

HOUSE CONCURRENT RESOLUTIONS

CHAPTER 576

HOUSE CONCURRENT RESOLUTION NO. 3001

(Legislative Council)
(Budget Committee on Government Finance)

DISTRICT COURT CLERK FUNDING STUDY

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

WHEREAS, the people of this state approved a new judicial article of the Constitution of North Dakota in 1976 establishing a unified judicial system consisting of a Supreme Court, a district court, and such other courts as may be provided by law; and

WHEREAS, subsequent initial efforts resulted in substantial unification of the judicial system through consolidation of county courts by the 1981 Legislative Assembly; and

WHEREAS, the 1991 Legislative Assembly considered further unification of the judicial system, enacting bills that provided a transitional process for establishing a single trial court of general jurisdiction by abolishing county courts and providing for additional district court judgeships but providing for the reduction in the total number of judges from 53 to 42 before January 2, 2001; and

WHEREAS, the 1989 Legislative Assembly enacted North Dakota Century Code Section 11-17-11, which provides a county option to transfer responsibility for funding the office of the clerk of district court to the state; and

WHEREAS, although this option provides a method of alleviating the cost to the counties of supporting district court functions, appropriations have not been provided to fund this option; and

WHEREAS, the feasibility and desirability of state funding of the office of the clerk of district court should be studied to assure that any changes made will benefit the citizens of the state and will serve the interests of the judicial system;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Legislative Council study the feasibility and desirability of funding the office of the clerk of district court through the unified judicial system; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Fifty-sixth Legislative Assembly.

Filed March 19, 1997

CHAPTER 577**HOUSE CONCURRENT RESOLUTION NO. 3002**

(Legislative Council)
(Budget Committee on Government Finance)

STATE INVESTMENT STUDY

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

WHEREAS, it is beneficial for the state to realize maximum investment returns while minimizing investment risks; and

WHEREAS, the State Investment Board oversees the investment of the fire and tornado fund, which totaled \$16.1 million as of June 30, 1996, and the state bonding fund, which totaled \$3.7 million as of June 30, 1996, along with many other statutory and contracted funds totaling over \$2 billion; and

WHEREAS, the fire and tornado fund and the state bonding fund earned one-year annualized returns as of the June 30, 1996, of 6.45 percent and 6.98 percent, respectively, while other funds administered by the State Investment Board earned one-year annualized returns as of June 30, 1996, ranging from 5.63 percent to 24.7 percent; and

WHEREAS, the mission of the State Investment Board is to prudently invest assets entrusted to it in the best financial interests of each fund's beneficiaries; and

WHEREAS, the objectives of the Retirement and Investment Office include providing the greatest possible long-term benefits by maximizing the total rate of return on investments or maintaining the desired minimum balance in a fund, within prudent risk parameters and appropriate liquidity restraints; and

WHEREAS, the adequacy of the funds is dependent on the investment performance of the funds;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Legislative Council study the state's investment process as it relates to the state bonding fund and the fire and tornado fund and to monitor the performance of all investments of the State Investment Board and the Board of University and School Lands; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Fifty-sixth Legislative Assembly.

Filed March 11, 1997

CHAPTER 578

HOUSE CONCURRENT RESOLUTION NO. 3003

(Legislative Council)

(Budget Committee on Home and Community Care)

LONG-TERM CARE BED CONVERSION STUDY

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

WHEREAS, the Task Force on Long-Term Care Planning has declared that sufficient institutional capacity exists to meet the needs of the Alzheimer's and related dementia population; and

WHEREAS, the task force recommends that existing institutional service capacity be tailored to meet the needs of the Alzheimer's and related dementia population; and

WHEREAS, case management for older adults and persons with disabilities in the state is provided to a limited number of individuals through a variety of private and public agencies resulting in confusion for many individuals and their families who must work with a maze of different agencies located in several different locations in the community; and

WHEREAS, an expanded case management system would allow individuals in need of long-term care to access services through a single entry point that provides "one-stop" accessibility for those individuals and their families; and

WHEREAS, the Legislative Council, based upon a recommendation by the interim Budget Committee on Home and Community Care, has recommended to the Legislative Assembly the development of pilot projects by the Department of Human Services related to the conversion of existing bed capacity for use by the Alzheimer's and related dementia population and to the testing of an expanded case management system;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Legislative Council monitor the implementation of the projects developed by the Department of Human Services related to the conversion of existing nursing facility or basic care capacity for use by the Alzheimer's and related dementia population and the implementation of an expanded case management system for elderly persons and disabled persons; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Fifty-sixth Legislative Assembly.

Filed February 7, 1997

CHAPTER 579

HOUSE CONCURRENT RESOLUTION NO. 3004

(Legislative Council)

(Budget Committee on Home and Community Care)

ELDERLY AND DISABLED SERVICES STUDY

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

WHEREAS, during the 1995-96 interim the Department of Human Services and the Department of Health formed a Task Force on Long-Term Care Planning and presented recommendations to the Legislative Council's Budget Committee on Home and Community Care and the Insurance and Health Care Committee; and

WHEREAS, in the area of long-term care service inventory, distribution, and alternatives, the Budget Committee on Home and Community Care recommended statutory changes relating to the moratorium on long-term care beds and allowing pilot projects for the conversion of existing long-term care beds for use by the Alzheimer's and related dementia population; and

WHEREAS, the availability of qualified service providers in rural areas may be limited, potential providers may lack the skills necessary to meet required competency standards, and training opportunities are limited, which may require the rural elderly and disabled to choose between relocating to access services or going without necessary services; and

WHEREAS, expanded training of qualified service providers could enhance the availability and improve the quality of home and community-based services; and

WHEREAS, the State Hospital is reviewing the adequacy of geropsychiatric care and developing a plan to provide outreach support for nursing homes in need of intervention services for this special population and the State Hospital may need to provide inpatient geropsychiatric care; and

WHEREAS, a combining of service reimbursement payment sources could provide increased flexibility or portability of service payments to allow payments to flow to a broadened array of service options for the elderly and disabled;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Legislative Council study the means of expanding elderly and disabled service availability, options for training additional qualified service providers, adequacy of geropsychiatric services, and the feasibility of combining service reimbursement payment sources to allow payments to flow to a broadened array of elderly and disabled services options; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Fifty-sixth Legislative Assembly.

Filed February 7, 1997

CHAPTER 580**HOUSE CONCURRENT RESOLUTION NO. 3005**

(Legislative Council)

(Budget Committee on Home and Community Care)

NATIVE AMERICAN LONG-TERM CARE STUDY

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

WHEREAS, during the 1995-96 interim the Department of Human Services and the Department of Health formed a Task Force on Long-Term Care Planning and presented recommendations to the Legislative Council's Budget Committee on Home and Community Care and Insurance and Health Care Committee; and

WHEREAS, in the area of long-term care service inventory, distribution, and alternatives, it was reported long-term care services within North Dakota Native American service areas and reservations vary widely, ranging from a nontribe owned and operated nursing facility to unlicensed facilities and home-based care provided under several entitlement programs; and

WHEREAS, coordination and application of various Native American long-term care programs and service components are directed by tribal policy and organizational structure; and

WHEREAS, some states, including the state of Washington, have specially targeted service programs for residents of reservations and case management has been employed to coordinate the care arrangement and delivery; and

WHEREAS, various noninstitutional care components appear to be available on reservations, but service arrangement and delivery may not be adequately coordinated and case management services for elderly reservation residents, if available, could result in a significant increase in the effectiveness of service delivery for that population;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Legislative Council study Native American long-term care and case management needs and access to appropriate services and the functional relationship between state service units and the Native American reservation service systems; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Fifty-sixth Legislative Assembly.

Filed February 7, 1997

CHAPTER 581**HOUSE CONCURRENT RESOLUTION NO. 3006**

(Legislative Council)

(Budget Committee on Home and Community Care)

LONG-TERM CARE FINANCING STUDY

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

WHEREAS, during the 1995-96 interim the Department of Human Services and the Department of Health formed a Task Force on Long-Term Care Planning and presented recommendations to the Legislative Council's Budget Committee on Home and Community Care and the Insurance and Health Care Committee regarding long-term care financing; and

WHEREAS, the Budget Committee on Home and Community Care supports the long-range goals of reducing the number of long-term care beds in North Dakota and of providing incentives to deliver alternative home and community-based services; and

WHEREAS, the current long-term care payment system should be reviewed to determine if some categories of nursing home residents could receive services in alternative, less costly settings; and

WHEREAS, a managed care program for long-term care services could result in the development of alternative care in a cost-efficient manner; and

WHEREAS, financial, regulatory, and other impediments may exist that prevent the development of alternative services to long-term care;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Legislative Council study nursing facility and other residential care systems to determine the changes necessary to assist in the development of alternative services, the financial incentives necessary to encourage nursing facilities to reduce the number of beds and to develop alternative services, if some categories of long-term care residents could receive services in alternative, less costly settings and any related cost savings, and the feasibility of a managed care system for long-term care services; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Fifty-sixth Legislative Assembly.

Filed March 3, 1997

CHAPTER 582**HOUSE CONCURRENT RESOLUTION NO. 3007**

(Appropriations Committee)

BLOCK GRANT HEARINGS

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

WHEREAS, the Congress of the United States enacted the Omnibus Budget Reconciliation Act of 1981 on July 29, 1981, thus creating several categories of "block" grant programs; and

WHEREAS, legislatures of the states are required to conduct public hearings; and

WHEREAS, the public hearing requirements for block grant moneys expected for the next biennium by the Office of Management and Budget have been met by the Appropriations Committees; and

WHEREAS, the Fifty-fifth Legislative Assembly cannot hold public hearings on revisions to current block grants or additional block grants that may be approved by Congress after the recess or adjournment of the Legislative Assembly; and

WHEREAS, the Legislative Assembly will not meet in regular session during 1998 and thus its public hearing responsibility for grants not approved by the Fifty-fifth Legislative Assembly must be delegated to a legislative entity;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the appropriation bill for the Office of Management and Budget, as it is passed by this Legislative Assembly, is the Legislative Assembly's approval and contains directions on the use of block grant moneys for the period ending September 30, 1999; and

BE IT FURTHER RESOLVED, that the Budget Section of the Legislative Council may hold the public legislative hearings required for the receipt of block grant or other federal moneys under the Omnibus Budget Reconciliation Act of 1981 or other relevant federal statutes; and

BE IT FURTHER RESOLVED, that the Budget Section authority granted by this resolution is in effect during the period from the recess or adjournment of the Fifty-fifth Legislative Assembly through September 30, 1999, and the Budget Section shall utilize the methods and procedures for holding the hearings authorized by this resolution and giving notice of those hearings as it deems appropriate.

Filed February 7, 1997

CHAPTER 583**HOUSE CONCURRENT RESOLUTION NO. 3008**

(Representative Sveen)

EMERGENCY MEDICAL SERVICES STUDY

A concurrent resolution directing the Legislative Council to study the emergency medical services system to ensure the continued viability of this state's rural emergency medical services.

WHEREAS, it is a legislative responsibility to review existing laws to ensure that they address the problems they are intended to rectify; and

WHEREAS, North Dakota Century Code Section 23-27-04.3 directs the State Health Council to adopt rules prescribing minimum training, testing, and certification standards for prehospital emergency medical services personnel; and

WHEREAS, the Department of Health has adopted emergency medical services personnel training, testing, and certification rules as North Dakota Administrative Code Chapter 33-36-01; and

WHEREAS, rural communities in the state rely on volunteers to fulfill prehospital emergency medical services needs; and

WHEREAS, many rural communities are experiencing difficulties in recruiting prehospital emergency medical services personnel who meet the requirements of the rules adopted by the State Health Council;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Legislative Council study the emergency medical services system to ensure the continued viability of this state's rural emergency medical services; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Fifty-sixth Legislative Assembly.

Filed March 4, 1997

CHAPTER 584**HOUSE CONCURRENT RESOLUTION NO. 3012**
(Representatives Skarphol, Rennerfeldt, Torgerson, Byerly)
(Senator Andrist)**ROBERT W. PETERSON COMMENDED**

A concurrent resolution commending Robert W. Peterson on 30 years of service to the State of North Dakota.

WHEREAS, Robert W. Peterson was a member of the House of Representatives for six years and was State Auditor for 24 consecutive years; and

WHEREAS, Robert W. Peterson has received national recognition as a member of the National Association of State Auditors, Treasurers, and Comptrollers; the National Association of State Auditors; the Mountain and Plains Audit Forum; the National Auditor Training Committee; the Institute of Internal Auditors; and the Advisory Committee to the Secretary of the Interior; and

WHEREAS, Robert W. Peterson has served his profession and community well, having served on the Northern Lights Boy Scout Council, the Rotary District Council of Governors, the North Dakota Consensus Council, Inc., and the Evangelical Lutheran Church in America Western North Dakota Synod Council; and

WHEREAS, citizens of the State of North Dakota are indebted to Robert W. Peterson for his 30 years of dedication and professionalism;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Fifty-fifth Legislative Assembly commends Robert W. Peterson upon the achievement of 30 years of dedicated service to the State of North Dakota; and

BE IT FURTHER RESOLVED, that the Secretary of State present an enrolled copy of this resolution to Robert W. Peterson.

Filed April 1, 1997

CHAPTER 585**HOUSE CONCURRENT RESOLUTION NO. 3014**

(Representatives Martin, Wentz, Jensen)
(Senators Robinson, St. Aubyn)

**PARENTAL CUSTODY RELINQUISHMENT
EXCEPTION URGED**

A concurrent resolution urging Congress to enact legislation to allow an exception to the requirement that parents relinquish custody in order to receive out-of-home treatment services for children with serious emotional disorders.

WHEREAS, parents of children with serious emotional disorders often require access to public funds in order to obtain out-of-home mental health treatment services for their children with serious emotional disorders; and

WHEREAS, the primary source of federal funding for out-of-home services for children is under the federal foster care program; and

WHEREAS, the Adoption Assistance Child Welfare Act of 1980 [Pub. L. 96-272], providing for the federal foster care program, requires that in order to receive foster care maintenance payments, the child must be removed from the home as a result of a judicial determination, the child's placement and care must be the responsibility of a state agency or other public agency, and the child must be placed in a foster home or a child care institution; and

WHEREAS, in order to obtain funds for out-of-home mental health services for their children, many parents relinquish custody in order to have their children receive the needed services under the foster care program; and

WHEREAS, after custody is relinquished, parents have minimal involvement in decisions made by the public agencies which affect their children;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Fifty-fifth Legislative Assembly urges the Congress of the United States to consider changes to the federal foster care program to allow an exception to the requirement that parents relinquish custody in order to receive out-of-home treatment services for children with serious emotional disorders; and

BE IT FURTHER RESOLVED, that the Secretary of State forward copies of this resolution to each member of the North Dakota Congressional Delegation.

Filed March 6, 1997

CHAPTER 586**HOUSE CONCURRENT RESOLUTION NO. 3015**

(Representatives Drovdal, Kempenich, Warner)
(Senator Bowman)

FOUR BEARS BRIDGE FUNDING URGED

A concurrent resolution urging Congress to provide funds to replace the Four Bears Bridge.

WHEREAS, in 1944 Congress enacted the Flood Control Act of 1944 [the Pick-Sloan Act], which authorized the construction of various dams on the Missouri River, including the Garrison Dam project, for the benefit of citizens of many states for the provision of inexpensive electricity, flood control, water supply, and recreational opportunities; and

WHEREAS, as a result of the Garrison Dam, Lake Sakakawea was created on the Missouri River which caused areas of North Dakota and the Fort Berthold Indian Reservation which were previously closely connected by land to be separated by long expanses of water; and

WHEREAS, a vital link in North Dakota's system of highways are bridges crossing the Missouri River, including the Four Bears Bridge constructed in 1952 by the United States Army Corps of Engineers, located near the city of New Town on State Highway 23 connecting United States Highways 83 and 85 and traveling through the Fort Berthold Indian Reservation; and

WHEREAS, the Four Bears Bridge is the only bridge across the Missouri River for 190 miles of the river with the next two closest crossings being a bridge 90 highway miles to the north and Garrison Dam 100 highway miles to the south; and

WHEREAS, the Four Bears Bridge provides a vital link for the entire state as well as many rural communities in northwest North Dakota, including access links to businesses, farms, schools, and other educational facilities, health facilities, government offices, and ambulance, police, and fire protection services which are integral to the health, safety, and well-being of the citizens living in this area; and

WHEREAS, at the time of the completion of the Four Bears Bridge by the Corps of Engineers, it was obsolete based on the bridge construction standards of that time, and presently is even more hazardous because of the narrow width of its driving surface; and

WHEREAS, the North Dakota Department of Transportation is required to maintain and repair the Four Bears Bridge and will be required to spend at least \$8,000,000 in major renovation and repairs to keep it in a safe and usable condition for the foreseeable future if the bridge is not replaced; and

WHEREAS, the North Dakota Department of Transportation has determined that instead of costly repair and maintenance of an already obsolete bridge, the bridge should be replaced at an estimated cost of \$42,000,000; and

WHEREAS, the State of North Dakota has examined the many funding options but simply does not have adequate funds to either provide major maintenance for the bridge or to construct a new bridge without jeopardizing the maintenance needs and safety of other bridges in North Dakota;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Fifty-fifth Legislative Assembly urges the Congress of the United States to take whatever actions and make available appropriate funds as are necessary to replace the Four Bears Bridge in recognition of the continued federal responsibility for the Garrison Dam project; and

BE IT FURTHER RESOLVED, that the Fifty-fifth Legislative Assembly also requests the assistance and advocacy of all federal agencies responsible for or having an interest in the construction, maintenance, and replacement of the Four Bears Bridge to take all action necessary to solve the urgent problem of the replacement of the Four Bears Bridge.

Filed April 1, 1997

CHAPTER 587**HOUSE CONCURRENT RESOLUTION NO. 3017**

(Representatives Belter, Grande)
(Senator Christmann)

**BALANCED BUDGET CONSTITUTIONAL
AMENDMENT URGED**

A concurrent resolution urging the Congress of the United States to consider an amendment to the United States Constitution to require a balanced federal budget.

WHEREAS, the national debt of the United States is over \$5,000,000,000,000 and the estimated share of the debt for each United States citizen is approximately \$20,000; and

WHEREAS, the national debt is increasing an average of over \$700,000,000 each day; and

WHEREAS, the accumulated debt of the United States represents a significant financial burden for future generations;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Fifty-fifth Legislative Assembly urges the Congress of the United States to consider an amendment to the United States Constitution to require a balanced federal budget; and

BE IT FURTHER RESOLVED, that the Secretary of State forward copies of this resolution to the members of the North Dakota Congressional Delegation and to the chairman of the United States Senate and House of Representatives Committees on Judiciary.

Filed March 19, 1997

CHAPTER 588**HOUSE CONCURRENT RESOLUTION NO. 3018**

(Representatives Kempenich, Byerly, Drovdal)
(Senator Bowman)

HIGHWAY 85 WALKWAY FUNDING URGED

A concurrent resolution urging Congress to provide funds to widen and provide an attached walkway to the bridge over the Burlington Northern tracks on United States Highway 85 north of Bowman, North Dakota.

