

1999 HOUSE POLITICAL SUBDIVISIONS

HB 1226

1999 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 1226

House Political Subdivisions Committee

Conference Committee

Hearing Date 1-21-99

Tape Number	Side A	Side B	Meter #
1	x		7.3-58.9
Committee Clerk Signature <i>Pam Dever</i>			

Minutes: BILL SUMMARY: Relating to newspapers qualified to do legal printing.

Chairman Froseth called the hearing to order and those present: Chairman Froseth, Vice Chair Maragos, Rep. Delmore, Rep. Disrud, Rep. Eckre, Rep. Ekstrom, Rep. Glassheim, Rep. Gunter, Rep. N. Johnson, Rep. Koppelman, Rep. Niemeier, Rep. Rose, Rep. Severson, Rep. B. Thoreson, and Rep. Wikenheiser.

Rep. Rod Froelich, Dist. 35 testified in support of the bill. I have been asked by constituents of my county to bring this bill forward. The law now reads, if you have a county newspaper, you must use that for your official proceedings. We have a problem in our county, because we don't have a county newspaper. We must go to an adjoining county, as the law now reads. We have a newspaper closer to us that is in another state, which is S.D. I have an opinion from the Attorney General, that we can't use the S.D. paper for the official county proceedings. We are asking this bill be passed to help us use the closer paper. Rep. Froelich read a letter from Merle E. Lofgren, the publisher of the McLaughlin Messenger at McLaughlin, S.D. (See attached testimony) 9.5

Rep. Froelich also read a letter from David Volk, 3rd District Commissioner in Sioux County.
(See attached testimony) All we ask in this bill, is to let the people vote, get it on the ballot and have a choice. 10.3

Chairman Froseth : Who are you served by now?

Rep. Froelich : I believe it's the Grant County News at Carson, which is 35 miles from the border of Sioux County. The McLaughlin Messenger is 8 miles, the Corson County News is 1 mile from the border. The Bismarck Tribune is a daily paper in the area.

Rep. Koppelman : 11.2 Is there anything preventing the county from publishing legals in this newspaper even though it isn't listed at the official newspaper?

Rep. Froelich : Right now, the McLaughlin Messenger has been doing this, but the paper is not official. Here is the problem; lots of people get the Messenger as their family paper, so if they want to get the official proceedings, they have to get them from the Grant County News.

Rep. Koppelman : 11.7 It's nice that the McLaughlin paper is doing this out of the goodness of their heart, I don't see the problem if they keep doing this since they seem to have wide readership.

Rep. Froelich : He just started this 2-3 weeks ago. He doesn't have to, he sometimes does and sometimes does not. It depends if he happens to have extra space to fill.

Vice Chair Maragos : If the McLaughlin elected not to publish, what would happen? Will the people not get the information or will they buy the Grant County paper in order to get the information? What do you think will happen? 12.4

Rep. Froelich : A lot of people do not subscribe to the official newspaper, because they don't feel it serves them. They don't get the information. They don't want to get two newspapers.

Rep. Eckre : 13.4 I know that the official newspaper have to run in the elections. Do you know is the Grant County News had any competition in the elections?

Rep. Froelich : I don't believe so.

Rep. Rose :14.2 During the elections, did anyone have a write-in for the McLaughlin Messenger as the official publication?

Rep. Froelich: This issue has been going on for 16 to 20 years. We have been told by the states attorney and the Attorney General has said it is not legal. This bill would not guarantee that the paper will be on the people. The people want a right to vote on it; to have a choice.

Rep. Severson : Can you tell us the Attorney General's opinion. 15.2 (See attached from AG office)

Rep. Froelich : They said that a former statute is already there.

Sen. Bill Bowman, Dist. 39 : 16.8 testified in support . I represent 5 counties that border other states. Here is another rural issue that needs to be addressed. We need to look at these unique situations. This bill gives the people in that rural county a choice as to where they want their legales. We are not opposed to N.D. Newspapers Association, or rural newspapers; it has nothing to do with that.

