

JOURNAL OF THE HOUSE

Fifty-fifth Legislative Assembly

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Bismarck, January 6, 1997

At the hour of 12:00 noon on the sixth day of January, 1997, according to the Constitution of the State of North Dakota, the House of Representatives convened in its regular session with Speaker Timm presiding.

The prayer was offered by the Rev. Hugo Blotsky, Christ The King Catholic Church, Mandan.

The roll was called and all members were present except Representatives Grumbo, Gulleeson, Hawken, C. Johnsen, Murphy, Schmidt, and Stenehjerm.

A quorum was declared by the Speaker.

MOTION

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

MOTION

REP. FREIER MOVED that the House be on the Ninth order of business and at the conclusion of the Ninth order, the House stand in recess until 1:15 p.m., to receive the Senate in Joint Session and at the conclusion of the Joint Session, the House stand adjourned until 9:00 a.m., Tuesday, January 7, 1997, which motion prevailed.

FIRST READING OF HOUSE BILLS

Appropriations Committee introduced:

(At the request of the Governor)

HB 1001: A BILL for an Act to provide an appropriation for defraying the expenses of the office of the governor; and to amend and reenact sections 54-07-04 and 54-08-03 of the North Dakota Century Code, relating to the salaries of the governor and lieutenant governor.

Was read the first time and referred to the **Appropriations Committee**.

Appropriations Committee introduced:

(At the request of the Governor)

HB 1002: A BILL for an Act to provide an appropriation for defraying the expenses of the secretary of state and public printing; and to amend and reenact section 54-09-05 of the North Dakota Century Code, relating to the salary of the secretary of state.

Was read the first time and referred to the **Appropriations Committee**.

Appropriations Committee introduced:

(At the request of the Governor)

HB 1003: A BILL for an Act to provide an appropriation for defraying the expenses of the attorney general; and to amend and reenact section 54-12-11 of the North Dakota Century Code, relating to the salary of the attorney general.

Was read the first time and referred to the **Appropriations Committee**.

Appropriations Committee introduced:

(At the request of the Governor)

HB 1004: A BILL for an Act to provide an appropriation for defraying the expenses of the state auditor; and to amend and reenact section 54-10-10 of the North Dakota Century Code, relating to the salary of the state auditor.

Was read the first time and referred to the **Appropriations Committee**.

Appropriations Committee introduced:

(At the request of the Governor)

HB 1005: A BILL for an Act to provide an appropriation for defraying the expenses of the state treasurer; and to amend and reenact section 54-11-13 of the North Dakota Century Code, relating to the salary of the state treasurer.

Was read the first time and referred to the **Appropriations Committee**.

Appropriations Committee introduced:

(At the request of the Governor)

HB 1006: A BILL for an Act to provide an appropriation for defraying the expenses of the office of the state tax commissioner; and to amend and reenact section 57-01-04 of the North Dakota Century Code, relating to the salary of the state tax commissioner.

Was read the first time and referred to the **Appropriations Committee**.

Appropriations Committee introduced:

(At the request of the Governor)

HB 1007: A BILL for an Act to provide an appropriation for defraying the expenses of the office of the labor commissioner; and to amend and reenact section 34-05-01.2 of the North Dakota Century Code, relating to the salary of the labor commissioner.

Was read the first time and referred to the **Appropriations Committee**.

Appropriations Committee introduced:

(At the request of the Governor)

HB 1008: A BILL for an Act to provide an appropriation for defraying the expenses of the public service commission; and to amend and reenact section 49-01-05 of the North Dakota Century Code, relating to the salary of public service commissioners.

Was read the first time and referred to the **Appropriations Committee**.

Appropriations Committee introduced:

(At the request of the Governor)

HB 1009: A BILL for an Act to provide an appropriation for defraying the expenses of the agriculture commissioner; and to amend and reenact section 4-01-21 of the North Dakota Century Code, relating to the salary of the agriculture commissioner.

Was read the first time and referred to the **Appropriations Committee**.

Appropriations Committee introduced:

(At the request of the Governor)

HB 1010: A BILL for an Act to provide an appropriation for defraying the expenses of the insurance commissioner; and to amend and reenact section 26.1-01-09 of the North Dakota Century Code, relating to the salary of the insurance commissioner.

Was read the first time and referred to the **Appropriations Committee**.

Appropriations Committee introduced:

(At the request of the Governor)

HB 1011: A BILL for an Act to provide an appropriation for defraying the expenses of the office of the securities commissioner.

Was read the first time and referred to the **Appropriations Committee**.

Appropriations Committee introduced:

(At the request of the Governor)

HB 1012: A BILL for an Act to provide an appropriation for defraying the expenses of the department of human services; to provide for the transfer of appropriations between agencies and institutions; and to amend and reenact section 50-06-14.3 of the North Dakota Century Code, relating to the state basic care program.

Was read the first time and referred to the **Appropriations Committee**.

Appropriations Committee introduced:

(At the request of the Governor)

HB 1013: A BILL for an Act to provide an appropriation for defraying the expenses of the department of public instruction, the school for the deaf, the school for the blind, and the state library; and to amend and reenact section 15-21-02 of the North Dakota Century Code, relating to the salary of the superintendent of public instruction.

Was read the first time and referred to the **Appropriations Committee**.

Appropriations Committee introduced:

(At the request of the Governor)

HB 1014: A BILL for an Act to provide an appropriation for defraying the expenses of the committee on protection and advocacy.

Was read the first time and referred to the **Appropriations Committee**.

Appropriations Committee introduced:

(At the request of the Governor)

HB 1015: A BILL for an Act to provide 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; to authorize transfer of various special funds to the general fund; to provide for mobile data terminals; to amend and reenact section 54-27.2-02 of the North Dakota Century Code, relating to the budget stabilization fund; to provide an expiration date; and to declare an emergency.

Was read the first time and referred to the **Appropriations Committee**.

Appropriations Committee introduced:

(At the request of the Governor)

HB 1016: A BILL for an Act to provide an appropriation for defraying the expenses of the division of emergency management.

Was read the first time and referred to the **Appropriations Committee**.

Appropriations Committee introduced:

(At the request of the Governor)

HB 1017: A BILL for an Act to provide an appropriation for defraying the expenses of the adjutant general.

Was read the first time and referred to the **Appropriations Committee**.

Appropriations Committee introduced:

(At the request of the Governor)

HB 1018: A BILL for an Act to provide an appropriation to the tax commissioner for payment of state reimbursement under the homestead tax.

Was read the first time and referred to the **Appropriations Committee**.

Appropriations Committee introduced:

(At the request of the Governor)

HB 1019: A BILL for an Act to make an appropriation for the distribution of state aid distribution fund revenue to political subdivisions of the state of North Dakota; and to provide a statement of legislative intent.

Was read the first time and referred to the **Appropriations Committee**.

Appropriations Committee introduced:

(At the request of the Governor)

HB 1020: A BILL for an Act to provide an appropriation for defraying the expenses of the state seed department.

Was read the first time and referred to the **Appropriations Committee**.

Appropriations Committee introduced:

(At the request of the Governor)

HB 1021: A BILL for an Act to make an appropriation for defraying the expenses of the state game and fish department.

Was read the first time and referred to the **Appropriations Committee**.

Appropriations Committee introduced:

(At the request of the Governor)

HB 1022: A BILL for an Act to provide an appropriation for defraying the expenses of the state historical society and the international peace garden.

Was read the first time and referred to the **Appropriations Committee**.

Appropriations Committee introduced:

(At the request of the Governor)

HB 1023: A BILL for an Act to provide an appropriation for defraying the expenses of the parks and recreation department.

Was read the first time and referred to the **Appropriations Committee**.

Appropriations Committee introduced:

(At the request of the Governor)

HB 1024: A BILL for an Act to provide an appropriation for defraying the expenses of the tourism department.

Was read the first time and referred to the **Appropriations Committee**.

Appropriations Committee introduced:

(At the request of the Governor)

HB 1025: A BILL for an Act to provide an appropriation for defraying the expenses of the state water commission; to amend and reenact section 57-51.1-07 of the North Dakota Century Code, relating to allocation of the oil extraction tax development fund; and to provide an effective date.

Was read the first time and referred to the **Appropriations Committee**.

Appropriations Committee introduced:

(At the request of the Governor)

HB 1026: A BILL for an Act to provide an appropriation for defraying the expenses of the workers compensation bureau and its divisions; and to provide authorization to expend funds from the workers' compensation contingency line item.

Was read the first time and referred to the **Appropriations Committee**.

Appropriations Committee introduced:
(At the request of the Governor)

HB 1027: A BILL for an Act to provide an appropriation for defraying the expenses of various state retirement and investment agencies.

Was read the first time and referred to the **Appropriations Committee**.

Appropriations Committee introduced:
(At the request of the Governor)

HB 1028: A BILL for an Act to provide an appropriation for defraying the expenses of various state departments and institutions; to provide for a transfer from the accumulated and undivided profits of the Bank of North Dakota to the general fund; and to declare an emergency.

Was read the first time and referred to the **Appropriations Committee**.

Appropriations Committee introduced:
(At the request of the Governor)

HB 1029: A BILL for an Act to provide an appropriation for capital projects of various state departments and institutions; to authorize the state board of higher education to issue and sell self-liquidating, tax-exempt bonds for the construction of a revenue-producing parking lot and related facilities at the university of North Dakota; to authorize the industrial commission to issue and sell bonds for capital projects; to provide an appropriation; and to declare an emergency.

Was read the first time and referred to the **Appropriations Committee**.

Legislative Council introduced:

HB 1030: A BILL for an Act to amend and reenact section 28-32-03.3 of the North Dakota Century Code, relating to consideration of administrative rules by the administrative rules committee; and to provide an effective date.

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

Legislative Council introduced:

HB 1031: A BILL for an Act to amend and reenact subsection 2 of section 28-32-03 of the North Dakota Century Code, relating to the effective date of administrative rules; and to provide an effective date.

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

Legislative Council introduced:

HB 1032: A BILL for an Act to amend and reenact section 48-01.1-06 of the North Dakota Century Code, relating to the multiple prime bid requirement for public improvement contracts.

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

Legislative Council introduced:

HB 1033: A BILL for an Act to amend and reenact sections 43-19.1-28 and 48-01.1-04 of the North Dakota Century Code, relating to plans and specifications for public improvement contracts.