WHEREAS, United States Highway 85 is the International Can-Am Highway; and

WHEREAS, this highway is regularly used by the oil and agriculture industries; and

WHEREAS, the three-span steel girder bridge on United States Highway 85 over the railroad tracks north of Bowman was constructed in 1939, is 166 feet in length, and is only 24 feet wide from curb to curb; and

WHEREAS, the traffic over the bridge was approximately 1,000 vehicles per day in 1989 and has increased to approximately 1,125 vehicles per day in 1995; and

WHEREAS, expanding the clear deck width curb to curb to 32 feet by using the pedestrian sidewalk that is on the east side of the bridge would increase the safety for the motoring public; and

WHEREAS, a separate walkway attached to the bridge would provide a safe path for children to attend school and recreational activities;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Fifty-fifth Legislative Assembly urges the Congress of the United States to provide funds to widen and provide an attached walkway to the bridge over the Burlington Northern tracks on United States Highway 85 north of Bowman, North Dakota; and

BE IT FURTHER RESOLVED, that the Secretary of State forward copies of this resolution to the Secretary of the Department of Transportation and to each member of the North Dakota Congressional Delegation.

Filed March 19, 1997

CHAPTER 589**HOUSE CONCURRENT RESOLUTION NO. 3019**

(Representatives Poolman, Dorso)

REPUBLIC OF CHINA RELATIONSHIP RECOGNIZED

A concurrent resolution recognizing North Dakota's commercial relationship with the people of the Republic of China on Taiwan and the record of the Republic of China concerning democratization at home and humanitarian service abroad.

WHEREAS, the people of this state enjoy a relationship with the province of Taiwan, Republic of China; and

WHEREAS, this state has benefited from growing commercial interaction with the Republic of China on Taiwan; and

WHEREAS, a democratic multiparty political system has been smoothly established by the Republic of China on Taiwan; and

WHEREAS, the role of the Republic of China on Taiwan in international development programs and humanitarian relief operations has expanded significantly during the past decade; and

WHEREAS, based on the principle of universality and in accordance with the established pattern of parallel representation by divided countries in the United Nations, 15 countries have proposed to the Secretary General of the United Nations that a supplemental item be included in the provisional agenda of the 50th General Assembly session of the United Nations to consider the exceptional situation of the Republic of China on Taiwan in the international community;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That North Dakota's commercial relationship with the people of the Republic of China on Taiwan and the record of the Republic of China concerning democratization at home, and humanitarian service abroad be accorded appropriate recognition by the people of this state; and

BE IT FURTHER RESOLVED, that due consideration should be given by the United States to the readiness of the Republic of China on Taiwan to further contribute to and participate broadly in the international community; and

BE IT FURTHER RESOLVED, that the Secretary of State forward copies of this resolution to the Governor, each member of the North Dakota Congressional Delegation, the United States Trade Representative, and the North Dakota International Trade program director.

Filed April 2, 1997

CHAPTER 590**HOUSE CONCURRENT RESOLUTION NO. 3020**

(Representatives Kempenich, Nelson, Weisz)
(Senators Christmann, Fischer, Robinson)

AIRLINE SERVICE STUDY

A concurrent resolution directing the Legislative Council to study airline service in this state.

WHEREAS, adequate interstate and international air service is critical to the economic future of this state; and

WHEREAS, the present system of sometimes having only one airline carrier removes the competitive forces that keep ticket prices low and the level of service high; and

WHEREAS, the present airfare structure and scheduling of arrivals and departures place North Dakota citizens and businesses at a comparative economic disadvantage to businesses in other states; and

WHEREAS, attraction and retention of major air carriers has been a persistent and reoccurring problem;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Legislative Council study the airfare service in this state; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Fifty-sixth Legislative Assembly; and

BE IT FURTHER RESOLVED, that the Legislative Council provide a copy of its findings and recommendations to the Secretary of the Department of Transportation and to each member of the North Dakota Congressional Delegation.

Filed March 19, 1997

CHAPTER 591

HOUSE CONCURRENT RESOLUTION NO. 3025

(Representatives Skarphol, Dorso, Carlson, Wald)
(Senators G. Nelson, Grindberg)

UNEMPLOYMENT COMPENSATION DEVOLVEMENT URGED

A concurrent resolution urging Congress to take steps to devolve the unemployment compensation program back to the states.

WHEREAS, the unemployment compensation system was created with the dual goals of helping to reduce economic hardship for unemployed workers and stabilizing the economy during recessions; and

WHEREAS, to accomplish these goals, the unemployment compensation system consists of unemployment insurance and a system of Job Service offices; and

WHEREAS, the unemployment compensation system is funded by a two-tiered system of taxation with a state payroll tax averaging about .9 percent of total wages and a federal payroll tax known as the Federal Unemployment Tax Act tax that is .6 percent of the first \$7,000 of wages, with a surtax of .2 percent; and

WHEREAS, the surtax was first implemented in 1977 to restore solvency and integrity to the unemployment compensation system; and

WHEREAS, Congress has extended the surtax four times since 1987 despite the fact the unemployment compensation system has generated large surpluses each year; and

WHEREAS, the surtax alone generated approximately \$1,400,000,000 in 1995 and is due to expire in 1998; and

WHEREAS, Congress and the administration have shown signs of making the temporary surtax indefinite; and

WHEREAS, the administration has budgeted to extend the surtax at least through the year 2006; and

WHEREAS, the Congressional Budget Office has estimated if the .2 percent surtax is eliminated, the savings to business would stimulate added job growth, resulting in increased tax revenues of almost \$900,000,000 between 1996 and 2000; and

WHEREAS, of the payroll tax revenue collected through the unemployment compensation system and maintained by the federal government, the federal government maintains 53 separate accounts for state payroll taxes and three separate accounts for Federal Unemployment Tax Act taxes; and

WHEREAS, 80 percent of the tax is supposed to be returned to the states to administer the unemployment compensation program and 20 percent is dedicated to the extended benefits account designed to provide long-term benefits in case of

severe economic hardships, and once these accounts reach their statutory ceiling the money is placed into the loan account for loans to state unemployment compensation systems in financial trouble; and

WHEREAS, the accounts maintained by the federal government have accumulated large surpluses that are being used to offset the federal deficit rather than return unemployed workers to work; and

WHEREAS, at the end of fiscal year 1995, state accounts had balances totaling \$35,900,000,000 and the three federal accounts had balances totaling \$11,900,000,000; and

WHEREAS, states only receive an average of 60 percent of the money from the federal government that is supposed to be dedicated to funding the administration of the unemployment compensation system and the other 40 percent is consumed by federal activities including demonstration programs and federal bureaucracy; and

WHEREAS, filing reports complying with the unemployment compensation system's dual taxation system costs employers almost \$500,000,000 a year; and

WHEREAS, if states were allowed to fully administer their own unemployment compensation systems, duration of unemployment could be decreased, payroll taxes could be decreased, and employment could be significantly increased;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Fifty-fifth Legislative Assembly urges the Congress of the United States to take steps to devolve the unemployment compensation program back to the states in order to maintain integrity in the system and accomplish the goals the unemployment compensation system was designed to achieve; and

BE IT FURTHER RESOLVED, that the Secretary of State send a copy of this resolution to each member of Congress.

Filed April 1, 1997

CHAPTER 592**HOUSE CONCURRENT RESOLUTION NO. 3026**

(Representatives Kempenich, Drovdal, Poolman)
(Senators Grindberg, Holmberg)

DE MORES ABATTOIR PROJECT SUPPORT

A concurrent resolution supporting the de Mores Abattoir Project, the Center for the American West, located in Chimney Park in Medora, North Dakota.

WHEREAS, Medora has developed into a major asset and tourist attraction for North Dakota; and

WHEREAS, the de Mores Abattoir Project will increase the tourism industry and further economic development in North Dakota; and

WHEREAS, the Theodore Roosevelt Medora Foundation has agreed to raise funds for the cost of the project; and

WHEREAS, the property owned by the state of North Dakota will include retail shops, a giant screen theater, museums, and the Chateau Interpretive Center, resulting in an ongoing investment return to the state;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Fifty-fifth Legislative Assembly supports the de Mores Abattoir Project, the Center for the American West, located in Chimney Park in Medora, North Dakota.

Filed April 2, 1997

CHAPTER 593**HOUSE CONCURRENT RESOLUTION NO. 3028**

(Representatives Kempenich, Axtman, Klein)
(Senator Naaden)

COMMERCE DEPARTMENT STUDY

A concurrent resolution directing the Legislative Council to study the feasibility and desirability of establishing a state department of commerce.

WHEREAS, numerous state agencies and officials, including the Public Service Commission, the Secretary of State, the Labor Commissioner, occupational and professional licensing boards, and the Department of Economic Development and Finance, are responsible for licensing functions and economic development functions in the state; and

WHEREAS, the consolidation of various licensing, regulatory, and economic development functions into one agency may be beneficial with respect to promoting economic development activities and allowing individuals and businesses to access licensing, regulatory, and economic development information through one agency; and

WHEREAS, a comprehensive study of establishing a state department of commerce is needed to determine its feasibility and desirability, and if feasible and desirable, to determine whether such a department should be under the authority of an elected or appointed official and to determine the proper structure and administration of such a department;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Legislative Council study the feasibility and desirability of establishing a state department of commerce; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Fifty-sixth Legislative Assembly.

Filed March 19, 1997

CHAPTER 594**HOUSE CONCURRENT RESOLUTION NO. 3029**

(Representatives Coats, Christenson, Gorder, Sveen)
(Senators Cook, Robinson)

VETERANS' BRAVERY ACKNOWLEDGED

A concurrent resolution acknowledging the service and sacrifice of the brave Americans, including North Dakotans, who contributed to the historic victory of freedom and democracy over tyranny and oppression.

WHEREAS, the United States was beset with the threat of attack and war from the former Soviet Union virtually from the day that World War II ended in Europe; and

WHEREAS, this constant threat required the United States to maintain a strong military presence around the world for over 45 years; and

WHEREAS, hundreds of thousands of America's men and women, including thousands of North Dakotans, answered the need by serving in the military, many of them as draftees, because of the former Soviet Union's threat that they would "bury" us; and

WHEREAS, this constant vigil led to the downfall of the Soviet Union, without a nuclear holocaust, in August 1991, and the rebirth of several democratic states within the former Union of Soviet Socialist Republics; and

WHEREAS, proper recognition has never been given these brave service persons who maintained the military presence of the United States around the world;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Legislative Assembly acknowledge the service and sacrifice of the brave Americans, including North Dakotans who contributed to the historic victory of freedom and democracy over tyranny and oppression; and

BE IT FURTHER RESOLVED, that the Secretary of State send a copy of this resolution to the adjutant of the North Dakota departments of the American Legion; the AMVETS - American Veterans of World War II, Korea, and Vietnam; the Disabled American Veterans; the Ex-POW Association; the International War Veterans Alliance; and the Veterans of Foreign Wars.

Filed March 19, 1997

CHAPTER 595**HOUSE CONCURRENT RESOLUTION NO. 3030**

(Representatives Svedjan, Stenehjem, R. Kelsch, Glassheim, Price)

PUBLIC HEALTH PLANNING STUDY

A concurrent resolution directing the Legislative Council to study the development of a strategic planning process for the future of public health in this state.

WHEREAS, the well-being of the residents of this state relies on a strong, effective, and efficient health care system; and

WHEREAS, health care costs are a concern of the Legislative Assembly and the residents of this state; and

WHEREAS, public health has played a significant role in the improvement of the health status of North Dakotans; and

WHEREAS, it is necessary to transform and strengthen public health in order to respond to the challenges of the 21st century; and

WHEREAS, the Governor of this state has encouraged strategic planning for the future of public health in this state; and

WHEREAS, this strategic plan should include local public health departments, health care providers, academic institutions, and the public in order to construct a coordinated approach for promoting long-term health and wellness in the residents of this state;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Legislative Council study the development of a strategic planning process for the future of public health in this state, and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Fifty-sixth Legislative Assembly.

Filed March 18, 1997

CHAPTER 596**HOUSE CONCURRENT RESOLUTION NO. 3031**

(Representatives Drovdal, Delmore, Kempenich)
(Senators Krauter, Urlacher)

CHILD SUPPORT STUDY

A concurrent resolution directing the Legislative Council to study the issues of fairness and equity as they relate to child support guidelines and the issuance and enforcement of child custody and visitation orders.

WHEREAS, approximately 70 percent of the caseload of North Dakota courts involves issues related to family law, including divorce, custody, visitation, and child support as well as modifications to custody, visitation, and child support orders; and

WHEREAS, every child has a right to be guided, nurtured, and supported emotionally, physically, and financially by both parents regardless of the parents' marital status; and

WHEREAS, North Dakota law provides that for the purposes of determining custody, there is no presumption as to which parent will better promote the best interests of the child; and

WHEREAS, North Dakota law provides that each parent has a mutual duty to support a child of the parents; and

WHEREAS, concerns have been expressed that there are inequities in the enforcement of child custody and visitation orders and in the child support guidelines as they relate to persons who are obligors;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Legislative Council study the issues of fairness and equity as they relate to child support guidelines and the issuance and enforcement of child custody and visitation orders; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Fifty-sixth Legislative Assembly.

Filed March 28, 1997

CHAPTER 597**HOUSE CONCURRENT RESOLUTION NO. 3032**

(Representatives Maragos, Svedjan, Price)
(Senators Kelsh, Nalewaja)

SOCIAL SERVICES STUDY

A concurrent resolution directing the Legislative Council to study the responsibilities of county social services as they are distinguished from the responsibilities of regional human service centers and the Department of Human Services when providing services to children and their families and persons with disabilities, including the elderly.

WHEREAS, North Dakota Century Code Chapter 50-06 establishes the Department of Human Services and its various components as the agency responsible for administering programs for children and families, persons with developmental disabilities, crippled children, aging services, mental health services, and alcohol and drug services; and

WHEREAS, Section 50-06-05.18 directs the Department of Human Services to direct and supervise county social service board activities as may be financed with funds distributed by the department; and

WHEREAS, Section 50-06-05 directs the Department of Human Services to carry out various human service programs and regulatory functions which the department has delegated to county social service agencies; and

WHEREAS, each program or function delegated to county agencies has a unique method for assuring compliance with the department's wishes; and

WHEREAS, the role of county government in this delivery system is often open to administrative interpretation and may vary from region to region and county to county; and

WHEREAS, during the 1995-96 interim the Legislative Council's Budget Committee on Human Services undertook a similar study of economic assistance programs which has led to proposals for significant changes in these programs; and

WHEREAS, the 1995-96 interim Budget Committee on Human Services had intended to include social services provided to children and families and persons with disabilities, including the elderly, but was unable to complete the work within the time available;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Legislative Council study the responsibilities of county social services as they are distinguished from the responsibilities of regional human service centers and the Department of Human Services when providing services to children and their families and person with disabilities, including the elderly; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Fifty-sixth Legislative Assembly.

Filed March 18, 1997

CHAPTER 598**HOUSE CONCURRENT RESOLUTION NO. 3033**

(Representatives Callahan, Sveen, Price, Warner)
(Senator DeMers)

MANAGED HEALTH CARE STUDY

A concurrent resolution directing the Legislative Council to study the effects of managed health care on the future viability of the health care delivery system in rural North Dakota.

WHEREAS, the health care delivery system in rural North Dakota has been under increasing economic pressure for several years; and

WHEREAS, the system of health care financing is undergoing fundamental changes that may further adversely affect rural health care providers; and

WHEREAS, many rural areas have had a longstanding difficulty in recruiting and retaining health care personnel; and

WHEREAS, the continued viability of the health care delivery system in rural North Dakota is a necessary condition for economic development;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Legislative Council study the effects of managed health care on the future viability of the health care delivery system in rural North Dakota; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Fifty-sixth Legislative Assembly.

Filed March 18, 1997

CHAPTER 599**HOUSE CONCURRENT RESOLUTION NO. 3034**

(Representatives Sandvig, Weisz, Callahan)
(Senators Krauter, Nalewaja, Thane)

DIVORCE IMPACT ON CHILDREN STUDY

A concurrent resolution directing the Legislative Council to study the impact of divorce on children and issues of equity and fairness as they relate to custody determinations, visitation orders, and child support obligations.

WHEREAS, 65 percent of the 1.2 million divorces in 1995 in the United States involved couples with minor children; and

WHEREAS, children of divorced parents are more likely to drop out of school, to have out-of-wedlock births, and to get divorced themselves than children from intact families; and

WHEREAS, a child has a right to be supported emotionally, physically, and financially by both parents regardless of the parents' marital status; and

WHEREAS, frequent and continuing access by a child to both parents after the divorce should be encouraged; and

WHEREAS, concerns have been expressed that there are inequities in the enforcement of visitation orders for noncustodial parents and in the child support guidelines as they relate to parents who are obligors;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Legislative Council study the impact of divorce on children and issues of equity and fairness as they relate to custody determinations, visitation orders, and child support obligations; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Fifty-sixth Legislative Assembly.

Filed April 2, 1997

CHAPTER 600**HOUSE CONCURRENT RESOLUTION NO. 3035**

(Representatives Grande, Christenson)

TEACHER PROFESSIONAL PRACTICES STUDY

A concurrent resolution directing the Legislative Council to study the criteria and the manner in which the criteria is applied by the Education Standards and Practices Board in certifying teachers, in approving teacher preparation programs, and in developing a professional code of ethics, conduct, and performance.

WHEREAS, the Education Standards and Practices Board is charged, by statute, with determining the criteria for and supervising the certification of teachers; and

WHEREAS, the Education Standards and Practices Board is charged, by statute, with setting standards for and approving teacher preparation programs; and

WHEREAS, the Education Standards and Practices Board is charged, by statute, with developing and revising professional codes or standards relating to the ethics, conduct, and performance of teachers; and

WHEREAS, the Education Standards and Practices Board is charged, by statute, with providing recommendations for teacher inservice education; and

WHEREAS, the citizens of this state have a vested interest in ensuring that our teachers are well educated and well prepared for the challenges of the classroom, that the background of persons seeking to be certified and currently serving as certified teachers in this state are thoroughly examined, and that our certification standards are equitably applied to all persons who wish to teach in this state;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Legislative Council study the criteria and the manner in which the criteria is applied by the Education Standards and Practices Board in certifying teachers, in approving teacher preparation programs, and in developing a professional code of ethics, conduct, and performance; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Fifty-sixth Legislative Assembly.

Filed March 19, 1997

CHAPTER 601**HOUSE CONCURRENT RESOLUTION NO. 3036**

(Representatives Drovdal, Carlson)
(Senators Mathern, W. Stenehjem, Redlin)

LELAND STENEHJEM, JR., COMMENDED

A concurrent resolution commending Leland Stenehjem, Jr., upon his election as President of the Independent Bankers Association of America.