Chairman Froseth : My concern, if this bill passes, this could include Fargo-Moorhead, Grand Forks, East Grand Forks, Wahpeton-Breckenridge; and could be more entailing than we want.18.1

Renee Jochim, Dist. 35 County Auditor : 19.2 testified in favor and introduced Monica Schneider, who is also present in support. She is Sioux County Tax Director in Dist. 35. We have petitions to bring from county people who are in support of this bill. (See attached petitions)

Rep. Koppelman : 22.1 Can the N.D. Legislature pass a law that says another state have to do this or that on any issue? I don't think so.

Vice Chair Maragos : 22.7 In discussion further, I don't know there is a penalty. What happens if the law isn't followed?

Rep. Delmore : 23.3 As a point of reference, I think as grounds for noncompliance, they give up the right to be the official newspaper.

Jack McDonald, on behalf of N.D. Newspaper Association, and we are opposed to HB 1226.

(See attached testimony) 23.8 We feel the people have already made a choice if you look at circulation figures. There are three newspapers in N.D. that have a greater circulation than the S.D. paper addressed in this issue. The people have made a choice with their pocket book. A N.D. paper could be an official paper for MT or S.D.; the answer is no, you can't. There is no reciprocity. We think the law works well. There are only two counties, Sioux and Slope, where there is no county paper.

Chairman Froseth : 27.3 You just said N.D. office holders must be N.D. residence. Would this apply to this situation?

Jack : 28.8 I'm not sure. We have explored the issue before and N.D. law is a bit vague about the status of official county newspapers. The question comes up when you want to get on the ballot. The laws talk about candidates and individuals. Doesn't really fit newspapers. It's not clear cut.

Vice Chair Maragos : Are there any First Amendment issues here?

Jack : No, not that I see. You could have 2 or 3 newspapers doing this. There is no law that says you can't publish in two newspapers.

Rep. Delmore : Could they want a newspaper for local news that will also contain the legals.

Jack : Yes, I suppose it could be. 30.4 I can't tell you why people buy the ones they do.

Rep. Delmore : You talked about publishing in two newspapers. We need to look at expenses, too. How might that effect people?

Jack : 31.4 The expense would be twice as much.

Rep. Eckre : 32.1 Does MN have some type of agreement like we are looking at today?

Jack : No, they don't have an agreement? Fargo will publish an addition which is labeled the Moorhead Addition of the newspaper.

Rep. Glassheim : 33.7 If we pass this, and people voted, then the McLaughlin paper would not have won if we look at the circulation numbers. I do not know why we wouldn't allow the people the right to choose.

Jack : 35.3 It's your right. We just look at the principle involved. It's a N.D. county and a N.D. newspaper and it should have an official N.D. newspaper.

Denise Lawson, N.D. Newspapers Assoc. : 49.2 appeared in opposition to HB1226 and offered to answer questions. Explained on postal regulations. Last year we changed from second class mailing privileges to periodical status. It's an extremely strict and stringent process to get periodic status classification to qualify for discount rate. From everything from sorting to bagging, to extensive monthly reports to make sure you are legitimate and ethical business. This disqualifies many publications who might be fly by night. I can give you more information on that if your committee needs.

Vice Chair Maragos : 51.5 Would it be almost impossible for a small newspaper to achieve that status because of cost alone?

Denise : 51.8 No, not at all.

Rep. Koppelman : 53.4 Because of the changing N.D. rural population, it has happened all too often that our small town newspapers are gone. This is a fact of life, unpleasant as it may be to those of us with rural roots. We talked about principal offices being key issue for newspapers location. Would your association object if we decided to take a different turn and change the term "principal office".

Jack : 56.3 If I may address this. I think you will get lots of resistance from your daily papers if you try and loosen the laws too allow changes in principal office; the newspaper association would not support this at all.

