

HOUSE CONCURRENT RESOLUTIONS

CHAPTER 459

HOUSE CONCURRENT RESOLUTION NO. 3001

(Representatives Beadle, Mock)

A concurrent resolution declaring March 3, 2017, as "National Speech and Debate Education Day".

WHEREAS, National Speech and Debate Education Day was established by the National Speech & Debate Association in conjunction with national and local partners, and is being celebrated on March 3, 2017; and

WHEREAS, the event serves to promote better instruction in speech and debate across all grade levels and highlight the pivotal roles speech and debate play in personal advocacy, social movements, and public policymaking; and

WHEREAS, speech and debate education helps students develop important skills in communication, critical thinking, creativity, and collaboration through the practice of public speaking in which participants learn not only to express complex ideas effectively, but also to listen, concur, question, or dissent with reason and compassion; and

WHEREAS, across the country countless educators devote their time in-school, after-school, and on weekends to supporting students in speech and debate practices and competitions, and their hard work and dedication has lasting and positive impacts on their students; and

WHEREAS, the skills learned through speech and debate serve students well throughout their lives, and this occasion presents a welcome opportunity to recognize speech and debate instruction as an essential component of a well-rounded curriculum;

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

That the Sixty-fifth Legislative Assembly declares March 3, 2017, as "National Speech and Debate Education Day"; and

BE IT FURTHER RESOLVED, that the Secretary of State forward a copy of this resolution to the North Dakota Council of Educational Leaders.

Filed March 13, 2017

CHAPTER 460**HOUSE CONCURRENT RESOLUTION NO. 3002**

(Representatives Heinert, Boehning, D. Johnson, M. Ruby, Zubke)
(Senators Bekkedahl, Grabinger, Unruh)

A concurrent resolution requesting the Legislative Management to consider studying the operation, management, conditions, standards, and supervision of city, county, and regional correctional facilities and other potential means to improve the rehabilitative function of city, county, and regional correctional facilities and a possible transition of the supervision of city, county, and regional correctional facilities from the Department of Corrections and Rehabilitation to the Attorney General.

WHEREAS, the Department of Corrections and Rehabilitation supervises city, county, and regional correctional facilities; and

WHEREAS, city, county, and regional correctional facilities are operated and managed by local authorities;

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

That the Legislative Management consider studying the operation, management, conditions, standards, and supervision of city, county, and regional correctional facilities and other potential means to improve the rehabilitative function of city, county, and regional correctional facilities and a possible transition of the supervision of city, county, and regional correctional facilities from the Department of Corrections and Rehabilitation to the Attorney General; and

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

Filed March 21, 2017

CHAPTER 461

HOUSE CONCURRENT RESOLUTION NO. 3003

(Representatives Klemin, Heinert, K. Koppelman)
(Senators Hogue, D. Larson)

A concurrent resolution requesting the Legislative Management to consider studying the impact of Marsy's Law on the statutorily provided rights of crime victims and those alleged to have committed crimes, and the criminal procedures relating to the rights of victims and criminal defendants.

WHEREAS, at the general election in 2016, the voters of the state approved a constitutional amendment, referred to as Marsy's Law, which provides a variety of rights guaranteed to crime victims; and

WHEREAS, the North Dakota Century Code provides rights to victims of crimes and to individuals who are alleged to have committed crimes, and it is necessary to ensure enforcement policies and criminal procedures are uniform across the state; and

WHEREAS, it is the responsibility of the Legislative Assembly to review existing laws to ensure those laws address the problems the laws are intended to rectify;

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

That the Legislative Management consider studying the impact of Marsy's Law on the statutorily provided rights of crime victims and the rights of those alleged to have committed crimes, and the criminal procedures relating to the rights of victims and criminal defendants; and

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

Filed March 14, 2017

CHAPTER 462

HOUSE CONCURRENT RESOLUTION NO. 3006

(Representatives Kasper, Rick C. Becker, Carlson, Headland, K. Koppelman, Louser,
D. Ruby)
(Senators Armstrong, Casper, Hogue, Poolman, Wardner)

A concurrent resolution calling for a convention for the purpose of amending the United States Constitution to impose fiscal restraints on the federal government and limit the power and jurisdiction of the federal government.

