

## JOURNAL OF THE HOUSE

## Fifty-first Legislative Assembly

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Bismarck, January 5, 1989

The House convened at 1:30 p.m., with Acting Speaker R. Hausauer presiding.

The prayer was offered by Burnie Kunz, Chaplain, Medcenter One, Bismarck.

The roll was called and all Representatives were present, except Representatives Aarsvold, Kouba, Murphy, Nowatzki, Soukup, and Speaker Kretschmar.

A quorum was declared by Acting Speaker R. Hausauer.

**CORRECTION and REVISION of the JOURNAL (Rep. V. Olson, Chairman)**  
**MR. SPEAKER:** Your Committee on Correction and Revision of the Journal has carefully examined the Journal of the First Day and finds it to be correct.

**REP. A. WILLIAMS MOVED** that the report be adopted, which motion prevailed.

**MOTION**

**REP. LINDGREN MOVED** that HB 1068 be returned to the House floor from the Committee on Political Subdivisions, which motion prevailed.

**REQUEST**

**REP. HAUGEN REQUESTED** the unanimous consent of the House to withdraw HB 1068. There being no objection, it was so ordered by Acting Speaker R. Hausauer.

**MOTION**

**REP. KLOUBEC MOVED** that the House stand in recess until 2:00 p.m. to receive the Senate for Joint Session, which motion prevailed.

**THE HOUSE RECONVENED** pursuant to recess taken, with Acting Speaker R. Hausauer presiding.

**JOINT SESSION**

The Joint Session was called to order at 2:00 p.m. with Acting Speaker R. Hausauer presiding.

**REP. R. ANDERSON MOVED** that a committee of two be appointed to escort Lt. Governor Omdahl to the rostrum, which motion prevailed. Acting Speaker R. Hausauer appointed Reps. A. Olson and Kelly to such committee and Lt. Governor Omdahl was escorted to the rostrum.

**REP. R. LARSON MOVED** that a committee of two be appointed to escort the Honorable George A. Sinner, Governor, to the rostrum, which motion prevailed. The Chair appointed Sen. Axtman and Rep. Dalrymple to such committee and the Honorable George A. Sinner, Governor, was escorted to the rostrum.

**LT. GOVERNOR OMDAHL INTRODUCED** Governor Sinner to the Assembly.

**SEN. DAVID MOVED** that a committee of two be appointed to escort Chief Justice Ralph Erickstad to the rostrum, which motion prevailed. The Chair appointed

Sen. Stromme and Rep. Shaft to such committee and Chief Justice Ralph J. Erickstad was escorted to the rostrum.

SEN. DOTZENROD MOVED that a committee of four be appointed to escort the Justices of the Supreme Court and the other elected state officials to the rostrum, which motion prevailed. The Chair appointed Sens. Hanson and Holmberg and Reps. Wentz and Nelson to such committee and the Justices of the North Dakota Supreme Court and the other elected state officials were escorted to the rostrum.

REP. BELTER MOVED that a committee of four be appointed to escort the district judges and surrogate judges to their seating at the front of the Chambers. The Chair appointed Sens. Heinrich and Nalewaja and Reps. R. Berg and Ulmer to such committee and the district judges and surrogate judges were escorted to their seats at the front of the Chamber.

LT. GOVERNOR OMDAHL INTRODUCED county judges, members of the Board of Governors, and the Executive Director of the State Bar Association, other members of the Judicial Council, and Chairman of the key committees of the Supreme Court.

LT. GOVERNOR OMDAHL INTRODUCED Chief Justice Ralph Erickstad to the Assembly.

THE STATE OF THE JUDICIARY  
Message by Ralph J. Erickstad, Chief Justice

INTRODUCTION

Good afternoon: I thank you, Lieutenant Governor Lloyd Omdahl, Speaker William Kretschmar, Governor George Sinner, colleagues on the Supreme Court, leaders of the Republican and Democrat caucuses of the House and Senate, committee chairs, other members and staff of the Fifty-first Legislative Assembly, officers and members of the North Dakota Judicial Conference, Chief Presiding Judge and members of the Council of Presiding Judges, chairpersons of Supreme Court advisory committees, officers and members of the Board of Governors of the State Bar Association, President and members of the State Bar Board, state officials and other distinguished guests, citizens of North Dakota, ladies and gentlemen, friends all.