Vice Chair Maragos :58.7 I have one comment. This almost sounds like turf protection.

Communities and towns get to vote on their official newspaper and if, for example, the majority in Dickinson decided they want the Bismarck Tribune to be their official paper, why would you want to prohibit their choice in the matter?

Jack 58.9 : That goes back to the same issue we said before. We feel that it's not such a matter of protection of turf as it is district. In a legislative district, why do we have to vote for you instead of being able to vote for someone in an adjoining district. It is not a matter of turf protection.

tape 1, side B - Hearing no further testimony on HB1226, Chairman Froseth closed the hearing.

1999 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 1226-a

House Political Subdivisions Committee

Conference Committee

Hearing Date 1-29-99

Tape Number	Side A	Side B	Meter #
1	x		48.5-59.0
Committee Clerk Signature <i>Pam Dever</i>			

Minutes:

Committee Action: The committee discussed the amendments proposed. It was also discussed with the sponsors of the bill. They said it was a compromise. Rep. Koppelman made a motion to DO PASS as amended and Vice Chair Maragos seconded the motion.

ROLL CALL VOTE: 15 YES and 0 NO and 0 ABSENT. Rep. Koppelman will carry bill.

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1226

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact section 46-06-02 of the North Dakota Century Code, relating to qualifications required of an official newspaper.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 46-06-02 of the North Dakota Century Code is amended and reenacted as follows:

46-06-02. Qualifications required of an official newspaper. A newspaper is qualified to serve as an official newspaper if it meets all the requirements of a legal newspaper set forth in section 46-05-01 and maintains its principal ~~editorial~~ North Dakota office within the county in which it is a candidate for official newspaper."

Renumber accordingly

January 29, 1999

VR
1/29/99

HOUSE AMENDMENTS TO HOUSE BILL NO. 1226

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Renumber accordingly

Date 1-29-99

Roll call vote # 1

Please type or use black pen to complete

1999 HOUSE STANDING COMMITTEE ROLL CALL VOTES

BILL/RESOLUTION NO. 1226

House POLITICAL SUBDIVISIONS Committee

- Subcommittee on _____
 - Conference Committee
- } Identify or check where appropriate

Legislative Council Amendment Number 90295.0102

Action Taken Do Pass as Amended

Motion Made By Rep. Koppelman Seconded By Rep. Maragos

Representatives	Yes	No	Representatives	Yes	No
Chairman Froseth	/		Rep. Wikenheiser	/	
Vice Chair Maragos	/				
Rep. Delmore	/				
Rep. Disrud	/				
Rep. Eckre	/				
Rep. Ekstrom	/				
Rep. Glassheim	/				
Rep. Gunter	/				
Rep. Johnson, N	/				
Rep. Koppelman	/				
Rep. Niemeier	/				
Rep. Rose	/				
Rep. Severson	/				
Rep. Thoreson, B	/				

Total 15 0-
(Yes) (No)

Absent 0-

Floor Assignment Rep. Koppelman

If the vote is on an amendment, briefly indicate intent:

DO NOT USE HIGHLIGHTER ON ANY FORMS

REPORT OF STANDING COMMITTEE

HB 1226: Political Subdivisions Committee (Rep. Froseth, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1226 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact section 46-06-02 of the North Dakota Century Code, relating to qualifications required of an official newspaper.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 46-06-02 of the North Dakota Century Code is amended and reenacted as follows:

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Renumber accordingly

1999 SENATE POLITICAL SUBDIVISIONS

HB 1226


1999 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HOUSE BILL 1226

Senate Political Subdivisions Committee

Conference Committee

Hearing Date February 26, 1999

Tape Number	Side A	Side B	Meter #
1	x		1496 to 3000
Committee Clerk Signature 			

Minutes:

SENATOR LEE: opens the hearing on HOUSE BILL 1226

SENATOR BOWMAN: introduction of HOUSE BILL 1226, page 2 line 4 insert "adjoining" and the paper must be within an "adjoining" state.