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

Legislative Council introduced:

HB 1034: A BILL for an Act to create and enact a new section to chapter 54-10, a new subsection to section 54-10-01, and four new sections to chapter 54-44.2 of the North Dakota Century Code, relating to information technology systems reviews by the state auditor and information technology planning, standards setting, and reviews by the information services division; to amend and reenact sections 54-44.2-00.1, 54-44.2-01, 54-44.2-02, 54-44.2-04, 54-44.2-06, 54-44.2-07, and 54-44.2-08 of the North Dakota Century Code, relating to duties and responsibilities of the information services division; and to repeal sections 54-44.2-02.1, 54-44.2-02.2, 54-44.2-02.3, 54-44.2-02.4, and 54-44.2-02.5 of the North Dakota Century Code, relating to duties and responsibilities of the information services division.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

Legislative Council introduced:

HB 1035: A BILL for an Act to create and enact chapter 54-24.4 of the North Dakota Century Code, relating to the North Dakota library coordinating council; to amend and reenact sections 54-24-02, 54-24-03, 54-24-09, 54-24.3-01, 54-24.3-03, 54-24.3-04, 54-24.3-05, 54-24.3-06, 54-24.3-07, 54-24.3-08, 54-24.3-09, 54-24.3-10, 54-24.3-11, 54-24.3-12, 54-24.3-13, 54-24.3-14, 54-24.3-15, and 54-24.3-16 of the North Dakota Century Code, relating to the state library and multitype library authorities; to repeal sections 54-24-07 and 54-24.3-02 of the North Dakota Century Code, relating to state library printing costs and the statewide library planning committee; and to provide appropriations.

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

Legislative Council introduced:

HB 1036: A BILL for an Act to amend and reenact section 50-06-06.13 of the North Dakota Century Code, relating to an out-of-home treatment program for children with serious emotional disorders.

Was read the first time and referred to the **Human Services Committee**.

Legislative Council introduced:

HB 1037: A BILL for an Act to create and enact section 50-06-14.4 of the North Dakota Century Code, relating to projects involving services for the alzheimer's and related dementia population; and to amend and reenact the new section to chapter 23-09.3 and the new section to chapter 23-16 of the North Dakota Century Code as created by sections 2 and 3 of chapter 254 of the 1995 Session Laws, relating to a moratorium on basic care and long-term care bed capacity.

Was read the first time and referred to the **Human Services Committee**.

Legislative Council introduced:

HB 1038: A BILL for an Act to create and enact a new subsection to section 50-06.2-02 and a new section to chapter 50-06.2 of the North Dakota Century Code, relating to projects involving expanded case management for long-term care.

Was read the first time and referred to the **Human Services Committee**.

Legislative Council introduced:

HB 1039: A BILL for an Act to amend and reenact subsection 4 of section 50-24.4-10 of the North Dakota Century Code, relating to nursing home rates.

Was read the first time and referred to the **Human Services Committee**.

Legislative Council introduced:

HB 1040: A BILL for an Act to amend and reenact subsection 5 of section 50-24.4-10 of the North Dakota Century Code, relating to operating cost limits for nursing homes.

Was read the first time and referred to the **Human Services Committee**.

Legislative Council introduced:

HB 1041: A BILL for an Act to create and enact four new sections to chapter 50-01.2, three new sections to chapter 50-03, a new section to chapter 50-06, a new section to chapter 50-24.1, and a new section to chapter 50-24.5 of the North Dakota Century Code, relating to the administration and financing of human services programs; to repeal sections 50-03-07, 50-09-16, 50-09-17, 50-09-18, 50-09-20, 50-09-20.1, 50-09-21, 50-24.1-03, and 50-24.5-06 of the North Dakota Century Code, relating to the administration and financing of human service programs; to require a legislative council study; to provide an appropriation; and to provide an effective date.

Was read the first time and referred to the **Human Services Committee**.

Legislative Council introduced:

HB 1042: A BILL for an Act to amend and reenact subsection 8 of section 28-32-01 of the North Dakota Century Code, relating to the definition of a party to an administrative proceeding.

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

Legislative Council introduced:

HB 1043: A BILL for an Act to amend and reenact section 39-06-35, subsections 3.1, 4, 5, 6, and 7 of section 39-06.1-10, and section 39-06.1-11 of the North Dakota Century Code, relating to alcohol addiction evaluation for driving while under the influence.

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

Legislative Council introduced:

HB 1044: A BILL for an Act to amend and reenact subsection 1 of section 12.1-32-15 of the North Dakota Century Code, relating to offender registration.

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

Legislative Council introduced:

HB 1045: A BILL for an Act to create and enact a new subsection to section 27-20-34 of the North Dakota Century Code, relating to district court jurisdiction over certain adults who committed an offense as a child.

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

Legislative Council introduced:

HB 1046: A BILL for an Act to create and enact a new subsection to section 12.1-01-04 and a new subsection to section 50-06-05.1 of the North Dakota Century Code, relating to the

definition of risk assessment and the authority of the department of human services to establish the method of risk assessment; and to amend and reenact subsections 10 and 11 of section 12.1-32-02 of the North Dakota Century Code, relating to risk assessments in certain presentence investigations.

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

Legislative Council introduced:

HB 1047: A BILL for an Act to create and enact chapter 25-03.3 of the North Dakota Century Code, relating to civil commitment of sexually dangerous individuals.

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

Legislative Council introduced:

HB 1048: A BILL for an Act to create and enact a new subsection to section 50-06-05.1 of the North Dakota Century Code, relating to the powers and duties of the department of human services; and to amend and reenact section 12.1-32-15 of the North Dakota Century Code, relating to registration of sexually violent predators.

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

Legislative Council introduced:

HB 1049: A BILL for an Act to amend and reenact section 12.1-35-04 of the North Dakota Century Code, relating to limits on child testimony.

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

Legislative Council introduced:

HB 1050: A BILL for an Act to amend and reenact subsection 3 of section 15-40.1-06 of the North Dakota Century Code, relating to including income in determining the equalization factor for the foundation aid program for schools; and to provide an effective date.

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

Legislative Council introduced:

HB 1051: A BILL for an Act to provide for the reimbursement of certain school districts having alternative high schools; and to declare an emergency.

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

Legislative Council introduced:

HB 1052: A BILL for an Act to provide for contingent per student payments; and to declare an emergency.

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

Legislative Council introduced:

HB 1053: A BILL for an Act to appropriate funds for the education of gifted and talented students.

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

Legislative Council introduced:

HB 1054: A BILL for an Act to appropriate funds for teacher learning centers.

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

Legislative Council introduced:

HB 1055: A BILL for an Act to amend and reenact section 15-47-33 of the North Dakota Century Code, relating to compensatory time for parent-teacher conferences.

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

Legislative Council introduced:

HB 1056: A BILL for an Act to repeal sections 20.1-02-18.4, 20.1-02-18.5, and 20.1-02-18.6 of the North Dakota Century Code, relating to the wetlands mediation advisory board.

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

Legislative Council introduced:

HB 1057: A BILL for an Act to amend and reenact section 24-02-01.1 of the North Dakota Century Code, relating to the state outdoor recreation interagency council; and to repeal section 55-08-02.1 of the North Dakota Century Code, relating to the state outdoor recreation interagency council.

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

Legislative Council introduced:

HB 1058: A BILL for an Act to create and enact a new section to chapter 23-01 of the North Dakota Century Code, relating to the establishment of the environmental advisory board; to amend and reenact sections 20.1-13-05, 23-25-02, 23-25-04, subsection 1 of section 54-07-01.2, and sections 61-28-02, 61-28-05, and 61-28-07 of the North Dakota

Century Code, relating to the state water pollution control board; and to repeal section 61-28-03 of the North Dakota Century Code, relating to the state water pollution control board.

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

Legislative Council introduced:

HB 1059: A BILL for an Act to amend and reenact sections 4-13.2-03 and 19-07-02 of the North Dakota Century Code, relating to the poultry advisory board; and to repeal section 4-13.2-04 of the North Dakota Century Code, relating to the poultry advisory board.

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

Legislative Council introduced:

HB 1060: A BILL for an Act to amend and reenact subsection 2 of section 6-01-03, sections 6-01-04, 6-01-04.3, subsection 7 of section 6-03-02, sections 6-03-07, 6-03-21, subsection 1 of section 6-03-47.2, sections 6-03-69, 6-03-71, subsections 5 and 6 of section 6-06-02, subsection 12 of section 6-06-06, subsection 1 of section 6-06-08, sections 6-06-19, 6-06-21.1, and 6-06-26 of the North Dakota Century Code, relating to the membership of the state credit union board and the powers and duties of the state banking board and state credit union board; and to repeal section 6-06-18 of the North Dakota Century Code, relating to state credit union board approval of interest rates.

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

Legislative Council introduced:

HB 1061: A BILL for an Act to amend and reenact section 50-24.1-02.2 of the North Dakota Century Code, relating to eligibility for services provided by the department of human services.

Was read the first time and referred to the **Human Services Committee**.

Legislative Council introduced:

HB 1062: A BILL for an Act to create and enact a new section to chapter 13-02.1 and two new subsections to section 50-24.1-07 of the North Dakota Century Code, relating to the fraudulent transfer of assets and recovery from estates of medical assistance recipients; and to provide an appropriation.

Was read the first time and referred to the **Human Services Committee**.

Legislative Council introduced:

HB 1063: A BILL for an Act to create and enact two new sections to chapter 28-04 and a new section to chapter 29-01 of the North Dakota Century Code, relating to civil and criminal proceedings; to amend and reenact sections 28-04-02, 28-04-03, 28-04-04, 28-04-05, 29-03-07, 29-03-08, and 54-18-12 of the North Dakota Century Code, relating to the location of civil and criminal proceedings; and to repeal section 28-04-06 of the North Dakota Century Code, relating to the proper location of civil trials.

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

Legislative Council introduced:

HB 1064: A BILL for an Act to create and enact a new section to chapter 27-09.1 of the North Dakota Century Code, relating to the selection of jurors.

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

Legislative Council introduced:

HB 1065: A BILL for an Act to amend and reenact section 1-03-05 and subsection 1 of section 16.1-01-09 of the North Dakota Century Code, relating to acts performed on Saturdays and business days.

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

Legislative Council introduced:

HB 1066: A BILL for an Act to amend and reenact section 6-09-29 of the North Dakota Century Code, relating to the audit of the Bank of North Dakota.

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

Legislative Council introduced:

HB 1067: A BILL for an Act to create and enact sections 49-21-08.2, 49-21-09.1, 49-21-09.2, 49-21-23, 49-21-24, 49-21-25, 49-21-26, and 49-21-27 of the North Dakota Century Code, relating to telephone exchange service and universal service; to amend and reenact sections 49-02-01.1, 49-21-01, 49-21-01.1, 49-21-01.2, 49-21-01.4, 49-21-01.6, 49-21-01.7, 49-21-02, 49-21-02.1, 49-21-02.2, 49-21-04, 49-21-05, 49-21-06, 49-21-07, 49-21-08.1, 49-21-09, 49-21-10, 49-21-10.1, 49-21-10.2, 49-21-13.1, 49-21-22.1, 54-44.8-08, and 57-34-01 of the North Dakota Century Code, relating to the regulation of telecommunications companies, universal telephone service, telephone cooperatives, the regulatory reform review commission, the jurisdiction of the public service

commission, a surcharge price change for communication-impaired services, and the definition of service element; to repeal sections 49-21-01.3, 49-21-04.1, 49-21-08, 49-21-14, and 49-21-15 of the North Dakota Century Code, relating to essential telecommunications service, duplication of exchanges, and connections; to provide for a continuing appropriation; and to provide an expiration date.