WHEREAS, the founders of the United States Constitution empowered state legislators to be guardians of liberty against excessive use of power by the federal government; and

WHEREAS, the federal government has created a crushing national debt through improper and imprudent spending; and

WHEREAS, the federal government has ceased to operate under a proper interpretation of the United States Constitution; and

WHEREAS, the federal government has invaded the legitimate roles of the states through the manipulative process of federal mandates, most of which are unfunded to a great extent; and

WHEREAS, it is the solemn duty of the states to protect the liberty of our people, particularly for the generations to come, by proposing amendments to the United States Constitution through a convention of the states under Article V for the purpose of restraining these and related abuses of power;

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

That the Sixty-fifth Legislative Assembly urges the Congress, under the provisions of Article V of the United States Constitution, to call a convention of the states limited to proposing amendments to the United States Constitution which impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government, and limit the terms of office for its officials and for members of Congress; and

BE IT FURTHER RESOLVED, that this application constitutes a continuing application in accordance with Article V of the United States Constitution until the legislatures of at least two-thirds of the several states have made applications on the same subject; and

BE IT FURTHER RESOLVED, that the Legislative Assembly adopts this application expressly subject to the following reservations, understandings, and declarations:

1. An application to the Congress of the United States to call an amendment convention of the states pursuant to Article V of the United States Constitution confers no power to Congress other than the power to call such a convention. The power of Congress to exercise this ministerial duty consists solely of the authority to name a reasonable time and place for the initial meeting of a convention;
2. Congress shall perform its ministerial duty of calling an amendment convention of the states only upon the receipt of applications for an amendment convention for the substantially same purpose as this application from two-thirds of the legislatures of the several states;
3. Congress does not have the power or authority to determine any rules for the governing of a convention for proposing amendments called pursuant to Article V of the United States Constitution. Congress does not have the power to set the number of delegates to be sent by any state to such a convention, nor does it have the power to name delegates to such a convention. The power to name delegates remains exclusively within the authority of the legislatures of the several states;
4. By definition, an amendment convention of the states means that states shall vote on the basis of one state, one vote;
5. A convention for proposing amendments convened pursuant to this application must be limited to consideration of the topics specified herein and no other. This application is made with the express understanding that an amendment that in any way seeks to amend, modify, or repeal any provision of the Bill of Rights is not authorized for consideration at any stage. This application is void ab initio if ever used at any stage to consider any change to any provision of the Bill of Rights;
6. Pursuant to Article V of the United States Constitution, Congress may determine whether proposed amendments must be ratified by the legislatures of the several states or by special state ratification conventions. The Legislative Assembly recommends Congress select ratification by the legislatures of the several states; and
7. The Legislative Assembly may provide further instructions to its delegates and may recall its delegates at any time for a breach of a duty or a violation of the instructions provided; and

BE IT FURTHER RESOLVED, that the Secretary of State forward copies of this resolution to the President and Secretary of the Senate and the Speaker and Clerk of the House of Representatives of the Congress, each member of the United States Congressional Delegation from North Dakota, and the presiding officers of each house of the legislatures of the several states, requesting their cooperation.

Filed March 29, 2017

CHAPTER 463**HOUSE CONCURRENT RESOLUTION NO. 3009**

(Representatives Brandenburg, Headland, Kempenich, Magrum, Weisz, Zubke)
(Senators Erbele, Klein, Schaible, Sorvaag, Wanzek)

A concurrent resolution urging Congress to amend the 2014 farm bill to allow counties to use raw yield data from insurance companies to supplement the national agriculture statistics survey to calculate payments under the Agriculture Risk Coverage program when an insufficient number of surveys are returned to accurately calculate payments.

WHEREAS, the Agriculture Risk Coverage program was authorized by the 2014 federal farm bill; and

WHEREAS, the Agriculture Loss Coverage-County program provides revenue loss coverage at the county level when the actual crop revenue of a covered commodity is less than the program guarantee for the covered commodity; and

WHEREAS, to qualify to receive payments, commodity producers in a county must complete and return a national agriculture statistics survey relating to yields; and

WHEREAS, multiple counties and producers in North Dakota have not qualified and will not receive payments under the program because there has been an insufficient number of yield data surveys returned from the county to accurately calculate payments;

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

That the Sixty-fifth Legislative Assembly urges Congress to amend the 2014 farm bill to allow counties to use raw yield data from insurance companies to supplement the national agriculture statistics survey to calculate payments under the Agriculture Risk Coverage program when an insufficient number of surveys are returned to accurately calculate payments; and

BE IT FURTHER RESOLVED, that the Secretary of State forward copies of this resolution to each member of the North Dakota Congressional Delegation, the Majority and Minority Leaders of the United States Senate and the United States House of Representatives, and the Secretary of the United States Department of Agriculture.