SENATOR FLAKOLL: delete all amendments and go to original bill with amendment mentioned above

REPRESENTATIVE FROELICH: see testimony

SENATOR WATNE: why would another newspaper from another state or county be the official newspaper of that particular county

REPRESENTATIVE FROELICH: papers are already being distributed from other states, we would like to see only state newspapers be the official newspaper

Page 2
Senate Political Subdivisions Committee
Bill/Resolution Number Hb1226
Hearing Date February 26, 1999

SENATOR LEE: official newspaper of the city of West Fargo is the Fargo Forum and the official newspaper of the city of Moorehead is the Fargo Forum also, we are speaking of county official newspapers

SENATOR LYSON: any testing of this or what is the official newspapers of these counties

REPRESENTATIVE FROELICH: give the people a choice

SENATOR FLAKOLL: this only relates to a couple of counties, is there a tax on newspapers?

REPRESENTATIVE FROELICH: no tax

SENATOR LEE: any further questions

JACK MCDONALD: (NEWSPAPER ASSOCIATION) see testimony.

SENATOR FLAKOLL: how would the newspaper association react to use only ND made products, "protectionism"

JACK MCDONALD: using the papers in certain counties because of certain boundaries and rules

Yes, we would be happy to use ND made products

SENATOR LEE: any further questions

REPRESENTATIVE FROELICH: clarification on Fort Yates population

DISCUSSION

SENATOR LEE: CLOSE HEARING

MOTION: NO ACTION TAKEN, WAITING FOR FURTHER DEBATE

REPORT OF STANDING COMMITTEE (410)
March 4, 1999 2:24 p.m.

Module No: SR-39-4055
Carrier: Lee
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HB 1226, as engrossed: Political Subdivisions Committee (Sen. Lee, Chairman)
recommends **DO NOT PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING).
Engrossed HB 1226 was placed on the Fourteenth order on the calendar.

1999 TESTIMONY

HB 1226

To the Committee on House Bill 1226

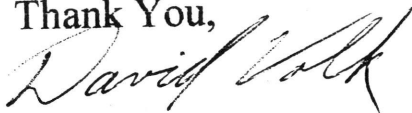
January 20, 1999

My name is David Volk, I am 3rd District Commissioner in Sioux County. I am in favor of House Bill 1226. Also in visiting with my constituents through out my district, many of them are also in favor of this bill.

Our county does not have a paper published in it, so most of the people residing in Sioux County are receiving the McLaughlin Messenger from McLaughlin, SD. Our county already has consolidated with Corson County in South Dakota for Farm Service Agency.

Your consideration in this matter will be greatly appreciated.

Thank You,



David Volk
Sioux County Commisioner



Merle E. Lofgren, Editor and Publisher

Phone (605) 623-4490

McLaughlin Messenger

Post Office Box 700

McLaughlin, South Dakota 57042

Rep. Rodney Froelich
North Dakota State House of Representatives
Bismarck, N. D.

Dear Rodney:

I publish the McLaughlin Messenger at McLaughlin, S. D. and the Corson County News at McIntosh, S. D., both being in Corson County, South Dakota which borders on the entire length of Sioux County. We have a large number of subscribers in Sioux County and sell papers over the counter at two business places in Ft. Yates. McLaughlin is about 8 miles from the Sioux County line and McIntosh 1 mile.

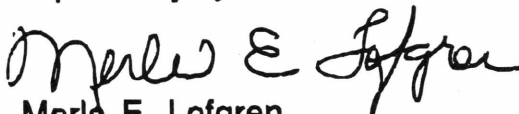
We are the official newspaper for the City of Selfridge, the Selfridge School district, the Solen-Cannonball School District, the Fort Yates Public School and the Standing Rock Sioux Tribe. These people have chosen the Messenger for their official newspaper. The City of Selfridge has had two elections to decide whether to publish the minutes of their city council in the McLaughlin Messenger and the results were overwhelmingly in favor of publishing the legal proceedings in the Messenger. We have local news correspondents at Selfridge and Shields. Senator Steve Tomac's mother is our reporter from Sioux County north of Watauga.