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

Legislative Council introduced:

HB 1068: A BILL for an Act to amend and reenact sections 57-06-01, 57-06-02, 57-06-05, 57-06-07, 57-06-14, 57-06-18, 57-34-01, 57-34-02, 57-34-03, 57-34-05, 57-34-06, 57-34-10, 57-34-11, and 57-34-12 of the North Dakota Century Code, relating to property taxes and gross receipts taxes for telecommunications carriers and services; to repeal sections 57-06-01.1, 57-34-04, and 57-34-08 of the North Dakota Century Code, relating to assessment of property and gross receipts taxes for telecommunications carriers; to provide a continuing appropriation; and to provide an effective date.

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

Legislative Council introduced:

HB 1069: A BILL for an Act to amend and reenact section 57-02-27.2 of the North Dakota Century Code, relating to use of annual gross returns to determine agricultural property assessments; and to provide an effective date.

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

Legislative Council introduced:

HB 1070: A BILL for an Act to amend and reenact section 57-02-27.2 of the North Dakota Century Code, relating to assessed valuation of irrigated cropland; and to provide an effective date.

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

Legislative Council introduced:

HB 1071: A BILL for an Act to provide for a statewide water development program; to amend and reenact section 57-51.1-07 of the North Dakota Century Code, relating to allocation of the oil extraction tax development fund; to provide an appropriation; and to provide an effective date.

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

Legislative Council introduced:

HB 1072: A BILL for an Act to provide a contingent plan for construction of an outlet from Devils Lake to the Sheyenne River; to provide a contingent appropriation; and to provide for limited continuation of appropriation authority.

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

Legislative Council introduced:

HB 1073: A BILL for an Act relating to establishing a water supply for eastern North Dakota as a critical priority.

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

Reps. Wald, Belter, Byerly, Grosz and Sens. Kelsh, Solberg introduced:

HB 1074: A BILL for an Act to create and enact two new subdivisions to subsection 1 of section 39-09-02 of the North Dakota Century Code, relating to speed limits greater than fifty-five miles an hour; and to amend and reenact subsection 8 of section 39-06.1-06, paragraph 34 of subdivision a of subsection 3 of section 39-06.1-10, and subdivisions f and g of subsection 1 of section 39-09-02 of the North Dakota Century Code, relating to the speed limits and fees and demerits for violations of the speed limit.

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

Reps. Carlisle, Henegar, R. Kelsch, Mahoney, Martinson and Sen. Nalewaja introduced:

HB 1075: A BILL for an Act to amend and reenact section 39-08-01 of the North Dakota Century Code, relating to penalties for driving under the influence.

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

Reps. Byerly, Nichols and Sens. St. Aubyn, Redlin introduced:

HB 1076: A BILL for an Act to provide for a portion of a paved four-lane highway for United States highway 2.

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

Rep. Maragos introduced:

HB 1077: A BILL for an Act to amend and reenact section 5-02-06 of the North Dakota Century Code, relating to the age of persons allowed to carry out packages in grocery stores that sell alcohol.

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

Rep. Kunkel introduced:

HB 1078: A BILL for an Act to amend and reenact section 20.1-03-07.1 of the North Dakota Century Code, relating to goose hunting by nonresidents.

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

Reps. Carlisle, DeKrey, Klein, Martinson and Sens. Robinson, Nalewaja introduced:

HB 1079: A BILL for an Act to create and enact a new section to chapter 12.1-23 of the North Dakota Century Code, relating to the penalty for unauthorized use of a law enforcement officer's firearm.

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

Rep. Maragos introduced:

HB 1080: A BILL for an Act to amend and reenact subsection 1 of section 12.1-28-01 of the North Dakota Century Code, relating to the definition of gambling.

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

Rep. Carlson introduced:

HB 1081: A BILL for an Act to create and enact a new section to chapter 54-03 of the North Dakota Century Code, relating to the election and term of office of representatives.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

Rep. Henegar introduced:

HB 1082: A BILL for an Act to create and enact a new section to chapter 54-02 of the North Dakota Century Code, relating to Knife River flint as the official state rock.

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

Reps. Mahoney, Carlisle, DeKrey introduced:

HB 1083: A BILL for an Act to amend and reenact subsection 8 of section 39-20-07 of the North Dakota Century Code, relating to the testing for driving while intoxicated.

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

Reps. Carlisle, DeKrey, Mahoney and Sen. Nalewaja introduced:

HB 1084: A BILL for an Act to amend and reenact subsection 9 of section 39-20-07 of the North Dakota Century Code, relating to testimony on testing for driving while intoxicated.

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

Reps. Carlisle, DeKrey, Mahoney and Sen. Nalewaja introduced:

HB 1085: A BILL for an Act to amend and reenact subsection 5 of section 19-03.1-37 of the North Dakota Century Code, relating to subpoenas by the defendant in a controlled substance proceeding.

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

Reps. Jacobs, Kempenich, Kerzman, Martin and Sens. Urlacher, Krauter introduced:

HB 1086: A BILL for an Act to amend and reenact section 61-24.5-14 of the North Dakota Century Code, relating to expenditures by the southwest water authority.

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

Reps. Jacobs, Kempenich, Kerzman, Renner and Sen. Krauter introduced:

HB 1087: A BILL for an Act to amend and reenact subsection 2 of section 61-24.5-09 of the North Dakota Century Code, relating to the exercise of the power of eminent domain by the southwest water authority.

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

Reps. Jacobs, Kempenich, Sabby and Sens. Krauter, Heitkamp introduced:

HB 1088: A BILL for an Act to amend and reenact section 4-22-22 of the North Dakota Century Code, relating to the compensation of soil conservation district supervisors.

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

Rep. Carlisle introduced:

HB 1089: A BILL for an Act to amend and reenact section 12.1-32-09.1 of the North Dakota Century Code, relating to sentencing of violent offenders.

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

Rep. Keiser introduced:

HB 1090: A BILL for an Act to create and enact section 40-22-07.1 of the North Dakota Century Code, relating to completion of certain improvements by special assessment outside city limits by a city; and to amend and reenact sections 61-21-02 and 61-35-14

of the North Dakota Century Code, relating to limitations on authority of water resource districts and water districts.

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

Judiciary Committee introduced:

(At the request of the Commission on Uniform State Laws)

HB 1091: A BILL for an Act to amend and reenact sections 30.1-31-10 and 30.1-31-19 of the North Dakota Century Code, relating to alteration of rights and discharge under nonprobate transfers on death.

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

Judiciary Committee introduced:

(At the request of the Commission on Uniform State Laws)

HB 1092: A BILL for an Act to create and enact eleven new sections to chapter 59-02 of the North Dakota Century Code, relating to the Uniform Prudent Investor Act; and to amend and reenact section 30.1-34-02 of the North Dakota Century Code, relating to the duties of a trustee.

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

Judiciary Committee introduced:

(At the request of the Commission on Uniform State Laws)

HB 1093: A BILL for an Act to create and enact sections 14-12.2-33.1, 14-12.2-33.2, 14-12.2-33.3, 14-12.2-33.4, 14-12.2-33.5, 14-12.2-46.1, and 14-12.2-46.2 of the North Dakota Century Code, relating to the Uniform Interstate Family Support Act; to amend and reenact subsections 6, 7, 16, 19, and 20 of section 14-12.2-01, sections 14-12.2-07, 14-12.2-08, 14-12.2-10, 14-12.2-16, subsections 1 and 5 of section 14-12.2-17, section 14-12.2-18, subsection 2 of section 14-12.2-19, sections 14-12.2-33, 14-12.2-39, subsection 3 of section 14-12.2-40, sections 14-12.2-45, 14-12.2-46, and 14-12.2-47 of the North Dakota Century Code, relating to the Uniform Interstate Family Support Act; and to provide a penalty.

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

Reps. Hanson, Olson introduced:

HB 1094: A BILL for an Act to amend and reenact section 20.1-08-04.2 of the North Dakota Century Code, relating to the North Dakota game warden association raffle.

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

Rep. Coats introduced:

HB 1095: A BILL for an Act to amend and reenact subsection 4 of section 39-10-46 and sections 39-21-18 and 39-21-27 of the North Dakota Century Code, relating to schoolbus strobe lights.

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

Rep. DeKrey introduced:

HB 1096: A BILL for an Act to amend and reenact sections 20.1-10-01, 20.1-10-02, 20.1-10-03, 20.1-10-04, 20.1-10-05, 20.1-10-06, and 20.1-10-07 of the North Dakota Century Code, relating to confiscation of wildlife for game and fish law violations.

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

Rep. Coats introduced:

HB 1097: A BILL for an Act to create and enact section 1-03-12 of the North Dakota Century Code, relating to the designation of Four Chaplains Sunday.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

Rep. Keiser introduced:

HB 1098: A BILL for an Act to amend and reenact section 6-06-07 of the North Dakota Century Code, relating to fields of membership for credit unions.

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

Rep. Keiser introduced:

HB 1099: A BILL for an Act to amend and reenact sections 43-09-02, 43-09-13.1, 43-09-14, 43-09-15.1, and 43-09-18 of the North Dakota Century Code, relating to the state electrical board and electricians.

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

Rep. Keiser introduced:

HB 1100: A BILL for an Act to amend and reenact section 34-05-03 of the North Dakota Century Code, relating to confidentiality of information furnished to the labor commissioner.

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

Rep. Grosz and Sen. Freborg introduced:

HB 1101: A BILL for an Act to repeal section 5-01-07 of the North Dakota Century Code, relating to consent of the board of township supervisors for issuance of a retail beer or liquor license.

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

Rep. DeKrey introduced:

HB 1102: A BILL for an Act to amend and reenact section 61-32-03 of the North Dakota Century Code, relating to drainage permits.

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

Rep. Sveen introduced:

(At the request of the Department of Transportation)

HB 1103: A BILL for an Act to create and enact a new section to chapter 39-01 of the North Dakota Century Code, relating to privacy of driver and motor vehicle records.

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

Finance and Taxation Committee introduced:

(At the request of the Tax Commissioner)

HB 1104: A BILL for an Act to amend and reenact subdivision h of subsection 1 of section 57-38-01.2, subsection 5 of section 57-38-04, and subsection 2 of section 57-38-60 of the North Dakota Century Code, relating to allocation and apportionment of nonresident income and employer income tax withholding return requirements; and to provide an effective date.

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

Finance and Taxation Committee introduced:

(At the request of the Tax Commissioner)

HB 1105: A BILL for an Act to amend and reenact section 57-01-13 of the North Dakota Century Code, relating to the collection of delinquent motor vehicle fuels, special fuels, importer for use, aviation fuel, and motor vehicle excise taxes from nonresident taxpayers.

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

Finance and Taxation Committee introduced:

(At the request of the Tax Commissioner)

HB 1106: A BILL for an Act to amend and reenact subdivision e of subsection 2 of section 57-38-45 and subsection 1 of section 57-39.2-18 of the North Dakota Century Code, relating to penalty and interest on delinquent income, sales, and use taxes; and to provide an effective date.