Filed March 22, 2017

CHAPTER 464

HOUSE CONCURRENT RESOLUTION NO. 3010

(Representatives D. Anderson, Dockter, C. Johnson, Owens)
(Senators Kreun, Vedaa)

A concurrent resolution recognizing the efforts undertaken and the continued need for the State of North Dakota and the entire United States to undertake responsible measures to harden our commercial electrical grid against multiple serious threats.

WHEREAS, continued reliable operation of our national electrical grid is an absolutely vital core requirement for modern society to continue to function; and

WHEREAS, the strategic vulnerability of our electrical grid to multiple threats has been documented by many leaders and technical experts; and

WHEREAS, Congressional Electromagnetic Pulse Commission experts have predicted worst-case impacts from these threats could take down much, if not all, of our national electrical grid for an extended period, and testified a high-end electromagnetic pulse event could result in the eventual death of up to ninety percent of America's population; and

WHEREAS, public and private electric utilities have taken many steps in response to these threats, including the implementation of Critical Infrastructure Protection standards developed by the North American Electric Reliability Corporation, which includes the strategic installation of appropriate hardware, such as electrical shunts and surge suppressors;

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

That the Sixty-fifth Legislative Assembly recognizes the efforts undertaken to protect our state and national power grid from these serious threats, and urges state and federal regulatory agencies to continue awareness of this issue and carefully coordinated efforts involving private and public sectors to address the threat of electromagnetic pulse; and

BE IT FURTHER RESOLVED, that the Secretary of State forward copies of this resolution to the Chairman of the Federal Energy Regulatory Commission, the Secretary of the Department of Homeland Security, the Secretary of Energy, and each member of the North Dakota Congressional Delegation.

Filed March 16, 2017

CHAPTER 465

HOUSE CONCURRENT RESOLUTION NO. 3011

(Representatives Damschen, Bellew, Carlson, Monson, Roers Jones, Weisz)
(Senators Erbele, D. Larson, Luick, Myrdal, Schaible, Wardner)

A concurrent resolution extending appreciation to the President of the United States for expediting the approval of the easement required for the completion of the Dakota Access Pipeline, and requesting the federal government reimburse the state of North Dakota for all expenses incurred as a result of the Dakota Access Pipeline protests and permitting delays.

WHEREAS, the granting of the easement to complete the Dakota Access Pipeline has eased costs associated with pipeline protests; and

WHEREAS, the costs associated with the protests have resulted in over \$32 million in loans to the Adjutant General; and

WHEREAS, the 1,172-mile Dakota Access Pipeline is projected to transport 470,000 barrels of oil per day, which is equivalent to more than 658 rail cars or 2,350 semi-truck loads per day; and

WHEREAS, transportation of oil by pipeline is a safer method of transportation than by rail or semi-truck; and

WHEREAS, the vast majority of the pipeline is situated on privately held lands with only 3 percent of the pipeline route requiring federal approval and only 1 percent of the pipeline route impacting United States waterways; and

WHEREAS, the pipeline is constructed with extra-thick steel and double walls to prevent corrosion and mitigate any possible leaks; and

WHEREAS, the pipeline is equipped with shut-off valves on both sides of the river and will be monitored at all times by operations maintenance staff; and

WHEREAS, the pipeline runs along the same route as existing infrastructure, including the Northern Border Gas Pipeline and an overhead utility line; and

WHEREAS, the the pipeline crosses various other rivers and streams, including the Missouri River 14 miles upstream of the water intake for Williston, North Dakota, the Big Sioux River near Sioux Falls, South Dakota, the Des Moines River in Iowa, and the Mississippi River; and

WHEREAS, all rules and regulatory processes for permitting the pipeline were followed;

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

That the Sixty-fifty Legislative Assembly extends appreciation to the President of the United States for expediting the approval of the easement required for the completion of the Dakota Access Pipeline, and requests the federal government reimburse the state of North Dakota for all expenses incurred as a result of the Dakota Access Pipeline protests and permitting delays; and

BE IT FURTHER RESOLVED, that the Secretary of State forward copies of this resolution to the President of the United States, the United States Army Corps of Engineers, the Assistant Secretary of the Army for Civil Works, each member of the North Dakota Congressional Delegation, and the Majority and Minority Leaders of the United States House of Representatives and the United States Senate.

Filed April 7, 2017

CHAPTER 466**HOUSE CONCURRENT RESOLUTION NO. 3014**

(Representatives Keiser, Porter)
(Senators Cook, Sorvaag, Wardner)

A concurrent resolution requesting the Legislative Management to consider studying the various legal notice and publishing requirements of all state agencies and political subdivisions, the related costs required in state and political subdivision budgets, and potential notification alternatives.

