

## JOURNAL OF THE HOUSE

## Fiftieth Legislative Assembly

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## THIRD DAY

The House convened at 1:00 p.m., with Speaker Kloubec presiding.  
Bismarck, January 8, 1987

The prayer was offered by Lynn Smith-Roberts, Unitarian Church, Bismarck, North Dakota.

## ROLL CALL

The roll was called and all Representatives were present, except Representatives Kretschmar, Opedahl, and Shockman.

A quorum was declared by the Speaker.

## CORRECTION AND REVISION OF THE JOURNAL

MR. SPEAKER: Your Committee on Correction and Revision of the Journal has carefully examined the Journal of the Second day and finds the same to be correct.

REP. THOMPSON, Chairman

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

## OATH OF OFFICE TO EMPLOYEES

SPEAKER KLOUBEC ADMINISTERED the Oath of Office to the employees as listed on pages 100 and 101 of the House Journal.

## SECOND READING OF HOUSE BILLS

HB 1106: A BILL for an Act to amend and reenact subsection 2 of section 60-02-09 of the North Dakota Century Code, relating to public warehouseman bonds.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 103 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Aas; Almlie; Anderson; Belter; Berg, G.; Berg, R.; Brokaw; Christman; Cleveland; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Dotzenrod; Enget; Flaagan; Frey; Gates; Gerntholz; Goetz; Gorman; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hill; Hoffner; Hokana; Kelly; Kent; Kingsbury; Klundt; Knell; Knudson; Koland; Kolbo; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy;

Myrdal; Nelson, C.; Nelson, J.; Nicholas; Nowatzki;  
 Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.;  
 O'Shea; Payne; Peterson; Rice; Riehl; Rydell; Scherber;  
 Schindler; Schneider; Shaft; Shaw; Shide; Skjerven;  
 Smette; Solberg; Sorensen; Starke; Stofferahn;  
 Strinden; Thompson; Tokach; Tollefson; Tomac; Trautman;  
 Ulmer; Vander Vorst; Wald; Watne; Wentz; Whalen;  
 Wilkie; Williams, A.; Williams, C.; Williams, W.;  
 Winkelman; Speaker Kloubec

**NAYS:** None

**ABSENT AND NOT VOTING:** Kretschmar; Opedahl; Shockman

HB 1106 passed and the title was agreed to.

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**HB 1126:** A BILL for an Act to amend and reenact subsection 6 of section 47-22-02 and sections 47-22-03, 47-22-04, 47-22-05, 47-22-06, 47-22-08, and 47-22-09 of the North Dakota Century Code, relating to the registration of trademarks.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 103 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING.

**YEAS:** Aas; Almlie; Anderson; Belter; Berg, G.; Berg, R.;  
 Brokaw; Christman; Cleveland; Dalrymple; DeMers, J.;  
 DeMers, P.; Dorso; Dotzenrod; Enget; Flaagan; Frey;  
 Gates; Gerntholz; Goetz; Gorman; Graba; Gunsch;  
 Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugen;  
 Haugland; Hausauer, A.; Hausauer, R.; Hill; Hoffner;  
 Hokana; Kelly; Kent; Kingsbury; Klundt; Knell; Knudson;  
 Koland; Kolbo; Kuchera; Lang; Larson; Laughlin;  
 Lautenschlager; Linderman; Lindgren; Marks; Martin;  
 Martinson; Melby; Mertens; Meyer; Moore; Murphy;  
 Myrdal; Nelson, C.; Nelson, J.; Nicholas; Nowatzki;  
 Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.;  
 O'Shea; Payne; Peterson; Rice; Riehl; Rydell; Scherber;  
 Schindler; Schneider; Shaft; Shaw; Shide; Skjerven;  
 Smette; Solberg; Sorensen; Starke; Stofferahn;  
 Strinden; Thompson; Tokach; Tollefson; Tomac; Trautman;  
 Ulmer; Vander Vorst; Wald; Watne; Wentz; Whalen;  
 Wilkie; Williams, A.; Williams, C.; Williams, W.;  
 Winkelman; Speaker Kloubec

**NAYS:** None

**ABSENT AND NOT VOTING:** Kretschmar; Opedahl; Shockman

HB 1126 passed and the title was agreed to.