CONSTITUTIONAL CELEBRATIONS

A few months ago, in an ongoing effort to recognize the significance of our United States Constitution to our freedom, I participated with many other enthusiastic people of all ages in the dedication of a majestic iron and steel eagle, with its thirty-foot wingspan, weighing over 6,000 pounds, in Custer Park in central Bismarck. This emblem of our nation was welded together by Tom Neary and his friend Wayne Pruse at the request of the Bismarck Park Board and was funded by Aerie No. 2237 of the Bismarck Eagles Club. It clutches a scroll on which is engraved the words, "We the People."

I think it is especially appropriate that the scroll that the eagle clutches contains the words "We the People" as those are, as we all know, the first three words of the Preamble to the Constitution of the United States of America.

It is significant to note that the delegates who gathered in the heat of summer in secret sessions in Philadelphia in 1787 from May twenty-fifth through September seventeenth did not see themselves as drafting a

constitution for the previous thirteen states. They conceived themselves as drafting a constitution for the people of the United States. We all need to keep that objective in mind.

In 1986, at the urging of the then Chief Justice of the United States, Warren E. Burger, that each of the highest state courts in the United States establish a committee to celebrate the 200th anniversary of the signing of the United States Constitution and its subsequent ratification and amendments, we appointed a committee which we designated the Constitutional Celebration Committee, which is chaired by Justice Herbert L. Meschke of our court.

On September seventeenth of 1987 under that committee's direction, we celebrated the 200th anniversary of the signing of the United States Constitution in the great hall of this capitol. That committee, with financial support from you, has been engaged in commemorative activities and will continue to be so engaged through 1991, with special additional emphasis in 1989 in celebrating the 100th anniversary of our state constitution.

While we are in the process of remembering that our freedom and our rights as citizens of this great country are preserved in the United States Constitution and the constitutions of the fifty states, it is appropriate to note the significance of the judicial branch of the United States government and the judicial branches of the fifty states, in the words of the Preamble in the preservation of "the blessings of Liberty to ourselves and our Posterity,..."

#### FIFTEEN YEARS OF PROGRESS: 1973-1988

I will not list the contributions of the national and state judiciaries over the last 200, or even the last 100 years, here today. I shall attempt today, a less challenging task.

So that we may look at things today in perspective, I will visit with you briefly about where we were, judicially speaking, in our state when I became Chief Justice in 1973, how we have progressed with your help in those fifteen years, and what more we might do, with your help, in the next four years to improve our judicial system.

#### Court Funding

In 1973, you appropriated approximately two million dollars to fund the supreme and district courts. That was so because the judiciary was very fragmented and mostly funded by the counties and the cities. In 1987, you appropriated approximately \$20 million dollars to fund court services.

The basic difference, other than inflation, resulted from efforts to unify and improve our judicial system following the adoption of the new judicial article of our state constitution in 1976 which created the unified court system for North Dakota. The major transfer in responsibilities for funding the system came in 1981 when approximately eight million dollars were appropriated to fund, among other things, district court reporters, juvenile court personnel and administrative support staff, jury expenses, and indigent defense expenses in district court.

#### Court Structure

In June of 1973, when I became Chief Justice, upon the untimely death of Chief Justice Alvin Strutz, we had a fragmented county court system consisting of three different types of judges. We had county judges with increased jurisdiction who were law-trained and full time in about a third of the counties. In the other two-thirds of the counties, we had county judges who were for the most part not law-trained and whose duties were basically probate in nature, and county justices who were for the most part law-trained but only part time, who handled misdemeanor criminal cases and small civil cases.

In 1981, after studies in both the judicial system and by the Legislative Council, you passed House Bill No. 1060 which modernized the county court system by eliminating the three types of county judges. You created a uniform system of county judges, consisting of law-trained persons who function full time in service areas as they are created by agreement among the counties themselves. This change is a great improvement over what we had, with 27 judges today doing the work better and more promptly than the many more, different types of judges functioning before.

The county courts are essential components of the North Dakota Judicial System. The integration of county courts and district courts within the judicial districts, through cooperation and the supervision of the presiding judge of each judicial district, is progressing constructively. Ultimately, some state funding or further change in the law may be necessary to provide equity among county judges and to assure the effective development of county court services as part of the North Dakota Judicial System.

#### Case Docket Currency Control

In 1973, we had no way of knowing what the status of specific cases was in the district or county courts. Following a study by our Court Services Administration Committee, chaired by Bismarck attorney William A. Strutz, the son of Chief Justice Alvin Strutz, our court adopted the first docket currency standards for our trial courts, which now permit us to track cases through the system, concentrate attention on the problem cases, and provide accountability for judicial services. We have yet to apply the standards to probate cases or appellate cases, but this, too, is under study and will likely occur in the future.