WHEREAS, Leland Stenehjem, Jr., was elected last March and is now serving as President of the Independent Bankers Association of America, a national banking association made up of over 3,000 member banks serving the communities where independent community banks operate throughout the country; and

WHEREAS, Leland Stenehjem, Jr., joined his late father, Leland Stenehjem, Sr., his mother Judy Stenehjem, and his brother, Steven Stenehjem, in a family banking business which was started as the Farmers State Bank in Arnegard, North Dakota, in 1910 by his grandfather and which was moved to Watford City in the 1930s and renamed First International Bank and Trust, and was the only bank in the county that survived the depression, of which brother Steven Stenehjem is now president; and

WHEREAS, Leland Stenehjem, Jr., has been serving as President of First International Bank & Trust of Fargo, and was recently named Banker of the Year for 1997 by the Northwestern Financial Review, a seven-state weekly banking publication; and

WHEREAS, Leland Stenehjem, Jr., has joined his family in bringing the commitment of community banking services to families and businesses in all parts of North Dakota and recently to Arizona; and

WHEREAS, Leland Stenehjem, Jr., had prepared himself for his present leadership duties by serving in the United States Army as a military aide at the White House, as Banking Commissioner of North Dakota from 1981 to 1983, as Director of the Office of Management and Budget from 1983 to 1985, and has brought the North Dakota spirit of dedication, service, and goodwill to all parts of the country in his travels as President of the association;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Fifty-fifth Legislative Assembly commends Leland Stenehjem, Jr., upon the achievement of being recognized nationally as a bank leader and as the 1997 Banker of the Year for this region; and

BE IT FURTHER RESOLVED, that the Secretary of State present an enrolled copy of this resolution to Leland Stenehjem, Jr.

Filed March 18, 1997

CHAPTER 602**HOUSE CONCURRENT RESOLUTION NO. 3037**

(Representatives Schmidt, Boucher, Gulleson, D. Johnson)
(Senators Kringstad, Urlacher)

PROPERTY TAX RELIEF STUDY

A concurrent resolution directing the Legislative Council to study the feasibility and desirability of providing property tax relief through alternative state and local revenue sources.

WHEREAS, it is a commonly heard observation of citizens of the state that property tax burdens have increased substantially in recent years; and

WHEREAS, it is essential that the Legislative Assembly gather accurate information about the increase in property taxes in recent years relative to other taxes imposed in the state, funds allocated to political subdivisions by the state, and whether the property tax burden is equitably allocated; and

WHEREAS, analysis is required of the appropriate level of reliance to be placed on property tax revenues and whether it would benefit the citizens of the state to provide property tax relief through alternative state or local revenue sources, such as income taxes;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Legislative Council study the feasibility and desirability of providing property tax relief through alternative state and local revenue sources; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Fifty-sixth Legislative Assembly.

Filed March 18, 1997

CHAPTER 603**HOUSE CONCURRENT RESOLUTION NO. 3038**

(Representatives Delmore, Hawken, Nicholas)
(Senators St. Aubyn, W. Stenehjem, Watne)

MOBILE HOME TAXATION STUDY

A concurrent resolution directing the Legislative Council to study assessment and taxation of mobile homes, park model trailers, recreational vehicles, and similar housing alternatives.

WHEREAS, questions have been raised by citizens about the equity of assessment and taxation of mobile homes, park model trailers, recreational vehicles, and similar housing alternatives; and

WHEREAS, available information indicates a lack of uniformity in assessment of mobile homes, park model trailers, and similar housing alternatives; and

WHEREAS, recreational vehicles are generally not subject to ad valorem taxation but may be used for the same purposes as housing alternatives that are subject to ad valorem taxation; and

WHEREAS, changes in housing alternatives and their uses necessitate a thorough review of law and assessment practices to assure equitable tax treatment for owners of such property;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Legislative Council study the assessment and taxation of mobile homes, park model trailers, recreational vehicles, and similar housing alternatives; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Fifty-sixth Legislative Assembly.

Filed March 18, 1997

CHAPTER 604**HOUSE CONCURRENT RESOLUTION NO. 3039**

(Representatives Brandenburg, Gulleon, Kroeplin, Nicholas)
(Senators Christmann, Wanzek)

INCOME TAX INCENTIVES STUDY

A concurrent resolution directing the Legislative Council to study the relationship between state general fund revenue gains from economic growth and losses from providing income tax incentives for investment in value-added agricultural processing.

WHEREAS, value-added agricultural processing holds great promise to add strength to North Dakota's economy and to benefit the state's agricultural producers; and

WHEREAS, the Fifty-fifth Legislative Assembly has disapproved legislation to provide income tax incentives for investments in value-added agricultural processing businesses primarily due to concerns about the loss of income tax revenues but with a lack of reliable information on potential revenue enhancements to be derived from economic development; and

WHEREAS, it is essential to understanding the full impact of incentives for investments in value-added agricultural processing to obtain detailed analysis of the potential benefits in increased future general fund revenues through stimulation of the state's economy by value-added agricultural processing and the information obtained could be used to structure legislation to offset anticipated revenue losses with anticipated revenue gains;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Legislative Council study the relationship between state general fund revenue gains from economic growth and losses from providing income tax incentives for investment in value-added agricultural processing, with emphasis on developing legislation to offset anticipated revenue losses from investment incentives with anticipated revenue gains from economic growth; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Fifty-sixth Legislative Assembly.

Filed March 19, 1997

CHAPTER 605**HOUSE CONCURRENT RESOLUTION NO. 3040**
(Representatives Christenson, Grande)**TRUANCY STUDY**

A concurrent resolution directing the Legislative Council to study the truancy laws of this state and whether there are sufficient options and alternatives available to schools and school districts that have high incidences of truancy.

WHEREAS, truant students often fail to understand how the educational system meets their needs; and

WHEREAS, truant students often fail to recognize that schools provide general education skills, vocational and life skills, and social skills, all of which are need to lead healthy, economically viable, and socially fulfilled lives; and

WHEREAS, truant students often fail to recognize that truancy may be a precursor to an early and permanent departure from high school; and

WHEREAS, there are more than 3.8 million 16- to 24-year-old high school dropouts in the United States; and

WHEREAS, the state has a compelling interest in ensuring that each child of school age attend school and be an active participant in the acquisition of an education;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Legislative Council study the truancy laws of this state and whether there are sufficient options and alternatives available to schools and school districts that have high incidences of truancy; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Fifty-sixth Legislative Assembly.

Filed March 28, 1997

CHAPTER 606

HOUSE CONCURRENT RESOLUTION NO. 3042

(Representatives Jensen, Dorso, Boucher)
(Senator Nalewaja)

DEPARTMENT OF HUMAN SERVICES STUDY

A concurrent resolution directing the Legislative Council to study the department of human services.

WHEREAS, the 1981 Legislative Assembly created the Department of Human Services and consolidated the functions, powers, and duties of the Social Service Board, the Mental Health and Retardation Division of the Department of Health, the Division of Alcoholism and Drug Abuse of the Department of Health, and the State Council on Developmental Disabilities; and

WHEREAS, changes in federal funding, including block grants, provide the state an opportunity to change the human services delivery system; and

WHEREAS, the development of sophisticated computer systems and applications make information access easier and more efficient; and

WHEREAS, society has experienced significant changes since the consolidation and creation of the Department of Human Services, including an increase in youth-related problems, changes in family structure, changes in economic situations, a shift in population from rural to urban communities, and increases in prison populations; and

WHEREAS, in the area of medical services the state is experiencing increased costs, limited accessibility to services, the development of managed care options, and the deinstitutionalization of state institutions; and

WHEREAS, the combination of agencies was done to make more efficient the delivery of human services in North Dakota, to minimize the administrative costs of providing these services, and to eliminate the duplication of services; and

WHEREAS, the executive budget for the Department of Human Services for the 1997-99 biennium exceeds \$1.2 billion, of which \$342 million is from the state general fund, a complex budget providing funding for numerous organizational units making legislative analysis and oversight challenging;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Legislative Council study the Department of Human Services, including the appropriateness of a consolidated Department of Human Services in light of significant federal funding, society, and technology changes and including the changes necessary to enhance program effectiveness, legislative understanding, appropriation analysis and development, and oversight of the Department of Human Services; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Fifty-sixth Legislative Assembly; and

BE IT FURTHER RESOLVED, that the Legislative Council may contract with firms or individuals having expertise in areas related to this study, and that the Department of Human Services shall provide such assistance as the committee may request.

Filed March 28, 1997

CHAPTER 607

HOUSE CONCURRENT RESOLUTION NO. 3043

(Representatives Wald, Carlson, Gerntholz, Keiser, Tollefson)

HAIL SUPPRESSION STUDY

A concurrent resolution directing the Legislative Council to study the feasibility and desirability of implementing hail suppression programs for the reduction of property damage in urban and rural areas and funding the programs through property and casualty line insurance premium taxes.

WHEREAS, county-sponsored summertime cloud seeding operations to mitigate hail damage have been conducted in North Dakota since the 1960s; and

WHEREAS, evaluations show strong evidence of the benefits within cloud seeding target areas, including 45 percent reductions in crop hail damage and six percent increases in wheat production; and

WHEREAS, the technology developed through combined research and operational efforts in this state has been and continues to be successfully applied and developed by a native North Dakota company in numerous other projects elsewhere in other states, provinces, and countries; and

WHEREAS, the domestic property and casualty insurance industry of Alberta, Canada, has joined with a native North Dakota company in funding and implementing a five-year pilot program for the suppression of property and casualty hail damage within major metropolitan target areas, including the cities of Calgary and Red Deer; and

WHEREAS, the domestic property and casualty insurance industry of this state has suffered considerable hail losses in recent years attributable to urban hailstorms in Bismarck, Grand Forks, and Minot, and as a result some insurance companies are withdrawing from the North Dakota market; and

WHEREAS, if hail continues to strike larger urban areas, it is likely additional insurance companies will withdraw from the North Dakota market and premiums and deductibles will continue to increase;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Legislative Council study the feasibility desirability of implementing hail suppression programs for the reduction of property damage in urban and rural areas and funding the programs through property and casualty line insurance premium taxes; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Fifty-sixth Legislative Assembly.

Filed March 28, 1997

CHAPTER 608**HOUSE CONCURRENT RESOLUTION NO. 3044**

(Representative Freier)
(Senator Freborg)

EXEMPT PROPERTY IMPACT ON SCHOOLS STUDY

A concurrent resolution directing the Legislative Council to study the impact of tax-exempt property on school districts.

WHEREAS, school districts of the state are the greatest beneficiaries of property tax revenues; and

WHEREAS, the amount of tax-exempt property within a school district has a direct impact on tax revenues available to the district, the tax burden on taxpayers in the district, and foundation aid allocations to the district; and

WHEREAS, property tax exemptions may be granted by the state, county, or city without approval by the school board of the district affected; and

WHEREAS, analysis is required of the impact of tax-exempt property on school districts and the feasibility and desirability of reducing that impact, and of methods of providing some form of benefit to school districts from tax-exempt property owners and providing school districts with a role in approval of property tax exemptions;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Legislative Council study the impact of tax-exempt property on school districts; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Fifty-sixth Legislative Assembly.

Filed March 19, 1997

CHAPTER 609**HOUSE CONCURRENT RESOLUTION NO. 3045**

(Representatives Berg, Dorso)
(Senator G. Nelson)

PERFORMANCE REVIEW BUDGETING STUDY

A concurrent resolution directing the Legislative Council to study the current budget process, the results of the program performance-based budgeting pilot projects, and budget reforms in other states.

WHEREAS, our budgeting process is intended to identify the needs of the citizens of this state; and

WHEREAS, other states use budgeting methods that include performance reviews to evaluate proposed budgets; and

WHEREAS, the citizens of this state would benefit from implementation of a budgeting method that encourages and results in focusing agency direction while allowing financial flexibility in order to meet agency objectives;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Legislative Council study the current budget process including its advantages and disadvantages; and

BE IT FURTHER RESOLVED, that the study review the results of the program performance-based budgeting pilot project and budgeting reforms in other states; and

BE IT FURTHER RESOLVED, that the study review how agency and institution appropriation balances at the end of a biennium should be handled; and

BE IT FURTHER RESOLVED, that the study determine the benefits that new information technology could provide in budget development and budget presentation; and

BE IT FURTHER RESOLVED, that the study include consideration of the effect of budget recommendations on future biennial budgets; and

BE IT FURTHER RESOLVED, that the study include a review of the detailed information supporting agency budget requests and the executive recommendation; and

BE IT FURTHER RESOLVED, that the study include a review of alternative budgeting methods that use performance reviews to evaluate proposed agency budgets; and

BE IT FURTHER RESOLVED, that the committee work closely with the Office of Management and Budget and the State Auditor; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Fifty-sixth Legislative Assembly.

Filed April 2, 1997

CHAPTER 610**HOUSE CONCURRENT RESOLUTION NO. 3046**

(Representatives Berg, Belter)

AFFORDABLE HOUSING STUDY

A concurrent resolution directing the Legislative Council to study the availability of affordable housing for middle income households, for the elderly, and in rural areas of this state.

WHEREAS, the 1995-96 interim Legislative Council study of funding to provide housing for low-income, homeless, or disabled families resulted only in a recommendation concerning zoning restrictions; and

WHEREAS, there is a need for home financing programs geared to provide assistance to individuals who do not qualify for either low-income programs or conventional financing; and

WHEREAS, there is a special demand for housing due to the increasing elderly population of this state; and

WHEREAS, some rural communities in this state are growing and are not able to meet the demand for housing; and

WHEREAS, the ability of rural communities to attract private home construction at an affordable price is hampered by the differential between the construction cost and the appraised value; and

WHEREAS, there are multiple agencies and organizations that provide housing and home financing, but there is no single agency to coordinate housing activities;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Legislative Council study the availability of affordable housing for middle income households, for the elderly, and in rural areas of this state; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Fifty-sixth Legislative Assembly.

Filed March 26, 1997

CHAPTER 611**HOUSE CONCURRENT RESOLUTION NO. 3047**

(Representatives Torgerson, Drovdal, R. Kelsch)

SCHOOL ACCREDITATION STUDY

A concurrent resolution directing the Legislative Council to study the current standards for the accreditation of elementary and secondary schools in this state, the method by which accreditation standards are adopted, the fiscal impact of accreditation standards, and the feasibility and desirability of waiving standards if student performance levels exceed a designated score.

WHEREAS, the current standards for the accreditation of elementary and secondary schools in this state were issued by the Superintendent of Public Instruction in 1991; and

WHEREAS, in order to comply with certain provisions of the current standards for the accreditation of elementary and secondary schools in this state, school boards are often faced with having to expend funds that could be put to greater benefit for other purposes; and

WHEREAS, the expenditure requirements directly or indirectly imposed by certain provisions of the current state standards for the accreditation of elementary and secondary schools prevent school boards from setting priorities and accomplishing the goals deemed important to their school districts; and

WHEREAS, the current state standards for the accreditation of elementary and secondary schools do not include any mechanisms for measuring the effect of the standards on academic achievement or performance; and

WHEREAS, the current state standards for the accreditation of elementary and secondary schools have not been revised since 1991;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Legislative Council study the current standards for the accreditation of elementary and secondary schools in this state, the method by which accreditation standards are adopted, the fiscal impact of accreditation standards, and the feasibility and desirability of waiving standards if student performance levels exceed a designated score; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Fifty-sixth Legislative Assembly.

Filed March 28, 1997

CHAPTER 612**HOUSE CONCURRENT RESOLUTION NO. 3049**

(Representatives Kretschmar, Dorso, Oban)

LEGISLATIVE PROCESS STUDY

A concurrent resolution directing the Legislative Council to study additional improvements to the legislative process that ensure an accessible, productive citizen legislature.

WHEREAS, the citizen legislator tradition in North Dakota should be preserved and legislative productivity and citizen access should be enhanced to deal with the increasing number and complexity of issues facing the state; and

WHEREAS, the critical public issues in the future may strain the capacity of a citizen legislature, particularly the return of responsibilities from the federal government to the state and the return of responsibilities from the executive branch to the legislative branch of state government; and

WHEREAS, it is important to build upon the past commitment to the strength of the legislative institution and to ensure that the Legislative Assembly continues as a strong, effective institution that commands wide public respect and confidence; and

WHEREAS, the 1995-1996 interim Legislative Management Committee continued its leadership in the work of significant improvement in the processes of the Legislative Assembly, including development of technological tools for enhancing legislative productivity, independence, and citizen access, and articulation of principles of legislative ethical behavior; and

WHEREAS, continued discussion among legislators, former legislators, and other citizens may be beneficial to identify the future roles, responsibilities, and steps to strengthen the legislative institution in the state;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Legislative Council study additional improvements to the legislative process that ensure an accessible, productive citizen legislature; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Fifty-sixth Legislative Assembly.

Filed April 1, 1997

CHAPTER 613**HOUSE CONCURRENT RESOLUTION NO. 3052**

(Representatives Tollefson, Soukup, Brown, Grosz)
(Senators Mutch, Naaden)

CHARITABLE PROPERTY TAX EXEMPTION STUDY

A concurrent resolution directing the Legislative Council to study the property tax exemption for charitable organizations.

WHEREAS, the Constitution of North Dakota provides that property used exclusively for charitable purposes is exempt from taxation; and

WHEREAS, North Dakota statutes have provided property tax exemptions for property of institutions of public charity and the nature and activities of charities and amount of property owned by charities have changed substantially over the years; and

WHEREAS, acquisition of property by charities removes the property from the tax rolls and shifts additional tax burdens to remaining taxable property; and

WHEREAS, uncertainty exists regarding the appropriate interpretation of the statutory term "institutions of public charity" and whether charities should be subject to full or partial assessment of property taxes for the value of certain services provided for their benefit; and

WHEREAS, legislation considered by the Fifty-fifth Legislative Assembly indicated a need for thorough review of application of the property tax exemption for property of charities;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Legislative Council study the property tax exemption for charitable organizations; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Fifty-sixth Legislative Assembly.

Filed March 19, 1997

SENATE CONCURRENT RESOLUTIONS

CHAPTER 614

SENATE CONCURRENT RESOLUTION NO. 4001

(Legislative Council)
(Budget Committee on Government Services)
(Senator St. Aubyn)
(Representatives Sveen, Wentz)

MENTAL HEALTH AND FOSTER CARE MONITORING

A concurrent resolution directing the Legislative Council to monitor mental health and foster care services.