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HB 1143: A BILL for an Act to amend and reenact sections 15-55-02, 15-55-05, and 15-55-06 of the North Dakota Century Code, relating to conditions for issuance of state board of higher education bonds, deposits of proceeds of bonds, and issuance of warrants by the state auditor.

Which has been read.

## ROLL CALL

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

YEAS: Aas; Almlie; Anderson; Belter; Berg, G.; Berg, R.; Brokaw; Christman; Cleveland; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Dotzenrod; Enget; Flaagan; Frey; Gates; Gerntholz; Goetz; Gorman; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hill; Hoffner; Hokana; Kelly; Kent; Kingsbury; Klundt; Knell; Knudson; Koland; Kolbo; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Marks; Martin; Martinson; Mertens; Meyer; Moore; Myrdal; Nelson, C.; Nelson, J.; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Rice; Riehl; Rydell; Scherber; Schindler; Schneider; Shaft; Shaw; Shide; Skjerven; Smette; Solberg; Sorensen; Starke; Stofferahn; Strinden; Thompson; Tokach; Tollefson; Tomac; Trautman; Ulmer; Vander Vorst; Wald; Wentz; Whalen; Wilkie; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Kloubec

NAYS: Melby; Murphy; Watne

ABSENT AND NOT VOTING: Kretschmar; Opedahl; Peterson; Shockman

HB 1143 passed and the title was agreed to.

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HB 1144: A BILL for an Act to provide for reports by domestic and foreign nonprofit corporations to the secretary of state.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 99 YEAS, 2 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Aas; Almlie; Anderson; Belter; Berg, G.; Berg, R.; Brokaw; Christman; Cleveland; Dalrymple; DeMers, P.;

Dorso; Dotzenrod; Enget; Flaagan; Frey; Gates; Gerntholz; Goetz; Gorman; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hill; Hoffner; Hokana; Kelly; Kent; Kingsbury; Klundt; Knell; Knudson; Koland; Kolbo; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Marks; Martin; Martinson; Melby; Mertens; Meyer; Moore; Myrdal; Nelson, C.; Nelson, J.; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Rice; Riehl; Rydell; Scherber; Schindler; Shaft; Shaw; Shide; Skjerven; Smette; Solberg; Sorensen; Starke; Stofferahn; Strinden; Thompson; Tokach; Tollefson; Tomac; Trautman; Ulmer; Vander Vorst; Wald; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Kloubec

**NAYS:** DeMers, J.; Schneider

**ABSENT AND NOT VOTING:** Kretschmar; Murphy; Opedahl; Peterson; Shockman

HB 1144 passed and the title was agreed to.

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#### RECOGNITION

REP. STRINDEN ANNOUNCED that a former Representative was in the chambers, and requested that the House recognize former Representative Art Raymond, and Representative Raymond was thereupon introduced to the House.

#### SECOND READING OF HOUSE BILL

HB 1154: A BILL for an Act to repeal section 54-17-07.5 of the North Dakota Century Code, relating to the allocation of the housing revenue bond issuance ceiling of the state under the Mortgage Subsidy Bond Tax Act of 1980 which was repealed by the Tax Reform Act of 1986.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 101 YEAS, 0 NAYS, 5 ABSENT AND NOT VOTING.

**YEAS:** Aas; Almlie; Anderson; Belter; Berg, G.; Berg, R.; Brokaw; Christman; Cleveland; Dalrymple; DeMers, J.; DeMers, P.; Dorso; Dotzenrod; Enget; Flaagan; Frey; Gates; Gerntholz; Goetz; Gorman; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugen; Haugland; Hausauer, A.; Hausauer, R.; Hill; Hoffner; Hokana; Kelly; Kent; Kingsbury; Klundt; Knell; Knudson; Koland; Kolbo; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Marks; Martin;

Martinson; Melby; Mertens; Meyer; Moore; Myrdal; Nelson, C.; Nelson, J.; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Payne; Rice; Riehl; Rydell; Scherber; Schindler; Schneider; Shaft; Shaw; Shide; Skjerven; Smette; Solberg; Sorensen; Starke; Stofferahn; Strinden; Thompson; Tokach; Tollefson; Tomac; Trautman; Ulmer; Vander Vorst; Wald; Watne; Wentz; Whalen; Wilkie; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Kloubec

**NAYS:** None

**ABSENT AND NOT VOTING:** Kretschmar; Murphy; Opedahl; Peterson; Shockman

HB 1154 passed and the title was agreed to.