At the present time, the case reporting is done manually by the clerks of the county courts and by the clerks of the district courts in the state. For the most part, the clerks of district court mail reports to the State Court Administrator's office where the reports are processed into the state's computer and from which we receive monthly printouts. Some district court administrators assist in the process, and one district court administrator's office does its own data entry. Those printouts are studied by the individual judges, the presiding judges, their court administrators, and the State Court Administrator to identify problem areas and problem cases. All cases, with the problem cases highlighted, are reported to the Chief Justice.

Ultimately, we hope to have the case status records computerized locally. In an effort to pursue that objective, we contracted with the National Center for State Courts to study our situation and prepare a report. Unfortunately, because of the need to cut our expenditures by two percent, we have had to terminate that study, but hopefully we will be able to revive it in the new fiscal period.

With your help and Luella Dunn's leadership, we have computerized the records in the office of the Clerk of the Supreme Court. With your further help, in the new biennium we hope to enhance our system so that we may have the capability of providing computers for legal research for the use of our law clerks, central legal staff, and our justices. Luella Dunn has made great progress in her efforts and I am certain that she would be happy to demonstrate to you what her system is now capable of reporting.

#### Juries and Defense Counsel Services

In 1973, the costs of holding district court jury trials, including the jurors' fees and the costs of defense counsel for indigent defendants in criminal felony cases, were the responsibility of the counties in which the district court cases were tried. In some instances, this constituted a heavy and uncertain financial burden upon the county or counties unfortunate enough to be the sites of serious felony cases. In 1981, through House Bill No. 1038, you first appropriated funds for those purposes, thereby relieving the counties of those expenses. We have moderated the growth of some expenses through better management of jury panels and the use of six-person and nine-person juries in civil cases and six-person juries in misdemeanor criminal cases. Legal counsel for indigent defendant services have been provided through contracts which have provided needed stability and continuity.

#### Administrative Rulemaking and Planning

When the people of our state approved the new judicial article of the state constitution in 1976, establishing a unified judicial system, our court acted, through the rulemaking power provided for in the new article, to establish a supervisory rulemaking process for the judicial system (Rule on Procedural Rules, Administrative Rules and Administrative Orders of the North Dakota Supreme Court (NDRPR)).

Within that administrative rulemaking structure we created the most open and comprehensive rulemaking process of any state or federal court in the United States.

At the core we established three new standing advisory committees consisting of the Court Services Administration Committee, the Attorney Standards Committee, and the Judiciary Standards Committee to supplement the already existing Joint Procedure Committee. The current chairpersons of those committees are William A. Strutz of Bismarck, Vern C. Neff of Williston, Jane C. Voglewede of Fargo, and Justice H. F. "Sparky" Gierke of our court. Those committees, consisting of judges, legislators, lawyers, and other leading citizens from all walks of life in North Dakota have been the source of many of the ideas for improving the judicial system in these last fifteen years.

There are other committees, commissions, and boards of the Supreme Court, and committees within the Judicial Conference upon which we depend or which we have depended upon to assist us in administering and improving the judicial system. I will not attempt to cover their great work in these oral remarks, but I have attempted to summarize their current activities in the supplement to my written remarks. It is hoped that you will find my extended written remarks valuable for future reference.

There is one subcommittee, chaired by Judge Robert W. Holte of Stanley, of the Judicial Planning Committee, which is chaired by Justice Beryl J. Levine, that I should refer to momentarily. That subcommittee has been studying the

needs and possible objectives of the judiciary for the next decade. Through Justice Levine, the subcommittee had requested that a judicial leadership conference be held by the justices of our court and the presiding judges of the seven judicial districts in Fargo in December of 1988 to review those future needs and objectives.

Because of the need to reduce expenditures, we had to postpone that leadership conference until the next fiscal period. Hopefully, our next fiscal appropriation will be sufficient to cover that effort, for only by looking ahead, facing up to our problems, and accepting them as challenges and opportunities will we find the solutions which will help us continue to improve court services within our state. As our product is justice, we cannot be too careful nor can we be too frugal in the application of talent, and consequently funds, to find these solutions.