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

Finance and Taxation Committee introduced:

(At the request of the Tax Commissioner)

HB 1107: A BILL for an Act to amend and reenact subdivision a of subsection 15 of section 57-01-02 of the North Dakota Century Code, relating to the use of electronic funds transfers for the payment of taxes.

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

Reps. DeKrey, Carlisle introduced:

HB 1108: A BILL for an Act to amend and reenact subsection 1 of section 39-06-42 of the North Dakota Century Code, relating to the suspension or revocation of an operator's license; and to provide a penalty.

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

Judiciary Committee introduced:

(At the request of the Supreme Court)

HB 1109: A BILL for an Act to amend and reenact subsection 3 of section 12.1-32-08 and subsection 2 of section 29-07-01.1 of the North Dakota Century Code, relating to reimbursement of indigent defense costs and expenses.

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

Government and Veterans Affairs Committee introduced:

(At the request of the State Auditor)

HB 1110: A BILL for an Act to amend and reenact section 54-10-14 of the North Dakota Century Code, relating to audits of public and nonprofit entities by the state auditor.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

Reps. Martinson, Carlisle, DeKrey and Sens. Andrist, Kringstad, Nalewaja introduced:

(At the request of the Department of Transportation)

HB 1111: A BILL for an Act to amend and reenact subsection 7 of section 39-06-32, sections 39-20-01, 39-20-03.1, 39-20-03.2, subsection 1 of section 39-20-04.1, subsections 2, 3, and 5 of section 39-20-05, subsection 3 of section 39-20-07, and section 39-20-09 of the North Dakota Century Code, relating to the illegal level of alcohol and drug concentration for motor vehicle operators under twenty-one years of age.

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

Reps. Brown, Martin, Wald and Sens. Urlacher, Goetz introduced:

HB 1112: A BILL for an Act to create and enact two new sections to chapter 12.1-31 of the North Dakota Century Code, relating to the exploitation of a disabled or vulnerable elderly adult; to amend and reenact section 12.1-31-07 of the North Dakota Century Code, relating to the definition of disabled or vulnerable elderly adult; and to provide a penalty.

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

Industry, Business and Labor Committee introduced:

(At the request of the Secretary of State)

HB 1113: A BILL for an Act to amend and reenact sections 47-25-01, 47-25-02, and 47-25-03 of the North Dakota Century Code, relating to the definition and registration of a trade name.

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

Industry, Business and Labor Committee introduced:

(At the request of the Attorney General)

HB 1114: A BILL for an Act to amend and reenact subsections 1 and 3 of section 5-02-07.2 of the North Dakota Century Code, relating to registration and marketing of beer sold in kegs.

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

Agriculture Committee introduced:

(At the request of the Wheat Commission)

HB 1115: A BILL for an Act to amend and reenact section 4-28-07 of the North Dakota Century Code, relating to the wheat tax levy rate.

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

Rep. Keiser introduced:

(At the request of the Department of Corrections and Rehabilitation)

HB 1116: A BILL for an Act to create and enact a new chapter to title 65 of the North Dakota Century Code, relating to workers' compensation coverage for inmates engaged in work programs through roughrider industries.

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

Government and Veterans Affairs Committee introduced:

(At the request of the Administrative Committee on Veterans' Affairs)

HB 1117: A BILL for an Act to amend and reenact subsection 3 of section 37-15-14.1 of the North Dakota Century Code, relating to the fund for deposit of membership contributions to the veterans' home; and to provide for a transfer.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

Government and Veterans Affairs Committee introduced:

(At the request of the Office of Administrative Hearings)

HB 1118: A BILL for an Act to amend and reenact subsection 3 of section 37-19.1-04 of the North Dakota Century Code, relating to requests for administrative hearings from the commissioner of veterans' affairs.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

Government and Veterans Affairs Committee introduced:

(At the request of the Office of Management and Budget)

HB 1119: A BILL for an Act to amend and reenact section 46-02-19 of the North Dakota Century Code, relating to the type size used to print public officials' names on public documents; and to repeal section 46-02-14 of the North Dakota Century Code, relating to printing contractors preserving copies of work and delivering bills.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

Rep. Keiser introduced:

(At the request of Job Service North Dakota)

HB 1120: A BILL for an Act to amend and reenact section 52-06-30 of the North Dakota Century Code, relating to voluntary withholding of federal income tax and state income

tax from unemployment compensation benefits; to provide an effective date; and to declare an emergency.

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

Agriculture Committee introduced:

(At the request of the State Board of Animal Health)

HB 1121: A BILL for an Act to amend and reenact section 36-15-02 of the North Dakota Century Code, relating to the destruction of diseased animals.

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

Rep. Soukup introduced:

(At the request of the Department of Transportation)

HB 1122: A BILL for an Act to amend and reenact section 24-02-11 of the North Dakota Century Code, relating to access to the records of the department of transportation.

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

Education Committee introduced:

(At the request of the Superintendent of Public Instruction)

HB 1123: A BILL for an Act to amend and reenact subsection 6 of section 15-40.2-08 of the North Dakota Century Code, relating to the establishment of minimum standards and rules for determination of educational costs for students by the superintendent of public instruction.

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

Industry, Business and Labor Committee introduced:

(At the request of the Office of Management and Budget)

HB 1124: A BILL for an Act to create and enact a new section to chapter 44-04 of the North Dakota Century Code, relating to confidentiality of state contractor or vendor financial account numbers.

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

Government and Veterans Affairs Committee introduced:

(At the request of the Office of Management and Budget)

HB 1125: A BILL for an Act to create and enact a new section to chapter 54-44.1 of the North Dakota Century Code, relating to agency authority to expend insurance proceeds; and to provide a continuing appropriation.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

Government and Veterans Affairs Committee introduced:

(At the request of the Office of Management and Budget)

HB 1126: A BILL for an Act to amend and reenact section 54-27-24 of the North Dakota Century Code, relating to paying refunds from the general fund.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

Political Subdivisions Committee introduced:

(At the request of the Secretary of State)

HB 1127: A BILL for an Act to amend and reenact subsection 5 of section 15-28-03, and sections 15-28-06 and 40-21-02 of the North Dakota Century Code, relating to election notices in combined county, city, or school district elections.

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

Rep. Poolman introduced:

(At the request of the Secretary of State)

HB 1128: A BILL for an Act to amend and reenact section 53-01-07 of the North Dakota Century Code, relating to license fees for boxing officials; and to declare an emergency.

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

Industry, Business and Labor Committee introduced:

(At the request of the Secretary of State)

HB 1129: A BILL for an Act to create and enact a new subsection to section 45-10.1-03 of the North Dakota Century Code relating to the reserved name of a limited partnership; and to amend and reenact sections 45-10.1-02 and 45-10.1-08 of the North Dakota Century Code, relating to the name of a limited partnership and certificate of limited partnership.

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

Education Committee introduced:

(At the request of the Superintendent of Public Instruction)

HB 1130: A BILL for an Act to amend and reenact section 15-21.1-03 of the North Dakota Century Code, relating to chemical abuse prevention program grants to school districts.

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

Education Committee introduced:

(At the request of the Superintendent of Public Instruction)

HB 1131: A BILL for an Act to amend and reenact section 15-27.1-11, subsection 1 of section 15-40.2-01, sections 15-40.2-09, and 15-40.2-10 of the North Dakota Century Code, relating to attendance of students in out-of-state schools.

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

Natural Resources Committee introduced:

(At the request of the North Dakota Geological Survey)

HB 1132: A BILL for an Act to amend and reenact subsection 7 of section 38-12-01 and subsection 10 of section 38-15-02 of the North Dakota Century Code, relating to the definition of subsurface minerals.

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

Natural Resources Committee introduced:

(At the request of the Industrial Commission)

HB 1133: A BILL for an Act to amend and reenact section 54-17.5-03 of the North Dakota Century Code, relating to evaluating applications for funding from the lignite research fund.

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

Industry, Business and Labor Committee introduced:

(At the request of the Private Investigative and Security Board)

HB 1134: A BILL for an Act to create and enact two new sections to chapter 43-30 of the North Dakota Century Code, relating to continuing education requirements for private investigative and security officers and a civil penalty for the unauthorized practice of private investigative and security service; and to amend and reenact sections 43-30-06, 43-30-10, 43-30-12, 43-30-13, and 43-30-16 of the North Dakota Century Code, relating to injunctive power of the private investigative and security board, disciplinary action, disciplinary hearing, and fees.

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

Political Subdivisions Committee introduced:

(At the request of the Board of Medical Examiners)

HB 1135: A BILL for an Act to amend and reenact sections 43-17-31, 43-17-32.1, subsection 1 of section 43-17.1-05, and section 43-17.1-05.1 of the North Dakota Century Code, relating to grounds for disciplinary action, suspensions, complaints, and reports under the board of medical examiners; and to provide a penalty.

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

Agriculture Committee introduced:

(At the request of the Department of Agriculture)

HB 1136: A BILL for an Act to amend and reenact sections 19-13.1-03, 19-13.1-06, 19-14-02, 19-14-04, and 19-20.1-03.1 of the North Dakota Century Code, relating to commercial feed licenses and inspection fees and fertilizer distributor licenses; and to provide a penalty.

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

Government and Veterans Affairs Committee introduced:

(At the request of the Public Employees Retirement System)

HB 1137: A BILL for an Act to amend and reenact subdivision a of subsection 3 and subdivisions a and e of subsection 4 of section 54-52-17, sections 54-52-17.5, and 54-52-17.10 of the North Dakota Century Code, relating to normal retirement date, computation of benefits, disability retirement benefits, postretirement adjustments, and prior service retiree adjustments under the public employees retirement system.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

Government and Veterans Affairs Committee introduced:

(At the request of the Public Employees Retirement System)

HB 1138: A BILL for an Act to create and enact a new paragraph to subdivision b of subsection 4 of section 54-52-17 of the North Dakota Century Code, relating to postretirement adjustments for supreme and district court judges under the public employees retirement system.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

Government and Veterans Affairs Committee introduced:

(At the request of the Public Employees Retirement System)

HB 1139: A BILL for an Act to amend and reenact subdivision a of subsection 4 of section 39-03.1-11 of the North Dakota Century Code, relating to computation of retirement benefits for the highway patrolmen's retirement system.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

Government and Veterans Affairs Committee introduced:

(At the request of the Public Employees Retirement System)

HB 1140: A BILL for an Act to amend and reenact subsection 3 of section 39-03.1-10.1, section 39-03.1-30, subsection 5 of section 54-52-17.4, sections 54-52-17.8, 54-52-26, 54-52-27, and 54-52.2-03 of the North Dakota Century Code, relating to purchase of service credit for veterans and purchase of sick leave under the highway patrolmen's retirement system, purchase of service credit, benefit limitations, confidentiality of records, conversion of sick leave under the public employees retirement system, and administration of the deferred compensation program; and to provide for retroactive application.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

Government and Veterans Affairs Committee introduced:

(At the request of the Public Employees Retirement System)

