

SENATE CONCURRENT RESOLUTIONS

CHAPTER 627

SENATE CONCURRENT RESOLUTION NO. 4001

(Senators Seymour, Heitkamp, Wardner)
(Representatives Boucher, Headland, Thorpe)

ENERGY DEVELOPMENT URGED

A concurrent resolution urging the President and Congress to make the entire nation available for energy development in an environmentally responsible manner.

WHEREAS, the oil and gas industry has demonstrated that onshore and offshore oil and natural gas resources can be developed in an environmentally responsible manner; and

WHEREAS, policies of the federal government have placed much of the nation's outer continental shelf off-limits to oil and natural gas production; and

WHEREAS, development of oil and natural gas resources, where allowed offshore, has coexisted for decades with recreational and commercial activities while benefiting the entire nation; and

WHEREAS, America's increased dependence on foreign energy supplies and global competition for oil and natural gas creates a threat to our national security; and

WHEREAS, United States energy use is growing twice as fast as United States energy production, and as a result natural gas prices have increased 140 percent and oil prices have increased 107 percent since 2000; and

WHEREAS, the Department of Energy forecasts the annual average price for natural gas will rise 10 percent in 2007; and

WHEREAS, rising energy costs are taking a toll on families throughout the nation; according to the National Energy Assistance Directors Association, 32 percent of families had to sacrifice medical care, 24 percent of families failed to make their rent or mortgage payment, 20 percent of families were without food for at least a day, and 44 percent of families skipped paying or only partially paid their home energy bill in the past year; and

WHEREAS, applications for the low-income home energy assistance program in 2006 reached almost 5.8 million households last year, the highest level in the last 13 years, with applications up an average of 12 percent, while nine states reported increases of at least 25 percent; and

WHEREAS, the nation's farming and ranching sectors depend on a reliable and affordable supply of energy to run equipment, fertilize crops, and transport products to market; and

WHEREAS, according to the United States Department of Agriculture, over the past three years increases in the fuel prices paid index have averaged 31 percent, and higher energy prices mean increased costs to farmers and ranchers, who already face tremendous economic challenges; and

WHEREAS, farmers' fuel, oil, and electricity expenditures have increased from \$8.6 billion to \$11.5 billion since 1999 according to the United States Department of Agriculture; these increases led to a \$4.5 billion decline in the United States fertilizer industry, which uses natural gas as a raw material to produce nitrogen fertilizer; and 36 percent of the United States fertilizer industry has been shutdown or mothballed since 2002; and

WHEREAS, in spite of significant progress in energy efficiency, the United States will still need 32 percent more energy to support economic growth by 2025; and

WHEREAS, inland states such as North Dakota are doing more to increase domestic oil and gas production, in 2005 North Dakota was the ninth largest oil-producing state, totaling 35.6 million barrels, while the state's natural gas production was more than 58 billion cubic feet; and

WHEREAS, North Dakota is cooperating with federal agencies in coordinating energy production on public lands that lie within state borders in an effort to better meet the energy needs of all Americans; and

WHEREAS, North Dakota's public lands have more than 1,500 federal oil and gas leases covering more than 814,000 acres and these public lands produced more than 6 million barrels of oil and more than 7.3 billion cubic feet of natural gas in 2005, generating almost \$35 million in federal oil and gas royalties; and

WHEREAS, public lands that lie off the nation's coasts also hold enormous potential for energy production, which could significantly help meet the energy needs of all Americans; and

WHEREAS, the United States outer continental shelf is conservatively estimated to hold over 419 trillion cubic feet of technically recoverable natural gas and 86 billion barrels of technically recoverable oil; and

WHEREAS, the Arctic National Wildlife Refuge has shown great potential for oil and natural gas production; and

WHEREAS, as this nation seizes the challenge of increasing domestic energy production, it is important to remember that those public lands that lie off our nation's coasts and in the Arctic National Wildlife Refuge hold enormous potential for energy production, which could significantly help to meet the energy needs of all Americans;

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

That the Sixtieth Legislative Assembly urges the President and the Congress of the United States to make the entire nation available for energy development in an environmentally responsible manner; and

BE IT FURTHER RESOLVED, that the President revoke administrative withdrawals on offshore energy development on the nation's outer continental shelf to provide needed energy resources to the United States; and

BE IT FURTHER RESOLVED, that the Secretary of State forward copies of this resolution to the President of the United States, the President of the Senate, the Speaker of the House of Representatives, the United States Secretary of the Interior, the Secretary of Energy, and to each member of the North Dakota Congressional Delegation.

Filed April 12, 2007

CHAPTER 628**SENATE CONCURRENT RESOLUTION NO. 4002**

(Senators Stenehjem, J. Lee, O'Connell)
(Representatives Berg, Boucher, Delzer)

GERALD R. FORD HONORED

A concurrent resolution honoring and remembering Gerald R. Ford, Thirty-eighth President of the United States.

WHEREAS, all North Dakotans were saddened to learn of the death of former President Gerald R. Ford on December 26, 2006; and

WHEREAS, President Gerald R. Ford served in the Pacific Theatre in the United States Navy during World War II, in the United States House of Representatives, including eight years as minority leader, as vice president, and as President of the United States; and

WHEREAS, President Gerald R. Ford had strong Midwestern roots, having been born in Nebraska, attended college at the University of Michigan where he helped his football team win two national titles, and having represented the state of Michigan in Congress; and

WHEREAS, President Gerald R. Ford will be remembered for having restored honesty, candor, and integrity to government as he ushered in a new era of national healing at a time of crisis in our nation; and

WHEREAS, President Gerald R. Ford's steadfast support of his wife Betty during her struggles with breast cancer and substance abuse addiction helped remove the stigmas associated with these medical and social ills; and

WHEREAS, North Dakotans were particularly honored when as President, Gerald R. Ford named a North Dakotan, Thomas Kleppe, to the cabinet position of Secretary of the Interior; and

WHEREAS, all North Dakotans join our nation in mourning the passing of this great American;

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

That we join all North Dakotans in expressing our sorrow on the passing of former President Gerald R. Ford as we honor and remember him for his loyal and dedicated service to our country; and

BE IT FURTHER RESOLVED, that the Secretary of State forward a copy of this resolution to the family of former President Gerald R. Ford and a copy to the Gerald R. Ford Presidential Library and Museum in Grand Rapids, Michigan.

Filed January 18, 2007

CHAPTER 629**SENATE CONCURRENT RESOLUTION NO. 4004**

(Senators Triplett, Fiebiger, Lyson)
(Representatives DeKrey, Delmore, Klemin)

JUVENILE COURT ACT PERSONNEL STUDY

A concurrent resolution directing the Legislative Council to study the respective responsibilities of county and state judicial system personnel under the Uniform Juvenile Court Act in light of statutory ambiguities in defining those responsibilities.