### Appellate Cases

In 1973, 117 new cases were filed with the Clerk of our Supreme Court. In 1987, 382 new cases were filed with our Supreme Court. That is more than a threefold increase in cases. It was because of the dramatic increase in caseload of our court that we asked for a study of the caseload problem. As a result, after careful study, the Future Appellate Court Services Study Subcommittee, chaired by Representative William E. Kretschmar of Venturia and Ashley, which we have denominated the Kretschmar Subcommittee, recommended the creation of an intermedicate appellate court. Justice Gerald W. VandeWalle, the senior justice of our court, who serves as Administrative Judge in my absence, has represented our court on the Kretschmar Subcommittee with vigor and great insight.

With bipartisan support from legislative leaders in the last session, we were able to secure the passage of a bill providing for a temporary court of appeals and for a small appropriation to fund the court. We have slowly and carefully utilized the temporary court of appeals and are pleased to report that we have received little criticism in conjunction with the disposition of 15 cases (as of December 12, 1988) by the six 3-judge panels that we have utilized thus far.

The Kretschmar Subcommittee has now recommended that we seek further time to test the concept of this court of appeals and that, in conjunction with that testing process, we ask that the sunset provision in the temporary appeals court statute be extended from January 1, 1990, to January 1, 1994.

It will please those who were concerned, that the court of appeals would merely delay the appeal process and create another hoop for the parties and their counsel to go through before reaching the Supreme Court, to learn that to this date our Supreme Court has granted no writs of review of decisions of any panel of the court of appeals. This means that the decisions of the temporary appeals court have become final with no delay and no extra cost.

I had intended to move on to another subject at this point, as you can tell from my printed remarks, but in light of the headline to the editorial in this morning's Bismarck Tribune, I feel compelled to speak further on this subject.

The headline reads: "Appeals Court fails to prove it is justified." Normally, I do not respond to editorials or news stories or letters to the editor, and this is especially true when the references have to do with opinions of our Court. In this case, however, the reference is not to a

decision of our Court, but it is to our efforts and our opinion as to how the judicial processes may be improved upon and in that connection I believe that it is not only proper, but sometimes necessary to respond. Deeming these comments that I am about to make, then, to be within the latter category, where it is appropriate to respond, let me say this. The temporary appeals court, although we sought it and we still urge its utilization and hope that you will continue its life, was not designed to solve our problems. Because a temporary appeals court has certain weaknesses within it that a permanent court of appeals does not have, it can never prove or disprove the value of a permanent court of appeals. Only a court of appeals set up on a permanent court of appeals basis can do that. What we hoped to do was to eliminate the dragon effect of the intermediate court of appeals concept. I think most of us who are reasonably openminded, will agree that that has been accomplished.

In light of the economic conditions facing our state and the many demands upon this legislature at this time, I am not urging, nor are my colleagues urging, that we establish a permanent court of appeals at this time. We are, however, urging that you continue the ongoing experiment with the temporary court of appeals until January 1, 1994. When that day comes, we will likely have a new spokesman, and hopefully many more adherents to the concept of a permanent court of appeals.

#### PRESENT AND FUTURE

So much for the past accomplishments in improving court services. Let me speak briefly of challenges of the present and the future.

#### Pro Se Parties and Legal Services for Indigents

One of the problems that we see at trial and appellate levels in cases involving homestead and other important rights is a growing number of persons who appear in our courts without representation by counsel.

Because we believe that our system of justice works best when both sides, or all sides, of any controversy are represented in court by competent counsel, our court, in conjunction with the State Bar Association and the State Trial Lawyer's Association, appointed the Committee on Civil Legal Services to Indigents. That committee was chaired by Judge Joel D. Medd of Grand Forks. After meeting for a period of over two years, the committee ultimately produced what has been denominated "The Workable Plan" for providing civil legal services for those who cannot afford to employ counsel (A Workable Plan for Civil Legal Services for the Poor of North Dakota: A Practical, Equitable and Political Proposal for Bar Leadership (February 19, 1988)).

Subsequent to "The Workable Plan" proposal of that committee, another committee was formed with a broader base which contains representatives of the judiciary, the practicing bar, and the legal services groups whose clients are those who cannot afford to employ counsel. This Joint Committee on Civil Legal Services to the Poor, chaired by attorney Melvin Webster of Bismarck, is in the process now of reviewing "The Workable Plan" as well as making a further in-depth study of the need for civil legal services for the poor.

Years ago the great jurist Learned Hand admonished society to avoid the rationing of justice. Hopefully, upon the completion of the Webster Committee's study, a solution will be found to this painful problem of inadequate legal services for those who cannot afford to pay for legal

services. That should go a long way toward eliminating the rationing of justice.