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#### REPORTS OF STANDING COMMITTEES

**MR. SPEAKER:** Your Committee on Natural Resources to which was referred HB 1101 has had the same under consideration and recommends by a vote of 15 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

**REP. A. OLSON, Chairman**

HB 1101 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

**MR. SPEAKER:** Your Committee on Political Subdivisions to which was referred HB 1105 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

**REP. MOORE, Chairman**

HB 1105 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

#### MOTION

**REP. STRINDEN MOVED** that the House stand at ease pending arrival of either Mr. Richard LaFromboise or Former Speaker Vernon E. Wagner, which motion prevailed.

#### SPECIAL ORDER OF BUSINESS

**REP. STRINDEN MOVED** that a committee of two be appointed to escort Former Speaker Vernon E. Wagner, Chairman of the Legislative Compensation Commission to the rostrum, which motion prevailed.

**SPEAKER KLOUBEC APPOINTED** Reps. Rydell and Sorensen to such committee and Former Speaker Wagner was escorted to the rostrum.

## REPORT OF LEGISLATIVE COMPENSATION COMMISSION

Vernon E. Wagner, Chairman

The North Dakota Century Code, Sections 54-03-19.1 and 54-03-19.2, directs the Legislative Compensation Commission to determine appropriate rates of expense allowance and compensation for members of the Legislative Assembly, including per diem paid for service on interim committees and during legislative sessions.

Commissioner members are Vernon E. Wagner, Chairman; Joe Leibhan; Leland Stenehjem, Sr.; Ralph Thompson; and Betty Mills. Mr. Don Hanson was a commission member until he resigned after he accepted a position in state government. The Governor appointed Ms. Mills as a commission member to fill the vacancy created by Mr. Hanson's resignation effective June 12, 1986. The commission held its meeting on April 21, 1986, so Ms. Mills did not participate in the committee deliberations and recommendations.

## COMPENSATION, PER DIEM, AND EXPENSE REIMBURSEMENT RATES

As originally adopted in 1889, the Constitution of North Dakota provided that each member of the Legislative Assembly would receive compensation of \$5 per day during each legislative session and 10 cents per mile for expenses of traveling to and from the Capitol. Because of rising expenses to serving in the Legislative Assembly, expense reimbursements were gradually increased until 1981, when expense reimbursements were set at \$85 per calendar day during the session and \$180 per month for uncompensated expenses. From 1889 through 1981 legislative compensation remained at \$5 per day during sessions.

A schedule of legislator compensation from 1969 to 1985 is included in the detailed report of the commission.

The 1985 Legislative Assembly provided that each legislator receive \$90 for each calendar day during a session and that lodging reimbursement be up to \$35 for each day with a maximum of \$600 per calendar month. Legislators who do not receive reimbursement for lodging and who do not live in a legislative district completely or partially within the city of Bismarck are entitled to reimbursement for necessary travel for one round trip per day between their residences and the Capitol, providing that the reimbursement does not exceed \$600 per month. The 1985 Legislative assembly also increased legislative leadership compensation from \$5 to \$10 per calendar day during a session and increased from \$3 to \$5 the amount that chairmen of the standing committees receive for each calendar day during a session. Monthly compensation was set at \$180 per month, and attendance at meetings of the Legislative Council and its committees at \$62.50 per day.

Prior to the 1985 session, the commission surveyed other states to determine legislative compensation. The commission determined

that another survey prior to this session would serve no useful purpose, so it was not repeated.

The commission members received testimony and comments from legislators suggesting that, because of problems facing the state economy and the state of North Dakota's budget problems, legislators' compensation, per diem, and reimbursement rates should remain at present levels.