It is unfortunate the people who get their official proceedings in the McLaughlin Messenger have to take another newspaper to get the county legal publications. If the citizens of Sioux County had the option of selecting our paper they would still vote on that selection and could select another paper if they wanted to.

If there was a newspaper in Sioux County I would not want any other newspaper designated as the official county newspaper. I once published

newspapers at Selfridge and Ft. Yates. Since that is not the case I think the citizens of Sioux County, or any county similarly situated, should be given the option of selection a newspaper in an adjacent county even if that newspaper was in another state.

Respectfully yours,


Merle E. Lofgren



Heidi Heitkamp
ATTORNEY GENERAL

STATE OF NORTH DAKOTA
OFFICE OF ATTORNEY GENERAL

STATE CAPITOL
600 E BOULEVARD AVE
BISMARCK ND 58505-0040
(701) 328-2210 FAX (701) 328-2226

HB
1226

January 20, 1999

Honorable Rod Froelich
600 E. Boulevard Ave.
Bismarck, ND 58505

Rod

Dear Representative Froelich:

Thank you for your December 10, 1998, letter asking whether county legal notices may be published in an adjoining out of state county pursuant to North Dakota Century Code (N.D.C.C.) § 46-05-01.

N.D.C.C. § 46-05-01 establishes the qualifications of any newspaper in North Dakota to publish any official legal notice. The section also provides that in a county in which no newspaper is published legal notices "may be published in a newspaper published in an adjoining county" having circulation in the county without a newspaper.

You advise that no newspaper is currently published in Sioux County but that The McLaughlin Messenger, published in Corson County, South Dakota, which is adjacent to the southern border of Sioux County, has subscribers in Sioux County. You ask whether the phrase "adjoining county" in section 46-05-01 embraces Corson County, South Dakota.

In my opinion, the reference to "adjoining county" in N.D.C.C. § 46-05-01 refers to an adjoining North Dakota county. The substantive language in the last sentence of N.D.C.C. § 46-05-01 was enacted in 1897 in an amendment to Rev. Codes of 1895, § 1804. See 1897 Sess. Laws ch. 98, § 1. The amendment provided "that in counties in which no newspaper is published any notices required by law to be published may be published in a newspaper printed in an adjoining county having a general circulation in said county." See 1897 Sess. Laws ch. 98, § 1.

Rev. Codes of 1895, § 1804 and others relating to qualifications of newspapers in the state entitled to publish official legal notices were explained in Knight v. Barnes, 75 N.W. 904, 906 (N.D. 1898). The issue in that case was whether a Minneapolis printing firm was eligible in 1898 to furnish a county with books and bindery work and printed blanks and stationery under Rev. Codes of 1895, § 1807 which provided that "[a]ll county printing shall be done in the state, and if practicable in the county ordering the same."