WHEREAS, the Uniform Juvenile Court Act, Chapter 27-20, was enacted in 1969 and has been amended numerous times in following years; and

WHEREAS, during the years after the Act's enactment the structure of this state's judicial system and the relationships between county personnel and state judicial system personnel have changed substantially as a result of legislative enactments; and

WHEREAS, the current Act provides for numerous actions in the adjudication of juvenile court cases, including preparation of petitions, service of notice, and presentation of evidence, but is ambiguous in defining institutional responsibilities for ensuring these actions are effectively and appropriately carried out; and

WHEREAS, these ambiguities pose difficulties concerning intrusions into respective executive and judicial branch spheres of authority and the blurring of institutional lines of responsibilities; and

WHEREAS, in light of the involvement and respective roles, and institutional interests, of county and state personnel and officials in the adjudication of juvenile court cases, a thorough review of those roles and interests and applicable statutes would aid in ensuring proper execution of the Act's objectives;

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

That the Legislative Council study the respective responsibilities of county and state judicial system personnel under the Uniform Juvenile Court Act in light of statutory ambiguities in defining those responsibilities; 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 Sixty-first Legislative Assembly.

Filed March 26, 2007

CHAPTER 630**SENATE CONCURRENT RESOLUTION NO. 4005**

(Senators Mathern, Fischer, J. Lee)
(Representatives Ekstrom, Hawken, Schneider)

**MENTALLY ILL TRANSITION TO INDEPENDENCE
STUDY**

A concurrent resolution directing the Legislative Council to study the feasibility and desirability of establishing a transition to independence program for young adults with mental illness.

WHEREAS, all youth are challenged by the transition to young adult roles in employment, education, independent living, and community life; and

WHEREAS, during this transition period, young adults face decisions about future career and educational goals, social responsibilities, self-management of one's behavior, alcohol and drug use, social problem-solving competencies, and maintenance of friendships and intimate relationships; and

WHEREAS, young adults with, or at-risk of, mental illness are particularly challenged by this transitional period; and

WHEREAS, current foster care, mental health, education, and other programs have not provided the community-relevant skills and experiences needed to facilitate successful transitions from home and school to young adult roles for those young adults with mental illness; and

WHEREAS, the transition period for young adults is complicated further by the lack of coordinated services among children's mental health, child welfare, educational, adult mental health, substance abuse treatment, and rehabilitation sectors; and

WHEREAS, in order to improve the likelihood of these individuals becoming contributing members of society, systems and methods that will effectively prepare them for transition to the community need to be explored and researched; and

WHEREAS, a transition to independence program helps to prepare and support young adults with mental illness in their movement into adult roles and personal functioning and success through an individualized developmentally appropriate process; and

WHEREAS, a transition to independence program helps emphasize strength-based services that can help young adults acquire skills in the key life domains of education, employment, community living, and managing relationships;

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 transition to independence program for young adults with mental illness; 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 Sixty-first Legislative Assembly.

Filed March 28, 2007

CHAPTER 631**SENATE CONCURRENT RESOLUTION NO. 4006**

(Senators Robinson, Anderson, Heitkamp)
(Representatives Gulleason, Metcalf, Wall)

VETERANS HEALTH CARE URGED

A concurrent resolution urging Congress to require the United States Department of Veterans' Affairs assume all health care and pharmaceutical needs of veterans in state veterans homes.

WHEREAS, the veterans residing in state veterans homes were in federal service; and

WHEREAS, the United States Department of Veterans' Affairs previously provided the veterans residing in state veterans homes with primary care and pharmaceuticals; and

WHEREAS, the cost of care for the veterans has increased dramatically;

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

That the Sixtieth Legislative Assembly urges the Congress of the United States to provide funding and require the United States Department of Veterans' Affairs to assume all health care and pharmaceutical needs of veterans in state veterans homes; and

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

Filed March 28, 2007

CHAPTER 632**SENATE CONCURRENT RESOLUTION NO. 4007**

(Senators Taylor, Erbele, Flakoll)
(Representatives DeKrey, Gulleeson, Onstad)

**MEAT AND POULTRY INSPECTION PROGRAM
FUNDING URGED**

A concurrent resolution urging Congress to provide adequate funding for state meat and poultry inspection programs and to enact legislation that allows federally approved state programs to ship state-inspected products interstate.

WHEREAS, state meat and poultry inspection programs are being funded at a level less than adequate for established and growing programs; and

WHEREAS, if the United States Department of Agriculture does not provide adequate funding, states may be unable to maintain their "equal to" status with federal requirements and the United States Department of Agriculture would then have to assume all responsibilities for meat inspection, which would be at nearly twice the cost and cause many plants to drop inspection; and

WHEREAS, the United States Department of Agriculture has verified through annual reviews and oversight of state inspection programs over the past 35 years that state meat and poultry inspection programs are equal to or exceed the level of food safety of the federal inspection program; and

WHEREAS, federal plants have an unfair advantage over state-inspected plants because they can ship products interstate; and

WHEREAS, current law penalizes small businesses by limiting marketing options; and

WHEREAS, current law discriminates against United States' products by allowing foreign-inspected products, which have received less inspection oversight from the United States Department of Agriculture than state programs, to be freely shipped and sold nationwide; and

WHEREAS, the current law banning interstate shipment is a marketing issue, not a food safety issue; and

WHEREAS, legislation is pending before Congress to lift the ban on interstate shipment of state-inspected meat and poultry products; and

WHEREAS, legislation would improve food safety by creating a more uniform system and increase consumer confidence;

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

That the Sixtieth Legislative Assembly urges the Congress of the United States to provide adequate funding for state meat and poultry inspection programs

and to enact legislation that allows federally approved state-inspected products to be shipped interstate; 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 the United States Department of Agriculture, the Chairmen of the United States Senate and United States House of Representatives Agriculture Committees, and to each member of the North Dakota Congressional Delegation.

Filed March 2, 2007

CHAPTER 633

SENATE CONCURRENT RESOLUTION NO. 4008

(Senators J. Lee, Robinson)
(Representative Price)

CHILD WELFARE SERVICES STUDY

A concurrent resolution directing the Legislative Council to study issues affecting the delivery of child welfare services in the state, including out-of-home placement determinations; emphasis on family counseling, including in-home counseling; staffing patterns in county social services offices; supervision standards for child welfare staff; funding from private, state, and federal sources; and the viability of joint powers agreements among counties and the nature of public and private partnerships in support of effective child welfare services.

WHEREAS, the Children's Justice Initiative Task Force was established to review issues regarding children in the state's child welfare system, particularly children who are abused or neglected, and to consider methods of ensuring better collaboration among and support for entities associated with child welfare services, including the courts; and

WHEREAS, information assembled and reviewed by the task force indicated that a disparity in standards used to determine the extent of child welfare services to be provided and to identify adequate methods to ensure child safety in the home exists; and

WHEREAS, joint efforts between the Department of Human Services and Village Family Services demonstrate contributions made by public and private partnerships in support of families; and

WHEREAS, there appears to be a need to establish uniform supervision standards for local level child welfare staff and to consider mechanisms to ensure an adequate level of training and compensation for child welfare staff; and

WHEREAS, lack or uncertainty of funding may adversely affect the delivery of basic services in rural areas and may limit the availability of effective preventative program services to limit children being removed from the home and to assist in effective transition upon return if a child is removed; and

WHEREAS, funding issues demonstrate the need to review the mix of private, state, and federal funding in support of child welfare services and to consider the viability of joint powers agreements among counties and the nature of public and private relationships to ensure that effective child welfare services are provided;

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

That the Legislative Council study issues affecting the delivery of child welfare services in the state, including out-of-home placement determinations; emphasis on family counseling, including in-home counseling; staffing patterns in county social services offices; supervision standards for child welfare staff; funding

from private, state, and federal sources; and the viability of joint powers agreements among counties and the nature of public and private partnerships in support of effective child welfare 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 Sixty-first Legislative Assembly.