WHEREAS, the North Dakota Century Code requires numerous state agencies and political subdivisions to publish various legal notices; and

WHEREAS, state agencies spend an estimated \$3,700,000 during each biennium in publishing legal notices; and

WHEREAS, state leaders are constantly pursuing solutions to be more fiscally responsible; and

WHEREAS, many forms of alternative and mainstream media are now available to provide legal notices;

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

That the Legislative Management consider studying the various legal notice and publishing requirements of all state agencies and political subdivisions, the related costs required in state and political subdivision budgets, and potential notification alternatives; and

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

Filed April 3, 2017

CHAPTER 467**HOUSE CONCURRENT RESOLUTION NO. 3015**

(Representatives Kempenich, Brandenburg, Devlin)

A concurrent resolution declaring the fourth Saturday in July of each year as "Day of the American Cowboy".

WHEREAS, thirteen years ago, the *American Cowboy Magazine* promoted the National Day of the American Cowboy as a catalyst to encourage local western cultural events and activities in celebration of our proud western heritage; and

WHEREAS, this initiative has been gathering momentum and is an established success; and

WHEREAS, this summer a number of barbeques, ranch rodeos, cowboy poetry festivals, bull riding, and other western heritage events have been scheduled from venues as diverse as Okeechobee, Florida, and Norco, California; and

WHEREAS, the states in the high plains have not yet achieved the degree of participation in Day of the American Cowboy as Texas and other low plains states have demonstrated;

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

That the Sixty-fifth Legislative Assembly declares the fourth Saturday in July of each year as "Day of the American Cowboy";

BE IT FURTHER RESOLVED, that the Secretary of State forward copies of this resolution to the *American Cowboy Magazine*.

Filed March 17, 2017

CHAPTER 468**HOUSE CONCURRENT RESOLUTION NO. 3016**

(Representative Headland)

A concurrent resolution requesting the Legislative Management to consider studying the desirability of moving city and other local elections from the primary election in June in even-numbered years to the general election in November in even-numbered years.

WHEREAS, city and other local elections are held on the second Tuesday in June in each even-numbered year; and

WHEREAS, primary elections for United States senators, member of the House of Representatives, members of the legislative assembly, elected state officials, judges of the supreme court and district courts, county officers, and county commissioners are held on the second Tuesday in June of every general election year; and

WHEREAS, general elections are held on the first Tuesday after the first Monday in November of each even-numbered year; and

WHEREAS, holding city and other local elections concurrently with primary elections may cause confusion; and

WHEREAS, newly elected city commission and city council members take office on the fourth Tuesday in June; and

WHEREAS, because city governing bodies must prepare preliminary budgets by September tenth, newly elected city commissioners and city council members have approximately two months after taking office to gain the knowledge necessary to prepare preliminary budgets;

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

That the Legislative Management consider studying the desirability of moving city and other local elections from the primary election in June in even-numbered years to the general election in November in even-numbered years; and

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

Filed April 7, 2017

CHAPTER 469**HOUSE CONCURRENT RESOLUTION NO. 3019**

(Representatives Jones, Brandenburg, Kasper, Maragos, Monson, Steiner, Zubke)
(Senators Bowman, Kannianen, Rust)

A concurrent resolution requesting the United States Army Corps of Engineers divest land not needed for the management of the Garrison project area in North Dakota.

WHEREAS, the United States Army Corps of Engineers manages land purchased for the operation of the Garrison project area in North Dakota; and

WHEREAS, Congress and the federal courts have established in federal law that the Pick-Sloan project areas must be managed for flood control, river navigation, hydroelectric power, irrigation, water quality and supply, recreation, and fish and wildlife; and

WHEREAS, the purchasing criteria used by the United States Army Corps of Engineers to acquire land for the Garrison project area required land be purchased based on a rectangular grid line above the reservoir's high water mark, and the rectangular grid size used for purchase criteria could be smaller in some cases and not interfere with recreation and wildlife uses; and

WHEREAS, the United States Army Corps of Engineers should develop a divestment process for the lands by working in cooperation with the North Dakota Board of University and School Lands and the North Dakota Congressional Delegation, if the Garrison project can be managed without tracts of land between the reservoir high water mark and that tract's rectangular grid take line;

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

That the Sixty-fifth Legislative Assembly requests that any land subject to divestment under an agreement between the United States Army Corps of Engineers and the North Dakota Board of University and School Lands include a purchase right for prior owners who own the land the parcels were detached from, their heirs who own the land the parcels were detached from, or successors who own the land the parcels were detached from; and

BE IT FURTHER RESOLVED, that the Secretary of State forward copies of this resolution to the Under Secretary of Public Works for the United States Army Corps of Engineers and each member of the North Dakota Congressional Delegation.