HB 1141: A BILL for an Act to create and enact a new subsection to section 54-52.1-03.3 of the North Dakota Century Code, relating to benefit options under the retiree health benefits plan.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

Government and Veterans Affairs Committee introduced:

(At the request of the Teachers' Fund for Retirement)

HB 1142: A BILL for an Act to create and enact two new sections to chapter 15-39.1 of the North Dakota Century Code, relating to the composition and administrative authority of the teachers' fund for retirement board; to amend and reenact section 15-39.1-07 and subsection 1 of section 54-07-01.2 of the North Dakota Century Code, relating to vacancies on and appointments to the teachers' fund for retirement board; and to repeal section 15-39.1-05 of the North Dakota Century Code, relating to management of the teachers' fund for retirement.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

Government and Veterans Affairs Committee introduced:

(At the request of the Teachers' Fund for Retirement)

HB 1143: A BILL for an Act to create and enact two new sections to chapter 15-39.1 of the North Dakota Century Code, relating to correction of errors in teachers' fund for retirement benefit calculations; to amend and reenact subsections 10 and 11 of section 15-39.1-04, sections 15-39.1-08, 15-39.1-14, 15-39.1-15, 15-39.1-19.1, 15-39.1-20, 15-39.1-23, and subsection 2 of section 15-39.1-24 of the North Dakota Century Code, relating to definitions, compensation of board members, mandatory retirement, return to teaching, withdrawal, failure to make required reports and payments, and military service credit under the teachers' fund for retirement; and to provide a penalty.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

Government and Veterans Affairs Committee introduced:

(At the request of the Teachers' Fund for Retirement)

HB 1144: A BILL for an Act to create and enact a new section to chapter 15-39.1 of the North Dakota Century Code, relating to postretirement benefit adjustments under the teachers' fund for retirement; to amend and reenact subsection 2 of section 15-39.1-10 of the North Dakota Century Code, relating to the computation of benefits under the teachers' fund for retirement; and to provide for application.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

Rep. Olson introduced:

HB 1145: A BILL for an Act to create and enact a new subsection to section 12.1-32-04 of the North Dakota Century Code, relating to factors to be considered in sentencing decisions.

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

Education Committee introduced:

(At the request of the Superintendent of Public Instruction)

HB 1146: A BILL for an Act to amend and reenact sections 15-40.1-07.3, 15-40.3-01, subsection 2 of section 39-21-18, sections 39-21-27.1, 57-15-13, 57-15-14.5, and 57-19-09 of the North Dakota Century Code and section 2 of chapter 701 of the 1989 Session Laws of North Dakota, as amended by section 1 of chapter 656 of the 1991 Session Laws of North Dakota and by section 26 of chapter 3 of the 1993 Session Laws of North Dakota, relating to foundation aid amounts after reorganization of school

districts, open enrollment for students moving to new districts, vehicles that may be used as schoolbuses, school district tax levy decisions, education technology supervisors, special reserve fund discontinuation, and special reserve fund withdrawals.

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

Reps. Soukup, Kretschmar, Monson and Sens. Mathern, Nalewaja, Robinson introduced:

HB 1147: A BILL for an Act to create and enact a new section to chapter 27-20 of the North Dakota Century Code, relating to school personnel notification of juvenile offenses; and to amend and reenact subsection 4 of section 27-20-51 of the North Dakota Century Code, relating to school personnel receipt of juvenile orders of disposition or adjudications.

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

Reps. Wardner, Glassheim, Byerly introduced:

HB 1148: A BILL for an Act to amend and reenact sections 43-19.1-18 and 43-19.1-22 of the North Dakota Century Code, relating to the registration of professional engineers and land surveyors.

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

Rep. Wardner introduced:

HB 1149: A BILL for an Act to create and enact a new subsection to section 43-19.1-08 of the North Dakota Century Code, relating to continuing education requirements for professional engineers and land surveyors.

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

Rep. Kretschmar introduced:

HB 1150: A BILL for an Act to amend and reenact sections 11-10.2-01 and 11-10.2-02 of the North Dakota Century Code, relating to elections to approve county officer combination, separation, or redesignation plans.

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

Rep. DeKrey introduced:

HB 1151: A BILL for an Act to create and enact a new section to chapter 61-01 of the North Dakota Century Code, relating to drains.

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

Rep. Carlson introduced:

(At the request of the Secretary of State)

HB 1152: A BILL for an Act to amend and reenact sections 43-07-02, 43-07-04, 43-07-09, 43-07-09.1, 43-07-10, 43-07-13, 43-07-14, 43-07-15, and 43-07-17 of the North Dakota Century Code, relating to licensing of contractors.

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

Government and Veterans Affairs Committee introduced:

(At the request of the Office of Management and Budget)

HB 1153: A BILL for an Act to create and enact two new sections to chapter 32-12.2 of the North Dakota Century Code, relating to confidentiality of risk management liability reserve and fund records, and meetings and records of agency loss control committees; to amend and reenact sections 32-12.2-01, 32-12.2-02, 32-12.2-03, 32-12.2-04, 32-12.2-07, 32-12.2-08, and 32-12.2-09 of the North Dakota Century Code, relating to definitions, damage limitations, exclusions from liability, employee defense, settlement of claims, payment of claims, and the relationship to insurance coverage of the risk management fund; and to repeal sections 26.1-21-10.1 and 26.1-21-10.2 of the North Dakota Century Code, relating to defense of state employees in tort liability cases and expenses paid from the state bonding fund.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

Education Committee introduced:

(At the request of the Superintendent of Public Instruction)

HB 1154: A BILL for an Act to create and enact sections 15-27.3-07.5 and 15-27.3-13.5 of the North Dakota Century Code, relating to voting on the issuance of bonds by school districts contemplating reorganization; and to amend and reenact sections 15-27.1-10, 15-27.1-11, subsection 2 of section 15-27.2-01, sections 15-27.3-10, 15-27.3-12, 15-27.3-20, 15-27.4-02, and 15-47-39 of the North Dakota Century Code, relating to the annexation, reorganization, and dissolution of school districts.

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

Government and Veterans Affairs Committee introduced:

(At the request of the Industrial Commission)

HB 1155: A BILL for an Act to amend and reenact subdivisions h and i of subsection 1 of section 6-09-15, subsection 2 of section 6-09-15, sections 6-09.5-01, 6-09.5-04, 6-09.5-08, 6-09.5-10, subsection 1 of section 15-62.1-02, sections 54-17-22, 54-17-25, and 54-17-33 of the North Dakota Century Code, relating to updates in federal legislation referenced in statutes authorizing industrial commission agency programs administered by the Bank of North Dakota, student loans of North Dakota and the student loan trust, and the industrial commission when acting as the state planning agency for the development of Riverdale and when acting as the agricultural mortgage marketing facility for the secondary market program.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

Industry, Business and Labor Committee introduced:

(At the request of the Department of Banking and Financial Institutions)

HB 1156: A BILL for an Act to create and enact a new section to chapter 13-03.1 of the North Dakota Century Code, relating to the maximum interest charge for loans under one thousand dollars and license exemptions; to amend and reenact subsection 1 of section 6-01-01.1, sections 13-03.1-02, 13-03.1-03, 13-03.1-05, 13-03.1-06, 13-03.1-07, 13-03.1-15, and 13-03.1-18 of the North Dakota Century Code, relating to the financial institutions regulatory fund, the administration and scope of the Consumer Finance Act, application and fees of consumer finance licensees, requirements for the issuance of consumer finance licenses, continuing license fees, consumer finance lending limitations, and setting penalties for legal violations; and to repeal chapter 13-03 of the North Dakota Century Code, relating to the licensing of small loan companies; and to provide a penalty.

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

Judiciary Committee introduced:

(At the request of the Secretary of State)

HB 1157: A BILL for an Act to create and enact two new sections to chapter 16.1-11.1 of the North Dakota Century Code, relating to special statewide elections being conducted by mail and agents receiving mail ballots on behalf of electors; and to amend and reenact sections 16.1-11.1-01, 16.1-11.1-02, 16.1-11.1-04, and 16.1-11.1-06 of the North Dakota Century Code, relating to mail ballot elections for general and special elections and mail ballot procedures.

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

Judiciary Committee introduced:

(At the request of the Office of Administrative Hearings)

HB 1158: A BILL for an Act to create and enact a new subsection to section 28-32-01, and two new sections to chapter 28-32 of the North Dakota Century Code, relating to adjudicative proceedings, specific agency statutes and rules, and emergency adjudicative proceedings; and to amend and reenact sections 23-01-23, 28-32-05, 28-32-05.1, 28-32-06, 28-32-07, 23-32-08, 28-32-08.2, subsection 1 of section 28-32-08.4, sections 28-32-09, 28-32-12, 28-32-12.1, 28-32-12.2, 28-32-13, subsection 1 of section 28-32-17, sections 43-18.2-05, and 43-18.2-06 of the North Dakota Century Code, relating to procedures for adjudicative proceedings.

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

Judiciary Committee introduced:

(At the request of the Secretary of State)

HB 1159: A BILL for an Act to create and enact a new section to chapter 16.1-12 of the North Dakota Century Code, relating to the time allowed for independent candidates to circulate nominating petitions; to amend and reenact sections 16.1-12-02.2 and 16.1-12-04 of the North Dakota Century Code, relating to election boards counting write-in votes, certificates of write-in candidacy, write-in candidates seeking more than one office, and the secretary of state and county auditors certifying independent nominations to one another; and to repeal section 16.1-12-05 of the North Dakota Century Code, relating to the secretary of state certifying independent nominations to the county auditor.

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

Industry, Business and Labor Committee introduced:

(At the request of the Board of Counselor Examiners)

HB 1160: A BILL for an Act to create and enact three new sections to chapter 43-47 of the North Dakota Century Code, relating to the authority of the board of counselor examiners to appoint or employ persons, payment of delinquent license fees, and unauthorized practice of counseling; to amend and reenact section 43-47-01, subsection 3 of section 43-47-02, sections 43-47-03, 43-47-06, and 43-47-08 of the North Dakota Century Code, relating to definitions, duties, responsibilities, license

qualifications, and complaints and investigations applicable to the board of counselor examiners; and to provide a penalty.

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

Human Services Committee introduced:

(At the request of the North Dakota Board of Social Work Examiners)

HB 1161: A BILL for an Act to create and enact a new subsection to chapter 43-41 of the North Dakota Century Code, relating to a civil penalty for practicing social work without a license; to amend and reenact subdivision e of subsection 2 of section 26.1-36-09, and sections 43-41-01, 43-41-04, 43-41-05, 43-41-10, and 43-41-12 of the North Dakota Century Code, relating to group health policy and health service contract mental disorder coverage and social work licensures; to repeal sections 43-41-06 and 43-41-12.1 of the North Dakota Century Code; and to provide a penalty.

Was read the first time and referred to the **Human Services Committee**.