Filed March 28, 2007

CHAPTER 634**SENATE CONCURRENT RESOLUTION NO. 4010**

(Senators Nelson, Horne, Robinson)
(Representatives Hawken, Mueller)

JAMES D. PLOYHAR MEMORIALIZED

A concurrent resolution in memory of James D. Ployhar.

WHEREAS, on January 2, 2007, James D. Ployhar was summoned to eternal rest; and

WHEREAS, James D. Ployhar taught music education in schools in Lakota and Fargo and at the International Music Camp for many years, established and directed the Fargo Theatre Big Band All Stars, and served as a clinician and guest conductor at the undergraduate and university level throughout the world; and

WHEREAS, James D. Ployhar, pursuant to a commission by the North Dakota Legislative Assembly, composed the Flickertail March and the Centennial Overture; and

WHEREAS, James D. Ployhar wrote and composed music that has been performed worldwide and coproduced a Disney adventure film; and

WHEREAS, James D. Ployhar graduated from Valley City State University and was awarded the university's Distinguished Alumnus Award; and

WHEREAS, James D. Ployhar was husband to Ruth, a father to Steve, Carol, Debbie, Jane, and Doug, and a friend to many citizens of this state; and

WHEREAS, we now pause to mourn the passing of James D. Ployhar and honor his memory for his outstanding service to the people of this state and those around the world who have had the pleasure of hearing his music performed;

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

That we express our sorrow on the passing of James D. Ployhar and show our appreciation, on behalf of the people of North Dakota, for his service and his gift of music; and

BE IT FURTHER RESOLVED, that the Secretary of State present enrolled copies of this resolution to the widow and children of James D. Ployhar, the Valley City State University Music Alumni Hall of Fame, and the International Music Camp.

Filed February 27, 2007

CHAPTER 635**SENATE CONCURRENT RESOLUTION NO. 4011**

(Senators J. Lee, Nelson, Nething)
(Representatives Boucher, DeKrey, S. Meyer)

GAMING COMMISSION STUDY

A concurrent resolution directing the Legislative Council to study the formation of a North Dakota gaming commission to regulate and control all forms of gaming in North Dakota.

WHEREAS, it is the responsibility of the Legislative Assembly to review existing boards and commissions to ensure that they fairly, efficiently, and competently regulate the industries over which they govern; and

WHEREAS, the gaming industry is made up of various forms of gaming, with numerous bodies governing the activities thereof; and

WHEREAS, the gaming industry is vital to North Dakota's economy and is a multimillion dollar industry contributing millions of dollars in tax revenues to the state each biennium;

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

That the Legislative Council study the formation of a North Dakota gaming commission to regulate and control all forms of gaming in 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 Sixty-first Legislative Assembly.

Filed March 26, 2007

CHAPTER 636

SENATE CONCURRENT RESOLUTION NO. 4012

(Senators J. Lee, Krebsbach, Nelson)
(Representatives Delmore, Gulleeson, L. Meier)

GO RED DAY

A concurrent resolution declaring Friday, February 2, 2007, "Go Red Day" in North Dakota and encouraging all citizens to wear red to raise awareness of cardiovascular disease.

WHEREAS, heart disease and stroke are the number one and number four killers of women over the age of 25; and

WHEREAS, 53 percent of all cardiovascular disease deaths occur in females, and each year approximately 32,800 more females than males die from stroke; and

WHEREAS, in 2004 heart disease and stroke accounted for 39.1 percent of all deaths in females in North Dakota; and

WHEREAS, in 2004 heart disease and stroke killed more females in North Dakota than the next five causes of death combined; and

WHEREAS, in 2007 the anticipated direct and indirect cost of cardiovascular diseases and stroke in the United States is estimated to be \$431.8 billion; and

WHEREAS, heart disease and stroke are largely preventable with early detection and prevention; and

WHEREAS, Go Red For Women is the American Heart Association's national call to increase awareness of heart disease and to inspire women to take charge of their heart health; and

WHEREAS, all women should learn their own personal risk for heart disease, using tools such as the American Heart Association's Go Red For Women Heart CheckUp and by talking to their health care providers; and

WHEREAS, the American Heart Association and the Dakota Medical Association are committed to public education and professional education about the risk factors for heart disease and stroke and to take action to reduce, control, or prevent as many risk factors as possible; and

WHEREAS, Go Red North Dakota, a three-year, \$1.2 million initiative of the American Heart Association and Dakota Medical Foundation, launches in 2007 to improve the cardiovascular health of women and their families;

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

That the Sixtieth Legislative Assembly expresses support for the Go Red North Dakota Initiative and commends the broad range of private and public sector

partners from the state and local levels for their hard work to improve the heart health of women and their families; and

BE IT FURTHER RESOLVED, that the Sixtieth Legislative Assembly declares Friday, February 2, 2007, "Go Red Day" and encourages all citizens to wear red to raise awareness of cardiovascular disease; and

BE IT FURTHER RESOLVED, that the Secretary of State forward copies of this resolution to the Governor, statewide Go Red spokesperson First Lady Mikey Hoeven, the Dakota Medical Foundation, the American Heart Association, and each member of the North Dakota Congressional Delegation.

Filed February 1, 2007

CHAPTER 637**SENATE CONCURRENT RESOLUTION NO. 4013**

(Senator Lyson)
(Representatives Hatlestad, Sukut)

**PUBLIC HOUSING AUTHORITY TAX EXEMPTION
STUDY**

A concurrent resolution directing the Legislative Council to study the property tax exemption for public housing authorities.

WHEREAS, the property of public housing authorities is exempt from taxation; and

WHEREAS, the tax exemption for property of public housing authorities is based on federal law as well as state statutory and constitutional authority; and

WHEREAS, public housing authorities acquire properties that previously have been on the tax rolls, which erodes the tax base for political subdivisions, which has particularly harsh impacts on school districts; and

WHEREAS, the removal of property from property tax rolls shifts the tax burden to other taxpayers and the loss of tax revenues reduces the quality of services provided to all property, including property of public housing authorities; and

WHEREAS, the growing level of property acquisition by public housing authorities in some communities is threatening the ability of political subdivisions to function;

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

That the Legislative Council study the property tax exemption for public housing authorities; 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 Sixty-first Legislative Assembly.

Filed March 26, 2007

CHAPTER 638**SENATE CONCURRENT RESOLUTION NO. 4015**

(Senators Klein, Erbele, Urlacher)
(Representatives Brandenburg, Weisz)

**CONSERVATION SECURITY PROGRAM FUNDING
URGED**

A concurrent resolution urging the Secretary of the United States Department of Agriculture to restore full funding to the Conservation Security Program, address and resolve problems in the administration of the program, and to compensate individual farmers for damages incurred which were caused by a lack of clarity in the general provisions of the program and how these provisions were communicated to participants.