Filed April 17, 2017

CHAPTER 470

HOUSE CONCURRENT RESOLUTION NO. 3021

(Representative D. Johnson)
(Senator Kreun)

A concurrent resolution urging Congress and the President of the United States to fulfill the federal government's promises to North Dakota, allow the utilization of the Garrison Diversion Unit facilities, including the McClusky Canal and the Snake Creek pumping plant, as a water supply for eastern and central North Dakota, irrigation, and for all other authorized project purposes, not deauthorize or repurpose any part of the Garrison Diversion Unit, and to allow the continuation of the Garrison Diversion project canal system to aid the delivery of water to the Red River Valley.

WHEREAS, the federal government invested millions of dollars designing and constructing the Garrison Diversion Unit; and

WHEREAS, the federal government promised North Dakota one million acres of irrigation and a water supply for eastern and central North Dakota, among other things, in exchange for hundreds of thousands of acres of prime river bottom land to build the Garrison Dam, a promise that has never been fulfilled; and

WHEREAS, the operation of the Garrison Diversion Unit does not violate the Boundary Waters Treaty of 1909 with Canada; and

WHEREAS, the Dakota Water Resources Act of 2000 recognizes the dire need for a reliable, high-quality water supply in eastern North Dakota; and

WHEREAS, after studies and reports authorized under the Dakota Water Resources Act of 2000, the United States Bureau of Reclamation's needs and options report clearly concluded there is a significant need for a municipal, rural, and industrial water supply in eastern North Dakota; and

WHEREAS, the environmental impact statement, developed jointly by the Bureau of Reclamation and North Dakota, represented by the Garrison Diversion Conservancy District, further identifies the Missouri River as the most reliable water source and utilizing the Garrison Diversion Unit principal supply works as the most cost-effective way to supply the needed water to eastern North Dakota; and

WHEREAS, a report by the United States Department of the Interior's Office of Inspector General recommended the Garrison Diversion Unit be deauthorized by the federal government; and

WHEREAS, the Bureau of Reclamation on more than one occasion supported title transfer of the Garrison Diversion Unit to North Dakota, but with restrictions that made the title transfer unfeasible; and

WHEREAS, representatives of the Bureau of Reclamation conducted limited sensing sessions in North Dakota, and were told by citizens of North Dakota to utilize the Garrison Diversion Unit project and not repurpose it; and

WHEREAS, the United States Bureau of Reclamation and the Garrison Diversion Conservancy District completed an environmental impact statement evaluating eight alternatives for supplying the Red River Valley with water in 2005, supplemented the statement in January 2007, and completed a final environmental impact statement in December 2007; and

WHEREAS, the federal government and the state both selected the Garrison Diversion Unit import to the Sheyenne River as the best alternative for the project, taking into consideration water permitting, environmental impacts, and technical, hydrologic, and design evaluations; and

WHEREAS, the Bureau of Reclamation sent a comprehensive report of the Garrison Diversion Unit to Congress in 2008;

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

That the Sixty-fifth Legislative Assembly urges Congress and the President of the United States to fulfill the federal government's promises to North Dakota, allow the utilization of the Garrison Diversion Unit facilities, including the McClusky Canal and the Snake Creek pumping plant, as a water supply for eastern and central North Dakota, irrigation, and for all other authorized project purposes, not deauthorize or repurpose any part of the Garrison Diversion Unit, and to allow the continuation of the Garrison Diversion project canal system to aid the delivery of water to the Red River Valley; and

BE IT FURTHER RESOLVED, that the Garrison Diversion Conservancy District and State Water Commission be requested to study the desirability, feasibility, and affordability of taking title to the Garrison Diversion Unit and utilizing it for authorized project purposes; and

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

Filed April 7, 2017

CHAPTER 471**HOUSE CONCURRENT RESOLUTION NO. 3023**

(Representatives Carlson, Hogan, Mock, Porter, Vigesaa)

(Senators Heckaman, Wardner)

(Approved by the Delayed Bills Committee)

A concurrent resolution declaring February 9, 2017, as "Giving Hearts Day".