Rep. Maragos and Sen. Nalewaja introduced:

(At the request of the Department of Corrections and Rehabilitation)

HB 1162: A BILL for an Act to create and enact three new subsections to section 54-23.4-10 of the North Dakota Century Code, relating to closure of crime victims compensation claims; to amend and reenact sections 54-23.4-01, 54-23.4-03, 54-23.4-06, 54-23.4-11, and 54-23.4-12 of the North Dakota Century Code, relating to definitions, award of benefits, attorney's fees, and subrogation for purposes of crime victims compensation; and to provide an effective date.

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

Finance and Taxation Committee introduced:

(At the request of the Department of Transportation)

HB 1163: A BILL for an Act to amend and reenact sections 57-43.1-02 and 57-43.2-02 of the North Dakota Century Code, relating to motor vehicle fuel and special fuel taxes; to repeal sections 1 and 2 of chapter 575 of the 1995 Session Laws, relating to additional motor vehicle fuel and special fuel taxes; and to provide an appropriation.

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

Industry, Business and Labor Committee introduced:

(At the request of the State Board of Cosmetology)

HB 1164: A BILL for an Act to amend and reenact sections 43-11-01, 43-11-02, 43-11-03, 43-11-04, 43-11-06, 43-11-08, 43-11-11, 43-11-12, 43-11-17, 43-11-19, 43-11-20.1, 43-11-20.3, 43-11-21, 43-11-23, 43-11-24, 43-11-25, 43-11-26, 43-11-27, 43-11-28, 43-11-31, 43-11-32, 43-11-33, 43-11-34, and 43-11-35 of the North Dakota Century Code, relating to licensure and regulation of cosmetologists and cosmetology salons; and to repeal sections 43-11-07, 43-11-13.2, and 43-11-30 of the North Dakota Century Code, relating to the bond of the secretary of the board, homebound licenses, and disciplinary action.

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

Industry, Business and Labor Committee introduced:

(At the request of the Board of Medical Examiners)

HB 1165: A BILL for an Act to provide for the regulation of the practice of medicine across state lines; and to provide a penalty.

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

Rep. Olson introduced:

HB 1166: A BILL for an Act to amend and reenact subsection 2 of section 6-08-16 of the North Dakota Century Code, relating to issuing a check without sufficient funds.

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

Judiciary Committee introduced:

(At the request of the State Gaming Commission)

HB 1167: A BILL for an Act to amend and reenact subsection 5 of section 12-60-16.4, sections 53-06.1-01, 53-06.1-01.1, 53-06.1-03, 53-06.1-06, 53-06.1-07.2, 53-06.1-07.3, 53-06.1-07.4, 53-06.1-08, 53-06.1-09, 53-06.1-10, 53-06.1-10.1, 53-06.1-11, 53-06.1-11.1, 53-06.1-12, 53-06.1-12.3, 53-06.1-14, 53-06.1-15.1, and 53-06.1-16 of the North Dakota Century Code, relating to games of chance; and to repeal sections 53-06.1-01.2, 53-06.1-02, 53-06.1-03.1, 53-06.1-03.2, 53-06.1-03.3, 53-06.1-05.1, 53-06.1-06.1, 53-06.1-07, 53-06.1-07.1, 53-06.1-12.1, 53-06.1-12.2, 53-06.1-13, 53-06.1-13.1, 53-06.1-15, 53-06.1-15.2, 53-06.1-15.3, 53-06.1-15.4, 53-06.1-16.1, 53-06.1-16.2, and 53-06.1-17 of the North Dakota Century Code, relating to games of chance; and to provide a penalty.

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

Industry, Business and Labor Committee introduced:

(At the request of the Commissioner of Insurance)

HB 1168: A BILL for an Act to create and enact section 26.1-36.4-03.1, relating to preexisting condition provisions; to amend and reenact sections 26.1-08-01, 26.1-08-04, 26.1-08-06, 26.1-08-06.1, 26.1-08-07, 26.1-08-12, subsection 3 of section 26.1-08-13, sections 26.1-36.3-01, 26.1-36.3-05, 26.1-36.3-06, 26.1-36.4-03, 26.1-36.4-04, and 26.1-36.4-05 of the North Dakota Century Code, relating to the comprehensive health association of North Dakota, small group health insurance, and individual health insurance; to repeal section 26.1-08-05, relating to the comprehensive health association of North Dakota; to provide an effective date; and to declare an emergency.

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

FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

Legislative Council introduced:

HCR 3001: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of funding the office of the clerk of district court through the unified judicial system.

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

Legislative Council introduced:

HCR 3002: A concurrent resolution directing the Legislative Council to study the state's investment process as it relates to the state bonding fund and the fire and tornado fund and monitor the performance of all investments of the State Investment Board and the Board of University and School Lands.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

Legislative Council introduced:

HCR 3003: A concurrent resolution directing the Legislative Council to monitor the implementation of the projects developed by the Department of Human Services related to the conversion of existing nursing facility or basic care capacity for use by the Alzheimer's and related dementia population and the testing of an expanded case management system for elderly persons and disabled persons.

Was read the first time and referred to the **Human Services Committee**.

Legislative Council introduced:

HCR 3004: A concurrent resolution directing the Legislative Council to study the means of expanding home and community-based service availability, options for training additional qualified service providers, adequacy of geropsychiatric services, and the feasibility of combining service reimbursement payment sources to allow payments to flow to a broadened array of elderly and disabled services options.

Was read the first time and referred to the **Human Services Committee**.

Legislative Council introduced:

HCR 3005: A concurrent resolution directing the Legislative Council to study Native American long-term care needs and access to appropriate services and the functional relationship between state service units and the Native American reservation service systems.

Was read the first time and referred to the **Human Services Committee**.

Legislative Council introduced:

HCR 3006: A concurrent resolution directing the Legislative Council to study long-term care financing issues to determine the changes necessary to develop alternative services and the feasibility of a managed care system for long-term care services.

Was read the first time and referred to the **Human Services Committee**.

Appropriations Committee introduced:

HCR 3007: A concurrent resolution regarding the approval of state agency use of block grant funds and authorizing the Budget Section of the Legislative Council to hold the required legislative hearings on state plans for the receipt and expenditure of new or revised block grants as passed by Congress.

Was read the first time and referred to the **Human Services Committee**.

Rep. Sveen introduced:

HCR 3008: A concurrent resolution directing the Legislative Council to study the training, testing, and certification requirements for emergency medical services personnel to ensure the continued viability of this state's rural emergency medical services.

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

Rep. DeKrey introduced:

HCR 3009: A concurrent resolution directing the Legislative Council to study the process by which curriculum, including core and supplemental materials and content, is developed and approved for use in the elementary and secondary schools of this state.

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

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

JOINT SESSION

The Joint Session of the House and Senate convened at 1:15 p.m., with Speaker Timm presiding.

MOTIONS

REP. FREIER MOVED that a committee of two be appointed to escort Lt. Governor Myrdal to the rostrum and Mr. John Myrdal to a special reserved seat in the Assembly, which motion prevailed. Speaker Timm appointed Reps. Olson and Monson to such committee and Lt. Governor Myrdal and Mr. John Myrdal were escorted into the chambers to their respective seats.

SPEAKER TIMM PRESENTED Lt. Governor Myrdal to the Assembly and turned the gavel over to her.

SEN. GOETZ MOVED that a committee of two be appointed to escort Chief Justice Gerald W. VandeWalle to the rostrum, which motion prevailed. The Chair appointed Sen. W. Stenehjem and Rep. Kretschmar to such committee and Chief Justice VandeWalle was escorted to the rostrum.

SEN. MUTZENBERGER MOVED that two committees of two be appointed to escort former Governors and former Chief Justices and their spouses to special reserved seats in the Assembly, which motion prevailed. The Chair appointed Sen. DeMers and Sen. Thane to such committee and former Governor Arthur A. Link and Mrs. Grace Link were escorted into the chambers to their respective seats. The Chair appointed Rep. Mahoney and Rep. Wentz to such committee and former Chief Justice Ralph Erickstad and Mrs. Lois Erickstad were escorted into the chambers to their respective seats.

SEN. LIPPS MOVED that a committee of four be appointed to escort the Honorable Edward T. Schafer, Governor, to the rostrum, and First Lady Nancy Jones Schafer to a special reserved seat in the Assembly, which motion prevailed. The Chair appointed Sen. G. Nelson and Rep. Dorso to such committee and the Honorable Edward T. Schafer, Governor, was escorted to the rostrum and First Lady Nancy Jones Schafer was escorted to her special reserved seat in the Assembly.

The Joint Session was called to order at 1:30 p.m., with Lt. Governor Myrdal presiding.

The colors were presented by the Color Guard from Troop 11, Northern Lights Council: Brandon Rasmussen, Justin Gronfur, Zachary Thurn, Dustin Zimmerman, and Jonathan Thurn.

The Star Spangled Banner was sung by the Western Plains Children's Choir, Minot, North Dakota, under the direction of Sandra Starr.

The invocation was offered by the Rev. Bruce Caldwell, St. George's Memorial Episcopal Church, Bismarck.

An inspirational message was presented to the Assembly by Mr. Keith Bear, who played the flute.

OATH OF OFFICE TO ELECTED OFFICIALS

CHIEF JUSTICE GERALD W. VANDEWALLE ADMINISTERED the Oath of Office to the elected officials as introduced.

A vocal selection was offered by the Western Plains Children's Choir.

OATH OF OFFICE TO GOVERNOR EDWARD T. SCHAFER

CHIEF JUSTICE GERALD W. VANDEWALLE ADMINISTERED the Oath of Office to Governor Edward T. Schafer with the assistance of First Lady Nancy Jones Schafer.

Governor Edward T. Schafer presented his address.

GOVERNOR EDWARD T. SCHAFER

1997 State of the State Address

January 6, 1997

House Chambers

Lt. Governor Rosemarie Myrdal, Majority Leaders Nelson and Dorso, First Lady Nancy, Ladies and Gentlemen in the Legislature, Governor Art Link and Grace, and all fellow North Dakotans joining us here in the House Chambers and at home via radio and television. Good afternoon.

Let me take a moment to ask those who have been elected to the legislature for the first time to stand. Congratulations and a special welcome to you.

I am deeply honored to stand here today, having earned the trust and faith of the great people of North Dakota to be Governor for a second term. The anticipation and enthusiasm I feel for the next four years are as intense as they were in December 1992, when I first stepped foot in this office.

As the last Governor of this century, I have been given an incredible opportunity to help guide and shape this state into the next millennium. I approach this task knowing I am but one member of a great team stretching all across North Dakota. With the support and help of you the elected representatives of the people, my cabinet and staff, the Lt. Governor, the First Lady, and with the guidance of the Lord, I am confident the next four years will bring growth and prosperity to this state at levels never seen in our history.

One hundred years ago, the pioneers who settled this state were looking with hope, faith and optimism to the next century.

The hearty, aggressive people who tamed our state did so by walking bravely into the prairie winds, determined to survive on their own power and will. And by the turn of the 20th century, our forefathers were confident about their future.

