointed as a new conference committee to act with a like committee from the Senate on:

SB 2324: Reps. Clayburgh; Svedjan; Gabrielson

REPORT OF CONFERENCE COMMITTEE

REP. WENTZ MOVED that the conference committee report on Engrossed SB 2594 be adopted, which motion prevailed.

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 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.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 89 YEAS, 14 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Anderson, B.; Berg, G.; Berg, R.; Bernstein; Bodine; Boucher; Brokaw; Brown; Byerly; Carlisle; Carlson; Clayburgh; Cleary; Coats; Dalrymple; DeMers; Dorso; Enget; Flaagan; 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; Martin; Martinson; Meyer; Miller; Muhs; Mutzenberger; Nelson; Nicholas; Nichols; Nowatzki; Oban; Peterson; Porter; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schmidt; Schneider; Skar; Skjerven; Snyder; Soukup; St. Aubyn; Starke; Stofferahn; Svedjan; Thorpe; Timm; Tollefson; Trautman; Urlacher; Wald; Wardner; Wentz; Whalen; Wilkie; Williams; Speaker R. Anderson

NAYS: Bateman; Belter; Boehm; Delzer; DeWitz; Freier; Grosz; Myrdal; Olsen, D.; Olson, A.; Schimke; Schindler; Shide; Thompson

ABSENT AND NOT VOTING: Erickson; Mahoney; Payne

Engrossed SB 2594 passed and the title was agreed to.

REPORT OF CONFERENCE COMMITTEE

REP. TRAUTMAN MOVED that the conference committee report on Engrossed SCR 4073 be adopted, which motion prevailed.

Engrossed SCR 4073, as amended, was placed on the Fourteenth order of business on the calendar.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4073: A concurrent resolution authorizing the retention of certain employees of the Senate and House to allow for the completion of legislative work after the close of the session.

ROLL CALL

The question being on the final adoption of the amended resolution, which has been read, 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; Flaagan; 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; 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: Erickson; Payne

Engrossed SCR 4073 was declared adopted on a roll call vote.

REPORT OF CONFERENCE COMMITTEE

REP. WHALEN MOVED that the conference committee report on Engrossed HB 1439 be adopted, which motion prevailed.

Engrossed HB 1439, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1439: A BILL for an Act to provide for cleanup of petroleum spills through the establishment of a petroleum release compensation fund; to provide a penalty; to provide a continuing appropriation; to provide an appropriation; and to provide an expiration date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 86 YEAS, 17 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

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

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

NAYS: Carlisle; Carlson; Cleary; Flaagan; Hokana; Huether; Kerzman; Laughlin; Martinson; Meyer; Mutzenberger; Oban; Ring; Ritter; Schneider; Stofferahn; Williams

ABSENT AND NOT VOTING: Brokaw; Erickson; Payne

Engrossed HB 1439 passed and the title was agreed to.

REPORT OF CONFERENCE COMMITTEE

REP. SCHMIDT MOVED that the conference committee report on Engrossed HB 1016 be adopted, which motion prevailed.

Engrossed HB 1016, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1016: A BILL for an Act making an appropriation for defraying the expenses of the various divisions under the supervision of the director of the department of transportation; to create and enact a new section to chapter 39-04 of the North Dakota Century Code, relating to the assignment of motor vehicle number plates; to provide for a contingent temporary transfer from the petroleum tank release compensation fund; and to provide a statement of legislative intent.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 96 YEAS, 8 NAYS, 0 EXCUSED, 2 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; Dorso; Enget; Flaagan; Freier; 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; Nelson; Nicholas; Nichols; Nowatzki; Oban; Olson, A.; Peterson; Porter; Price; Pyle; Rennerfeldt; Ring; Ritter; Rydell; Scherber; Schindler; Schmidt; Schneider; Shide; 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; DeWitz; Grosz; Olsen, D.; Schimke; Skar

ABSENT AND NOT VOTING: Erickson; Payne

Engrossed HB 1016 passed and the title was agreed to.

MOTION

REP. KLOUBEC MOVED that SCR 4073, HB 1439, and HB 1016 be messaged to the Senate immediately, which motion prevailed.