WHEREAS, the Department of Human Services has developed a plan for an integrated multidisciplinary continuum of services for mentally ill individuals pursuant to North Dakota Century Code Section 50-06-06.5, which was a recommendation resulting from a 1985-86 study by the Legislative Council; and

WHEREAS, the Legislative Council has monitored services to the mentally ill and chemically dependent since the 1987-88 interim, including the role and function of the State Hospital and expanded community services for mentally ill and chemically dependent individuals; and

WHEREAS, each regional human service center operates a psychosocial rehabilitation center through contracts with private, nonprofit organizations for providing companionship and recreational activities for individuals with serious mental illness; and

WHEREAS, the 1991 Legislative Assembly began providing funding for clubhouse projects for providing prevocational skills training for individuals with serious mental illness and currently two psychosocial rehabilitation centers operate clubhouse projects; and

WHEREAS, the 1995 Legislative Assembly authorized the Mental Health Division to implement and supervise a unified mental health delivery system to assure that mental health services provided by the human service centers, the State Hospital, and private contractors are in accordance with the state plan; and

WHEREAS, the cost of services for children placed out of state in the foster care program increased from \$603,000 in fiscal year 1994 to \$1.1 million in fiscal year 1995; and

WHEREAS, the effect of ongoing federal and state welfare reform activity is unknown at this time; and

WHEREAS, residential child care facilities and residential treatment centers have expressed concern that reimbursement rate adjustments are not made on a

timely basis by the Department of Human Services and that the rates do not provide for the actual cost of services;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That the Legislative Council monitor mental health and foster care services, including changes in the role of the State Hospital, psychosocial rehabilitation centers, and clubhouse projects; the effect of welfare reform on the delivery of mental health and foster care services; methods used to place children in the custody of the division of juvenile services; methods used to place children in residential child care facilities and residential treatment centers and methods of setting and levels of reimbursements for residential child care facilities and residential treatment centers; and items of legislative intent regarding mental health and foster care services; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Fifty-sixth Legislative Assembly.

Filed March 3, 1997

CHAPTER 615**SENATE CONCURRENT RESOLUTION NO. 4002**

(Legislative Council)
(Education Finance Committee)

ELEMENTARY AND SECONDARY EDUCATION STUDY

A concurrent resolution directing the Legislative Council to study those provisions of Title 15 of the North Dakota Century Code which relate to elementary and secondary education.

WHEREAS, many of the laws relating to the provision of elementary and secondary education in this state have been adopted over the years without regard to their interrelationship; and

WHEREAS, many of the laws relating to the provision of elementary and secondary education in this state set forth neither clear objectives nor directives for their administration; and

WHEREAS, many of the laws relating to the provision of elementary and secondary education in this state are duplicative, inconsistent, or illogically arranged;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That the Legislative Council study those provisions of Title 15 of the North Dakota Century Code which relate to elementary and secondary education; and

BE IT FURTHER RESOLVED, that the purpose of the study is to recommend changes to laws that are found to be irrelevant, duplicative, inconsistent, illogically arranged, or unclear in their intent and direction; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Fifty-sixth Legislative Assembly.

Filed March 20, 1997

CHAPTER 616**SENATE CONCURRENT RESOLUTION NO. 4003**

(Legislative Council)
(North Dakota/South Dakota Commission)

HIGHER EDUCATION COLLABORATION URGED

A concurrent resolution urging the State Board of Higher Education to continue to pursue collaborative efforts with the South Dakota Board of Regents.

WHEREAS, the State Board of Higher Education and the South Dakota Board of Regents have initiated discussion regarding cooperative ventures between the two university systems; and

WHEREAS, during the 1995-96 interim, the Legislative Council and the South Dakota Legislative Research Council established the North Dakota/South Dakota Commission to study and identify ways North Dakota and South Dakota can collaborate to deliver government services more efficiently; and

WHEREAS, the State Board of Higher Education and the South Dakota Board of Regents participated in the deliberations of the North Dakota/South Dakota Commission and identified several areas for potential cooperation between the university systems, including exploration of cooperative purchasing arrangements, implementation of joint student followup processes, development and improvement of research infrastructure and research capabilities, provision of services by the academic community to the public sector, distance education, development of information systems, and examination of reciprocity between the states for certain low enrollment programs;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That the Fifty-fifth Legislative Assembly urges the State Board of Higher Education to continue to pursue collaborative efforts with the South Dakota Board of Regents; and

BE IT FURTHER RESOLVED, that the Secretary of State forward copies of this resolution to the State Board of Higher Education and the South Dakota Board of Regents.

Filed March 19, 1997

CHAPTER 617**SENATE CONCURRENT RESOLUTION NO. 4004**

(Legislative Council)
(North Dakota/South Dakota Commission)

ND - SD COLLABORATION STUDY

A concurrent resolution directing the Legislative Council to study methods through which North Dakota and South Dakota can collaborate to deliver government services more efficiently.

WHEREAS, during the latter portion of the 1995-96 interim, the North Dakota/South Dakota Commission studied methods through which the two states could cooperate to more efficiently provide government services; and

WHEREAS, the North Dakota/South Dakota Commission identified several areas in which the two states are currently cooperating or could establish cooperative efforts to provide government services more efficiently; and

WHEREAS, because numerous opportunities for cooperation were identified which could improve services and reduce costs, further study of potential areas of cooperation may be necessary for implementation of cooperative efforts;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That the Legislative Council establish a committee of four senators and four representatives to work with a similar committee of South Dakota legislators to study methods through which North Dakota and South Dakota can collaborate to deliver governmental services more efficiently; and

BE IT FURTHER RESOLVED, that the committee solicit information and assistance from executive branch agencies and departments to determine areas in which the states can collaborate to deliver government services more efficiently and cost effectively; and

BE IT FURTHER RESOLVED, that the committee request reports annually from executive branch agencies and departments regarding efforts to cooperate with agencies and departments of South Dakota government; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Fifty-sixth Legislative Assembly.

Filed March 7, 1997

CHAPTER 618**SENATE CONCURRENT RESOLUTION NO. 4007**

(Senators Traynor, O'Connell, Sand)
(Representatives Henegar, Nicholas, Soukup)

WATERFOWL SEPTEMBER OPENING URGED

A concurrent resolution urging the North Dakota Game and Fish Department to make a request of the Secretary of the Interior and the United States Fish and Wildlife Service to open the waterfowl hunting season by September 15 of each year.

WHEREAS, the state's economy and the well-being of the people of North Dakota are dependent upon agriculture; and

WHEREAS, North Dakota produces more ducks than any other of the contiguous 48 states; and

WHEREAS, waterfowl historically have caused serious depredation and damage to crops in northern North Dakota; and

WHEREAS, most of this serious depredation occurred in the month of September;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That the Fifty-fifth Legislative Assembly urges the North Dakota Game and Fish Department to make a request of the Secretary of the Interior and the United States Fish and Wildlife Service to open the North Dakota waterfowl hunting season by September 15 of each year; and

BE IT FURTHER RESOLVED, that the Secretary of State forward copies of this resolution to the Secretary of the Interior, the regional director of the United States Fish and Wildlife Service, the members of the Central Flyway Council, the director of the North Dakota Game and Fish Department, and each member of the North Dakota Congressional Delegation.

Filed April 1, 1997

CHAPTER 619**SENATE CONCURRENT RESOLUTION NO. 4008**

(Senators Wanzek, Grindberg, O'Connell, Tomac)
(Representatives Nicholas, Wilkie)

CANADIAN CANOLA DATA USE URGED

A concurrent resolution urging Congress to require the Environmental Protection Agency to use Canadian data in its registration of crop protection chemicals appropriate for canola.

WHEREAS, North Dakota accounts for nearly one-half of all canola acreage in the United States; and

WHEREAS, increases in canola acreages have been limited by the lack of crop protection chemicals; and

WHEREAS, the Canadian government has allowed for the registration of approximately three dozen crop protection chemicals appropriate for canola; and

WHEREAS, the United States government, through the Environmental Protection Agency, has allowed for the registration of only six crop protection chemicals appropriate for canola; and

WHEREAS, the Environmental Protection Agency is already pursuing harmonization with Canada of the registration of crop protection chemicals; and

WHEREAS, the Environmental Protection Agency needs to put more resources into the harmonization with Canada of crop protection chemicals; and

WHEREAS, use of Canadian registration data by the United States Environmental Protection Agency could accelerate its registration process for crop protection chemicals appropriate for canola;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That the Fifty-fifth Legislative Assembly urges the Congress of the United States to require the Environmental Protection Agency to use Canadian data in its registration of crop protection chemicals appropriate for canola; and

BE IT FURTHER RESOLVED, that the Environmental Protection Agency be directed to commit the resources needed to harmonize with Canada the registration of crop protection chemicals for canola; and

BE IT FURTHER RESOLVED, that the Secretary of State forward copies of this resolution to the chairmen of the Senate and House Committees on Agriculture and to each member of the North Dakota Congressional Delegation.

Filed March 11, 1997

CHAPTER 620**SENATE CONCURRENT RESOLUTION NO. 4009**

(Senators Wanzek, Grindberg, O'Connell, Tomac)
(Representatives Nicholas, Wilkie)

CANOLA INSURANCE PROGRAM URGED

A concurrent resolution urging Congress to require the Federal Crop Insurance Corporation to develop and maintain an insurance program for canola.

WHEREAS, North Dakota accounts for nearly one-half of all the canola acreage in the United States; and

WHEREAS, without crop insurance, many small grain farmers cannot obtain operating loans from financial institutions; and

WHEREAS, canola is no more risky for crop insurance than wheat or barley; and

WHEREAS, additional canola acreages would be planted if a federal crop insurance program comparable to that offered for wheat and barley were available;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That the Fifty-fifth Legislative Assembly urges the Congress of the United States to require the Federal Crop Insurance Corporation to develop and maintain an insurance program for canola; and

BE IT FURTHER RESOLVED, that the Secretary of State forward copies of this resolution to the chairman of the Senate and House Committees on Agriculture and to each member of the North Dakota Congressional Delegation.

Filed March 7, 1997

CHAPTER 621

SENATE CONCURRENT RESOLUTION NO. 4013

(Senators Naaden, B. Stenehjem, Kringstad, Kelsh, O'Connell)
(Representative R. Kelsch)

LEGISLATIVE EMPLOYEE COMPENSATION

A concurrent resolution designating Senate and House employment positions and fixing compensation.

BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That for the Fifty-fifth Legislative Assembly, the following positions are designated as employee positions of the Senate and House and are to be paid the wages indicated:

	SENATE
Secretary of the Senate	\$95.00
Assistant secretary of the Senate	80.00
Desk reporter	89.00
Bill clerk	74.00
Sergeant-at-arms	74.00
Secretary to majority leader	80.00
Staff assistant to majority leader	74.00
Secretary to minority leader	80.00
Staff assistant to minority leader	74.00
Chief committee clerk	78.00
Appropriations Committee clerk	78.00
Assistant Appropriations Committee clerk	74.00
Committee clerk for three-day committee	74.00
Committee clerk for two-day committee	70.00
Assistant committee clerk	62.00
Deputy sergeant-at-arms	62.00
Chief page and bill book clerk	68.00
Calendar clerk	74.00
Legislative assistant	58.00
	HOUSE
Chief Clerk	\$95.00
Assistant chief clerk	80.00
Desk reporter	89.00
Sergeant-at-arms	74.00
Bill clerk	74.00
Secretary to majority leader	80.00
Staff assistant to majority leader	74.00
Secretary to minority leader	80.00
Staff assistant to minority leader	74.00
Secretary to Speaker	74.00
Chief committee clerk	78.00
Appropriations Committee clerk	78.00
Assistant Appropriations Committee clerk	74.00

Committee clerk for three-day committee	74.00
Committee clerk for two-day committee	70.00
Assistant committee clerk	62.00
Payroll clerk	70.00
Deputy sergeant-at-arms	62.00
Chief page and bill book clerk	68.00
Calendar clerk	74.00
Chief telephone attendant	68.00
Legislative assistant	58.00

BE IT FURTHER RESOLVED, that each employee of the Fifty-fifth Legislative Assembly is entitled to an additional \$1 per day for each previous regular session of the Legislative Assembly during which that employee was paid for at least 45 days, as either an employee of the Senate or the House, and to receive this additional compensation, which may not exceed \$10 per day, that employee must certify to the Legislative Council the year of each regular session during which that employee was employed as required by this resolution; and

BE IT FURTHER RESOLVED, that each majority leader and each minority leader is entitled to two staff assistants, but each majority or minority leader may hire fewer or more assistants so long as the total daily compensation for the assistants hired does not exceed the total daily amount authorized for those positions by this resolution; and

BE IT FURTHER RESOLVED, that the report of the Employment Committee of the respective house identify the number of employees in each position by listing every employee and the position for which employed; and

BE IT FURTHER RESOLVED, that with the approval of the Employment Committee of the respective house, a position may be converted to a part-time position, with the daily compensation converted to a per hour rate of pay; and

BE IT FURTHER RESOLVED, that if any employee resigns, is discharged, or for other reasons terminates employment, the compensation provided by this resolution for that employee ceases effective the last day of employment.

Filed January 24, 1997

CHAPTER 622**SENATE CONCURRENT RESOLUTION NO. 4014**

(Senators Grindberg, Krebsbach, Wogsland)
(Representatives Dalrymple, Mahoney, Torgerson)

COUNTY GOVERNMENT RESTRUCTURING STUDY

A concurrent resolution directing the Legislative Council to study the feasibility and desirability of restructuring county government.

WHEREAS, proposals to consolidate services in counties of the state have been discussed frequently and considered by the Legislative Assembly; and

WHEREAS, in recent years counties have entered a variety of joint efforts to deliver services more cost effectively, but the efficiency and transferability of those joint efforts have not been evaluated; and

WHEREAS, consolidation and coordination efforts in other areas have proven to be difficult without sufficient technical assistance; and

WHEREAS, because there are potential advantages and disadvantages to changing the structure of county government, thoughtful review and study are needed to fully examine the legal and administrative issues necessary to make a decision in the best interest of all citizens of the state; and

WHEREAS, a comprehensive study of restructuring county government is a many-sided issue that needs thorough study and comment from citizens;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That the Legislative Council study the feasibility and desirability of restructuring county government; and

BE IT FURTHER RESOLVED, that the study include an examination of examples of consolidation of services to determine the cost-effectiveness and transferability of those consolidations and an examination of methods through which the state may be able to provide affordable technical assistance to counties choosing to consolidate, merge, or share services and a review of the effect of 1993 Session Laws Chapter 401; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Fifty-sixth Legislative Assembly.

Filed March 25, 1997

CHAPTER 623**SENATE CONCURRENT RESOLUTION NO. 4016**

(Senators DeMers, Mathern, Nalewaja, Yockim)
(Representative Gulleson)

**VISUALLY IMPAIRED SERVICES LEGISLATION
URGED**

A concurrent resolution urging each member of the North Dakota Congressional Delegation to seek and promote federal legislation that provides for in-home adjustment services for the visually impaired older citizens of the state of North Dakota.

WHEREAS, visual impairment is common among people age 55 and over, due in part to the major diseases of the eye which are associated with the aging process, including macular degeneration, cataracts, glaucoma, and diabetic retinopathy; and

WHEREAS, it is estimated that more than 10,500 North Dakota residents over 55 years of age experience severe vision impairment; and

WHEREAS, one-to-one skills training would make it possible for individuals with reduced vision to maintain or improve their quality of life in the home, community, and job environment; and

WHEREAS, existing federal legislation, which is funded only on a limited competitive basis, calls for the provision of training to older visually impaired individuals in the areas of orientation and mobility, communication skills, activities of daily living, and use of low vision aids and provides for family and peer counseling; and

WHEREAS, the state of North Dakota has matched federal funds in the past;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That the Fifty-fifth Legislative Assembly urges the North Dakota Congressional Delegation to seek maximum funding of the Older Blind (Title VII, Chapter 2) portion of the Vocational Rehabilitation Act of 1992, as amended; and

BE IT FURTHER RESOLVED, that vision rehabilitation services be included in existing Medicare, Medicaid, and other third-party reimbursement programs or considered as part of an overall national health plan; and

BE IT FURTHER RESOLVED, that the Secretary of State forward copies of this resolution to each member of the North Dakota Congressional Delegation.

Filed April 1, 1997

CHAPTER 624**SENATE CONCURRENT RESOLUTION NO. 4017**

(Senators Naaden, O'Connell, B. Stenehjem)

LEGISLATIVE EMPLOYEE COMPENSATION STUDY

A concurrent resolution directing the Legislative Council to study legislative employee compensation.

WHEREAS, Legislative Assembly employees function in an extremely demanding work environment and carry out their duties with great dispatch, ability, and efficiency; and

WHEREAS, attracting and retaining high quality employees is critical to the continued ability of the Legislative Assembly to conduct its deliberations within the limited time available; and

WHEREAS, while all legislative employee positions require good interpersonal and communication skills, various positions involve different degrees of ability, experience, and technical knowledge which necessitate differences in compensation; and

WHEREAS, Legislative Assembly employee compensation was last studied during the 1993-94 interim, with resulting adjustments to reflect varying levels of knowledge, technical skills, and supervisory skills; and

WHEREAS, assuring adequate compensation to legislative employees is of primary importance to attracting and retaining the talented and dedicated employees necessary for the Legislative Assembly to conduct its deliberations in an appropriate atmosphere;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That the Legislative Council study legislative employee compensation; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Fifty-sixth Legislative Assembly.

Filed March 7, 1997

CHAPTER 625**SENATE CONCURRENT RESOLUTION NO. 4019**

(Senators B. Stenehjem, Solberg, St. Aubyn)
(Representatives Belter, Freier, Koppelman)

TRANSPORTATION FUNDING STUDY

A concurrent resolution directing the Legislative Council to study the adequacy of transportation funding in North Dakota.

WHEREAS, traffic has caused increased demands of the entire transportation system. Approximately eighteen million miles are traveled daily on North Dakota streets and highways. The North American Free Trade Agreement has increased truck volumes as much as fifty percent in one year on certain segments of North Dakota highways; and

WHEREAS, the Devils Lake flooding situation has depleted transportation funds for all government agencies in the basin; and

WHEREAS, the Four Bears Bridge is beyond the funding capacity of the North Dakota Department of Transportation; and

WHEREAS, the existing funding mechanisms were established in a different era and have not kept up with our changing economy or demographics; and

WHEREAS, there is increasing pressure for the federal government to fund only a small portion of the transportation program in each state; and

WHEREAS, existing funding sources have not kept pace with inflation, increases in usage or cost of providing transportation infrastructure;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That the Legislative Council is directed to study the adequacy of existing, and the potential for new, funding sources to meet system needs for North Dakota's entire transportation infrastructure; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Fifty-sixth Legislative Assembly.

Filed March 25, 1997

CHAPTER 626**SENATE CONCURRENT RESOLUTION NO. 4020**

(Senators Nalewaja, Krauter, W. Stenehjem)
(Representatives Carlisle, Kretschmar, Warner)

CRIMINAL JUSTICE SUPPORT MECHANISMS STUDY

A concurrent resolution directing the Legislative Council to study and develop a long-term plan for the investigatory and penological support mechanisms of the criminal justice system.

WHEREAS, cooperation is needed among fire arson investigators, sheriffs, police officers, the state highway patrol, state's attorneys, the bureau of criminal investigation, the state fire marshal, the department of corrections and rehabilitation, the state crime laboratory, the state forensic examiner, and the state toxicologist for adequate investigation of crimes, proper evidence handling, and efficient case tracking and management; and

WHEREAS, new technology provides more evidence, requires new equipment, and necessitates skilled personnel to operate the equipment; and

WHEREAS, the state forensic examiner needs to be supported by a coroner system that is effective, coordinated, and fiscally sound to adequately investigate deaths; and

WHEREAS, sheriffs and the department of corrections and rehabilitation need to develop a long-range plan for the management of inmates;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That the Legislative Council study and develop a long-term plan for the investigatory and penological support mechanisms of the criminal justice system; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Fifty-sixth Legislative Assembly.