Honorable Rod Froelich
January 20, 1999
Page 2

The Minneapolis firm argued that section 1807 applied only to legal notices and cited sections 1804, 1805 and 1806 of the Rev. Codes of 1895. In dismissing that argument, the North Dakota Supreme Court explained that "[t]hose sections [including section 1804] relate to newspapers published within the state, and declare, in effect, that only such newspapers as are of the character defined in these statutes shall be 'entitled' either to publish legal notices, 'or to do any public printing for the state or any county....'" Id. at 906 (emphasis added). The supreme court further advised that the purpose of these sections was "to define the kind of newspapers within the state qualified to do such printing." Id. at 906 (emphasis added). The language of the 1897 amendment which is substantially the same as the last sentence of N.D.C.C. § 46-05-01 has essentially remained unchanged since its enactment in 1897. The construction of that language in Knight v. Barnes has been acquiesced in and adopted by subsequent legislatures, which have not substantially changed the language. "The construction of a statute by the courts, supported by long acquiescence on the part of the Legislative Assembly, or by the continued use of the same language, or by failure of the Legislative Assembly to amend the law, is evidence that such construction is in accordance with the legislative intent." Blair v. City of Fargo, 171 N.W. 2d 236, 240 (N.D. 1969). Accord, Lapland v. Stearns, 54 N.W. 2d 748, 753 (N.D. 1952); State v. Broderick, 27 N.W. 2d 849, 866 (N.D. 1947). See also letter from Attorney General Nicholas J. Spaeth to Maury C. Thompson (July 11, 1985) (assuming the reference to "adjoining county" in N.D.C.C. § 46-05-01 referred to a North Dakota county).

Sincerely,



Heidi Heitkamp
Attorney General

tam/vjk

January 21, 1999

HOUSE POLITICAL SUBDIVISIONS COMMITTEE
HB 1226

CHAIRMAN FROSETH AND COMMITTEE MEMBERS:

My name is Jack McDonald. I'm appearing today on behalf of The North Dakota Newspaper Association. We **OPPOSE HB 1226** and respectfully urge that you give it a **DO NOT PASS**.

We believe this is a bill that is just not needed. There are only two counties in North Dakota that do not have a newspaper published in that county...Sioux and Slope counties. Our laws have covered this situation for the past 100 years by saying that in such cases the official newspaper can be a newspaper published in an adjoining county and having a general circulation in the particular county.

In November a majority of Sioux County residents voted to name the Carson Press, published in adjoining Grant County, as the Sioux County official newspaper for the next four years.

The Carson Press has approximately 350 readers in Sioux County, which has a population of 3,761. The county seat, Ft. Yates, has a population of 183. The McLaughlin (S.D) Messenger reports a subscription list of approximately 200 in Sioux County, and over the counter sales of approximately 50 per week. The Mandan News, in adjoining Morton County, has a circulation of approximately 300 in Sioux County. The Bismarck Tribune, while not strictly in an adjoining county (but close) has a circulation of approximately 451 in Sioux County.

In a sense the official county newspaper is a public official. Under North Dakota law, county officials must be North Dakota residents. We think the same should hold true for the official county newspaper. As I've indicated, there are three North Dakota newspapers...The Carson Press, The Mandan News & The Bismarck Tribune...that have a higher circulation and readership in Sioux County than the McLaughlin newspaper. There is no need to send North Dakota legal notices and other North Dakota matters to South Dakota.

This legislature for years has been trying to encourage North Dakota businesses, particularly in small towns, to stay in business. This bill sends just the opposite message, i.e., let's take our business out of state rather than use a North Dakota business.

We don't think that's the message that should be sent. Therefore, we respectfully request your **DO NOT PASS**. If you have any questions, I'll be happy to answer them. THANK YOU FOR YOUR TIME AND CONSIDERATION.

House Bill 1226

Testimony

Rep. Rod Froelich

This bill relates to newspapers qualified to do legal publishing of notices. Present law dictates that legal notices may be published in the newspaper within the county. If no county newspaper is published, an adjoining county paper may publish the notices. The language that is being added to the state law, allows not only adjoining counties' newspaper publication of notices but also adjoining counties in adjoining states if no local county paper is published.

Corson County Press is located at McIntosh, SD and is one mile from the North Dakota border. Current law prohibits the paper from ever being on the local ballot in Sioux County, ND, which has no local paper to publish legal notices. Local people should be able to vote on what paper they want to be their official county newspaper and where it is printed is not the issue to the notices. This law, if adopted, would pertain only to counties that do not have a regular paper being published in their county and need to look at their neighbor border states for help.

The North Dakota State Attorney General's office has advised me that current laws need to be changed before legal notices may be published for Sioux County.