Incidentally, from December 31, 1986, to November 2, 1988, we had 148 pro se appeals in our Supreme Court, where the appellants represented themselves, involving a variety of subjects including the construction of contracts, disciplinary matters, foreclosure proceedings, applications for consideration of proceedings originally in the Supreme Court, and matters involving real property. This does not indicate how many pro se cases were actually tried in the trial courts and how many cases were never brought to court because people were without funds to employ counsel and, thus, were unable to assert their rights.

It is not original with me but I believe someone much brighter and wiser than I has said that our civilization will be judged not by our great inventions, our great cities, or our great wealth, but by how we treated the less fortunate, the poor, the handicapped, the ill, and the minorities among us.

Let us hope that, if the need is found to exist, the Webster Committee will produce a report so convincing, with recommendations so clear, that support will be forthcoming, not only from the practicing lawyers in our state who would be called upon to contribute of their time and talents to a limited extent without charge, but also so that you, as legislators, who might conceivably be called upon in the future to provide a means of funding the program or at least of supplementing it, will be equally convinced.

### Salaries

Because employees within the judicial system have had only a small increase in salary in the last several years their salaries have not even kept up with inflation. Furthermore, we have not had sufficient funds within the judicial budget to correct inequities within the judicial system. For these reasons, I urge you to provide for salary increases for our employees, at least at the level recommended by the Governor of an increase of five percent on July first of 1989 and four percent on July first of 1990. In light of the Governor's recommendation of an appropriation of \$2.5 million for the Central Personnel Division to correct inequities, I urge you to add to our judicial system appropriation \$245,000 to correct inequities within the judicial system following the completion of the study of our Personnel Advisory Board or provide for such an allocation from the \$2.5 million allocated to the Central Personnel Division.

We have included within our budget an amount for an increase in judges' salaries because of the serious current disparity between judges' salaries nationally and judges' salaries in North Dakota, and because of the failure of judges' salaries to keep pace with salaries or incomes of people holding positions of similar responsibility both in and out of government. Our district and supreme court judges' salaries now rank 47th in the nation.

When the state of Maine was in a similar position at the bottom of the salary schedule a few years ago, its legislature, after a study, made a decision to make its judges' salaries equivalent to federal judges' salaries in a step-up progression. Unfortunately, in our state today, there is more incentive to be appointed an administrative law judge or a trial judge in the federal system than to be elected a trial judge or even a Supreme Court justice in our state.

I am not suggesting that you attempt to match or even set as an objective the salary increases recently recommended by the President's Quadrennial Pay Commission which recommended a fifty percent increase in federal judicial salaries, nor am I suggesting that you attempt immediately to match the efforts of the Maine legislature to match current federal judges' salaries, but I am asking that you look at the problem from the latter perspective, so that you at least begin the process of upgrading judicial salaries in North Dakota by granting the increase requested.

#### CONCLUSION

I have not covered the evolution of all the changes that have been made in the judicial system since 1973 to the present time, but I have described a few areas of endeavor in which you have either been a partner or a supporter. In this session of the Legislative Assembly, I am not asking you to support major changes in structure. Instead, I am asking you merely to help us continue our efforts to improve the judicial system by providing the maintenance funds to do so. When we appear before the appropriations committees and judiciary committees of the House and Senate to explain in detail our needs, hopefully my remarks today will help provide the background to convince the members of those committees, and ultimately each of you legislators, when you are called upon to cast your vote, that our requests are justified.

On behalf of the entire judiciary, I thank you for your time and attention, and for the time and attention you will devote during this legislative session to meet those needs.

Incidentally, according to our custom, our people will be delighted to serve you coffee and cookies down the hall just outside of the Supreme Court courtroom in the Judicial Wing immediately following my remarks. As always, we all look forward to meeting and visiting with you. We trust that your presiding officer will graciously grant you recess for that purpose. Thank you very much.

REP. KLOUBEC MOVED that the remarks of Chief Justice Ralph Erickstad be printed in the Journal, which motion prevailed.

REP. KLOUBEC MOVED that the Joint Session be dissolved, which motion prevailed.

LT. GOVERNOR OMDAHL DECLARED the Joint Session was dissolved.

#### MOTIONS

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

REP. KLOUBEC MOVED that the House be on the Ninth order of business, and at the conclusion of the Ninth order, the House stand adjourned until 1:00 p.m., Friday, January 6, 1989, which motion prevailed.

#### FIRST READING OF HOUSE BILLS

Rep. Oban introduced:

HB 1224: A BILL for an Act to amend and reenact section 40-57.3-04 of the North Dakota Century Code, relating to the due date for city lodging and restaurant tax returns; and to provide an effective date.