Governor F. B. Fancher, in his Inaugural address delivered in 1899 said to the legislators gathered to hear him, "I congratulate the entire State, on the prosperity which, during the past several years, has blessed our broad domain and rewarded the patience, industry and enterprise of our people. The suffering of the pioneer has been turned to joy, the struggle with untamed nature has at last borne fruitage. May a bountiful Providence continue the blessings which we now enjoy."

As Governor Fancher said, patience, industry and enterprise carried the settlers of our state through difficult times, and as a result, our ancestors were confident that patience, industry and enterprise would produce a more prosperous future.

Obviously, much has changed in North Dakota since then. But as I look back on the State of our State one hundred years ago, I am struck by the similarities in character and feeling in our state today.

When I took office four years ago, North Dakota was down on its luck. We had weathered some bad times. We watched friends and family take their dreams to other places. We saw people giving up on our state. The fiery pioneer spirit was only smoldering in the hearts of too many North Dakotans.

But North Dakota is a different place today. We continue to grow many of the best agricultural products in the world. But, today in North Dakota giant food processing centers labor and toil on our prairies, turning our crops into finished products like pasta, french fries, premium meats, corn syrup, and bread.

North Dakota is becoming a popular home for international telecommunication-oriented companies--helping people throughout the nation master computer software problems or make travel arrangements.

Four years ago, we knew diversity was the key to improving North Dakota's economy and positioning our state for a profitable future. So, working together we made significant changes in some key business factors like workers compensation rates and unemployment taxes. We put people at the local level in charge of grass roots development, and we gave them some effective tools like PACE and Workforce 2000 to enhance their efforts.

These changes made a difference to prospective businesses.

When ProGold was negotiating with North Dakota and several other states, the initial reforms we implemented in Workers' Compensation gave us a \$1.5 million dollar advantage over South

Dakota and \$5 million over Minnesota. A HUGE difference that I know was a key factor in ultimately attracting ProGold to our state.

Four years ago in North Dakota we began to dream again.

We called back the courage, determination and spirit of our pioneers to make these dreams a reality. North Dakota's growth and prosperity has out-paced the most optimistic predictions.

- * New and expanding businesses created 35,000 new jobs for our people over the past four years, a 12 percent increase.
- * High-paying manufacturing jobs have increased 17 percent.
- * Unemployment levels are at record lows.
- * State revenue collections are at record highs.
- * And forecasters recently predicted North Dakota's economy to be one of the nation's 10 strongest for the next year.

Stated simply in today's vernacular, North Dakota rocks! Congratulations to us all.

But I am not here, and you are not here because the job is done.

Yes, we are celebrating today. But our job ... is to shape tomorrow.

This afternoon, I want to share with you a bold plan for molding our tomorrow.

I see my job, and our mutual challenge, as preparing our state, our employers and our people for the unbridled opportunities that are open to us.

Our pioneer ancestors faced the stiff winds of the prairie ... and succeeded. But today different winds blow across our fields of waving wheat.

- Washington has changed the rules on welfare and agriculture.
- The cost of health care has exploded.
- International markets are at our door step.
- The federal government is providing less resources.
- Computers and the Internet make service delivery simpler.

These are the new winds we face in shaping our tomorrow.

As your Governor, I say let us step forward. Let us marshal our resources. Let us focus our priorities. Let us be ready to take advantage of opportunities.

We have recovered from some hard times. By harnessing the energy of our people and the power of individual endeavor, we have regained the true character of our state. And now, with this character in hand and confidence in our hearts, we will walk proudly and deliberately into the 21st Century, well prepared and positioned to seize the opportunities of a new era.

In my first Inaugural address, I said the motto of my administration would be to "Aim High, and work harder than we thought possible to reach our goals." That motto holds true today.

If we are to maximize and unlock the full potential of North Dakota, we must be undaunted in our belief in our own ability to prosper. And we must be unwavering in our efforts to take full advantage of the incredible opportunities before us.

I ask you to work with me in shaping our state.

- * We must reshape our transportation network if we are to maintain a quality farm-to-market system. So I will ask that we embark on a mission to prioritize every road in our state system, and determine how it should be maintained.
- * I will ask that we take the first step toward shifting public health resources from treatment to prevention, so that the eventual cost of health care in this state can be dramatically reduced.
- * I will ask you to consolidate totally our state's international marketing efforts to give us laser-like focus for both agricultural and manufacturing products in one department.

- * I asked you in my budget address to totally revamp our welfare program from one of permanent assistance to a temporary safety net for the most needy.
- * As part of this reform, I ask that we take further steps to make our state and county human service delivery system more efficient.
- * I am also going to ask Lt. Governor Myrdal to address you in a few minutes to explain our initiative "to raise the educational performance bar in North Dakota."
- * I will ask that we continue efforts to unify and refocus our entire higher education system.
- * And, I will ask you as members of the legislative assembly to join me in a joint resolution to Congress. We must implore them to restructure Medicaid to meet the needs of North Dakotans. AND, we must make it **very** clear that our state supports a balanced federal budget amendment.
- * Then, in your spare time, we need you to approve the state budget--but I ask that it be with NO sales or income tax increase, as it has been for EIGHT STRAIGHT YEARS.

Yes we celebrate today, but as you see, our job...our real job...is to shape tomorrow.

Now let's get started.

TRANSPORTATION

We are at a point in North Dakota where we must face the reality of our transportation infrastructure. We have more miles of roads per capita than any other state in the nation: a total of 107,000 miles. That's 1 mile for every six people in the state.

We simply cannot afford this immense system.

Several factors are converging in North Dakota to place our transportation infrastructure in jeopardy today. All states rely heavily upon the federal government for money to maintain road systems. In North Dakota, 50 percent of our budget for road construction and maintenance is federal funds. However, the federal highway bill is currently undergoing massive changes, and although the full outcome is not yet known, we can be quite certain reduced funding is inevitable.

State funding for road construction and maintenance comes from two sources: the state gas tax and motor vehicle licensing. While traffic is increasing and loads are much heavier, gas tax revenues remain stagnant because today's more fuel efficient vehicles use a lot less gas!

Improved industry and commerce, increases in manufacturing activity, and new value-added processing centers are putting additional pressure on our roadways. -- It's a price of progress, and it also underscores the importance of a solid transportation infrastructure.

For this reason, I am directing our Department of Transportation to work with cities and counties to analyze our statewide transportation system, road by road. We must, as a state, start discussing which roads are essential to our infrastructure.

This will not be an easy process. However, we cannot afford to jeopardize our entire system in order to avoid difficult decisions about priorities and needs.

Citizens throughout the state should join in these efforts. Contribute your ideas and concerns constructively. Together we must design a transportation system for the future that is smooth and efficient and will never be a road block to prosperity.

PUBLIC HEALTH

In the face of sweeping changes in health care delivery and insurance, we should reassess our public health system and make sure we are channeling appropriate resources toward prevention and maintenance of good health in our people. Our current system has served us fairly well, but it is loosely coordinated, duplicative and horribly expensive.

Studies prove that public health initiatives are the primary reason people live longer today than in the past. Improved sanitation, immunization, contagion control, and other prevention efforts have done more to increase human life span than all of today's impressive medical advancements.

I am asking the Health Department to develop a strategic plan for the future of public health in North Dakota. We will involve local health units, health care providers, academic institutions and the public to construct a coordinated approach for promoting long-term health and wellness in our citizens as no other state is doing.

North Dakota has an opportunity to be a national model for proactive public health programming. And, in the process we can dramatically improve the quality of life for our people and reduce the rising cost of medical care and treatment.

Diabetes is a good example. As a state, we have one of the highest rates of diabetes in the country. Seventeen percent of North Dakotans have or will develop this disease. Nationally, diabetes and its side effects account for 27 percent of Medicare costs. Yet we know that through proper diet, exercise and good living habits, the devastating effects of diabetes can be greatly reduced.

Statistics about prevention are humbling. Lifestyle changes - limiting stress, exercising regularly and eating right--can improve our chances of avoiding premature death by 50 percent. In comparison, better access to health care improves life span by only 10 percent.

The importance of lifestyle cannot be overemphasized. Every day we make decisions about what to eat, how to prioritize our time, whether or not to wear seatbelts. All of these decisions contribute greatly to our individual health and quality of life.

We have an excellent quality of life in our state, but each one of us can make it better. North Dakotans take good care of each other. It's time for us to take better care of ourselves, and instill positive health habits in our children.

United Hospital in Grand Forks has developed a creative incentive program for school children to encourage good fitness. This fall, I joined students and teachers at Kelly Elementary School in Grand Forks as they reached their goal of walking 12,300 miles in six weeks. As a reward, United Hospital gave the school \$500 to use for physical education programming.

It was amazing to think that those hundreds of little legs really walked that far. The students learned three valuable lessons: that exercise doesn't have to be hard, but it does have to be regular and it can be fun and very rewarding!

I will not be leading legislators on a run around the capitol as I am prone to do myself during the noon hour. But I will offer to communities around this state my help and participation in your efforts to promote fitness and well being.

INTERNATIONAL

If we are to unlock the full potential of our state, North Dakotans must actively and aggressively begin competing in national and international markets. Whether you produce snowmobile parts in Dickinson, wood spindles in Chaffee or animation studio services in Minot, business owners need to ask, "Who are my customers, and how can I expand and get more customers far beyond the borders of North Dakota and North America?"

I ran for governor because I wanted to bring more business principles and ideas to this office. Let me share one such experience with you now. You may have heard this story before, but it illustrates my point well and bears repeating.

When my father Harold Schafer was 30 he began concocting cleaning potions in his basement--not unlike many entrepreneurs whom I have met in North Dakota. He began selling his products door-to-door in Bismarck, and slowly realized that if people in Bismarck liked it so should people in Fargo, and Minneapolis, and Los Angeles. What started as a small enterprise with one homegrown product sold locally, grew to a diverse company whose North Dakota sales comprised just a small fraction of total business.

I say this not to downplay the importance of North Dakota markets, but to emphasize the incredible potential of customers and markets outside our state.

We can sell products from a basement in New Rockford, to New York, New Delhi or New Guinea. The information age is liberating the consumer. Telecommunications is shifting power to consumers on a grand scale.

And I believe the information age, if we allow technology to empower the individual citizen, will be stunning in the number of opportunities it can provide. In a rural state like North Dakota, technology eliminates many of the geographical and environmental barriers facing our small communities. We must work vigorously to maximize the benefits and potential of new technology. Private industry must have the incentives and returns on investment necessary to

make costly high-tech investments in our state. As the 1996 Telecommunications Act becomes a reality, our state's legislative and regulatory bodies should guide the development of our technology infrastructure.

As we look to the future, we must develop businesses in North Dakota that produce for national and international markets. And the state can play a role in stimulating these efforts. The International Trade Program in the Economic Development and Finance Agency already provides exporting assistance to North Dakota businesses.

However, I believe it is time to bring these efforts to the forefront, to update and enhance our trade assistance programs and help North Dakotans share in the wealth of the global marketplace.