Filed March 25, 1997

CHAPTER 627**SENATE CONCURRENT RESOLUTION NO. 4021**

(Senators C. Nelson, Krebsbach, Lindaas)
(Representatives Hanson, Sabby, Wilkie)

TFFR RESUMED TEACHING STUDY

A concurrent resolution directing the Legislative Council to study participation in the teachers' fund for retirement by retired persons who have resumed teaching.

WHEREAS, the 1995-96 interim Employee Benefits Programs Committee considered a proposal that would have allowed retired persons to return to teaching for up to one year without losing any benefits if at least 50 percent of the salary earned by that person was donated to in the school district's educational foundation; and

WHEREAS, the consulting actuary of the teachers' fund for retirement reported that the proposal would not have had a measurable actuarial impact on the teachers' fund for retirement but that the proposal could endanger the qualified status of the plan under federal law; and

WHEREAS, under qualified retirement plans, benefits are not taxable until they are received, but if a plan loses its qualified status, accrued vested benefits become immediately taxable; and

WHEREAS, because the consulting actuary reported that the proposal could endanger the qualified status of the plan, the committee gave the proposal an unfavorable recommendation; and

WHEREAS, school district educational foundations help support school districts in an era when school districts need all the financial help available; and

WHEREAS, retired teachers have a vast reservoir of experience and knowledge which would greatly benefit the students if school districts were able to tap this reservoir;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That the Legislative Council study participation in the teachers' fund for retirement by retired persons who have resumed teaching; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Fifty-sixth Legislative Assembly.

Filed March 19, 1997

CHAPTER 628

SENATE CONCURRENT RESOLUTION NO. 4023

(Senators B. Stenehjem, Lee, Wogsland)
(Representatives Brown, Christenson, Wardner)

PRIVATIZATION STUDY

A concurrent resolution directing the Legislative Council to study the process of privatization and contracting for public sector services.

WHEREAS, although North Dakota Century Code Chapter 54-44.4 sets forth comprehensive laws regarding the purchase of personal property by the state, the state may need to further establish comprehensive laws regarding the privatizing and contracting for public services to protect its citizens and effectively manage the resources of the state; and

WHEREAS, the state needs to have a rigorous methodology and process for determining whether privatization and contracting for services are appropriate, efficient, and effective; and

WHEREAS, the state has a compelling need to establish a framework for privatizing and contracting for services which provides formal access to decisionmaking, ensures an open bidding process, monitors existing contracts for compliance, and allows for involvement by citizens, legislators, public employees, and private sector contractors; and

WHEREAS, questions surrounding privatization and contracting for public services necessitate a study that identifies immediate and long-term advantages and disadvantages of privatization and contracting for public sector services, identifies barriers to making public sector services more efficient, develops accurate methodologies of comparing costs of similar public and private sector services, reviews performance standards for both public and private sector providers of public services, identifies goals and measurable results of public services provided by the private sector, develops identifiable and measurable review processes of all privatized contracts for contract continuance, including providing sufficient resources to monitor privatization contracts on an ongoing basis, and promotes public education on privatization and contracting for public sector services;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That the Legislative Council study the process of privatization and contracting for public sector services; and

BE IT FURTHER RESOLVED, that the Legislative Council seek participation from representatives of the executive branch, higher education, political subdivisions, public employees and employee organizations, and private sector businesses; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Fifty-sixth Legislative Assembly.

Filed March 7, 1997

CHAPTER 629**SENATE CONCURRENT RESOLUTION NO. 4024**

(Senators Mathern, DeMers, Lee, G. Nelson)
(Representatives Boucher, Dorso)

GOVERNMENTAL ELECTRONIC MAIL STUDY

A concurrent resolution directing the Legislative Council to study the development of an electronic mail and records management policy for governmental entities.

WHEREAS, various state agencies and institutions and numerous political subdivisions operate or maintain electronic mail systems through which government officials and employees and others are able to communicate and transmit information; and

WHEREAS, state law does not address the impact of open records laws with respect to the use of electronic mail, nor does it address the privacy issues surrounding monitoring of electronic mail; and

WHEREAS, before the state adopts an electronic mail policy, comprehensive study of privacy issues such as monitoring of electronic communications and what types of electronic communications are subject to open records laws is needed; and

WHEREAS, official business may be conducted electronically using digital signatures; and

WHEREAS, standards and procedures need to be reviewed for the effective management of the electronic records;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That the Legislative Council study the development of an electronic mail and records management policy for governmental entities; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Fifty-sixth Legislative Assembly.

Filed March 25, 1997

CHAPTER 630

SENATE CONCURRENT RESOLUTION NO. 4025

(Senators Nalewaja, Cook, C. Nelson, Robinson)
(Representatives Grande, Kliniske)

SEXUAL ABUSE VICTIM STUDY

A concurrent resolution directing the Legislative Council to study the effects of sexual abuse on child victims, strategies to assist child victims and the parents of child victims, the use and effectiveness of the mandatory reporting law, effective deterrents, and the need for training of professionals, public awareness initiatives, and training of school personnel in the recognition of victims and in prevention activities.

WHEREAS, based upon a survey of parents, a December 1995 Gallup poll estimated that 23 percent of those parents as children were sexually abused by an adult or older child and that 1,300,000 children in the United States have been forced to touch an adult or older child in a sexual manner, have been forcibly touched by an adult or older child in a sexual manner, or have been forced to have sex with an adult or older child; and

WHEREAS, in this state in fiscal year 1995, 380 reports of suspected child sexual abuse by a caretaker were reported to the Department of Human Services, and in 122 of those reports a determination was made that there was probable cause to believe child sexual abuse was indicated, and an additional 234 reports of suspected noncaretaker child sexual abuse were made to the department and were referred to law enforcement agencies; and

WHEREAS, the Department of Corrections and Rehabilitation manages over 300 adult sex offenders and research about adult sex offenders has revealed that more than one-half offended as children and that treatment can stop many of these offenders from reoffending; and

WHEREAS, North Dakota state law provides for mandatory reporting of suspected abuse; and

WHEREAS, parents of a sexually abused child may be emotionally traumatized by their child's victimization and may be in need of support including a parents' network; and

WHEREAS, sexually abused children may suffer from physical, mental, and emotional deterioration, low self-esteem, poor academic progress, inappropriate behaviors, and suicidal tendencies; and

WHEREAS, the child protection services program through the Alliance for Sexual Abuse Prevention and Treatment promotes public awareness of child abuse issues and the prevention of child sexual abuse, and also provides training for professionals; and

WHEREAS, the Child Fatality Review Panel monitors unexpected child deaths and recommends changes in policy, practices, and law to prevent child deaths; and

WHEREAS, evidence suggests that efforts to prevent abuse and to promptly and appropriately treat victims and offenders will save taxpayers millions of dollars over time and will save children from trauma and lifelong suffering;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That the Legislative Council study the effects of sexual abuse on child victims, strategies to assist child victims and the parents of child victims, the use and effectiveness of the mandatory reporting law, effective deterrents, and the need for training of professionals, public awareness initiatives, and training of school personnel in the recognition of victims and in prevention activities; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Fifty-sixth Legislative Assembly.

Filed March 20, 1997

CHAPTER 631**SENATE CONCURRENT RESOLUTION NO. 4026**

(Senators DeMers, Mathern, C. Nelson)
(Representatives Gulleason, Jensen, Wentz)

DOMESTIC VIOLENCE TASK FORCE STUDY

A concurrent resolution directing the Legislative Council to study the feasibility and desirability of establishing a statewide domestic violence task force to address domestic violence prevention issues and adopt a statewide domestic violence prevention strategy.

WHEREAS, the problem of domestic violence continues to escalate in this state; and

WHEREAS, domestic violence is a pervasive problem that often devastates its victims physically, emotionally, spiritually, and financially; and

WHEREAS, the North Dakota Supreme Court has urged a unified effort be made at all levels, including local and state, public and private, executive, legislative, and judicial, to implement the state strategy to attack and resolve the domestic violence problem in the state; and

WHEREAS, there currently exists a Governor's task force that deals exclusively with the expenditure of federal Violence Against Women Act funds but does not address prevention strategies;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That the Legislative Council study the feasibility and desirability of establishing a statewide domestic violence task force to address domestic violence prevention issues and adopt a statewide domestic violence prevention strategy; and

BE IT FURTHER RESOLVED, that in conducting the study, the Legislative Council investigate the availability of federal funds to assist in funding the study and seek the involvement of the North Dakota Supreme Court, the Governor, the Attorney General, and the North Dakota Council on Abused Women's Services; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Fifty-sixth Legislative Assembly.

Filed March 25, 1997

CHAPTER 632**SENATE CONCURRENT RESOLUTION NO. 4027**

(Senators Wanzek, Kelsh)
(Representatives D. Johnson, Murphy, Schmidt, Wilkie)

DOT HIGHWAY 281 STUDY

A concurrent resolution requesting the North Dakota Department of Transportation to study the feasibility and desirability of upgrading United States Highway 281 to an all-year load-free highway.

WHEREAS, United States Highway 281 extends from the Peace Garden on the Canadian border to Brownsville, Texas; and

WHEREAS, the International United States Highway Association has actively promoted United States Highway 281 as a corridor for commerce and 267 miles of this corridor are in this state; and

WHEREAS, United States Highway 281 is heavily used the entire year to move many of this state's raw and finished products; and

WHEREAS, the average annual daily traffic per day in Jamestown is 20,500 vehicles per day and the annual daily truck traffic is 475 trucks per day; and

WHEREAS, 60 miles of pavement on United States Highway 281 are 30 years old or older, the average age of the pavement is 22 years, and the design life for the pavement is 20 years;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That the North Dakota Department of Transportation be requested to study the feasibility and desirability of making United States Highway 281 an all-year load-free highway; and

BE IT FURTHER RESOLVED, that the North Dakota Department of Transportation report its findings and recommendations, together with any legislation to implement the recommendations, to the Fifty-sixth Legislative Assembly.

Filed March 25, 1997

CHAPTER 633**SENATE CONCURRENT RESOLUTION NO. 4030**

(Senators DeMers, Kinnoin, Traynor)
(Representatives Christopherson, D. Johnson, Kerzman)

WELFARE REFORM TRIBAL RELATIONS STUDY

A concurrent resolution directing the Legislative Council to study the issues of welfare reform as they relate to the relationship between the state and the federally recognized Indian tribes within the state.

WHEREAS, Congress has enacted Public Law 104-193, which substantially reforms the welfare system and which includes block grants to the states and to federally recognized Indian tribes, if the tribes so choose, along with strict work requirements for recipients of public assistance and time limits for recipients of public assistance; and

WHEREAS, members of federally recognized Indian tribes represent less than six percent of the population of the state; however, approximately 25 percent of the welfare caseload of the state is tribal members who live on reservations; and

WHEREAS, tribal economies have not been as strong as the economy of the remainder of the state which will make compliance with the work participation rate requirements of the welfare reform legislation more difficult to achieve on the reservations; and

WHEREAS, the federally recognized tribes in the state are undecided as to whether to apply for state and federal block grants that would allow the tribes to design and administer their own welfare system; and

WHEREAS, the federally recognized tribes in the state are unsure as to the role the state should play, if any, in the development, funding, and administration of a tribally administered welfare program; and

WHEREAS, the federally recognized tribes in the state desire to engage in constructive dialogue with the state regarding welfare reform issues of mutual concern;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That the Legislative Council study the issues of welfare reform as they relate to the relationship between the state and the federally recognized Indian tribes within the state; and

BE IT FURTHER RESOLVED, that the Legislative Council, in conducting its study, shall solicit input from tribal members, tribal leaders, and tribal government officials interested in state and tribal welfare reform issues; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Fifty-sixth Legislative Assembly.

Filed March 20, 1997

CHAPTER 634**SENATE CONCURRENT RESOLUTION NO. 4032**

(Senators Tomac, Kelsh)
(Representatives Brandenburg, Brown, DeKrey, Renner)

PACKING INDUSTRY COMPETITION URGED

A concurrent resolution urging the United States Department of Agriculture to support efforts to restore competition in the livestock packing industry.

WHEREAS, the State of North Dakota has many agriculture livestock operations, which support the economy within the state; and

WHEREAS, market prices for cattle have recently fallen to levels that are below the production costs and that this situation is a result of a highly concentrated market; and

WHEREAS, this situation threatens the stability of the economy within the borders of the state; and

WHEREAS, the United States Secretary of Agriculture and the Grain Inspection and Packers and Stockyards Administration have recently published the Western Organization of Resource Councils' Livestock Concentration Rulemaking Petition on behalf of citizens and organizations within North Dakota, and five other states;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That the Fifty-fifth Legislative Assembly of the State of North Dakota supports actions taken by the United States Secretary of Agriculture to restore competitive practices to the livestock slaughter trade, including:

1. Prohibiting packers who process more than five percent of the national daily slaughter of a given species from procuring livestock for slaughter through the use of forward contracts, unless the contracts contain a firm base price that can be equated to a fixed dollar amount on the day the contract is signed and the forward contract is offered or bid in an open, public manner; and
2. Prohibiting packers, other than farmer-owned cooperatives, from owning and feeding livestock, unless the livestock are sold for slaughter in an open, public market; and

BE IT FURTHER RESOLVED, that the Secretary of State forward copies of this resolution to the Secretary of the United States Department of Agriculture, the Administrator of the Grain Inspection and Packers and Stockyards Administration and to each member of the North Dakota Congressional Delegation.

Filed March 25, 1997

CHAPTER 635**SENATE CONCURRENT RESOLUTION NO. 4033**

(Senators Tomac, Freborg)
(Representatives Grosz, Mahoney)

MISSOURI RIVER BANK PROTECTION URGED

A concurrent resolution urging the Congress of the United States and the United States Army Corps of Engineers to assume responsibility for Missouri River bank erosion downstream from all Pick-Sloan Project dams, including the Garrison Dam to Oahe Reservoir reach in North Dakota, and to continue a program of annually appropriating funds for the maintenance and construction of bank protection projects.

WHEREAS, the Flood Control Act of 1944, as amended, assured benefits to all 10 states within the Missouri River basin under a control and management program that came to be commonly known as the Pick-Sloan Project; and

WHEREAS, the Congress has directed the United States Army Corps of Engineers to build, operate, and maintain all the features of the Pick-Sloan Project; and

WHEREAS, the Pick-Sloan Project provides major flood control benefits, recreational benefits, water supply benefits, hydropower benefits, and navigational benefits for states lying below Sioux City, Iowa, through construction of large reservoirs in states lying above that point, and by channelizing the Missouri River from Sioux City, Iowa, to St. Louis, Missouri, at federal expense; and

WHEREAS, the Pick-Sloan Project reservoirs have been in place for many years, thus providing the downstream states in the Missouri River Basin all of the benefits promised in the Pick-Sloan Project; and

WHEREAS, construction of facilities under the Pick-Sloan Project has, to date, resulted in \$10.6 billion of flood protection to downstream interests and has allowed those downstream interests to develop the original floodplain of the Missouri River for industrial, municipal, and agricultural uses; and

WHEREAS, the United States Army Corps of Engineers has stabilized and continues to maintain the entire channel of the Missouri River from Sioux City, Iowa, to St. Louis, Missouri, all at federal expense; and

WHEREAS, under the Pick-Sloan Project, North Dakota has sacrificed over 550,000 acres of land, which has meant the permanent loss of 2,641 jobs, \$45 million of annual personal income, and \$131 million of annual gross business volume; and

WHEREAS, almost two-thirds of the inexpensive hydroelectric power generated by Garrison Dam in North Dakota, which was built pursuant to the Pick-Sloan Project, is used in states other than North Dakota; and

WHEREAS, the United States Army Corps of Engineers stated in its final report to Congress dated December 1981 concerning the Missouri River streambank

erosion that "bank erosion in this reach results in a permanent net loss of high value lands. This process, unless halted, would eventually transform the present river into a wide area of sandbars and channels, occupying an increasing proportion of the valley width between the bluffs"; and

WHEREAS, the lands adjacent to the Missouri River have been and will continue to be seriously eroded and permanently lost to the local landowners and the state of North Dakota because of reservoir management that releases highly fluctuating amounts of clear water capable of eroding and transporting large amounts of soil; and

WHEREAS, soil eroded from the banks of the Missouri River is being deposited as a delta in the headwaters of the Oahe Reservoir and Lake Sakakawea thereby causing the water table to rise under the adjacent land, and is increasing the frequency and severity of ice jam hazards and has, according to recent United States Army Corps of Engineers' pronouncements, endangered 6,000 acres of land containing 150 homes, industrial development, and valuable farmland around Lake Oahe; and in the headwaters area of Lake Sakakawea, the delta is endangering the Buford-Trenton irrigation district, the water intake for the city of Williston, and many acres of valuable farmland; and

WHEREAS, a similar bank erosion problem exists for a 58-mile reach on the South Dakota-Nebraska border downstream from the Gavins Point Dam and also between the Fort Peck Dam in Montana and Lake Sakakawea; and

WHEREAS, destructive bank erosion continues when high winter water releases for power generation occur; and

WHEREAS, Section 33 of the Water Resource Development Act of 1988 amended the Flood Control Act of 1944 and directed the Secretary of the Army to undertake measures that the Secretary of the Army determines are needed to alleviate bank erosion and related problems associated with reservoir releases along the Missouri River between the Fort Peck Dam in Montana and a point 58 miles downstream of the Gavins Point Dam on the South Dakota-Nebraska border; and

WHEREAS, at the request of Congress, a 1988 General Accounting Office study agreed that since the closure of the Garrison Dam accretion no longer occurs and a net loss of land results and the study also identified one option of funding bank stabilization projects as allocating these costs, whether economically justifiable or not, to Pick-Sloan Project purposes; and

WHEREAS, Congress appropriated \$1.5 million in fiscal year 1992 and \$1.5 million in fiscal year 1993 for the purpose of protecting the banks of the Missouri River; and

WHEREAS, the United States Army Corps of Engineers has used these funds for maintenance of existing bank protection projects, and the corps insists that new protection projects may not be constructed unless a site-specific benefit-cost ratio greater than one exists which is contrary to the language and intent of Section 33 of the Water Resource Development Act of 1988 and contrary to the funding criteria of many other projects the United States Army Corps of Engineers has found necessary to complete the Pick-Sloan Project;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That the Fifty-fifth Legislative Assembly urges the Congress of the United States to continue the responsibility for the protection of lands endangered below all Pick-Sloan Project dams by the operation of the Pick-Sloan Project; and

BE IT FURTHER RESOLVED, that the Congress of the United States is urged to continue a program of annually appropriating funds to repair existing bank protection projects now in danger of failure and to begin to construct bank protection projects in the most critical locations; and

BE IT FURTHER RESOLVED, that the United States Army Corps of Engineers, in evaluating each erosion site, disregard site-specific benefit-cost studies as stated in the Government Accounting Office study as was the intent of Section 33 of the Water Resource Development Act of 1988 and that if benefit-cost studies are made, that the benefits are project-wide and include the delta problems and the enhancement of hydropower and water release capabilities; and

BE IT FURTHER RESOLVED, that the members of the North Dakota Congressional Delegation are urged to work diligently with the senators and congressmen of the states of Montana, South Dakota, and Nebraska to secure appropriations of these necessary funds; and

BE IT FURTHER RESOLVED, that funding for this project not be a normal federal water project appropriation, but rather be charged to the construction and maintenance of the Pick-Sloan Project; and

BE IT FURTHER RESOLVED, that the United States Army Corps of Engineers be urged to initiate a program to construct bank protection structures along the Missouri River between Fort Peck and a point 58 miles downstream of Gavins Point Dam, as directed by Section 33 of the Water Resource Development Act of 1988; and

BE IT FURTHER RESOLVED, that the Secretary of State forward copies of this resolution to the Secretary of the Army; Secretary of the Interior; District Engineer, Omaha District, United States Army Corps of Engineers; the Governor; each member of the North Dakota State Water Commission; and each member of the North Dakota, South Dakota, Nebraska, and Montana Congressional Delegations.