The commission is aware that compensation levels must be adequate to give all citizens, regardless of economic status, an opportunity to serve in the Legislature.

Compensation has not been increased since 1981. An increase to keep up with inflation probably could be justified. However, the commission is aware of the economic problems faced by the citizens of North Dakota, and the financial condition of the state.

#### RECOMMENDATIONS

The commission recommends that the legislative compensation, expense reimbursement, and per diem rates remain the same as approved by the 1985 Legislative Assembly.

#### LEGISLATOR LODGING REIMBURSEMENTS

The 1985 Legislative Assembly amended North Dakota Century Code Section 44-08-04, relating to legislators' lodging expenses during any session and the interim. The 1985 Legislative Assembly provided that when submitting vouchers for lodging reimbursements, the certificate of the member of the Legislative Assembly suffices for lodging expenses instead of a lodging receipt. The commission members heard concerns expressed by legislators that questions might arise about actual amounts spent for lodging if lodging receipts are not submitted to document amounts spent for lodging. The commission received information that, during the 1985-86 interim, a number of the legislators submitted receipts for lodging reimbursements.

#### RECOMMENDATION

The commission recommends that legislators be required to submit receipts documenting requests for lodging expense reimbursement during the legislative session and the interim.

#### MOTIONS

REP. STRINDEN MOVED that the remarks of Former Speaker Vernon E. Wagner, Chairman of the Legislative Compensation Commission, be printed in the Journal, which motion prevailed.

REP. STRINDEN MOVED that the House stand at ease pending the arrival of Mr. Richard LaFromboise, which motion prevailed.

## SPECIAL ORDER OF BUSINESS

REP. STRINDEN MOVED that a committee of two be appointed to escort Mr. Richard LaFromboise, Tribal Chairman, Turtle Mountain Board of Chippewa to the rostrum, which motion prevailed.

SPEAKER KLOUBEC APPOINTED Reps. Smette and O'Connell to such committee, and Mr. LaFromboise was escorted to the rostrum.

THE STATE OF THE RELATIONSHIP  
A TRIBAL PERSPECTIVE

Richard J. LaFromboise, Chairman  
Turtle Mountain Band of Chippewa Indians

I dare to say, "Someone heard me knocking on doors, thank you for letting my people in to hear their message."

With that respect, I am the messenger of the five Tribal Chairmen and Indian Tribes located in all or part of North Dakota. These include Chairman Charles Murphy of the Standing Rock Sioux Tribe, Chairperson Alice Spotted Bear of the Three Affiliated Tribes of Fort Berthold, Chairman Carl McKay of the Devils Lake Sioux Tribe of Fort Totten, Chairman Russell Hawkins of the Sisseton/Wahpeton Sioux Tribe, and the people of the Turtle Mountain Band of Chippewa Indians.

As Tribal Chairmen, we are democratically elected by the people of the reservations we represent much like you represent your respective districts. The non-Indian world continues to call us Chiefs, somewhat of a tradition from stories and movies they have seen on Saturday matinees. Today, our respective governments operate "quite like" state governments in that the councils are the legislative body and the chairmen, the governors. I said "quite like" because it is not the same. In our respective tribes, to operate in an Indian consensus way of life, we continue to pay a great deal of respect to our history, tradition, culture and way of life in weighing our decisions. Each of our tribes vary to different degrees as to what ranks as a priority and again it reverts back to roots. Thus, I have come to a conclusion that a Chairperson is a spokesman or statesman of what his/her people wish to be said. This differs a little from the governor's position as a politician being a member of the Democratic or Republican party, whichever may be in power. To the Chairperson, he/she is Indian first, Democrat or Republican second. To the Indian, he/she is first American with all federal recognition, then state citizen. Today, I would like to offer the contribution of the state citizens which seems to be continually left out.

As a public servant as you are, I wish to offer you some of my principles on the proper service and future for North Dakota and all of its citizens. First, I would like to do something that has never been done. Second, I would like to start new businesses. Third, I would like to offer fresh approaches to old

routines, and fourth, I would wish to discover new ways of using present resources.