WHEREAS, the Farm Security and Rural Investment Act of 2002 amended the Food Security Act of 1985 to authorize the Conservation Security Program; and

WHEREAS, the Conservation Security Program is administered by the United States Department of Agriculture's Natural Resources Conservation Service; and

WHEREAS, the Conservation Security Program is a voluntary program designed to provide financial and technical assistance to promote the conservation and improvement of soil, water, air, energy, plant and animal life, and other conservation purposes on tribal and private working lands; and

WHEREAS, the program is designed to provide equitable access to benefits to all producers, regardless of size of operation, crops produced, or geographic location; and

WHEREAS, the program is being poorly administered with Conservation Security Program participants receiving inaccurate and conflicting information concerning the program; and

WHEREAS, participants have been harmed by decisions made in reliance on commitments made by administrators of the program;

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

That the Sixtieth Legislative Assembly urge the Secretary of the United States Department of Agriculture to restore full funding to the Conservation Security Program, to address and resolve problems in the administration of the program, and to compensate individual farmers for damages incurred which were caused by a lack of clarity in the general provisions of the program and how these provisions were communicated to participants; 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 chairman of the Senate Committee on Agriculture, Nutrition and Forestry, and to each member of the North Dakota Congressional Delegation.

Filed March 26, 2007

CHAPTER 639**SENATE CONCURRENT RESOLUTION NO. 4016**

(Senators Lyson, Fischer, Krebsbach)
(Representatives Charging, Drowdal, Sukut)

**SOLUTION TO MISSOURI RIVER SEDIMENTATION
URGED**

A concurrent resolution urging Congress to direct the United States Army Corps of Engineers to address and rectify the problems caused by the accumulation of sediment in the Missouri River main stem reservoirs.

WHEREAS, the Fort Peck Dam, Garrison Dam, Oahe Dam, Big Bend Dam, Fort Randall Dam, and Gavins Point Dam and their associated reservoirs were improved or constructed under the Flood Control Act of 1944; and

WHEREAS, the Missouri River dams were constructed to provide numerous benefits, including flood control, hydropower generation, irrigation and domestic water supply, recreation, and fish and wildlife, with those benefits averaging over \$1 billion per year; and

WHEREAS, the United States Army Corps of Engineers' 2007 annual operating plan summary of engineering data shows a total annual sediment inflow into the reservoirs of 92,500 acre-feet per year; and

WHEREAS, the accumulation of sediment in the reservoirs since the reservoirs became operational has resulted in the loss of over 4,500,000 acre-feet of storage, which is the equivalent of 1,000 square miles of storage 7.5 feet deep; and

WHEREAS, the accumulation of sediment in the reservoirs has contributed to the occurrence and spread of noxious weeds; and

WHEREAS, the benefits created by the Missouri River dams accrue to all of the United States of America; and

WHEREAS, the Missouri River and its dams are a national resource; and

WHEREAS, the United States Army Corps of Engineers, the federal agency assigned the task of operating and maintaining the dams, does not specifically address sediment management in its annual operation and maintenance plan; and

WHEREAS, the ability of these dams to accumulate and store water for release during times of drought is essential to preservation of water-based benefits over the entire system, from the Fort Peck Dam to the mouth of the Missouri River near St. Louis, Missouri; and

WHEREAS, the extension of the life of and benefits provided by the Missouri River dams and reservoirs is of major importance to the United States;

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

That the Sixtieth Legislative Assembly urges the Congress of the United States to direct the United States Army Corps of Engineers to address and rectify problems caused by the accumulation of sediment in the Missouri River main stem reservoirs; and

BE IT FURTHER RESOLVED, that the Secretary of State forward copies of this resolution to the President of the United States; the Speaker and Minority Leader of the United States House of Representatives; the Majority Leader and the Minority Leader of the United States Senate; the Secretary of the Interior; the District Engineer, Omaha District; United States Army Corps of Engineers; the Division Commander of the Northwestern Division of the United States Army Corps of Engineers; the Secretary of the Army; the Governors of the states of Montana, South Dakota, and Nebraska; and to each member of the North Dakota Congressional Delegation.

Filed April 9, 2007

CHAPTER 640**SENATE CONCURRENT RESOLUTION NO. 4017**

(Senator Nething)

SMOKING CESSATION AND AVOIDANCE SUPPORTED

A concurrent resolution expressing support for the continued statewide efforts to prevent the initiation of smoking among minors and to promote quitting among minors and adults and expressing concern about employers that allow their teenage employees to take smoking breaks, a practice that encourages the initiation of tobacco use, does not encourage or create incentives for minors to quit smoking, reduces productivity and the amount of time spent on assigned work-related duties, and creates hostility between smoking and nonsmoking employees.

WHEREAS, the Legislative Assembly is concerned about minors' access to tobacco, the marketing of tobacco products to minors, and the health effects of tobacco products on minors and adults; and

WHEREAS, 90 percent of all initiation of tobacco use occurs among individuals under the age of 21; and

WHEREAS, each day, nearly 6,000 minors start smoking; of these, nearly 2,000 will become regular smokers resulting in almost 800,000 new underage smokers annually; and

WHEREAS, tobacco use in adolescence is associated with a range of health-compromising behaviors; and

WHEREAS, studies show that employees who smoke take a higher proportion of sick days and have longer absences than nonsmoking employees and have about two times more lost production time per week than employees who never smoked;

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

That the Sixtieth Legislative Assembly expresses support for the continued statewide efforts to prevent the initiation of smoking among minors and to promote the quitting of smoking among minors and adults and expresses concern about employers that allow their teenage employees to take smoking breaks, a practice that encourages the initiation of tobacco use, does not encourage or create incentives for minors to quit smoking, reduces productivity and the amount of time spent on assigned work-related duties, and creates hostility between smoking and nonsmoking employees.

Filed March 28, 2007

CHAPTER 641**SENATE CONCURRENT RESOLUTION NO. 4018**

(Senator J. Lee)
(Representative Boucher)

LONG-TERM CARE CHOICE SUPPORTED

A concurrent resolution expressing support for long-term care choices, including home and community-based services, for North Dakotans with disabilities and older adults.

WHEREAS, the public interest would best be served by a broad array of long-term care services that promote individual autonomy, dignity, and choice for older adults and those with disabilities, including more home and community-based services to give all North Dakotans who are older adults or who have a disability, free choice in planning and managing their lives; and

WHEREAS, the Legislative Assembly recognizes that nursing home care is also a critical part of the state's long-term care continuum and that such services should continue to promote individual dignity, autonomy, and a homelike environment to the greatest extent possible;

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

That the Sixtieth Legislative Assembly supports long-term care choices, including home and community-based services, for North Dakotans with disabilities and older adults to:

1. Plan and manage their own lives to the greatest extent possible;
2. Participate in the planning and operation of community-based services;
3. Receive information that will allow them to make informed care decisions;
4. Choose to remain in their communities and in their homes when appropriate to their needs and when it can be reasonably accommodated taking into account the resources available to the state and the needs of others with disabilities;
5. Meet their needs through a care system in a culturally sensitive way;
6. Support family members and other persons providing voluntary care; and
7. Make care choices from a long-term care continuum that is visible, trusted, and easily accessed.