APPOINTMENT OF COMMITTEES

SPEAKER R. ANDERSON ANNOUNCED the following House interim appointments:

APPOINTMENTS BY THE SPEAKER OF THE HOUSE

Legislative Council

Representative Kloubec
 Representative Schneider
 Representative Hausauer
 Representative R. Anderson
 Representative Timm
 Representative B. Anderson
 Representative Laughlin
 Representative Oban

Capitol Grounds Planning Commission

Representative A. Olson
 Representative Ritter
 Representative Kelsch

Multistate Tax Compact Advisory Committee

Representative Timm
 Representative Williams

Medical Center Advisory Council

Representative Payne

Regulatory Reform Review Commission

Representative Larson
 Representative Hokana

Comprehensive Health Association of North Dakota Board

Representative Rydell

Education Commission of the States

Representative Gates

North Dakota Heritage Foundation

Representative Henegar

MOTION

REP. KLOUBEC MOVED that the House be on the Seventh and Twelfth orders of business and at the conclusion of those orders that the House stand in recess until 3:00 p.m., which motion prevailed.

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

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

SB 2324: Sens. Heinrich; Jerome; Stenehjem

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

MR. SPEAKER: The Senate has adopted the conference committee report on HB 1597 and subsequently passed the same.

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

MR. SPEAKER: The Senate has adopted the conference committee report on SB 2515 and subsequently passed the same.

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

MR. SPEAKER: The Senate has adopted the conference committee report on HB 1021, subsequently passed, and the emergency clause carried.

REPORT OF CONFERENCE COMMITTEE

SB 2515, as reengrossed: Your conference committee (Sens. Keller, Krauter, Streibel and Reps. Rydell, Tollefson, Wilkie) recommends that the

SENATE ACCEDE to the House amendments on HJ page 1438, further amend as follows, and then place on the Seventh order:

That the Senate accede to the amendments as printed on pages 1317 and 1318 of the Senate Journal and page 1438 of the House Journal, and that Reengrossed Senate Bill No. 2515 be further amended as follows:

Page 1, line 1, after "programs" insert "; to provide a statement of legislative intent"

Page 4, after line 29, insert:

"SECTION 7. LEGISLATIVE INTENT. It is the intent of the legislative assembly that the North Dakota work force 2000 program receive priority consideration in grant allocation under the grant line item for the department of economic development and finance as provided in Senate Bill No. 2058 for the biennium beginning July 1, 1991, and ending June 30, 1993."

Reumber accordingly

HOUSE ENROLLING REPORT

The following resolution was enrolled: HCR 3072.

SIGNING OF BILLS and RESOLUTIONS

The Speaker signed the following enrolled resolution: HCR 3072.

HOUSE ENGROSSING AND ENROLLING REPORT

The following bills were engrossed and enrolled: HB 1127, HB 1157, HB 1165, HB 1384, HB 1433.

SIGNING OF BILLS and RESOLUTIONS

The Speaker signed the following enrolled bills: HB 1127, HB 1157, HB 1165, HB 1384, HB 1433.

HOUSE ENGROSSING AND ENROLLING REPORT

The following bills were engrossed and enrolled: HB 1002, HB 1014, HB 1020, HB 1079, HB 1378, HB 1603.

SIGNING OF BILLS and RESOLUTIONS

The Speaker signed the following enrolled bills: HB 1002, HB 1014, HB 1020, HB 1079, HB 1378, HB 1603.

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

ANNOUNCEMENT

THE CHIEF CLERK ANNOUNCED that the Speaker has received the following House Bill with the Governor's objections to same at the hour of 2:53 p.m. on Wednesday, April 10, 1991: HB 1325.

COMMUNICATION FROM GOVERNOR GEORGE A. SINNER

April 10, 1991

HB 1325 reduces the rate of sales tax on natural gas from five percent to two percent of gross receipts by December of 1994.

The fiscal impact is an estimated loss of \$400,000 this biennium, increasing to at least \$5 million per biennium in the years coming up. Even though I personally have tried in 1983 to correct this, it must be done with replacement revenue or we will be short of revenue for coming years.

Therefore, given the revenue constraints with which we are operating, we simply cannot remove any revenue source without replacement.

Therefore, I veto HB 1325.

MOTIONS

REP. KLOUBEC MOVED that HB 1325 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 1325 be placed on the Eleventh order on the calendar, which motion prevailed.

REP. NICHOLAS MOVED that the House reconsider its action whereby Reengrossed SB 2282 failed to pass, which motion prevailed.

REP. HOKANA MOVED that the House reconsider its action whereby the conference committee report was accepted and SB 2282 was placed on the Seventh order of business on the calendar, which motion prevailed.