In the first element, the concept of never been done is actually a challenge of cooperative pursuit by the Tribes and the state in concert to provide and procure benefits to its citizens. This is a monumental task, for it will take both sides a great deal of patience to break down the barriers of long lived prejudices, jealousies and what not. A prime example is in a recent election, an Indian running in an independent race was perceived as if communist, a renegade, an activist, anything except a concerned citizen trying to improve the economy or service to that population. New businesses must be created or we will all watch our children move to the cities. There are many legislative ways both state and federal that can enhance the American Indian and his neighboring state citizen. With the economy as it is today, we cannot continue to complain about the farm prices. We must develop new ways in which to help that economy. The fresh approach to the old routines is that collectively, the Indian and non-Indian communities through local support and trade-offs can attract and should attract outside interests in this state.

With these basic principles in mind, I would wish for you to listen closely and feel the small piece of history we have, as Indian people, contributed. I think each farmer or person that has been on a farm in this body of lawmakers will identify with the concept of taking off your shoes and walking on the earth letting the granules of nature touch you; and you in some respect having a feeling that there is something more in farming than money. To the Indian, there is more to Mother Earth and nature than to sell your respect and dignity in selling Mother Earth. With that, I would like to share an actual happening with you. It starts, "What can we do to Americanize the Indian?" The question was earnestly put by a man who was about to assume control over our country's Indian affairs. He was appalled by the fact that over a hundred native tribes within the United States still speak their own languages and make their own laws on the little fragments of land that Indians reserved for their own use when they sold the rest of the country to the white man. The Commissioner-elect was a kind and generous soul, but his Anglo-Saxon pride was ruffled by the fact that so many Indians preferred their own way of life, poor as it was, to the benefits of civilization that Congress longed to confer on them. Perhaps, if Indians did not realize that they needed more Indian bureau supervisors and bigger and better appropriations to make real Americans out of them, it might be necessary to use a little force.

A bronze-skinned figure in the audience arose. "You will forgive me," said a voice of quiet dignity, "if I tell you that my people were Americans for thousands of years before your people were. The question is not how you can Americanize us but how we can Americanize you. We have been working at that for a long time.

Sometimes we are discouraged at the results. But we will keep trying. And the first thing we want to teach you is that, in the American way of life, each man has respect for his brother's vision. Because each of us respected his brother's dream, we enjoyed freedom here in America while your people were busy killing and enslaving each other across the water. The relatives you left behind are still trying to kill each other and enslave each other because they have not learned there that freedom is built on my respect for my brother's vision and his respect for mine. We have a hard trail ahead of us in trying to Americanize you and your white brothers. But we are not afraid of hard trails."

American history, written by the scribes of the conquerors, has been written as the story of a great European conquest. What was conquered, according to the European historians and their students, was an almost empty land, dotted here and there with wild savages. These children of the wilderness, unable to live alongside civilization, proceeded to disappear as their land was settled. The "vanishing Indian" became the theme of song and folklore, of painting and sculpture, of fiction and of the special sort of fiction that sometimes passes as American history. How far this oft-told story deviates from the truth we are only beginning to discover.

As yet, few Americans and fewer Europeans realize that America is not just a pale reflection of Europe - that what is distinctive about America is Indian, through and through. American cigarettes, chewing gum, rubber balls, popcorn and corn flakes, flapjacks and maple syrup, still make European eyebrows crawl. American disrespect for the authority of parents, presidents, and would-be dictators still shocks our European critics. And visitors from the Old World are still mystified when they find no peasants on American soil. But the expressions of pain, surprise, and amused superiority that one finds in European accounts of the habits of the "crazy Americans" are not new. One finds them in European reports of American life that are 200 and even 400 years old. All these things, and many things more important in our life today, were distinctively American when the first European immigrants came to these shores.