February 26, 1999

SENATE POLITICAL SUBDIVISIONS COMMITTEE
HB 1226

CHAIRMAN LEE AND COMMITTEE MEMBERS:

My name is Jack McDonald. I'm appearing today on behalf of The North Dakota Newspaper Association. We **OPPOSE HB 1226** and respectfully urge that you give it a **DO NOT PASS**.

This is a bill that is just not needed. There are only two counties in North Dakota that do not have a newspaper published in that county...Sioux and Slope counties. Our laws have covered this situation for the past 100 years by saying that in such cases the official newspaper can be a newspaper published in an adjoining county and having a general circulation in the particular county.

Presently The Carson Press, published in adjoining Grant County, is the Sioux County official newspaper.

The Carson Press has approximately 350 readers in Sioux County, which has a population of 3,761. The county seat, Ft. Yates, has a population of 183. The McLaughlin (S.D) Messenger reports a subscription list of approximately 200 in Sioux County, and over the counter sales of approximately 50 per week. The Mandan News, in adjoining Morton County, has a circulation of approximately 400 in Sioux County. The Bismarck Tribune, while not strictly in an adjoining county (but close) has a circulation of approximately 451 in Sioux County. This reflects the population of Sioux County, which is primarily in the north part of the county, which is closer to Carson, Mandan and Bismarck. That's why those papers have larger circulation figures in the county.

In a sense the official county newspaper is a public official. Under North Dakota law, county officials must be North Dakota residents. We think the same should hold true for the official county newspaper. As I've indicated, there are three North Dakota newspapers...The Carson Press, The Mandan News & The Bismarck Tribune...that have a higher circulation and readership in Sioux County than the McLaughlin newspaper. There is no need to send North Dakota legal notices and other North Dakota matters to South Dakota.

Just because a paper is closer doesn't mean it should be able to be on the ballot. If there was a legislator living in McLaughlin that the people liked better, would they say he or she should be able to be on the ballot to be elected in North Dakota?

This legislature for years has been trying to encourage North Dakota businesses, particularly in small towns, to stay in business. This bill sends just the opposite message, i.e., let's take our business out of state rather than use a North Dakota business.

We don't think that's the message that should be sent. Therefore, we respectfully request your **DO NOT PASS**. If you have any questions, I'll be happy to answer them. THANK YOU FOR YOUR TIME AND CONSIDERATION.

PLEASE POST**REGULAR TRIBAL COUNCIL MEETING**
FOLLOW-UP**MEETING DATE:** January 5, 1999**PAGE:** 6

MOTION #11 IS CONTINUED.

ROLL CALL VOTE: MURPHY, C. - NOT VOTING

ARCHAMBAULT, D.	YES	KEEPSEAGLE, J.	YES
BAILEY, V.	YES	LONG CHASE, F.	YES
BEAR RIBS, D.	YES	MCLAUGHLIN, E.	YES
BROWN OTTER, M.	YES	SEE WALKER, R.	YES
CORDOVA, R.	YES	STRONG HEART, J.	YES
DEFENDER, P.	YES	TAKEN ALIVE, J.	YES
GATES, R.	YES	TWO BEARS, S.	YES
IRON, T. [CHAIRING]	N.V.	WHITE, R.	YES

VOTE: YES - 15 NO - 0 NOT VOTING - 2

MOTION CARRIED.

BEAR SOLDIER DISTRICT - Dean Bear Ribs, reporting.

#12. MOTION WAS MADE BY DEAN BEAR RIBS, SECONDED BY FARRON LONG CHASE, TO APPROVE OF THE BEAR SOLDIER DISTRICT REPORT FOR DECEMBER 13, 1998 AND DECEMBER 15, 1998.