REPORT OF CONFERENCE COMMITTEE

REP. PAYNE MOVED that the conference committee report on Reengrossed SB 2282 as printed on HJ page 1852 be adopted, which motion lost.

ANNOUNCEMENT BY THE SPEAKER

SPEAKER R. ANDERSON ANNOUNCED that Rep. Hausauer would replace Rep. Payne on the Conference Committee on Reengrossed SB 2282.

MOTION

REP. KLOUBEC MOVED that the House be on the Seventh and Twelfth orders and at the conclusion of those orders, that the House stand in recess until 5:00 p.m., which motion prevailed.

SIGNING OF BILLS and RESOLUTIONS

The Speaker signed the following enrolled bills and resolution: SB 2003, SB 2006, SB 2009, SB 2010, SB 2015, SB 2025, SB 2034, SB 2036, SB 2039, SB 2070, SB 2090, SB 2113, SB 2115, SB 2149, SB 2151, SB 2205, SB 2206, SB 2231, SB 2258, SB 2335, SB 2385, SB 2451, SB 2507, SB 2541, SB 2542, SB 2572, SB 2591, SB 2595, SCR 4058.

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

MR. SPEAKER: The Senate respectfully requests the return of: HB 1614.

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

MR. PRESIDENT: The Speaker has signed and your signature is respectfully requested on: HB 1127, HB 1157, HB 1165, HB 1384, HB 1433.

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

MR. PRESIDENT: The Speaker has signed and your signature is respectfully requested on: HB 1002, HB 1014, HB 1020, HB 1079, HB 1378, HB 1603.

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

MR. PRESIDENT: The Speaker has signed and your signature is respectfully requested on: HCR 3072.

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

MR. PRESIDENT: The Speaker has signed: SB 2003, SB 2006, SB 2009, SB 2010, SB 2015, SB 2025, SB 2034, SB 2036, SB 2039, SB 2070, SB 2090, SB 2113, SB 2115, SB 2149, SB 2151, SB 2205, SB 2206, SB 2231, SB 2258, SB 2335, SB 2385, SB 2451, SB 2507, SB 2541, SB 2542, SB 2572, SB 2591, SB 2595, SCR 4058.

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

MR. PRESIDENT: The House has adopted the conference committee report on SCR 4073 and subsequently passed the same.

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

MR. PRESIDENT: The House has adopted the conference committee report on HB 1016 and HB 1439 and subsequently passed the same.

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

MR. SPEAKER: The Senate has sustained the Governor's veto on HB 1276 and HB 1462. The vote on HB 1276 is: ayes, 27; nays, 26; absent and not voting, 0. The vote on HB 1462 is: ayes, 28; nays, 25; absent and not voting, 0.

MESSAGE to the HOUSE from the SENATE (Marion Houn, Secretary)
 MR. SPEAKER: The President has signed: HB 1002, HB 1014, HB 1020, HB 1079, HB 1378, HB 1603, HCR 3072.

MESSAGE to the HOUSE from the SENATE (Marion Houn, Secretary)
 MR. SPEAKER: The President has signed: HB 1127, HB 1157, HB 1165, HB 1384, HB 1433.

MESSAGE to the SENATE from the HOUSE (Roy Gilbreath, Chief Clerk)
 MR. PRESIDENT: The House has not adopted the conference committee report on SB 2282. The Speaker has appointed as a new conference committee to act with a like committee from the Senate on:

SB 2282: Reps. Hausauer; Jensen; Nowatzki

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following resolution was delivered to the Secretary of State for his filing at the hour of 4:41 p.m., April 10, 1991: HCR 3072.

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

REPORT OF CONFERENCE COMMITTEE

REP. WALD MOVED that the conference committee report on Engrossed HB 1019 as printed on HJ pages 1841-1844 be adopted, which motion prevailed.

Engrossed HB 1019, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1019: A BILL for an Act making an appropriation for defraying the expenses of the state industrial commission and the agencies under the management of the industrial commission; to amend and reenact section 57-61-01.5 of the North Dakota Century Code, relating to the lignite research fund; 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; to provide a continuing appropriation for the lignite research fund; and to provide for a lease agreement for the board of higher education to acquire Hastings hall.