Indian gifts of corn, tobacco, white and sweet potatoes, beans, peanuts, tomatoes, pumpkins, chocolate, American cotton, and rubber, and American life would lose more than half its color and joy as well as more than half its agricultural income. Without these Indian gifts to American agriculture, we might still be back at the level of permanent semi-starvation that kept Europeans for thousands of years ever-ready to sell their freedom for crusts of bread and royal circuses. And if we lost not only the Indian's material gifts, but the gifts of the Indian's spirit as well, perhaps we should be just as willing as Europeans have been to accept crusts of bread and royal circuses for the surrender of our freedom. For it is out of rich Indian democratic tradition that the distinctive political ideals of

American life emerged. Universal suffrage for women as well as for men, the pattern of states within a state that we call federalism, the habit of treating chiefs as servants of the people instead of as their masters, the insistence that the community must respect the diversity of men and the diversity of their dreams - all these things were part of the American way of life before Columbus landed.

We need to remember that the Europe that lay behind Columbus as he sailed toward a New World was in many respects less civilized than the lands that spread before him. Politically, there was nothing in the kingdoms and empires of Europe in the fifteenth and sixteenth centuries to parallel the democratic constitution of the Iroquois Confederacy, with its provisions for initiative, referendum, and recall, and its suffrage for women as well as men. Socially, there was in the Old World no system of old-age pensions, disability benefits, and unemployment insurance comparable to the system of the Incas.

The author of the American Declaration of Independence and of our first Bill of Rights freely acknowledged his debt to Indian teachers. Comparing the freedom of Indian society with the oppression of European society, Thomas Jefferson struck the keynote of the great American experiment in democracy:

Imperfect as this species of coercion may seem, crimes are very rare among them (the Indians of Virginia); so much that were it may a question, whether no law, as among the savage Americans, or too much law, as among the civilized Europeans, submits man to the greatest evil, one who has seen both conditions of existence would pronounce it to be the last; and that the sheep are happier of themselves, than under the care of the wolves. It will be said, that great societies cannot exist without government. The savages, therefore, break them into small ones.

Here Jefferson put his finger on the quality that distinguishes American attitudes toward government from continental attitudes. The caution against aggrandizement of governmental power, the preference for local self-government even though it seems less efficient, the trust in the ability of good neighbors to settle their own problems by mutual accommodation without totalitarian rule - these are enduring elements of our American democracy.

The state and Tribes must continue to build on its primary successes of the Commission it has developed to carry out related educational advancement, economic development and, the first of its kind in the United States, a Youth Alcohol Prevention Education Program with the Tribes. For it is through these endeavors that the core of community cooperation will maintain high integrity in all of society.

The networking of the Governor's Forums on Job and Training along with Economic Development Commission must be given the fullest support to enhance jobs and hometown security to all looking for a better way of life.

Although it has been a downturned economy for most of North Dakota during the last 4-5 years, the Tribe I represent can say we have contributed in the state's overall economy. In 1975, our reservation saw 15,000,000; in 1983, 25,000,000; in 1986, 56,000,000 of federal dollars actively sought after by a very progressive tribal government. Unemployment dropped from 74% to 43% at one point and can do better with the endorsement of the state. Other successes are very evident such as the Devils Lake Sioux and the venture the state has pursued or is presently pursuing for the Three Affiliated Tribes and the town of Killdeer. Overall, the five Tribes have improved rather than drained the economy of the state in 1986 to over 100,000,000 dollars. But it is much much more than dollars that we talk of here, we talk about humanity, respect for one another's vision. Employment plays a large factor in securing a place in the sun along with education which is and has been a top priority of all Tribes represented here today.

Like other North Dakotans, Indians need and want job opportunities.

When we look at indicators showing projects for economic activity for the state, we see that those projections are bleak. Economic conditions for Indian people have been bleak only when times were good for the state in general.

Why is this so? Why aren't the economies of the reservations linked with that of the state? So that when times are good for the state, times will also be good for the reservations.

North Dakota is predominantly a farm state and its economy generally follows agricultural trends. There are farmers and ranchers on North Dakota's reservations and their operations do follow the agricultural trends, but for the most part the reservations' economies do not. The oil and coal industry affect reservation economics minimally.

The private sectors on the reservations are very small - three of the reservations have a manufacturing plant - and while there are numerous individually owned businesses, there is little hope that the private sector can absorb the unemployed labor force, neither can the public sector, such as government and schools. So in large part, reservation economies consist of transfer payments to individuals (welfare).