CHAPTER 642**SENATE CONCURRENT RESOLUTION NO. 4019**

(Senators Dever, Fischer, J. Lee)
(Representatives Kreidt, Porter, Weisz)

CHIP REAUTHORIZATION URGED

A concurrent resolution urging Congress to reauthorize the state children's health insurance program.

WHEREAS, the Legislative Assembly regards the health of the children in this state to be of paramount importance to families in this state; and

WHEREAS, poor health of children is a threat to the educational achievement and the social and psychological well-being of the children of this state; and

WHEREAS, protecting the health of the children in this state is essential to the well-being of our youngest citizens and the quality of life in this state; and

WHEREAS, the Legislative Assembly considers Healthy Steps, the North Dakota children's health insurance program under North Dakota Century Code Chapter 50-29, which has enrolled uninsured children since the program's inception, to be an integral part of the arrangements for health benefits for the children of this state; and

WHEREAS, the Legislative Assembly recognizes the value of the state children's health insurance program in preserving child wellness, preventing and treating childhood diseases, improving health outcomes, and reducing overall health costs; and

WHEREAS, the Legislative Assembly considers the federal funding available for the state children's health insurance program to be indispensable to providing health benefits for children of modest means;

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

That the Sixtieth Legislative Assembly urges the Congress of the United States to reauthorize the state children's health insurance program under Title XXI of the federal Social Security Act [42 U.S.C. 1397aa et seq.], to assure continued federal funding for Healthy Steps--North Dakota's state children's health insurance program; and

BE IT FURTHER RESOLVED, that the Legislative Assembly urges the Governor of North Dakota to work with the members of the North Dakota Congressional Delegation to ensure state children's health insurance program is reauthorized in a timely manner; and

BE IT FURTHER RESOLVED, that the Legislative Assembly urges all applicable components of North Dakota state government to work together with educators, health care providers, social workers, and parents to ensure that all

available public and private assistance for providing health benefits to uninsured children in this state be used to the maximum extent possible; and

BE IT FURTHER RESOLVED, that the Legislative Assembly urges the Governor to use his best efforts to continue to provide meaningful assistance to help identify and enroll children who qualify for the state children's health insurance program; and

BE IT FURTHER RESOLVED, that the Secretary of State forward copies of this resolution to the Governor, the director of the Department of Human Services, the Superintendent of Public Instruction, the executive director of the Board of Nursing, the executive director of the State Board of Medical Examiners, the board administrator of the Board of Social Work Examiners, and each member of the North Dakota Congressional Delegation.

Filed March 28, 2007

CHAPTER 643**SENATE CONCURRENT RESOLUTION NO. 4020**

(Senators Krauter, Urlacher, Wardner)
(Representatives Kerzman, S. Meyer, Wald)

TIMESHARE AGREEMENT STUDY

A concurrent resolution directing the Legislative Council to study the regulation of and consumer protection for timeshare agreements.

WHEREAS, the rural areas of this state provide for a unique timeshare destination; and

WHEREAS, timeshare agreements for vacations in this state or sold to people in this state for vacations in other states are not currently regulated so as to provide consumers protection from unscrupulous sellers of timeshares; and

WHEREAS, many other states protect their citizens by filing requirements and by requiring timeshare agreements to certain consumer protection provisions; and

WHEREAS, the regulation of timeshares may involve the expertise of more than one state agency, including the Real Estate Commission, Securities Commissioner, and the Attorney General;

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

That the Legislative Council study the regulation of and consumer protection for timeshare agreements; 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 Sixty-first Legislative Assembly.

Filed March 26, 2007

CHAPTER 644**SENATE CONCURRENT RESOLUTION NO. 4021**

(Senators Cook, Oehlke, Tollefson, Urlacher, Wardner)

INCOME TAX LAWS STUDY

A concurrent resolution directing the Legislative Council to study the income tax laws, with emphasis on adjustments necessary to minimize or negate the impact to any taxpayer of establishing a single, uniform income tax return for all individuals.

WHEREAS, since 1981 North Dakota income tax laws have provided for two independent and inconsistent methods to determine state individual income tax liability; and

WHEREAS, existence of two inconsistent sets of laws relating to income taxes greatly increases administrative difficulties for the tax department, makes understanding and preparing income tax returns much more complex for taxpayers and tax preparers, and makes analysis of some pending legislation more difficult and unpredictable for the Legislative Assembly; and

WHEREAS, it appears that more than 97 percent of income tax filers file returns using form ND-1 so it should be possible to eliminate the need for the other income tax filing method by providing small adjustments that would minimize or negate any negative tax impact for the small percentage of taxpayers using the other income tax filing method;

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

That the Legislative Council study the income tax laws, with emphasis on adjustments necessary to minimize or negate the impact to any taxpayer of establishing a single, uniform income tax return for all individuals; 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 Sixty-first Legislative Assembly.

Filed March 26, 2007

CHAPTER 645**SENATE CONCURRENT RESOLUTION NO. 4022**

(Senator Mathern)
(Representative Kretschmar)

PURSUIT OF PEACE IN IRAQ URGED

A concurrent resolution urging Congress and the President to continue to pursue peace in Iraq and Afghanistan.

WHEREAS, American forces on duty in Iraq and Afghanistan serve bravely and merit the respect and support of all people; and

WHEREAS, at the conclusion of their efforts, it is desired to bring our troops back with honor and the appreciation of our citizens;

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

That the Sixtieth Legislative Assembly supports our brave men and women of the armed forces and their sacrifice and commitment to duty; and

BE IT FURTHER RESOLVED, that the Sixtieth Legislative Assembly urges Congress and the President to continue to pursue peace in Iraq and Afghanistan; and

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

Filed April 9, 2007

CHAPTER 646**SENATE CONCURRENT RESOLUTION NO. 4025**

(Senators Warner, J. Lee)
(Representative Price)

FOSTER CARE STUDY

A concurrent resolution directing the Legislative Council to study the feasibility and desirability of developing and funding a program to provide services to youth in foster care who are preparing to transition to adulthood and for youth between 18 and 21 years of age who have left foster care and need assistance.

WHEREAS, foster care services provide a substitute temporary living environment for children who cannot safely remain with their families; and

WHEREAS, an estimated 20,000 youth transition out of foster care annually in the United States; and

WHEREAS, youth who transition out of foster care are often at extreme risk of poverty and homelessness, victimization and criminal involvement, illness, early childbearing, and low educational attainment; and

WHEREAS, a child in foster care who reaches 18 years of age is likely to need assistance in making the transition from foster care to self-sufficiency in the form of assistance in obtaining a high school diploma, career exploration, vocational training, job placement and retention, training in daily living skills, training in budgeting and financial management skills, substance abuse prevention, and preventive health activities; and

WHEREAS, a program to provide services to youth transitioning out of foster care would provide personal and emotional support through mentors and the promotion of interactions with dedicated adults; and

WHEREAS, a program that provides financial, housing, counseling, employment, education, medical, and other appropriate support and services to former foster care recipients between 18 and 21 years of age would complement these young adults' efforts to achieve self-sufficiency and assure that program participants recognize and accept their personal responsibility for preparing for and making the transition from adolescence to adulthood;

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 developing and funding a program to provide services to youth in foster care who are preparing to transition to adulthood and for youth between 18 and 21 years of age who have left foster care and need assistance; 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 Sixty-first Legislative Assembly.