ROLL CALL VOTE: MURPHY, C. - NOT VOTING

ARCHAMBAULT, D.	YES	KEEPSEAGLE, J.	YES
BAILEY, V.	YES	LONG CHASE, F.	YES
BEAR RIBS, D.	YES	MCLAUGHLIN, E.	YES
BROWN OTTER, M.	YES	SEE WALKER, R.	YES
CORDOVA, R.	YES	STRONG HEART, J.	YES
DEFENDER, P.	YES	TAKEN ALIVE, J.	YES
GATES, R.	YES	TWO BEARS, S.	YES
IRON, T. [CHAIRING]	N.V.	WHITE, R.	YES

VOTE: YES - 15 NO - 0 NOT VOTING - 2

MOTION CARRIED.

#13. MOTION WAS MADE BY FARRON LONG CHASE, SECONDED BY DEAN BEAR RIBS, TO APPROVE TO DESIGNATE THE MCLAUGHLIN MESSENGER AS THE OFFICIAL NEWSPAPER FOR THE STANDING ROCK SIOUX TRIBE.

3. In a county in which no newspaper is published, any notice required by law to be published may be published in a newspaper having the qualifications prescribed in subdivisions, a, b and c of subsection 1 and which is published in an adjoining county, in this or another contiguous state to that county, and having a general circulation in the county. The owner or publisher of the newspaper shall send to the state historical board two copies of each issue of the newspaper.

amendment to ^{HB} ~~SB~~ 1226

TELECOPIER COVER SHEET

FROM: RENEI JOCHIM, AUDITOR
SIOUX COUNTY AUDITOR'S OFFICE
300 SECOND AVENUE
PO BOX L
FORT YATES ND 58538
PHONE 701 854 3481
FAX 701 854 3854

TO: Rep Rodney Froelich
Name
State Legislature
Company
2-25-99
Date
328-1272
Telecopier Number
7
Pages

Comments: _____

This is a sample of the many sheets submitted with this caption at the top.

WE THE UNDERSIGNED ARE IN FAVOR OF HOUSE BILL 1226 THAT WOULD CHANGE THE LAW TO ALLOW COUNTIES TO USE AN OUT OF STATE PAPER AS THEIR COUNTY PAPER.

Larry Silbernegel
Genev Jochim, Auditor

Sioux County, Chairman
Sioux County, ND, Fort Yates

Marcia Schuman, Tax Dir.
Frank Landin, Sheriff

Sioux County, ND, Fort Yates
Sioux County, ND, Fort Yates

Sam L. Martin - Reg. of Deeds
David Volk - County Com.

Sioux County, ND Fort Yates
Selridge ND 58568 ^{HCR1} BOX 12

Christi Iron Eyes
Brenda Peth Bear

Fort Yates ND 58538
Cannon Ball, ND, 58538

Genev Jochim

Fort Yates ND 58538

Shelly Hepper

Selridge ND 58568

Melodie Fode

9459 Kennel Rd, Fort Yates, ND 58538

Maureen Haezel

PO Box 613 - Ft Yates, ND 58538

George G. Gaud

Sioux Co. Box 758 Ft Yates ND

Linda Hugelien

Sioux Co. Box 458, Fort Yates, ND

Mike M. Nelson

7758 Hwy 24 Cannonball ND

We the undersigned, reside in Sioux County. We support House Bill 1226 and ask the Committee of Political Subdivisions for a favorable vote.

NAME	ADDRESS	DATE
Danny Bauer	Selfridge N.D. 7950 32nd Ave	1-17-99
Jay Bauer	Selfridge V.D. 7950 32nd Ave.	1-17-99
Kathryn Froelich	8710 Hwy. 6 Selfridge, ND 58568	1-17-99
Lance Froelich	8710 Hwy 6 Selfridge, ND 58568	1-17-99

Sioux Co.

Rod Froelich

We recommend a deposit
on house bill 1226 which
allows a county to crossstate
line for an official newspaper

Donald Schaeffer
Jerald K Schaeffer
Constance Schaeffer
Jeffrey Schaeffer
Clay Schaeffer
Karen Schaeffer