Economic development requires capital formation and reservation economies are not set up to foster such an undertaking. In order to be a truly viable economy, independence is desirable, but maybe interdependence is more realistic. Some attempts have been

made to include reservations in the Industrial Commission brochures. That is fine - but we need more of those type of linkages. For our part - we need to put information about our areas forward.

The spirit that I would like to convey here today is that of cooperation, that of North Dakotans who have a huge stake in the future of this state as we have had in its formation. As we move toward the Centennial, the bi-cultural differences should be noted and respected, the bi-cultural conflicts resolved. The notation of the birth of the state should be marked and celebrated with all the glory such festivities deserve. Looking back at the past shows your concern for the future. Our concern for the future of all North Dakotans should begin now, with plans for a better, second 100 years.

Megwetch - Thank you

#### MOTIONS

REP. MERTENS MOVED that the remarks of Mr. Richard LaFromboise be printed in the Journal, which motion prevailed.

REP. STRINDEN MOVED that a committee of two be appointed to escort Mr. Richard LaFromboise from the rostrum, which motion prevailed.

SPEAKER KLOUBEC APPOINTED Reps. P. DeMers and Wilkie to such committee and Mr. Richard LaFromboise was escorted from the rostrum.

#### ANNOUNCEMENTS BY THE SPEAKER

SPEAKER KLOUBEC ANNOUNCED that HB 1123 was returned to the House from the Committee on Industry, Business and Labor and rereferred to the Committee on Transportation.

SPEAKER KLOUBEC ANNOUNCED that HB 1219 was returned to the House from the Committee on Industry, Business and Labor and rereferred to the Committee on Political Subdivisions.

SPEAKER KLOUBEC ANNOUNCED that HB 1244 was returned to the House from the Committee on Industry, Business and Labor and rereferred to the Committee on Political Subdivisions.

#### MOTIONS

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

REP. STRINDEN MOVED that the House be on the Ninth order of business, and at the conclusion of the Ninth order, the House stand adjourned until 12:00 p.m., Friday, January 9, 1987, which motion prevailed.

## FIRST READING OF HOUSE BILLS

Reps. Skjerven, Nicholas, R. Berg and Sens. Heigaard, Kelsh introduced:

HB 1253: A BILL for an Act to amend and reenact section 26.1-13-25 of the North Dakota Century Code, relating to the permanent expense and loss fund of a county mutual insurance company.

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

Rep. Ulmer introduced:

HB 1254: A BILL for an Act to create and enact a new section to chapter 50-25.1 of the North Dakota Century Code, relating to the organization of local child protection teams in each county; and to amend and reenact subsection 5.1 of section 50-25.1-02 of the North Dakota Century Code, relating to the definition of a local child protection team.

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

Reps. Ulmer, D. Olsen introduced:

HB 1255: A BILL for an Act to create and enact a new section to chapter 15-36 of the North Dakota Century Code, relating to certification of teachers.

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

Reps. Frey, Oban, Haugland, Shaw introduced:

HB 1256: A BILL for an Act to create and enact a new section to chapter 47-16 of the North Dakota Century Code, relating to restrictions by landlords of posting of political signs by tenants.

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

Reps. Anderson, L. Hanson introduced:

HB 1257: A BILL for an Act to amend and reenact section 20.1-01-05 of the North Dakota Century Code, relating to the use of snares for taking game animals; and to repeal section 20.1-07-03.1 of the North Dakota Century Code, relating to the use of snares in taking coyotes.

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

Rep. Moore introduced:

HB 1258: A BILL for an Act to amend and reenact subsection 3 of section 57-38-01 of the North Dakota Century Code, relating to the federalization date for income tax purposes; and to provide an effective date.

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

Rep. Moore introduced:

HB 1259: A BILL for an Act to amend and reenact section 57-38-63 of the North Dakota Century Code, relating to payment of

estimated corporate income tax; and to provide an effective date.

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

Rep. Moore introduced:

HB 1260: A BILL for an Act to amend and reenact subsection 1 of section 57-38-45 of the North Dakota Century Code, relating to the rate of interest imposed on income taxes paid after the due date; and to provide an effective date.