Many North Dakota businesses do not have the resources or expertise for exporting. We will begin working with the banking community to assess the need for an export finance program in the Bank of North Dakota. An export finance expert who is well-versed in private, state, federal and international financing options could counsel our companies, and provide working capital loans and loan guarantees to support their exporting efforts. This investment would easily pay for itself in returns to the state.

We need to make the exporting process as easy as possible for all North Dakota business people, whether they grow wheat or build furniture.

The design of our current trade assistance programs is cumbersome. We actually have two programs: the International Trade program in ED&F for manufactured and processed goods, and a separate agriculture program in the Ag Department.

During this legislative session, we could combine the two departments into one in the Economic Development agency to better focus our international efforts. Merging two divisions with the same purpose provides one-stop shopping for clients, reduces duplication in programming, leverages staff expertise and financial resources, and lends more continuity to policies and priorities. One coordinated program would eliminate confusion and give all farmers, ranchers, manufacturers, processors and service providers access to the same opportunities.

Agriculture is no longer a separate economy in North Dakota. Farmers and ranchers are assuming more risk. They are investing in value-added processing ventures, and their interests and concerns mirror those of manufacturers. In today's agriculture economy, we should provide our producers the best available expertise on technical issues, marketing, trade and financing.

This expertise already exists in the Economic Development and Finance Agency. We ought to house all our trade efforts as well as Pride of Dakota and APUC in that agency to provide the broadest, most convenient service to business people, especially farmers and ranchers.

Many other states have already made this change with great success. It is sensible and efficient and North Dakota should take this next logical step.

EDUCATION

Last spring, about the same time as the Statewide Education Summit, the **Fargo Forum** ran a special education supplement, written and designed by students. The ideas and observations of the students were quite impressive, but one stands out in my mind.

Little Lauren Laughlin, then a second grader at Fargo's Lewis and Clark elementary school, wrote about storm days but her message went far beyond her subject and her years of observation. She said, "I think we should start making up storm days. Then we can learn more stuff. If we don't learn enough in school, we won't know enough in our job. We need to do this to make a better state."

Lauren was right. We have a strong education system in North Dakota. Our students rank very high against others throughout the nation. But we can't let these accomplishments hypnotize us into complacency. We should heed the words of a seven-year-old. We must challenge our students more.

In my budget address, I announced a new initiative called the "Myrdal Fund for Excellence," named after Lt. Governor Rosemarie Myrdal who developed the idea. During our frequent discussions about school funding, Rosemarie emphasizes quality which, she bravely points out, is not always improved by more money alone.

A teacher herself for many years, I have come to deeply trust Rosemarie's counsel and insight on education. I asked her to join me in this State of the State message to tell North Dakotans about this important new initiative and focus for our state's K-12 education system.

"THE MYRDAL FUND FOR EXCELLENCE"

Good afternoon. Thank you, Ed, for inviting me to participate in this historic speech. I probably won't be as exciting as the telemedicine demonstration when we got to look in the Governor's ear, but I'll do my best!

Frequently, when legislators, school board members or even parents evaluate education programs, the question they ask is, "How does this reach the kids?" or "How much of this money goes directly into the classroom?" These are important questions and worthy goals. I was a school board member, a legislator and a parent myself, and I asked these same questions.

But today I believe we as a state need to sharpen our focus. If we are **really** going to add value to our education system, if we **really** want to give our children the best schooling available, we must enhance the skills and tools of our teachers. Teachers are the most important piece of the learning process.

To be effective in teaching children today, our teachers must be technologically skilled and equipped with interesting and dynamic teaching materials. And, they must be totally focused on well-defined goals and objectives for their students.

The "Myrdal Fund for Excellence" is centered on teachers and aimed at improving instruction in our schools.

First, we must develop K-12 education content standards and assessments methods. With the Internet and other high-tech advancements, knowledge in the world is multiplying at inconceivable rates. This environment implores us to define what, out of the millions of megabytes of information, what **MUST** our children learn?

In almost every profession, organization or business in our society, standards are considered a good thing. Electricians, accountants, engineers, lawyers, doctors all have high standards. When we hear that someone or someplace has "high" standards we think, "Great!" and we feel confident and reassured. But somehow, applying standards to education is, in the minds of some people, ill-conceived, threatening or unnecessary.

I hope we can get beyond this in North Dakota. This proposal to establish standards is not an exercise in social engineering; it is not an effort to produce "cookie cutter" children; nor is it an attempt to control the destiny of all our youth. Our goal for North Dakota is to adopt world-class academic standards to give all our children a world-class foundation for their future.

We must also strategically integrate technology into the classroom and use it effectively to support our standards and goals. Multimedia, computer simulation, virtual reality and other new teaching tools will dramatically enhance classrooms of the future. But in a state with limited funds like North Dakota, school districts cannot afford to make costly mistakes in their technology investments.

The state ought to provide leadership in this area. Keeping abreast of technology developments, the state can guide local school districts toward wise purchases. We can also provide ideas for integrating technology into the classroom. The state should make available standards, assessments and technology recommendations to local school districts as a guide, not a mandate, for curriculum development. And, for those districts interested, we can provide training and professional development to the teachers who are ultimately responsible for educating our children.

The bulk of this work will be performed by a nine-member Standards and Technology Task Force that will include representatives from DPI, the Governor's Office, the Legislature, education, business and parents. They will report to the 1999 legislature on the status of standards and technology in achieving K-12 education excellence in North Dakota.

We have a teacher in our midst today who is already intimately involved in this very work on the local level. Sam Johnson is a high school teacher in Devils Lake. He is the librarian, he runs the school's multimedia center, and he is responsible for training teachers to use technology and other resources effectively in the classroom.

Sam also teaches several classes of the future, including one called "Global Connections." As you can see, Sam wears many hats in his school, and does it all well. Not surprisingly, Sam is the North Dakota Education Association's Teacher of the Year for 1996-97.

Sam, it is with great pleasure that I ask you to stand up and be recognized today.

My hope is that schools and teachers throughout North Dakota, urban and rural, will have access to solid resources and training at the cutting-edge of their profession, much like Sam Johnson brings to his school. This is the direction we must go in North Dakota, to be the BEST we can be and to challenge our teachers and students to new levels of achievement.

Thank you.

HIGHER EDUCATION

Thank you, Rosemarie. I join you in your enthusiasm for this project and look forward to implementing the "Myrdal Fund for Excellence."

Our state's University System is another area where we must target our resources and employ the goal of being the best we can be. I commend the University System and Chancellor Larry Isaak for beginning to answer the call to unify and refocus. We are taking some critical steps to realign the system, to make it healthy and lean, nimble enough to adjust to new opportunities yet stable and strong in the basics.

The University System deleted nearly 90 under-utilized, outdated or redundant programs. And, they recently developed a common systemwide academic calendar and a single, uniform application for all the institutions.

North Dakota was the first state to employ the Interactive Video System effectively. Let us now push this and other technology to its limits and bring the best of each campus--whether it is an MBA program at UND or a nursing program at Wahpeton--to citizens throughout the state, from Mott to Minto.

North Dakotans will someday be able to tap into the best education and training available in other states as well through the Western Governors' University. Our citizens will be able to design their own academic program, selecting from top-ranked courses at a variety of western universities taught through the mail or on Internet or Interactive Video. WGU is a bold new approach to education that has great potential for our citizens.

I support the University System's request for greater flexibility and freedom to manage the system. The Board of Higher Education should have intimate knowledge and understanding of the University System, and is the proper entity to provide long-term vision for higher education in North Dakota.

In exchange for this flexibility, the board will be held accountable for the health of the system. They will need to provide specific information to me and the legislature about the priorities and goals they set. And they must demonstrate progress toward achieving these goals and a detailed accounting of how state money is being spent.

Citizens are calling for changes. Legislators are calling for changes. The health of the system demands changes. The opportune time is here. We must remodel our University System to make it the best it can be for the future generations of North Dakota people who will depend on it.

CONCLUSION

The agenda I have outlined for us is aggressive. You have much to do in considering this and many other issues. But let us pause to once again remember how much we have to celebrate in our state.

There is a renewed spirit in North Dakota. We are on the verge of moving into the next century with more jobs, more revenues and more opportunities.

Let us remember that the greatest growth period in our history was from 1900 to 1910, and let us prepare to encourage our people to reach even new heights in the beginning of the next century.

Last week, I was reading an editorial from a major North Dakota newspaper. The writer suggested we didn't know much about welfare reform and encouraged the state to match the reforms in Wisconsin and Minnesota.

Interestingly, when we look at the true picture, North Dakota is already ahead of these states and others in many ways.

Their people are calling North Dakota to learn how we do it! The message here is we don't get the headlines or the publicity like larger states. In North Dakota, we just get the job done. And our programs are every bit as good as theirs right now.

Fortunately, my friend Governor Link who is here today counseled me long ago to never govern by editorial. And I want every North Dakotan to know, to believe that we are the best at what we do.

We have unlimited potential and have every reason to believe that we can achieve even our best dreams.

Two years ago when I was preparing for the State of the State address, I took a walk around the Capitol Mall and reflected to you what I saw.

I saw the great plains Indians and their environmental wisdom and culture.

I saw our veterans fighting for democracy and freedom.

I saw our children laughing, singing and leaping for joy.

Last night I made that same walk and this time I saw--snow, and cold...And I thought, "Why did people settle here?"

Because they believed they could make a better life and a stronger future.

I believe the greatest gifts government can bestow on its citizens are opportunity, independence and hope.

Think of that when you come to the Capitol, take a look at the pioneer family that greets us every day and remember, we are the pioneers of the 21st Century, forging a pathway of education, health and safety for our citizens so they can pursue their dreams.

In conclusion, let me read from the Bible, the Book of Jeremiah, chapter 29, verse 11.

"For I know the plans I have for you," declares the Lord. Plans to prosper you and not to harm you. Plans to give you hope and a future."

As the pioneers of today, we remember the pioneers of the past. See them huddled together, fiercely independent, firmly believing in God's promise to them and in their own ability to carve out a better future. They represent progress and spirit.

Our job today is to offer opportunity to the people of this state, to cultivate and nurture that spirit of progress, independence and optimism of our pioneers. **And**, our job is to lend a helping hand to those who need it, a helping hand from family, a friend, a neighbor, our government. Be prepared to offer a warm blanket of comfort.

This is our job. This is our mission.

So, as we celebrate today, we must never forget our obligation to shape tomorrow.

Thank you, and Godspeed in your work.

MOTION

REP. DORSO MOVED that the remarks of the Honorable Edward T. Schafer, Governor, and those included remarks of Lt. Governor Myrdal be printed in the Journal, which motion prevailed.

The benediction was offered by the Rev. Dr. Erik R. Saxvik, Good Shepherd Lutheran Church, Bismarck.

THE CHAIR REQUESTED that legislators and guests remain in their seats until the Governor and elected state officials were escorted from the House Chamber.

THE CHAIR APPOINTED Major General Keith D. Bjerke to escort First Lady Nancy Jones Schafer and Mr. John Myrdal from the Assembly.

THE CHAIR DECLARED the Joint Session dissolved.

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

ROY GILBREATH, Chief Clerk