Filed March 28, 2007

CHAPTER 647**SENATE CONCURRENT RESOLUTION NO. 4026**

(Senators Warner, Cook, Krebsbach, O'Connell)

(Representatives Froseth, Price)

(Approved by the Delayed Bills Committee)

**PEACE GARDEN TRAVEL PASSPORT EXEMPTION
URGED**

A concurrent resolution urging Congress to exempt travel to the International Peace Garden from passport requirements.

WHEREAS, the International Peace Garden commemorates the peace between the United States and Canada through a 2,339-acre botanical garden located on the border between Manitoba and North Dakota; and

WHEREAS, the International Peace Garden hosts an International Music Camp, Summer School of Fine Arts, which is heavily attended by youth from the United States and Canada; and

WHEREAS, the camp provides immersion in the fine arts within the borders of the International Peace Garden; and

WHEREAS, the International Peace Garden hosts a variety of athletic and other educational events; and

WHEREAS, passport requirements for those attending International Peace Garden events would create an undue cost and administrative hardship that would greatly affect attendance; and

WHEREAS, passport requirements would generally affect attendance at the International Peace Garden for visitors whose only entrance into another country is within the boundaries of the International Peace Garden;

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

That the Sixtieth Legislative Assembly urges Congress to exempt travel to the International Peace Garden from passport requirements; and

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

Filed April 3, 2007

CHAPTER 648**SENATE CONCURRENT RESOLUTION NO. 4028**

(Senators Hacker, Holmberg, Robinson)
(Representatives DeKrey, R. Kelsch, Owens)

PATERNITY REGISTRY STUDY

A concurrent resolution directing the Legislative Council to study the feasibility and desirability of establishing a paternity registry.

WHEREAS, adoption is the process by which a legal parent-child relationship is created between individuals who are not biologically parent and child; and

WHEREAS, to ensure placement of children in need of homes with families, it is important that the adoption process supports the needs of all individuals involved and that the process is as fair, efficient, and cost-effective as possible; and

WHEREAS, a paternity registry gives unwed putative fathers a way to protect their interests in preserving a parent-child relationship when that child is or may be placed for adoption; and

WHEREAS, a paternity registry provides a way to promote stability in adoptive placements by ensuring that a child's adoptive placement is not disrupted by a putative father initiating late or untimely legal proceedings;

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

That the Legislative Council be directed to study the feasibility and desirability of establishing a paternity registry; 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 Sixty-first Legislative Assembly.

Filed March 28, 2007

CHAPTER 649**SENATE CONCURRENT RESOLUTION NO. 4029**

(Senators Mathern, Nething)

STATE HOSPITAL FACILITY TRANSFER STUDY

A concurrent resolution directing the Legislative Council to study the feasibility and desirability of transferring some of the facilities and property of the State Hospital from the Department of Human Services to the Department of Corrections and Rehabilitation.

WHEREAS, the State Hospital in Jamestown is provided for under Sections 12 and 13 of Article IX of the Constitution of North Dakota; and

WHEREAS, North Dakota Century Code Section 25-02-03 identifies the State Hospital as an institution serving specialized populations of the mentally ill, including persons suffering from drug addiction or alcoholism, and is one component of the North Dakota mental health delivery system; and

WHEREAS, the issues of the most appropriate use of the State Hospital in Jamestown, services for individuals with mental illness, services for individuals addicted to alcohol or other drugs, and the needs of the Department of Corrections and Rehabilitation have been issues of ongoing concern for the Legislative Assembly; and

WHEREAS, historically the average daily population of the State Hospital has been decreasing but the State Hospital has been experiencing an increase in the sex offender population and the state's inmate population has been increasing; and

WHEREAS, North Dakota Century Code Section 50-06-06.5 directs the Department of Human Services to develop a plan for an integrated, multidisciplinary continuum of services for individuals with chronic mental illness which must provide that an individual requiring treatment be submitted to the least restrictive available conditions necessary to achieve the purposes of treatment; and

WHEREAS, the Department of Human Services' plan for services for individuals with mental illness and individuals addicted to alcohol or other drugs should reflect the preference for treating individuals in or near the individuals' home community;

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 transferring some of the facilities and property of the State Hospital from the Department of Human Services to the Department of Corrections and Rehabilitation, including consideration of any constitutional, legal, and financial issues related to a transfer and creation of a comprehensive plan for the care of individuals with mental illness and care for individuals addicted to alcohol or other drugs and for the best use of the State Hospital facilities and property, including the continuation of a state

hospital in Jamestown to provide necessary services to individuals with mental illness and drug addiction and alcoholism; 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 Sixty-first Legislative Assembly.

Filed March 28, 2007

CHAPTER 650**SENATE CONCURRENT RESOLUTION NO. 4030**
(Senator Heckaman)**SCHOOL DISTRICT JOINT POWERS AND
REORGANIZATION STUDY**

A concurrent resolution directing the Legislative Council to study joint powers associations and school district reorganizations, annexations, and dissolutions.

WHEREAS, there are 95,600 students enrolled in public elementary and high schools in North Dakota; and

WHEREAS, this state has 156 high school districts, 34 elementary school districts, 5 one-room rural school districts, and 3 nonoperating school districts; and

WHEREAS, the continuing decline in the number of students will likely be paralleled by a continuing decline in the number of school districts; and

WHEREAS, under current law, a school district that is no longer self-sustaining has available the statutory options of reorganization with one or more contiguous districts or dissolution; and

WHEREAS, the statutory requirements for school district reorganizations and dissolutions need to be periodically examined to determine their appropriateness and continued relevancy given the numerous changes in the educational sector;

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

That the Legislative Council study joint powers associations and school district reorganizations, annexations, and dissolutions; the statutory requirements for effectuating each outcome, including the role of county superintendents and county committees; the impact of each on students, parents, teachers, taxpayers, and communities; and the continued relevancy of the processes in light of numerous changes in the educational sector; 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 Sixty-first Legislative Assembly.

Filed April 9, 2007

CHAPTER 651**SENATE CONCURRENT RESOLUTION NO. 4031**

(Senators Cook, J. Lee, Stenehjem)
(Representatives Belter, Kasper, Weiler)

PROPERTY TAX EFFICIENCY STUDY

A concurrent resolution directing the Legislative Council to study political subdivisions that receive property tax revenue and any changes that may increase efficiencies and reduce property taxes.