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.; Bernstein; Bodine; Boehm; Boucher; Brokaw; Brown; Byerly; Carlisle; Carlson; Clayburgh; Cleary; Coats; Delzer; DeMers; DeWitz; Dorso; Enget; Erickson; Flaagan; Freier; Gabrielson; Gates; Gerntholz; Gilmore; Goffe; Gorder; Gorman; Grosz; Grumbo; Hanson; Hausauer; Henegar; Hokana; Howard; Huether; Jacobson; Jensen; 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; Schimke; Schindler; Schmidt; Schneider; Shide; Skar; Skjervén; 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: Berg, R.; Dalrymple; Kaldor; Payne

Engrossed HB 1019 passed and the title was agreed to.

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 1575: Sens. Dotzenrod; Tallackson; Vosper

REPORT OF CONFERENCE COMMITTEE

REP. DALRYMPLE MOVED that the conference committee report on Engrossed HB 1558 as printed on HJ page 1844 be adopted, which motion prevailed.

Engrossed HB 1558, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1558: A BILL for an Act to establish a crime victims' account; and to provide an appropriation.

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; Flaagan; 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; 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: Payne

Engrossed HB 1558 passed and the title was agreed to.

MOTION

REP. KLOUBEC MOVED that HCR 3026 be placed at the bottom of the calendar, which motion prevailed.

REPORT OF CONFERENCE COMMITTEE

REP. RYDELL MOVED that the conference committee report on Engrossed SB 2020 as printed on HJ pages 1844-1846 be adopted, which motion prevailed.

Engrossed SB 2020, as amended, was placed on the Fourteenth order of business on the calendar.

SECOND READING OF SENATE BILL

SB 2020: A BILL for an Act making an appropriation for defraying the expenses of various state retirement and investment agencies; and requiring reports on the group insurance plan.

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; Flaagan; 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; 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: Payne

Engrossed SB 2020 passed and the title was agreed to.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following bills were delivered to the Governor for his approval at the hour of 4:25 p.m., April 10, 1991: HB 1002, HB 1014, HB 1020, HB 1079, HB 1127, HB 1157, HB 1165, HB 1378, HB 1384, HB 1433, HB 1603.

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

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

SB 2282: Sens. Kelsh; Lindaas; Vosper

REPORT OF CONFERENCE COMMITTEE

REP. RYDELL MOVED that the conference committee report on Reengrossed SB 2515 be adopted, which motion prevailed.

Reengrossed SB 2515, as amended, was placed on the Fourteenth order of business on the calendar.

SECOND READING OF SENATE BILL

SB 2515: A BILL for an Act to provide for work force development programs; to provide a statement of legislative intent; and to provide an appropriation.

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; Flaagan; 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; 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: Payne

Reengrossed SB 2515 passed and the title was agreed to.

COMMUNICATION FROM GOVERNOR GEORGE A. SINNER

April 10, 1991

This is to inform you that on April 10, 1991, I signed the following: HB 1613, HB 1028, HB 1256, HB 1266, HB 1552, HB 1596, HB 1053, HB 1073, HB 1117, HB 1132.

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

MR. PRESIDENT: The House has adopted the conference committee report on HB 1019 and HB 1558 and subsequently passed the same.

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

MR. PRESIDENT: The House has adopted the conference committee report on SB 2020, SB 2515, and SB 2594 and subsequently passed the same.

MOTIONS

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

REP. KLOUBEC MOVED that the House be on the Seventh order of business, and at the conclusion of the Seventh order, the House be on the Twelfth order of business, and at the conclusion of the Twelfth order, the House stand adjourned until 8:00 a.m., Thursday, April 11, 1991, which motion prevailed.

REPORT OF CONFERENCE COMMITTEE

HB 1611, as engrossed: Your conference committee (Sens. Graba, Maxson (refused to sign), Holmberg and Reps. DeWitz, Martin, Gilmore) recommends that the HOUSE ACCEDE to the Senate amendments on HJ page 1470, further amend as follows, and then place on the Seventh order:

That the House accede to the Senate amendments as printed on page 1470 of the House Journal and page 1296 of the Senate Journal, and that Engrossed House Bill No. 1611 be further amended as follows:

Page 1, line 2, after "requirements" insert "; and to provide a statement of legislative intent"

Page 2, after line 5, insert:

"SECTION 2. LEGISLATIVE INTENT. It is the intent of the legislative assembly that any legislative council committee conducting a legislative apportionment study during the 1991-92 interim will consider apportionment plans that provide for at least forty-nine senatorial districts but not more than fifty-three senatorial districts."

Renumber accordingly

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

MR. SPEAKER: The Senate has not adopted the conference committee report on HB 1439.

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

ROY GILBREATH, Chief Clerk