Filed March 25, 1997

CHAPTER 636

SENATE CONCURRENT RESOLUTION NO. 4034

(Senators Tomac, Freborg)
(Representatives Grosz, Mahoney)

PICK-SLOAN MASTER MANUAL REVISIONS URGED

A concurrent resolution urging the United States Army Corps of Engineers to include provisions for the protection of recreation, municipal, industrial, irrigation, and other interests on the Missouri River in North Dakota in developing a revised master manual for the future operation of the Pick-Sloan Project.

WHEREAS, the Flood Control Act of 1944, as amended, assured benefits to all 10 states within the Missouri River Basin under a control and management program that came to be commonly known as the Pick-Sloan Project; and

WHEREAS, the Congress of the United States has directed the United States Army Corps of Engineers to build, operate, and maintain all the features of the Pick-Sloan Project; and

WHEREAS, the Pick-Sloan Project provides major flood control benefits, recreational benefits, water supply benefits, hydropower benefits, and navigational benefits for the downstream states of Iowa, Nebraska, Missouri, and Kansas through construction of large reservoirs in states lying upstream from these states, and by channelizing the Missouri River from Sioux City, Iowa, to St. Louis, Missouri, at federal expense; and

WHEREAS, the Pick-Sloan Project reservoirs have been in place for many years, thus providing the downstream states in the Missouri River Basin all of the benefits promised in the Pick-Sloan Project; and

WHEREAS, construction of facilities under the Pick-Sloan Project has, to date, resulted in \$10.6 billion of flood protection to downstream interests and has allowed these downstream interests to develop the original floodplain of the Missouri River for industrial, municipal, and agricultural uses; and

WHEREAS, under the Pick-Sloan Project, North Dakota has sacrificed over 550,000 acres of land, which has meant the permanent loss of 2,641 jobs, \$45 million of annual personal income, and \$131 million of annual gross business volume; and

WHEREAS, the United States Army Corps of Engineers is now in the process of revising its master manual for the operation of the entire Pick-Sloan Project in future years; and

WHEREAS, the construction of the Pick-Sloan Project has divided the Missouri River in North Dakota into four distinct regions, namely, the Missouri River reach above Williston, Lake Sakakawea, the Missouri River reach from Garrison Dam to the headwaters of Lake Oahe, and Lake Oahe; and

WHEREAS, as the recreation industry on the Missouri River mainstem in North Dakota, which has developed into a \$67 million per year industry, suffered severely when the United States Army Corps of Engineers allowed lake levels to drop drastically during the drought of the late 1980s and the early 1990s; and

WHEREAS, the United States Army Corp of Engineers, in its new proposed operation plan called the Missouri River Master Manual Preferred Alternative, is planning to allow Lake Sakakawea to drop to 1,775 feet mean sea level and Lake Oahe to 1,540 feet mean sea level in future drought years, thereby again severely damaging North Dakota's recreation industry; and

WHEREAS, the riverbanks in the Garrison Dam to Oahe Reservoir reach consist of ancient floodplain deposits that have been and will be severely eroded with great loss of valuable land whenever high water flows are released from Garrison Dam; and

WHEREAS, the irrigators, fishermen, boaters, industrial, and municipal water intakes, dredged channels, and marinas have all utilized the moderate summer river levels of the Garrison to Oahe reach both before and after the construction of the Garrison Dam; and

WHEREAS, the United States Army Corps of Engineers, in its proposed master manual, is proposing high spring releases every third year and these releases will cause severe bank erosion and loss of much valuable land; and

WHEREAS, the United States Army Corps of Engineers is also proposing very low water releases during the summer to allow endangered shore birds to nest, which will seriously affect many irrigators, recreation users, water intakes, dredged channels, and marinas;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That the Fifty-fifth Legislative Assembly requests the United States Army Corps of Engineers to respect the large sacrifice North Dakota has made in order that the Pick-Sloan Project could be built; and

BE IT FURTHER RESOLVED, that the United States Army Corps of Engineers, in its new master manual, provide for Lake Sakakawea minimum levels of at least 1,802 feet mean sea level and Lake Oahe levels of at least 1,569 feet mean sea level, so that North Dakota's flourishing recreation industry may continue to operate; and

BE IT FURTHER RESOLVED, that the United States Army Corps of Engineers, in its master manual, delay any unnecessary high and very high water releases on the free flowing reaches of the Missouri River, which cause the unnecessary loss of valuable land and an increase in flood damage until such time when the riverbanks are protected; and

BE IT FURTHER RESOLVED, that the United States Army Corps of Engineers more evenly balance the needs of endangered species in the Upper Missouri River Basin with the requirements for water supply, the reduction of bank erosion, recreation, and flood control in the free flowing stretches of the Missouri River; and

BE IT FURTHER RESOLVED, that the Governor, members of the North Dakota Congressional Delegation, the State Engineer and staff, director of the Game and Fish Department and staff, and many others be commended for their efforts to date and be urged to continue to work diligently at the local and national levels to influence the United States Army Corps of Engineers to adopt a master manual for the future operation of the Missouri River that is acceptable to all areas and interests on the Missouri River in North Dakota; and

BE IT FURTHER RESOLVED, that the Secretary of State forward copies of this resolution to the Division Commander of the Missouri River Division of the United States Army Corps of Engineers in order to be part of the public record for the Missouri River Master Manual Draft Environmental Impact Statement; the Secretary of the Army; the Secretary of the Interior; the District Engineer, Omaha District, United States Army Corps of Engineers; the Governor; each member of the State Water Commission; and each member of the North Dakota, South Dakota, Wyoming, and Montana Congressional Delegations.

Filed March 25, 1997

CHAPTER 637**SENATE CONCURRENT RESOLUTION NO. 4035**

(Senators Thompson, LaFountain, Wogsland)
(Representatives Kerzman, Warner, Wilkie)

**NORTH AMERICAN INDIGENOUS GAMES
CONGRATULATED**

A concurrent resolution congratulating the North American Indigenous Games TEAM North Dakota, an indigenous sports organization comprised of members from the Spirit Lake Nation; Standing Rock Sioux; Three Affiliated Tribes; and Turtle Mountain Band of Chippewa, for successfully securing the bid to host the 1999 North American Indigenous Games in Fargo, North Dakota, to be held July 28 through August 27, 1999.

WHEREAS, the mission of the North American Indigenous Games is to improve the quality of life for indigenous peoples by supporting self-determined sports and cultural activities which encourage equal access to participation in the social and cultural fabric of the communities where they reside and which respect indigenous distinctiveness; and

WHEREAS, the North American Indigenous Games will showcase the athletic skills, abilities, and talents of North Dakota native youth and adult athletes, who will serve as positive role models for healthy living for the native youth as well as the nonnative youth of our state; and

WHEREAS, the youth of North Dakota, who are our future leaders, will be encouraged to develop positive leadership abilities by the organization and participation in this outstanding event; and

WHEREAS, the North American Indigenous Games will provide an opportunity to promote tourism in North Dakota to showcase the history of North Dakota and plains culture, history, and native heritage of the Indian nations of this state; and

WHEREAS, this international event is expected to draw over 30,000 visitors to the state of North Dakota and is expected to provide a direct economic impact of an estimated \$20 million during the North American Indigenous Games;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That the Fifty-fifth Legislative Assembly supports and endorses the 1999 North American Indigenous Games in the Fargo-Moorhead area in July and August of 1999; and

BE IT FURTHER RESOLVED, that the Legislative Assembly encourages the citizens, state agencies, and private sector of North Dakota to share their hospitality and to fully support the successful accomplishment of this worthwhile endeavor.

Filed March 25, 1997

CHAPTER 638**SENATE CONCURRENT RESOLUTION NO. 4036**

(Senators Nalewaja, Cook, C. Nelson, Robinson, W. Stenehjem)
(Representative Kliniske)

DISCRIMINATION STUDY

A concurrent resolution directing the Legislative Council to study the level of and remedies for discrimination in this state.

WHEREAS, Congress and the North Dakota Legislative Assembly have enacted laws prohibiting discrimination; and

WHEREAS, this state has operating within it many state and federal agencies with the power to investigate and provide appropriate remedies in different cases of discrimination; and

WHEREAS, there needs to be a determination of whether there are instances of discriminatory actions in violation of state and federal laws before the Legislative Assembly can fashion appropriate remedies; and

WHEREAS, if discriminatory actions are found to exist, there needs to be a determination of whether existing state agencies have the power to remedy those activities; and

WHEREAS, remedies available in this state should be compared to procedures used by other states to investigate and provide appropriate remedies in cases of discrimination;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That the Legislative Council study the level of and remedies for discrimination in this state; and

BE IT FURTHER RESOLVED, that the study determine the degree of discrimination in this state, determine current and additional remedies including educational initiatives to prevent discrimination, and develop recommendations to establish a commission visible to the public with representative membership able to objectively investigate citizen complaints and enforce remedies; and

BE IT FURTHER RESOLVED, that the study include an examination of the membership, structure, authority, duties and responsibilities, and funding of commissions in other states; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Fifty-sixth Legislative Assembly.

Filed March 19, 1997

CHAPTER 639**SENATE CONCURRENT RESOLUTION NO. 4037**

(Senators St. Aubyn, Robinson, Thane)
(Representatives Delmore, Kliniske, Poolman)

BOILER OPERATOR LICENSING STUDY

A concurrent resolution directing the Legislative Council to study the feasibility and desirability of licensing high pressure boiler operators, including which state agency would manage a state licensing process, the fees necessary to fund a licensing program, whether adequate training opportunities exist to support licensing, and whether any other state has a boiler licensing program with which this state could join.

WHEREAS, the operation of high pressure boilers and other high pressure vessels may pose significant safety risks; and

WHEREAS, North Dakota does not license high pressure boiler operators; and

WHEREAS, a comprehensive study of the actual risks from not licensing high pressure boiler operators, the availability of training programs, and other states' laws and practices may be appropriate before implementing licensure requirements for high pressure boiler operators;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That the Legislative Council study the feasibility and desirability of licensing high pressure boiler operators, including which state agency would manage a state licensing process, the fees necessary to fund a licensing program, whether adequate training opportunities exist to support licensing, and whether any other state has a boiler licensing program with which this state could join; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Fifty-sixth Legislative Assembly.

Filed March 20, 1997

CHAPTER 640**SENATE CONCURRENT RESOLUTION NO. 4038**

(Senators St. Aubyn, Solberg, Robinson)
(Representatives Delmore, Monson, Skarphol)

ADVOCACY PROGRAM MERGER STUDY

A concurrent resolution directing the Legislative Council to study the effectiveness of and methods to improve advocacy programs administered by the Department of Human Services and the feasibility and desirability of merging those advocacy programs, including the vulnerable adult protective services program, into the protection and advocacy program.

WHEREAS, the Committee on Protection and Advocacy provides advocacy and protective services for persons with developmental disabilities and persons with mental illnesses; and

WHEREAS, the Committee on Protection and Advocacy must balance the rights of persons to privacy and to refuse services with the committee's duties to protect the human and legal rights of persons eligible for services and to monitor facilities for compliance with federal and state laws and rules; and

WHEREAS, the vulnerable adult protective services program provides remedial, social, legal, health, mental health, and referral services that are necessary and appropriate for the prevention, correction, or discontinuance of abuse or neglect of a vulnerable adult; and

WHEREAS, the Department of Human Services and county social service boards are not required to implement or enforce the vulnerable adult protective services program with respect to any region, area, or county of this state if the Legislative Assembly does not provide an appropriation to support the implementation and enforcement of the program within that region, area, or county; and

WHEREAS, a number of other advocacy programs administered by the Department of Human Services have purposes similar to those of the Committee on Protection and Advocacy and the vulnerable adult protective services program; and

WHEREAS, the merging of the various advocacy programs may be one method to improve the effectiveness and efficiency of the programs and may avoid a duplication in services; and

WHEREAS, shared resources may be a method to improve the effectiveness and the efficiency of the programs;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That the Legislative Council study the effectiveness of and methods to improve advocacy programs administered by the Department of Human Services and the feasibility and desirability of merging those advocacy programs, including

the vulnerable adult protective services program, into the protection and advocacy program; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Fifty-sixth Legislative Assembly.

Filed March 20, 1997

CHAPTER 641**SENATE CONCURRENT RESOLUTION NO. 4040**

(Senators Schobinger, Grindberg, Krauter, O'Connell, Thane)

PREPAID COLLEGE TUITION STUDY

A concurrent resolution directing the Legislative Council to study the feasibility and desirability of implementing a prepaid college tuition program.

WHEREAS, during the 1980s the cost of college tuition rose faster than family income; and

WHEREAS, people became concerned about the future ability of average American families to afford college tuition for their children; and

WHEREAS, by implementing a prepaid college tuition program, people could pay current tuition prices at participating institutions and be guaranteed that their children's tuition would be covered, regardless of how high the costs rose in the future; and

WHEREAS, over 30 states responded to the concern about college affordability by adopting some type of college savings program; and

WHEREAS, the Bank of North Dakota could incorporate the administrative duties of a prepaid college tuition program within its existing obligations; and

WHEREAS, the State Board of Higher Education and the representatives of all universities and colleges under the control of the board have a vested interest in promoting and ensuring the affordability of higher education for the citizens of this state;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That the Legislative Council study the feasibility and desirability of implementing a prepaid college tuition program; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Fifty-sixth Legislative Assembly.

Filed March 26, 1997

CHAPTER 642**SENATE CONCURRENT RESOLUTION NO. 4041**

(Senators Lindaas, Thane)
(Representative Aarsvold)

WATERSHED DISTRICT STUDY

A concurrent resolution directing the Legislative Council to study the establishment of watershed districts to manage water based on watershed boundaries.

WHEREAS, the effective management of the state's water resources is essential to the health, prosperity, and general welfare of the citizens of North Dakota; and

WHEREAS, most of the state's existing water resource political subdivisions are based upon political boundaries and not hydrologic boundaries; and

WHEREAS, the state's rivers, streams, and watersheds do not correspond with existing political boundaries; and

WHEREAS, many watershedwide issues such as channel maintenance, upstream drainage, and drain maintenance extend across the boundaries of existing water-related political subdivisions and necessarily require watershedwide or regionwide solutions that smaller water-related political entities are incapable of providing;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That the Legislative Council study the establishment of watershed districts to manage water based on watershed boundaries; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Fifty-sixth Legislative Assembly.

Filed March 28, 1997

CHAPTER 643**SENATE CONCURRENT RESOLUTION NO. 4042**

(Senators St. Aubyn, Grindberg, Robinson)
(Representatives R. Kelsch, Kretschmar, Wentz)

**"ABUSE", "NEGLECT", AND "EXPLOITATION"
USAGE STUDY**

A concurrent resolution directing the Legislative Council to study the use of "abuse," and "neglect," and "exploitation" in the North Dakota Century Code.

WHEREAS, the terms "abuse," "neglect," and "exploitation" are not defined consistently throughout the North Dakota Century Code; and

WHEREAS, concerns have been expressed by private developmental disability providers regarding the lack of consistency in the application of the terms to the provider setting; and

WHEREAS, use of those terms should be compared to definitions used by other states and the federal government; and

WHEREAS, a need may exist to establish different grades or levels of severity of each term;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That the Legislative Council study the use of "abuse," "neglect," and "exploitation" in the North Dakota Century Code; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Fifty-sixth Legislative Assembly.

Filed March 25, 1997

CHAPTER 644**SENATE CONCURRENT RESOLUTION NO. 4043**

(Senators Fischer, Krebsbach, Nalewaja)
(Representatives Carlson, Skarphol, Wald)

INSURANCE CONSULTANTS PRACTICES STUDY

A concurrent resolution directing the Legislative Council to study the issue of insurance brokers acting as consultants and the public policy of prohibiting insurance consultants from collecting commissions, consulting fees, and policy fees.

WHEREAS, the insurance industry is rapidly evolving as the new millennium approaches; and

WHEREAS, the fashion in which insurance products are being marketed is changing; and

WHEREAS, the commission structure of certain insurance products makes it economically unfeasible to market products to particular markets; and

WHEREAS, although numerous professions in North Dakota are allowed to charge consultant fees during the normal course of business, insurance brokers are prohibited from being paid a consulting fee or policy fee in addition to collecting commission for insurance sold to the same client;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That the Legislative Council study the issue of insurance brokers acting as consultants and the public policy of prohibiting insurance consultants from collecting commissions, consulting fees, or policy fees; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Fifty-sixth Legislative Assembly.

Filed March 19, 1997

CHAPTER 645**SENATE CONCURRENT RESOLUTION NO. 4044**

(Senators Kelsh, O'Connell)
(Representative Brandenburg)

AGRICULTURAL LIEN FILING STUDY

A concurrent resolution directing the Legislative Council to study ways of improving the filing of agricultural liens so losses resulting from incomplete or inaccurate information can be reduced.

WHEREAS, the central filing system was designed to reduce the number of filings required to gain a perfected security interest; and

WHEREAS, the central filing system was designed to provide easy and widespread access to lien and security information; and

WHEREAS, losses are occasionally suffered when not all liens and security information are accessed;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That the Legislative Council study ways of improving the filing of agricultural liens so losses resulting from incomplete or inaccurate information can be reduced; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Fifty-sixth Legislative Assembly.

Filed March 25, 1997

CHAPTER 646**SENATE CONCURRENT RESOLUTION NO. 4045**

(Senator W. Stenehjem)
(Representative Kretschmar)

DISTRICT COURT AND CLERK STUDY

A concurrent resolution directing the Legislative Council to study state funding of the office of clerk of district court, the issues and problems associated with the continued implementation of court unification, and the effective provision of judicial services to the citizens of this state.