WHEREAS, this state relies heavily upon government employment with 21 percent of all workers being government employees as compared to 15 percent nationwide; and

WHEREAS, North Dakota ranks first in the number of statewide elected officials and units of government as compared to the other states and the District of Columbia; and

WHEREAS, on the basis of governmental units per 10,000 population, this state has over six times the governmental units of Minnesota, over three times the governmental units of Montana, and almost two times the governmental units of South Dakota; and

WHEREAS, many of the governmental units are funded primarily or entirely by property taxes; and

WHEREAS, property taxes on the same parcel of property have increased faster than increases in other taxes and inflation and efficiency in local government would benefit taxpayers;

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

That the Legislative Council study political subdivisions that receive property tax revenue and any changes that may increase efficiencies and reduce property 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 Sixty-first Legislative Assembly.

Filed March 26, 2007

CHAPTER 652**SENATE CONCURRENT RESOLUTION NO. 4032**

(Senator Dever)

STUDENT HIGH-RISK BEHAVIOR REDUCTION STUDY

A concurrent resolution directing the Legislative Council to study ways in which schools and school districts can better identify high-risk students and provide programs designed to reduce the incidences of high-risk behaviors that can lead to suicide attempts.

WHEREAS, in 2005, 15 males between the ages of 10 and 19 committed suicide in North Dakota; and

WHEREAS, in a 2005 survey, 15 percent of North Dakota high school students and 14 percent of North Dakota seventh and eighth grade students reported that they had considered suicide; and

WHEREAS, in the 2005 survey, 12 percent of North Dakota high school students and 8 percent of North Dakota seventh and eighth grade students reported that they had planned a suicide; and

WHEREAS, in the 2005 survey, 6 percent of North Dakota high school students and 5 percent of North Dakota seventh and eighth grade students reported that they had attempted suicide;

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

That the Legislative Council study ways in which schools and school districts can train teachers, counselors, and all other school staff to better identify high-risk students and ways in which schools and school districts can plan and provide programs designed to reduce the incidences of high-risk behaviors that can lead to suicide attempts; 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 Sixty-first Legislative Assembly.

Filed April 9, 2007

CHAPTER 653**SENATE CONCURRENT RESOLUTION NO. 4034**

(Senators Nelson, Fiebiger, Flakoll, Mathern, Pomeroy)

(Approved by the Delayed Bills Committee)

SMITH-LEMLI-OPITZ SYNDROME AWARENESS DAY

A concurrent resolution proclaiming Monday, November 12, 2007, Smith-Lemli-Opitz Syndrome Awareness Day.

WHEREAS, Smith-Lemli-Opitz Syndrome is an inherited autosomal recessive disorder, which means individuals with the disorder have inherited the defective gene from both parents, preventing individuals from making cholesterol in amounts sufficient for normal growth and development; and

WHEREAS, the disorder is a metabolic syndrome, which means a cluster of conditions that often occur together, characterized by developmental disabilities, which may include mental retardation, psychomotor and growth retardation, and communication issues; behavioral issues, which may include outbursts and self-abuse; and multiple congenital malformations, which may include organ problems, gastrointestinal problems, low muscle tone, cataracts, photosensitivity, weakened immune system, brittle bones, cleft palate, oral aversions, and hearing problems; and

WHEREAS, the clinical spectrum for individuals with Smith-Lemli-Opitz Syndrome is wide, ranging from some individuals having remarkably good intellectual functioning and the possibility of a normal lifespan and other individuals having severe developmental problems and a shortened lifespan; and

WHEREAS, although there are only two known cases in North Dakota, Smith-Lemli-Opitz Syndrome occurs in relatively high frequency in populations of northern and central European background, with as many as 1 in 30 individuals being carriers of the defective gene affecting approximately 1 in 10,000 to 30,000 live births; and

WHEREAS, although there is no known cure for Smith-Lemli-Opitz Syndrome, treatments such as dietary therapy, feeding tubes, and surgery have been found to relieve some of the symptoms; and

WHEREAS, early recognition and treatment of individuals with Smith-Lemli-Opitz Syndrome may improve substantially the medical and developmental outcome of these individuals;

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

That the Sixtieth Legislative Assembly proclaims Monday, November 12, 2007, Smith-Lemli-Opitz Syndrome Awareness Day.

Filed April 3, 2007

CHAPTER 654

SENATE CONCURRENT RESOLUTION NO. 4035

(Senators Dever, Freborg, Klein)
(Representatives Carlisle, R. Kelsch, L. Meier)
(Approved by the Delayed Bills Committee)

SNOW ANGEL CAPITAL

A concurrent resolution declaring North Dakota the snow angel capital of the world.

WHEREAS, on Saturday, February 17, 2007, 8,962 North Dakotans, representing communities from across the state, gathered on the North Dakota State Capitol grounds to set a new world record for the most snow angels made simultaneously; and

WHEREAS, upon final confirmation from the Guinness Book of World Records, North Dakota would surpass the previous record of 3,794 set in 2006 by students from Michigan Technical University; and

WHEREAS, North Dakota set the original record of 1,791 simultaneous snow angels in 2002; and

WHEREAS, a diverse group of North Dakota individuals ranging in age from 1 month to 99 years, families, schools, and organizations participated in the event; and

WHEREAS, individuals from 141 North Dakota towns, 17 states, 3 Canadian provinces, 6 countries, and 5 continents participated in the event; and

WHEREAS, the photograph of the snow angel event has been published in at least 137 out-of-state newspapers; and

WHEREAS, snow angels have become one of the hottest new fashion statements since the event; and

WHEREAS, the event received national media attention on ABC, CBS, NBC, MSNBC, CNN, NPR, and the Weather Channel; and

WHEREAS, the North Dakota spirit of perseverance, determination, and delight in the four seasons was made evident to the world in this world-class, recordbreaking event; and

WHEREAS, in their attempt to set a new world record, North Dakotans not only showed their competitive spirit, but demonstrated to the world their incomparable pride, character, and resolve;

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

That the Sixtieth Legislative Assembly declares North Dakota the snow angel capital of the world and congratulates all those involved in making this event and the world record possible for the state.

Filed April 3, 2007

CHAPTER 655**SENATE CONCURRENT RESOLUTION NO. 4036**

(Senators Stenehjem, O'Connell)
(Representatives Berg, Boucher)

MILITARY PERSONNEL TRIBUTE

A concurrent resolution paying tribute to North Dakota military personnel who have died in Iraq or Afghanistan.

WHEREAS, in addition to those memorialized by the Fifty-ninth Legislative Assembly, Spc. James Holmes, East Grand Forks; Spc. Dennis Ferderer, Jr., New Salem; Spc. Michael Hermanson, Fargo; Sgt. Travis Van Zoest, Bismarck; Cpl. Curtis Mehrer, Bismarck; Cpl. Jeremiah S. Santos, Devils Lake and Minot; Cpl. Paul A. Beyer, Jamestown; Cpl. Nathan J. Good Iron, Mandaree; Cpl. Christopher Kleinwachter, Wahpeton; and Maj. Alan R. Johnson, Montpelier, were called upon by the United States of America to fight for their country; and

WHEREAS, these brave, courageous, and valorous soldiers in performing their duty made that supreme sacrifice that great men and women have been called upon down through our country's history to make for the right to be free; and

WHEREAS, it is the intention of the Sixtieth Legislative Assembly, acting as the representatives of all the people of the state of North Dakota, to recognize these individuals;

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

That the Sixtieth Legislative Assembly of the state of North Dakota hereby pays solemn tribute to:

Spc. James Holmes, East Grand Forks;
Spc. Dennis Ferderer, Jr., New Salem;
Spc. Michael Hermanson, Fargo;
Sgt. Travis Van Zoest, Bismarck;
Cpl. Curtis Mehrer, Bismarck;
Cpl. Jeremiah S. Santos, Devils Lake and Minot;
Cpl. Paul A. Beyer, Jamestown;
Cpl. Nathan J. Good Iron, Mandaree;
Cpl. Christopher Kleinwachter, Wahpeton; and
Maj. Alan R. Johnson, Montpelier

for the ultimate sacrifice they paid when called by the United States of America to serve their country with honor and dignity; and

BE IT FURTHER RESOLVED, that the people of the state of North Dakota hereby join together to express deepest sympathies to the parents and relatives of these brave soldiers and to express to them the fervent belief that these men did not die in vain.