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

Rep. Moore introduced:

HB 1261: A BILL for an Act to amend and reenact subdivision c of subsection 1 of section 57-38-01.2 and subdivision c of subsection 1 of section 57-38-01.3 of the North Dakota Century Code, relating to income tax deductions for federal income taxes paid; and to provide an effective date.

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

Rep. Moore introduced:

HB 1262: A BILL for an Act to amend and reenact section 57-38-14 of the North Dakota Century Code, relating to allocation of corporate income for income tax purposes; and to provide an effective date.

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

Reps. L. Hanson, Marks and Sens. Langley, Wogsland introduced:

HB 1263: A BILL for an Act to amend and reenact section 20.1-05-04 of the North Dakota Century Code, relating to the use of horses and mules in the taking of big game and the use of flashlights in taking raccoon.

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

Rep. Shaft introduced:

HB 1264: A BILL for an Act to create and enact a new section to chapter 16.1-07 of the North Dakota Century Code, relating to delivery of absent voter applications and ballots; and to amend and reenact sections 16.1-07-07 and 16.1-07-08 of the North Dakota Century Code, relating to delivery of absent voter applications and ballots.

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

Rep. Murphy and Sen. Maixner introduced:

HB 1265: A BILL for an Act to create and enact a new subsection to section 57-51-01 and a new subsection to section 57-51.1-01 of the North Dakota Century Code, relating to definition of the term "gross value at the well" of oil and gas for purposes of oil and gas gross production taxes and oil extraction taxes.

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

Reps. Opedahl, J. Nelson and Sens. Bakewell, Yockim introduced:  
**HB 1266:** A BILL for an Act to amend and reenact sections 35-13-02 and 35-13-03 of the North Dakota Century Code, relating to filing of repairman's lien statements.  
Was read the first time and referred to the **Committee on Judiciary.**

Reps. Gerntholz, Dorso, Knell introduced:  
**HB 1267:** A BILL for an Act to amend and reenact subdivision c of subsection 3 of section 39-12-04 of the North Dakota Century Code, relating to allowable lengths of certain motor vehicles.  
Was read the first time and referred to the **Committee on Transportation.**

Reps. Gerntholz, Stofferahn, Shide introduced:  
**HB 1268:** A BILL for an Act to amend and reenact section 11-33-20 of the North Dakota Century Code, relating to revocation, by a township, of county zoning authority previously ceded by the township.  
Was read the first time and referred to the **Committee on Political Subdivisions.**

Reps. Skjerven, Nicholas, R. Berg and Sens. Heigaard, Kelsh introduced:  
**HB 1269:** A BILL for an Act to amend and reenact sections 26.1-13-15 and 26.1-25-02 of the North Dakota Century Code, relating to insurance policies issued by a county mutual insurance company.  
Was read the first time and referred to the **Committee on Industry, Business and Labor.**

Reps. Skjerven, Nicholas, R. Berg and Sens. Heigaard, Kelsh introduced:  
**HB 1270:** A BILL for an Act to amend and reenact section 26.1-13-01 of the North Dakota Century Code, relating to the residence of persons forming a county mutual insurance company.  
Was read the first time and referred to the **Committee on Industry, Business and Labor.**

Rep. Strinden and Sen. Holmberg introduced:  
**HB 1271:** A BILL for an Act to create and enact a new section to chapter 16.1-08.1 of the North Dakota Century Code, relating to reporting requirements for contributions for initiative and referral campaigns; and to amend and reenact sections 16.1-08.1-01 and 16.1-08.1-04 of the North Dakota Century Code, relating to campaign contribution statements.  
Was read the first time and referred to the **Committee on State and Federal Government.**

FIRST READING OF A HOUSE CONCURRENT RESOLUTION

Reps. Wald, Knudson, Dotzenrod and Sens. Waldera, Langley introduced:

HCR 3010: A concurrent resolution directing the Legislative Council to study the need for consolidation and revision of state bidding and bid preference laws relating to public contracts.

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

REQUEST

REP. STRINDEN REQUESTED that the record show that Rep. O'Shea was present on January 6, 1987, which request was granted.

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

ROY GILBREATH, Chief Clerk