WHEREAS, since 1981, the judicial system has evolved through a series of consolidation refinements culminating in 1991 legislation abolishing county courts, establishing a single level trial court system, and requiring the reduction in total number of judges to 42 by January 2, 2001; and

WHEREAS, clerks of district court are an integral part of the court system but their status as elected county officials poses unique and significant issues concerning the effective operation of the courts in providing judicial services; and

WHEREAS, continued implementation of court unification requires substantive review of issues concerning the means of effectively providing judicial services with reduced judicial resources, including the location of judicial services, facility standards for courthouses, continued refinement of venue requirements, and methods of juror selection; and

WHEREAS, complex issues concerning state funding of the office of clerk of district court and continued implementation of court unification and the impact upon counties, the courts, and judicial services provided to North Dakota citizens are most proficiently considered by a body with the reservoir of knowledge about the issues and reflecting the diverse interests, needs, and allegiances of those affected by those issues;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That the Legislative Council study state funding of the office of clerk of district court, the issues and problems associated with the continued implementation of court unification, and the effective provision of judicial services to the citizens of this state; and

BE IT FURTHER RESOLVED, that the Legislative Council consider including representatives of clerks of court, county commissioners, and judges on the interim committee; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Fifty-sixth Legislative Assembly.

Filed March 25, 1997

CHAPTER 647**SENATE CONCURRENT RESOLUTION NO. 4046**

(Senators Holmberg, Freborg, Goetz, Nething, Redlin, Robinson)

VOCATIONAL AND TECHNICAL EDUCATION STUDY

A concurrent resolution directing the Legislative Council to study the role of the State Board for Vocational and Technical Education in work force training and retraining, to determine whether the current organizational structure of the board is adequate to ensure continued leadership in readying the state's citizens for a globally competitive marketplace, and to determine the adequacy of funding for the board and for vocational and technical education in this state.

WHEREAS, it is the mission of the State Board for Vocational and Technical Education to work with representatives of the State Board for Higher Education, Job Service North Dakota, the Department of Economic Development and Finance, the Superintendent of Public Instruction, the Work Force Development Council, and the Department of Human Services to provide the citizens of this state with the technical skills, knowledge, and attitudes necessary for successful performance in a globally competitive marketplace; and

WHEREAS, it is the mission of the State Board for Vocational and Technical Education to work with representatives of the private sector to create a responsive and flexible work force that is capable of meeting the short-term and long-term needs of business and industry in this state; and

WHEREAS, it is the mission of the State Board for Vocational and Technical Education to provide leadership and quality services designed to stimulate and support economic growth and diversity in this state;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That the Legislative Council study the role of the State Board for Vocational and Technical Education in work force training and retraining, to determine whether the current organizational structure of the board is adequate to ensure continued leadership in readying the state's citizens for a globally competitive marketplace, and to determine the adequacy of funding for the board and for vocational and technical education in this state; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Fifty-sixth Legislative Assembly.

Filed March 26, 1997

CHAPTER 648**SENATE CONCURRENT RESOLUTION NO. 4047**

(Senators Holmberg, Freborg, O'Connell, Wanzek)
(Representative R. Kelsch)

FEDERAL EDUCATION LEGISLATION IMPACT STUDY

A concurrent resolution directing the Legislative Council to study the short-term and long-term impact of federal education legislation, and other direct and indirect mandates from whatever sources, on the educational goals and fiscal well-being of school districts.

WHEREAS, the Constitution of North Dakota provides that the Legislative Assembly shall provide for "the establishment and maintenance of a system of public schools which shall be open to all children of the state"; and

WHEREAS, the Constitution of North Dakota provides that the Legislative Assembly shall take "steps as may be necessary to prevent illiteracy, secure a reasonable degree of uniformity in course of study, and to promote industrial, scientific, and agricultural improvements"; and

WHEREAS, the enactment of federal legislation such as the Goals 2000: Educate America Act, the School-to-Work Opportunities Act, the Elementary and Secondary Education Act, the Rehabilitation Act, the Safe Schools Act, the Refugee Assistance Act, and the Individuals with Disabilities Education Act, among others, together with the development of state accreditation standards, has significantly impacted the ability of local school districts to determine a course of education and to deliver a course of education to their students;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That the Legislative Council study the short-term and long-term impact of federal education legislation, and other direct and indirect mandates from whatever sources, on the educational goals and fiscal well-being of school districts; and

BE IT FURTHER RESOLVED, that the Legislative Council appoint a committee having broad-based representation among urban and rural and small, medium, and large school districts to pursue this study; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Fifty-sixth Legislative Assembly.

Filed March 26, 1997

CHAPTER 649**SENATE CONCURRENT RESOLUTION NO. 4048**

(Senator W. Stenehjem)
(Representatives Christenson, Price)

DIVORCE ISSUES STUDY

A concurrent resolution directing the Legislative Council to study the interrelationship of the postjudgment issues of child support and visitation, including the accountability of both parents to honor divorce orders and the development of a parenting education program that addresses the impact of divorce on children.

WHEREAS, nationwide, there are more than one million children each year whose parents are involved in divorce proceedings; and

WHEREAS, research indicates that children of divorcing couples are at a greater risk than children in two-parent families for a range of problems, from depression to poor grades to substance abuse; and

WHEREAS, at least 10 states, including Iowa and Illinois, have enacted legislation that provides for either voluntary or mandated education programs for divorcing parents; and

WHEREAS, each child has a right to be guided, nurtured, and supported emotionally, physically, and financially by both parents regardless of the parents' marital status; and

WHEREAS, concerns have been expressed that there are inequities in the enforcement of visitation orders and child support obligations;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That the Legislative Council study the interrelationship of the postjudgment issues of child support and visitation, including the accountability of both parents to honor divorce orders and the development of a parenting education program that addresses the impact of divorce on children; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Fifty-sixth Legislative Assembly.

Filed March 25, 1997

CHAPTER 650**SENATE CONCURRENT RESOLUTION NO. 4049**

(Senators W. Stenehjem, Nalewaja, Watne)
(Representatives R. Kelsch, Kretschmar, Stenehjem)

SEXUAL OFFENSE LAWS STUDY

A concurrent resolution directing the Legislative Council to study the feasibility and desirability of revising the sections of the North Dakota Century Code which relate to sexual offenses.

WHEREAS, it is a legislative responsibility to review existing laws to ensure that they address the problems they are intended to rectify; and

WHEREAS, the Fifty-fifth Legislative Assembly consider at least 10 measures relating to sexual offenders; and

WHEREAS, the sexual offense statutes are interrelated and sometimes a change in one section necessitates a reevaluation of other sections;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That the Legislative Council study the feasibility and desirability of revising the sections of the North Dakota Century Code which relate to sexual offenses; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Fifty-sixth Legislative Assembly.

Filed March 25, 1997

CHAPTER 651

SENATE CONCURRENT RESOLUTION NO. 4050

(Senators G. Nelson, Mathern)
(Representatives Dorso, Boucher)

LIGNITE INDUSTRY TAX AND REGULATION STUDY

A concurrent resolution directing the Legislative Council to study taxation and regulatory incentives for the lignite industry in order to improve its competitive position in the energy marketplace.

WHEREAS, North Dakota's lignite industry produces approximately thirty million tons of lignite annually, contributing to our state's and nation's energy independence by generating electricity for more than two million people in the northern great plains region and by producing synthetic natural gas from coal that heats 300,000 homes and businesses in eastern states, which is equivalent to over 20,000 barrels of oil per day; and

WHEREAS, North Dakota's lignite industry generates over 20,000 direct and indirect jobs for North Dakota, over one billion dollars in annual business volume, and over sixty-five million dollars in annual tax revenue; and

WHEREAS, the Legislative Assembly has previously determined that it is an essential governmental function and public purpose to assist with the development and wise use of North Dakota's vast lignite resources by supporting a lignite research, development, and marketing program; and

WHEREAS, the Gascoyne Mine recently closed due to the loss of its contract due to out-of-state coal competition; and

WHEREAS, subbituminous coal is presently being test burned in two North Dakota coal generating facilities; and

WHEREAS, with deregulation and restructuring within the electrical industry, there are increasing competitive pressures on the lignite industry; and

WHEREAS, government taxation and regulatory costs constitute up to thirty percent of the cost of North Dakota lignite; and

WHEREAS, North Dakotans desire to maintain their state's status as one of only a few clean air states and as a state with an equitable tax structure;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That the Legislative Council study the feasibility and desirability of providing taxation incentives and eliminating unnecessary regulatory burdens in order to make the lignite industry more competitive in order to protect and enhance the jobs and economic activity associated with the development of the state's abundant state lignite resource, while at the same time maintaining a clean and healthy environment for all of our state's citizens; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Fifty-sixth Legislative Assembly.

Filed March 25, 1997

CHAPTER 652**SENATE CONCURRENT RESOLUTION NO. 4051**

(Senators Solberg, Christmann)

SCHOOL CORE CURRICULUM STUDY

A concurrent resolution directing the Legislative Council to study the desirability of requiring that a core curriculum be taught from kindergarten through grade 12; and if determined to be desirable, to develop a core curriculum or endorse an existing core curriculum for delivery to each North Dakota school child, regardless of where the child resides; and to determine the desirability and feasibility of requiring the state to assume all costs of delivering that core curriculum to each North Dakota school child.

WHEREAS, the Constitution of North Dakota states that the Legislative Assembly is to provide for "the establishment and maintenance of a system of public schools which shall be open to all children of the state"; and

WHEREAS, the Constitution of North Dakota states that the Legislative Assembly shall take "steps as may be necessary to prevent illiteracy, secure a reasonable degree of uniformity in course of study, and to promote industrial, scientific, and agricultural improvements"; and

WHEREAS, the Legislative Assembly believes that each North Dakota school child should be challenged academically in, at the very least, the disciplines of mathematics, science, English, history, geography, music, art, and physical education, regardless of where in the state the child resides;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That the Legislative Council study the desirability of requiring that a core curriculum be taught from kindergarten through grade 12; and if determined to be desirable, to develop a core curriculum or endorse an existing core curriculum for delivery to each North Dakota school child, regardless of where the child resides; and to determine the desirability and feasibility of requiring the state to assume all costs of delivering that core curriculum to each North Dakota school child; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Fifty-sixth Legislative Assembly.

Filed March 26, 1997

CHAPTER 653**SENATE CONCURRENT RESOLUTION NO. 4052**

(Senators Andrist, Naaden, Solberg)
(Representatives Huether, Kempenich)

OCCUPATIONAL LICENSING PRIVATIZATION STUDY

A concurrent resolution directing the Legislative Council to study occupational and professional licensing entities with an emphasis on methods to privatize licensing entities.

WHEREAS, during the 1995-96 interim, the Legislative Council conducted a comprehensive study of all boards, committees, commissions, and councils of state government; and

WHEREAS, because of the large scope of that study, the interim committee was unable to fully research areas in which other states are attempting to consolidate or eliminate occupational and professional licensing entities; and

WHEREAS, there are approximately 40 occupational and professional licensing entities for which the Legislative Assembly has oversight and legal responsibility; and

WHEREAS, other states are attempting to address the problem of the growing number of state licensing entities through privatization of those entities; and

WHEREAS, a number of occupational and professional licensing entities in this state have demonstrated an interest in working with establishing models of privatization of licensing functions;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That the Legislative Council study occupational and professional licensing entities with an emphasis on methods to privatize licensing entities; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Fifty-sixth Legislative Assembly.

Filed March 20, 1997

CHAPTER 654**SENATE CONCURRENT RESOLUTION NO. 4053**

(Senators LaFountain, Nalewaja, Robinson)

JUVENILE CRIME DISPOSITION STUDY

A concurrent resolution directing the Legislative Council to study the prevention of and dispositional alternatives to juvenile crime with a focus on services offered to American Indian children.

WHEREAS, according to 1992 statistics, American Indian children represent seven percent of all the children in North Dakota, but represent 28 percent of the children in juvenile detention and 36 percent of the admissions to the North Dakota Youth Correctional Center; and

WHEREAS, dispositional alternatives to admission to the North Dakota Youth Correctional Center include community service, employment, education, self-help groups, drug and alcohol testing and treatment, house arrest, electronic monitoring, curfew, and supervision sessions; and

WHEREAS, there are special problems concerning delinquency in the rural and tribal areas of this state; and

WHEREAS, there is a need to identify and treat the problems of juveniles that enter the juvenile justice system;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That the Legislative Council study the prevention of and dispositional alternatives to juvenile crime with a focus on services offered to American Indian children; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Fifty-sixth Legislative Assembly.

Filed March 25, 1997

CHAPTER 655**SENATE CONCURRENT RESOLUTION NO. 4054**

(Senators DeMers, Fischer, Thane, Yockim)

ASSISTIVE TECHNOLOGY REIMBURSEMENT STUDY

A concurrent resolution directing the Legislative Council to study whether the Department of Human Services should reimburse qualified service providers who provide assistive technology devices and services to individuals with disabilities.

WHEREAS, an assistive technology device is any item or system used to increase, maintain, or improve the functional capabilities of individuals with disabilities to perform tasks such as communicating, speaking, seeing, hearing, maneuvering, moving, walking, standing, reaching, grasping, working, sleeping, learning, or caring for themselves; and

WHEREAS, an assistive technology service is any service that directly assists individuals with disabilities in selecting or using assistive technology devices and includes evaluating the needs of individuals with disabilities; coordinating and employing other therapies or services with assistive technology devices; and training or technical assistance; and

WHEREAS, a qualified service provider is a county agency or an independent contractor who agrees to meet standards for service and operations established by the Department of Human Services;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That the Legislative Council study whether the Department of Human Services should reimburse qualified service providers who provide assistive technology devices and services to individuals with disabilities; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Fifty-sixth Legislative Assembly.

Filed March 20, 1997

CHAPTER 656**SENATE CONCURRENT RESOLUTION NO. 4055**

(Senator Andrist)
(Political Subdivisions Committee)

EXTENDED AREA TELECOMMUNICATIONS STUDY

A concurrent resolution directing the Legislative Council to study the potential for expansion of extended area telecommunications service.

WHEREAS, rural communities and schools in those communities are frequently restrained by the lack of toll-free telephone lines used for Internet access; and

WHEREAS, there appears to be a shortage of extended area service opportunities to residents in rural areas; and

WHEREAS, the loss of businesses and services in rural communities makes rural residents ever more dependent on long-distance service to communicate for their essential needs; and

WHEREAS, an alternative to current service is a tiered system providing add-ons to basic telephone service;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That the Legislative Council study the potential for expansion of extended area telecommunications service; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Fifty-sixth Legislative Assembly.

Filed March 25, 1997

CHAPTER 657**SENATE CONCURRENT RESOLUTION NO. 4057**

(Senators G. Nelson, Mathern)
(Representatives Dorso, Boucher)
(Approved by the Delayed Bills Committee)

GARRISON DIVERSION COMPLETION URGED

A concurrent resolution urging Congress to complete the Garrison Diversion project, to provide water for eastern North Dakota, and to meet the other water needs of the state.

WHEREAS, North Dakota lost more than 500,000 acres of valuable river bottomlands as a result of construction of the Missouri River reservoirs under the federal Flood Control Act of 1944, causing an annual loss of millions of dollars in economic gross product and an additional annual loss in personal income as well as other serious impacts to individuals, political subdivisions, and North Dakota's Indian Nations; and

WHEREAS, operation of the Pick-Sloan Missouri River dams has caused extensive damage and erosion to the remaining river banks and sediment buildup in areas of the upper reaches of the Oahe and Garrison reservoirs; and

WHEREAS, North Dakota was assured by Congress in the Flood Control Act of 1944 that the loss of this valuable land and economic return would be offset by completion of the Garrison Diversion Unit; and

WHEREAS, project benefits to date have not fully realized the promise of Garrison diversion; and

WHEREAS, construction of Garrison diversion by the federal government has been delayed numerous times with construction costs increasing and the remaining benefits deferred with each delay; and

WHEREAS, the Red River Basin needs a dependable supply of water for the cities of Fargo and Grand Forks, smaller communities, rural water systems, industry, agricultural processing, manufacturing, and other purposes, including minimum flows, and to protect and enhance the economic stability and quality of life for the growing population of the Red River Basin; and

WHEREAS, North Dakota has tremendous potential to produce irrigated high-value nonsurplus crops, and a dependable water supply for the James River is necessary for the Oakes test area and to realize the incredible economic opportunity to produce onions, potatoes, vegetables, and other high-value crops under irrigation; and

WHEREAS, the short-term solution to Devils Lake flooding includes an emergency outlet, upper basin storage and infrastructure protection, and the long-term solution to Devils Lake water management includes an inlet and outlet facility, upper basin storage, and infrastructure protection as parts of a stabilization plan to protect against periods of flooding and drought; and

WHEREAS, communities and rural water systems across North Dakota need a clean dependable water supply to preserve the quality of life in rural North Dakota; with such supplies being provided by projects such as the Southwest Pipeline Project and the Northwest Area Water Supply as well as other systems now being developed to meet water supply needs; and

WHEREAS, Missouri River water, delivered to eastern North Dakota via the Sheyenne River, provides the best practical solution to bring a dependable and adequate water supply to satisfy the growing water needs of the Red River Basin, the James River, Devils Lake, and other areas for the long-term future; and

WHEREAS, most North Dakotans will benefit from ensuring an adequate water supply to areas of need; and

WHEREAS, failure to provide long-term water supply and management for the Red River Basin, the James River, Devils Lake, and other areas will jeopardize future economic opportunities dependent on water, including industry, agricultural processing, manufacturing, municipal growth, recreation and fish and wildlife, and will adversely affect the entire state of North Dakota;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That construction and completion of a federally funded Garrison Diversion is a critical priority for water supply, management, and development in the State of North Dakota; and

BE IT FURTHER RESOLVED, that the State of North Dakota is prepared to assume responsibility for planning, constructing, operating, and maintaining the Garrison principal water supply facilities; and

BE IT FURTHER RESOLVED, that establishment of an economic recovery water fund would advance municipal, rural, agriculture, industry, tourism, recreation, wildlife, aesthetics, and other water-related economic development projects; and

BE IT FURTHER RESOLVED, that the Legislative Assembly urges the Governor, the members of the Congressional delegation, and legislative leaders to work together in ongoing negotiations with other interested parties to reach consensus on legislation to complete the Garrison Diversion project and thereby achieve the goal of long-term future water supply for the Red River Basin; the James River; Devils Lake; Northwest Area Water Supply; the Southwest Pipeline; community water supply systems; rural water systems; Indian municipal, rural, and industrial water supply systems, and other areas, and to establish or enhance resources, wildlife, and water funds to assist in the development and completion of the Garrison Diversion Unit; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded by the Secretary of State to the Governor, each member of the North Dakota Congressional Delegation, and the United States Secretary of the Interior.

Filed March 28, 1997

CHAPTER 658**SENATE CONCURRENT RESOLUTION NO. 4058**

(Senators Traynor, G. Nelson, Mathern, Thompson)

(Representatives Dorso, Boucher)

(Approved by the Delayed Bills Committee)

DEVILS LAKE OUTLET CONSTRUCTION URGED

A concurrent resolution expressing the consensus of the Legislative Assembly and urging the United States Army Corps of Engineers to design and construct the emergency outlet for Devils Lake.