CHAPTER 656**SENATE CONCURRENT RESOLUTION NO. 4037**

(Senators Stenehjem, O'Connell)

(Representatives Berg, Boucher)

(Approved by the Delayed Bills Committee)

SHORELINE FISHING OPPORTUNITIES URGED

A concurrent resolution urging the United States Army Corps of Engineers to coordinate annually with the North Dakota Game and Fish Department to ensure that adequate shoreline fishing areas are available to satisfy the recreational needs of the citizens of North Dakota.

WHEREAS, the number of anglers utilizing the shorelines of Lake Sakakawea and Lake Oahe has declined substantially in the last ten years; and

WHEREAS, the average age of North Dakota anglers has increased to 51 years of age; and

WHEREAS, with low water conditions there is increased habitat for endangered species and allowing increased but limited access would not have any adverse impact on these endangered species or archaeological resources; and

WHEREAS, the North Dakota Sportfishing Congress and its constituent fishing, sportsmen's, and wildlife clubs have unanimously approved a resolution requesting the United States Army Corps of Engineers to modify its master plan to set aside specifically designated shore-fishing access areas along the shores of Lake Sakakawea and Lake Oahe; and

WHEREAS, at a minimum, these shore-fishing access sites should consist of an area extending one-half mile on either side of each boating access site and recreationally zoned area; and

WHEREAS, vehicles should only be allowed to travel to and from the fishing location and be restricted to the exposed shoreline;

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

That the 60th Legislative Assembly urges the United States Army Corps of Engineers to coordinate annually with the North Dakota Game and Fish Department to ensure that adequate shoreline fishing areas are available to satisfy the recreational needs of the citizens of North Dakota; and

BE IT FURTHER RESOLVED, that the Secretary of State forward copies of this resolution to the Secretary of the Interior; the District Engineer, Omaha District, United States Army Corps of Engineers; the Division Commander of the Northwestern Division of the United State Army Corps of Engineers; the Secretary of the Army; and each member of the North Dakota Congressional Delegation.

Filed April 26, 2007

CHAPTER 657

SENATE CONCURRENT RESOLUTION NO. 4038

(Senators Stenehjem, O'Connell)

(Representatives Berg, Boucher)

(Approved by the Delayed Bills Committee)

DOCTOR OF THE DAY PROGRAM APPRECIATION

A concurrent resolution recognizing and expressing appreciation to participants in the 2007 Doctor of the Day program.

WHEREAS, many legislators during the legislative session have utilized the medical services of physicians who have volunteered to provide basic health care through the North Dakota Medical Association Doctor of the Day program; and

WHEREAS, physicians participating in the Doctor of the Day program have been called upon to provide their medical skills, sample medications, timely interventions, and referrals for further treatment, thereby contributing to an enhanced sense of general well-being by the legislative body and welcome relief for ailing individuals; and

WHEREAS, during the current Legislative Assembly, 22 physicians came to the Capitol to participate as doctors of the day, including Rob Beattie and James Brosseau from Grand Forks, Kim Krohn from Minot, Ted Kleiman from Fargo, Dale Klein from Mandan, and Gary Betting, Aaron Fortney, Ernest Godfreed, Ray Gruby, Keith Happel, Jeff Hostetter, Shiraz Hyder, Gordon Leingang, Kelly Longie, Kevin Longie, Tom Magill, Sara McCullough, Ben Muscha, Jackie Quisno, Guy Tangedahl, Charles Volk, and Herb Wilson from Bismarck; and

WHEREAS, the University of North Dakota School of Medicine and Health Sciences Family Medicine Residency training program in Bismarck provided equipment and supplies used in the medical exam room, many pharmaceutical companies provided sample nonprescription medications and vitamins, and the North Dakota Department of Health and North Dakota Medical Association coordinated logistics and activities of the program; and

WHEREAS, the PrimeCare Health System and the Medcenter One Health System of Bismarck offered legislators and staff opportunities in January and March to participate in health screenings to monitor their blood pressure and blood sugar and cholesterol levels and to receive information to guide them in improving their health and lifestyle;

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

That members of the Sixtieth Legislative Assembly by adoption of this concurrent resolution express their gratitude and appreciation to those who provided their services and supplies through the 2007 Doctor of the Day program.

Filed April 26, 2007

CHAPTER 658**SENATE CONCURRENT RESOLUTION NO. 4039**

(Senators Stenehjem, O'Connell)

(Representatives Berg, Boucher)

(Approved by the Delayed Bills Committee)

USS NORTH DAKOTA NAMING URGED

A concurrent resolution urging the Secretary of the Navy to name a ship the USS North Dakota.

WHEREAS, the state of North Dakota has had only one ship named after this state, the USS North Dakota, which was decommissioned in November 1923; and

WHEREAS, 24 states have ships currently named after the state and 21 states have had two or more ships named after the state, leaving only five states that have had only one ship named after the state, including North Dakota; and

WHEREAS, the state of North Dakota has shown unwavering support for members of the armed forces and strongly supports memorializing their service with the naming of a Navy ship the USS North Dakota;

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

That the Sixtieth Legislative Assembly urges the Secretary of the Navy to name a ship the USS North Dakota; and

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

Filed April 26, 2007

CHAPTER 659**SENATE CONCURRENT RESOLUTION NO. 4040**

(Senators Stenehjem, O'Connell)

(Representatives Berg, Boucher)

(Approved by the Delayed Bills Committee)

REAL ID ACT REPEAL URGED

A concurrent resolution urging Congress to repeal the REAL ID Act of 2005.

WHEREAS, the federal REAL ID Act of 2005 mandates an unfunded national driver's license in the state of North Dakota; and

WHEREAS, implementation of the REAL ID Act may cost this state an estimated \$14,000,000; and

WHEREAS, the REAL ID national data base will invite identity theft and invasion of privacy; and

WHEREAS, the REAL ID Act will cost and inconvenience the people of North Dakota without the proffered attendant benefit of protection from terrorism;

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

That the Sixtieth Legislative Assembly urges the Congress of the United States to repeal the REAL ID Act of 2005; 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 Homeland Security, the Secretary of the Department of Transportation, and to each member of the North Dakota Congressional Delegation.

Filed April 20, 2007