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

Rep. Martinson introduced:

HB 1225: A BILL for an Act to authorize the North Dakota national guard to transfer the Burleigh County memorial national guard armory to Bismarck state college with the reservation of the right to use room 74 and any other portions of the building as agreed by the parties; and to declare an emergency.

Was read the first time and referred to the Committee on State and Federal Government.

Reps. Martinson, A. Hausauer, L. Hanson and Sens. Olson, D. Meyer, Waldera introduced:

HB 1226: A BILL for an Act to designate July 3, 1989, as a public holiday in recognition of the North Dakota centennial.

Was read the first time and referred to the Committee on State and Federal Government.

Reps. Martinson, A. Hausauer, L. Hanson and Sens. Olson, Satrom introduced:

HB 1227: A BILL for an Act to create and enact a new section to chapter 54-52 of the North Dakota Century Code, relating to postretirement adjustments under the public employees retirement system; to amend and reenact subsection 2 and paragraphs 1, 2, and 3 of subdivision a of subsection 4 of section 54-52-17 of the North Dakota Century Code, relating to computation of benefits under the public employees retirement system; and to provide for application of this Act.

Was read the first time and referred to the Committee on State and Federal Government.

Rep. Ulmer introduced:

HB 1228: A BILL for an Act to amend and reenact section 48-02-19 of the North Dakota Century Code, relating to access by the handicapped to institutions of higher education.

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

Rep. Ulmer and Sen. Mushik introduced:

HB 1229: A BILL for an Act to create and enact a new section to chapter 12-46, chapter 50-06.4, and nine new sections to chapter 54-44 of the North Dakota Century Code, relating to the transfer of control of institutions under the authority of the director of institutions to the executive director of the department of human services and the transfer of control of state buildings and property under the authority of the director of institutions to the director of the office of management and budget; to amend and reenact sections 4-11-21, 4-22-05, 12-46-03, 12-46-04, 12-46-06, 12-46-09, 12-46-10, 12-46-10.1, 12-46-17, 12-46-18, 12-47-06, 12-47-08, 12-47-11, 12-47-12, 12-47-13, 12-47-15, 12-47-32, 12-47-33, 12-47-34, 12-48-02, 12-48-03, 12-48-03.1, 12-48-03.2, 12-48-04, 12-48-05, 12-48-06.1, 12-48-07, 12-48-14, 12-48-15, 12-48-22, 12-48.1-01, 12-51-02, 12-51-03, 12-51-04, 12-51-05, 12-51-06, 12-51-09, 12-52-01, 12-52-02, 12-52-03, 12-52-04, 12-52-05, 12-52-07, 12-54.1-02, 12-54.1-03, 15-47-27, 15-47-27.1, 15-47-34, 15-59-05.2, 23-01-02, 23-12-10.2, 25-01-01, 25-01-01.1, 25-03.1-43, 25-04-14, 25-04-15, 25-04-16, 25-06-03, 25-06-04, 25-06-05, 25-07-04, 25-07-05, 27-21-02, 27-21-09, 28-32-01, subsection 48 of section 30.1-01-06, sections 37-10-03.5, 37-18.1-01, 39-01-02, 39-10-50, 44-08-18, 48-02-09, 48-06-01, 48-06-03, 48-06-04, 48-06-06, 48-06-07, 48-08-03, 48-08-05, 48-08-08, 48-11-02, 50-06-01.4, 50-06-06.3, 50-25.1-02, 54-01-11, 54-06-04, 54-06-15, 54-06-18, 54-23.2-02, 54-23.2-03, 54-23.2-04, 54-23.2-06, 54-23.2-07, 54-23.2-08, 54-24-01, 54-24-03, 55-01-02.1, and 55-02-08 of the North Dakota

Century Code, relating to the transfer of the powers and duties of the director of institutions; and to repeal chapter 54-21, chapter 54-23, and section 54-23.2-01 of the North Dakota Century Code, relating to the transfer of the powers and duties of the director of institutions, institutions under the control of the director of institutions, and the definition of the word "director" as it relates to the state radio broadcasting system.

Was read the first time and referred to the Committee on State and Federal Government.

Reps. D. Olsen, Payne, Timm and Sens. Keller, Tallackson, Stenehjem introduced:

HB 1230: A BILL for an Act to provide for conditional salary increases for nontenure-track faculty at state institutions of higher education who earn half or more of their salary from grant or contract sources and for full-time contract research professionals and their associated support staff.

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

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

ROY GILBREATH, Chief Clerk