WHEREAS, the primary and most critical water management problem in the Devils Lake Basin is the flooding of Devils Lake; and

WHEREAS, this flooding is causing economic, social, and other hardships to the citizens of the Devils Lake Basin; and

WHEREAS, the fifth year of flooding is causing critical impacts to all resources, creating an emergency; and

WHEREAS, the Governor has declared that an emergency due to the disastrous flooding conditions exists within the State of North Dakota; and

WHEREAS, the state has initiated an emergency response plan which includes infrastructure preservation, upper basin water storage, and an outlet; and

WHEREAS, the United States Army Corps of Engineers has announced, in a plan dated August 12, 1996, an emergency outlet to reduce the flooding problems at Devils Lake; and

WHEREAS, this plan was developed after consideration of a number of criteria, including engineering feasibility, availability of information, relative effectiveness, views of the Spirit Lake Nation, costs, environmental impacts, downstream concerns, and construction time; and

WHEREAS, more than a dozen meetings were held within the Devils Lake Basin and downstream along the Sheyenne and Red Rivers during the fall of 1996 to gather public comment and questions about the United States Army Corps of Engineers' plan; and

WHEREAS, the United States Army Corps of Engineers' plan, after broad review, is judged to offer the best balance among the above criteria and consists of pumping Devils Lake water over the divide between Devils Lake and the Sheyenne River via the Twin Lakes outlet route; and

WHEREAS, in order to move forward the United States Army Corps of Engineers requires consensus on the part of state and local political leaders for this project; and

WHEREAS, the state is committed to a comprehensive solution to this flood emergency situation, including infrastructure preservation and restoration, upper basin water storage, and an outlet;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That the Fifty-fifth Legislative Assembly has reached consensus and approves of and urges the United States Army Corps of Engineers to move forward with the design and construction of the Twin Lakes Devils Lake outlet or the Peterson Coulee outlet; and

BE IT FURTHER RESOLVED, that the Secretary of State forward copies of this resolution to the Assistant Secretary of the United States Army for Civil Works and to each member of the North Dakota Congressional Delegation.

Filed March 28, 1997

CHAPTER 659**SENATE CONCURRENT RESOLUTION NO. 4059**

(Senator Sand)

(Representatives Monson, Olson)

(Approved by the Delayed Bills Committee)

DISHER RINK CONGRATULATED

A concurrent resolution congratulating the Disher Rink curling team on winning the 1997 United States men's curling national championship.

WHEREAS, the Disher Rink curling team is composed of Craig Disher, Hansboro; Kevin Kakela, Rolla; Joel Jacobson, Langdon; and Paul Peterson, Langdon; and

WHEREAS, after placing second in 1994 and third in 1995 this team, representing North Dakota and the Langdon Curling Club, came on strong at the end to win the 41st United States men's national championship; and

WHEREAS, the Disher Rink team from Langdon will enjoy the title of Team USA for the next year; and

WHEREAS, Team USA will now advance to the world curling championships to be held in Berne, Switzerland, April 12-20, 1997; and

WHEREAS, in addition to the world championships in Berne, this team has earned a berth into the United States Olympic trials to be held December 10-14, 1997, in Duluth, Minnesota, to compete with the top six teams in the United States for the sole right to represent the United States in the 1998 Winter Olympics in Nagano, Japan, where curling will be a full medal sport for the first time;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That the Fifty-fifth Legislative Assembly extends to all members of the Disher Rink team its heartiest congratulations for winning the 1997 United States men's curling national championship; and

BE IT FURTHER RESOLVED, that the Secretary of State forward copies of this resolution to each member of the Disher Rink team.

Filed April 2, 1997

CHAPTER 660**SENATE CONCURRENT RESOLUTION NO. 4060**

(Senators G. Nelson, Mathern)
(Representatives Dorso, Boucher)
(Approved by the Delayed Bills Committee)

DOCTOR OF THE DAY PROGRAM APPRECIATION

A concurrent resolution expressing the thanks and appreciation of the Fifty-fifth Legislative Assembly to the North Dakota Medical Association doctor of the day program.

WHEREAS, many practicing physicians from throughout the state, as well as resident physicians from the University of North Dakota School of Medicine family medicine residency programs in Minot, Grand Forks, Fargo, and Bismarck, have volunteered their services as the doctor of the day during the fifty-fifth legislative session; and

WHEREAS, many legislators, legislative employees, family members, lobbyists, and visitors to the Capitol have received treatment, counseling, and medications at no charge; and

WHEREAS, the North Dakota Medical Association, the Bismarck Family Practice Center, local pharmacies and pharmaceutical manufacturers, Mid Dakota Clinic, and Medcenter One Health Systems have all provided services, equipment, or supplies to the doctor of the day medical services room;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That thanks and appreciation be expressed to the physicians and health care groups who have volunteered their professional services, expertise, supplies, and equipment in the operation of the 1997 North Dakota Medical Association doctor of the day program.

Filed April 2, 1997

CHAPTER 661**SENATE CONCURRENT RESOLUTION NO. 4061**

(Senators W. Stenehjem, Holmberg, DeMers, Mutch, St. Aubyn)
(Representatives Kliniske, Poolman, Jensen, Svedjan, Christenson,
Glasheim, Brusegaard, Lloyd, Delmore, Nottestad)
(Approved by the Delayed Bills Committee)

SIoux WOMEN'S BASKETBALL CONGRATULATIONS

A concurrent resolution congratulating the University of North Dakota Fighting Sioux women's basketball team for winning the 1997 NCAA Division II national championship.

WHEREAS, the University of North Dakota Fighting Sioux women's basketball team captured its first-ever NCAA Division II championship and capped its postseason play with a 94-78 championship victory at Hyslop Sports Center in Grand Forks; and

WHEREAS, the Fighting Sioux women's basketball team tied its season record of 28 victories and for the eighth consecutive season won more than 20 games under the leadership of Coach Gene Roebuck; and

WHEREAS, Jaime Pudenz, named most outstanding player of the Division II Elite Eight tournament, Kelli Britz, and Jenny Crouse, named to the all-tournament team, and the other talented individual athletes distinguished themselves under the guidance of Coach Roebuck and assistant coaches Darcy Deutsch, Chris Gardner, and Doug Reiten by displaying explosive offense, tenacious defense, and exemplary teamwork in realizing their goal of a national championship, a performance of which North Dakotans are extremely proud;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That the Fifty-fifth Legislative Assembly takes pride in extending to all members and coaches of the University of North Dakota Fighting Sioux women's basketball team its heartiest congratulations for winning the 1997 NCAA Division II women's national basketball championship; and

BE IT FURTHER RESOLVED, that the Secretary of State forward enrolled copies of this resolution to each member of the University of North Dakota Fighting Sioux women's basketball team, to each of their coaches, and to the president of the University of North Dakota, home of the Fighting Sioux.

Filed April 2, 1997

CHAPTER 662**SENATE CONCURRENT RESOLUTION NO. 4062**

(Senators W. Stenehjem, Holmberg, DeMers, Mutch, St. Aubyn)
(Representatives Kliniske, Poolman, Jensen, Svedjan, Christenson,
Glasheim, Brusegaard, Lloyd, Delmore, Nottestad)
(Approved by the Delayed Bills Committee)

SIoux HOCKEY CONGRATULATIONS

A concurrent resolution congratulating the University of North Dakota Fighting Sioux hockey team for its outstanding season and its NCAA Division I hockey national championship.

WHEREAS, the University of North Dakota Fighting Sioux hockey team captured the NCAA Division I hockey national championship with a thrilling 6-4 victory over Boston University; and

WHEREAS, the 1996-97 University of North Dakota Fighting Sioux hockey team was co-champion of the Western Collegiate Hockey Association regular season, playoff champion of the Western Collegiate Hockey Association, and the NCAA Division I hockey national champion; and

WHEREAS, the leadership of Coach Dean Blais molded a team of outstanding individual athletes into a cohesive, unselfish team with balanced and explosive offense, unyielding defense, and stalwart goaltending and this team is an exemplar of the proud Fighting Sioux hockey heritage and claimed the sixth Fighting Sioux hockey national championship;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That the Fifty-fifth Legislative Assembly takes great pride in extending to all members and coaches of the University of North Dakota Fighting Sioux hockey team its heartiest congratulations for winning the 1996-97 NCAA Division I hockey national championship; and

BE IT FURTHER RESOLVED, that the Secretary of State forward enrolled copies of this resolution to each member of the University of North Dakota Fighting Sioux hockey team, to each of their coaches, and to the President of the University of North Dakota, home of the Fighting Sioux.

Filed April 10, 1997

CHAPTER 663**SENATE CONCURRENT RESOLUTION NO. 4063**

(Senators G. Nelson, Mathern)
(Representatives Dorso, Boucher)
(Approved by the Delayed Bills Committee)

**NORTHERN GREAT PLAINS RESEARCH FUNDING
URGED**

A concurrent resolution urging Congress to continue to fund the Northern Great Plains Research Laboratory.

WHEREAS, the Northern Great Plains Research Laboratory was founded in 1912 and operates on a budget of \$2.6 million; and

WHEREAS, the Northern Great Plains Research Laboratory supports North Dakota and Northern Great Plains agriculture through an integrated program that combines soil and crop management and conservation, irrigation and water management, forage and grassland management, and forage improvement; and

WHEREAS, the Northern Great Plains Research Laboratory has virtually unparalleled facilities, both in terms of land resources and in terms of the combination of different soil, plant, and animal science specializations; and

WHEREAS, the Northern Great Plains Research Laboratory has generated critical research findings regarding the conversion of conservation reserve program land to cropland; and

WHEREAS, the Northern Great Plains Research Laboratory has generated critical research findings regarding the importance of shelterbelts to agriculture in the Northern Great Plains states and the viability and hardiness of certain tree varieties for use as shelterbelts; and

WHEREAS, the President's fiscal year 1998 budget proposes an appropriation of \$726.8 million for the Agricultural Research Service, and spending proposed for certain programs within the service necessitates the termination of other research programs and the closure of research facilities, including the Northern Great Plains Research Laboratory; and

WHEREAS, the continued funding of the Northern Great Plains Research Laboratory is necessary to ensure both the continued viability of North Dakota agriculture and sustainable food production in the future;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That the Fifty-fifth Legislative Assembly urges Congress to continue to fund the Northern Great Plains Research Laboratory; and

BE IT FURTHER RESOLVED, that the Secretary of State forward copies of this resolution to the President of the United States, the Secretary of Agriculture, and to each member of the North Dakota Congressional Delegation.

Filed April 10, 1997

SENATE RESOLUTION

CHAPTER 664

SENATE RESOLUTION NO. 6001

(Senators Mathern, G. Nelson, Holmberg, Lips, Redlin, Yockim)

(Approved by the Delayed Bills Committee)

HARVEY D. TALLACKSON CONGRATULATIONS

A resolution congratulating Senator Harvey D. Tallackson of the 16th legislative district on his election to the position of 1997 president of the National Conference of Insurance Legislators.

WHEREAS, the National Conference of Insurance Legislators was founded by legislators from 17 states in 1969; and

WHEREAS, the National Conference of Insurance Legislators advances the knowledge and effectiveness of legislators and legislatures when dealing with matters relating to insurance law and participates in the formulation of model legislation for the resolution of insurance problems by the states on a state-by-state basis; and

WHEREAS, Senator Harvey D. Tallackson has served as a member of the North Dakota Senate since 1977; and

WHEREAS, Senator Harvey D. Tallackson has served as chairman of several standing and interim committees covering a wide scope of issues, including the 1983-84 interim Insurance Code Revision Committee, which completed the first modern revision of the state's insurance laws; and

WHEREAS, Senator Harvey D. Tallackson has been elected the 1997 president of the National Conference of Insurance Legislators;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA:

That the Senate extends to Senator Harvey D. Tallackson its heartiest congratulations for being elected the 1997 president of the National Conference of Insurance Legislators; and

BE IT FURTHER RESOLVED, that this resolution be entered in the journal and the President of the Senate present an enrolled copy to Senator Harvey D. Tallackson.

Filed March 18, 1997

HOUSE MEMORIAL RESOLUTION

CHAPTER 665

HOUSE MEMORIAL RESOLUTION NO. 7001

(Memorial Resolutions Committee)

HOUSE MEMBERS MEMORIAL

A memorial resolution for deceased members of the House of Representatives of North Dakota.

WHEREAS, God has summoned to eternal rest our former colleagues:

Anson J. Anderson, who served in the 31st through the 33rd Legislative Assemblies, from District 14, died March 10, 1996;

L. E. Berger, who served in the 44th and 45th Legislative Assemblies, from District 21, and in the 46th and 47th Legislative Assemblies, from District 13, died January 2, 1997;

L. D. "Lee" Christensen, who served in the 37th through the 39th Legislative Assemblies, from District 2, died November 9, 1996;

Vernon G. Dagman, who served in the 37th and 38th Legislative Assemblies, from District 14, died February 18, 1992;

Lawrence Dick, who served in the 34th through the 39th Legislative Assemblies, from District 14, and in the 40th through the 47th Legislative Assemblies, from District 27, died August 15, 1996;

Howard F. Doherty, who served in the 35th and 36th Legislative Assemblies, from District 48, died November 8, 1996;

Eldred N. Dornacker, who served in the 38th and 39th Legislative Assemblies, from District 8, and in the 40th through the 43rd Legislative Assemblies, from District 20, died March 3, 1995;

LeRoy Erickson, who served in the 40th and the 43rd through the 46th Legislative Assemblies, from District 26, died January 14, 1997;

Leonell "Lee" W. Fraase, who served in the 37th Legislative Assembly, from District 45, died May 12, 1996;

Robert E. Grant, who served in the 41st and 42nd Legislative Assemblies, from District 4, died February 3, 1997;

Edward "Ed" Gudajtes, who served in the 39th Legislative Assembly, from District 4, died January 22, 1997;

Andrew "Andy" Hagle, who served in the 53rd and 54th Legislative Assemblies, from District 23, died March 19, 1996;

Walter "Walt" Hjelle, who served in the 36th Legislative Assembly, from District 46, and in the 48th Legislative Assembly, from District 49, died July 4, 1996;

Peter "Pete" Hornstein, who served in the 35th through the 37th Legislative Assemblies, from District 42, died April 14, 1996;

Vernon M. Johnson, who served in the 27th through the 30th Legislative Assemblies, from District 12, died June 12, 1996;

H. Kent Jones, who served in the 40th and 41st Legislative Assemblies, from District 15, died December 17, 1995;

Marjorie Kermott, who served in the 43rd through the 46th Legislative Assemblies, from District 5, died January 17, 1997;

Kevin Kolbo, who served in the 50th through the 52nd Legislative Assemblies, from District 3, died July 3, 1996;

Harold Langseth, who served in the 32nd Legislative Assembly, from District 37, died August 15, 1996;

Ernest C. Livingston, who served in the 32nd Legislative Assembly, from District 29, died July 26, 1995;

Clarence Martin, who served in the 44th through the 52nd Legislative Assemblies, from District 38, and in the 53rd through the 55th Legislative Assemblies, from District 36, died February 9, 1997;

John McGauvran, who served in the 42nd through the 45th Legislative Assemblies, from District 10, died May 18, 1995;

Raymond J. McLain, who served in the 33rd and 34th Legislative Assemblies, from District 43, died March 10, 1996;

Catherine "Kit" Scherber, who served in the 50th through the 52nd Legislative Assemblies, from District 44, died November 12, 1995;

Fred T. Schmidt, who served in the 26th and 27th Legislative Assemblies, from District 34, died June 15, 1996;

Harry Semerad, who served in the 25th through the 27th Legislative Assemblies and in the 30th Legislative Assembly, from District 48, died April 21, 1995;

E. Odin Sjaastad, who served in the 35th through the 37th Legislative Assemblies, from District 44, died May 24, 1996;

William "Bill" C. Skjerven, who served in the 49th through the 52nd Legislative Assemblies, from District 16, died October 12, 1996;

Oscar Solberg, who served in the 31st through the 34th and in the 36th through the 39th Legislative Assemblies, from District 19, and in the 40th through the 49th Legislative Assemblies, from District 9, died November 20, 1996;

Albert L. Ulvedal, who served in the 42nd Legislative Assembly, from District 18, died July 10, 1995;

George Unruh, who served in the 39th Legislative Assembly, from District 7, and in the 40th Legislative Assembly, from District 18, died January 4, 1997;

Gilman Wastvedt, who served in the 37th through the 39th Legislative Assemblies, from District 8, died November 28, 1996; and

WHEREAS, we now pause to mourn the passing of our former House colleagues and to honor their memories; and

WHEREAS, these legislators rendered outstanding service to the people of the state by their contributions to public service;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA:

That we express our sorrow on their passing and our appreciation, on behalf of the people of North Dakota, of the loyal and devoted service of our former colleagues; and

BE IT FURTHER RESOLVED, that for the perpetuation of their memory this token of respect and sympathy by their successors in trust be printed in the Journal of the House of Representatives and that the Secretary of State present enrolled copies of this resolution to the surviving families of these deceased representatives.

Filed March 11, 1997

SENATE MEMORIAL RESOLUTION

CHAPTER 666

SENATE MEMORIAL RESOLUTION NO. 8001

(Memorial Resolutions Committee)

SENATE MEMBERS MEMORIAL

A memorial resolution for deceased members of the Senate of North Dakota.

WHEREAS, God has summoned to eternal rest our former colleagues:

L. D. "Lee" Christensen, who served in the 40th through the 44th Legislative Assemblies, from District 3, died November 9, 1996;

LeRoy Erickson, who served in the 47th and 48th Legislative Assemblies, from District 26, died January 14, 1997;

J. L. "Mike" Flatt, who served in the 26th through the 31st Legislative Assemblies, from District 14, died April 21, 1995;

H. Kent Jones, who served in the 42nd through the 46th Legislative Assemblies, from District 15, died December 17, 1995;

Earl M. Kelly, who served in the 39th Legislative Assembly, from District 15, and in the 40th, 49th, and 50th Legislative Assemblies, from District 24, died April 19, 1996;

Ernest C. Livingston, who served in the 33rd through the 36th Legislative Assemblies, from District 29, died July 26, 1995;

Catherine "Kit" Scherber, who served in the 53rd and 54th Legislative Assemblies, from District 44, died November 12, 1995;

Harry Semerad, who served in the 28th and 29th Legislative Assemblies, from District 48, died April 21, 1995;

Gilman Strand, who served in the 43rd through the 46th Legislative Assemblies, from District 20, died June 8, 1996;

George Unruh, who served in the 41st and 42nd Legislative Assemblies, from District 18, died January 4, 1997; and

WHEREAS, we now pause to mourn the passing of our former Senate colleagues and to honor their memories; and

WHEREAS, these legislators rendered outstanding service to the people of the state by their contributions to public service;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA:

That we express our sorrow on their passing and our appreciation, on behalf of the people of North Dakota, of the loyal and devoted service of our former colleagues; and

BE IT FURTHER RESOLVED, that for the perpetuation of their memory this token of respect and sympathy by their successors in trust be printed in the Journal of the Senate and that the Secretary of State present enrolled copies of this resolution to the surviving families of these deceased senators.

Filed March 18, 1997