WHEREAS, Giving Hearts Day was started in 2008 by the Dakota Medical Foundation and Impact Foundation as the first one-day "virtual" fundraising event of its kind in the region; and

WHEREAS, in 2014 the Alex Stern Family Foundation joined Dakota Medical Foundation and Impact Foundation as a cohost; and

WHEREAS, this twenty-four hour fundraising event in North Dakota and western Minnesota is dedicated to inspiring donations for charities at givingheartstoday.org; and

WHEREAS, the Dakota Medical Foundation, Impact Foundation, and the Alex Stern Family Foundation jointly support givingheartstoday.org to create a powerful regional, user-friendly website for donors to find and connect with charities, and for nonprofits to receive donations and recruit volunteers; and

WHEREAS, last year, \$8.3 million was raised from 14,538 donors, directly benefiting 326 charities, and since its start, over \$30.9 million has been raised; and

WHEREAS, Giving Hearts Day 2017 includes over 360 nonprofit organizations and spans the entire state of North Dakota and western Minnesota; and

WHEREAS, up to \$50,000 in new donor incentives will be awarded by Dakota Medical Foundation to randomly selected participating charities throughout the day including two \$10,000 "boost" awards to charities announced at 6:00 p.m. and 10:00 p.m. on February 9, 2017; and

WHEREAS, North Dakota citizens are encouraged to support Giving Hearts Day and to invite a friend to match their commitment to make financial donations to local charities that improve quality of life across the state;

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

That the Sixty-fifth Legislative Assembly declares February 9, 2017, as "Giving Hearts Day"; and

BE IT FURTHER RESOLVED, that the Secretary of State forward a copy of this resolution to the Dakota Medical Foundation, the Impact Foundation, and the Alex Stern Family Foundation.

Filed February 13, 2017

CHAPTER 472

HOUSE CONCURRENT RESOLUTION NO. 3024

(Representatives Hogan, D. Johnson, Maragos, J. Nelson)

(Senators Bekkedahl, Mathern)

(Approved by the Delayed Bills Committee)

A concurrent resolution declaring June 27, 2017, and each June 27 thereafter, as "Posttraumatic Stress Injury Awareness Day" and the month of June 2017, and each June thereafter, as "Posttraumatic Stress Injury Awareness Month".

WHEREAS, all citizens of the United States possess the basic human right to the preservation of personal dignity; and

WHEREAS, all citizens of the United States deserve the investment of every possible resource to ensure lasting physical, mental, and emotional well-being; and

WHEREAS, the brave men and women of the United States Armed Forces proudly serve the United States and risk their lives to protect our freedom; and

WHEREAS, the diagnosis known as posttraumatic stress disorder was first defined by the American Psychiatric Association in 1980 to commonly and more accurately understand and treat veterans who had endured severe traumatic combat stress; and

WHEREAS, combat stress has historically been viewed as a mental illness caused by a pre-existing flaw of character or ability and the word "disorder" carries a stigma that perpetuates this misconception; and

WHEREAS, posttraumatic stress injury can occur after experiencing a severely traumatic event, including sexual assault, child abuse, high-impact collisions and crashes, natural disasters, acts of terrorism, and military combat; and

WHEREAS, posttraumatic stress injury is a very common injury to the brain that is treatable and repairable; and

WHEREAS, the North Dakota Cares Coalition and state agencies, including the Department of Human Services, the State Department of Health, and the Department of Veterans' Affairs, continue to educate victims of abuse, crime, and natural disaster, and their families; service members; veterans, their families, and survivors; and the general public about the causes, symptoms, and treatment of posttraumatic stress injury; and

WHEREAS, referring to the complications from posttraumatic stress as a disorder perpetuates the stigma of and bias against mental illness, and this stigma can discourage the injured from seeking proper and timely medical treatment; and

WHEREAS, making posttraumatic stress injury less stigmatizing and more honorable can favorably influence those affected and encourage them to seek help without fear of retribution or shame; and

WHEREAS, proper and timely treatment can diminish suicide rates; and

WHEREAS, all citizens suffering from posttraumatic stress injury deserve our compassion and consideration, those who have received these wounds in action against an enemy of the United States further deserve our tribute and acknowledgment;

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

That the Sixty-fifth Legislative Assembly declares June 27, 2017, and each June 27 thereafter, as "Posttraumatic Stress Injury Awareness Day" and the month of June 2017, and each June thereafter, as "Posttraumatic Stress Injury Awareness Month".

Filed March 29, 2017

CHAPTER 473

HOUSE CONCURRENT RESOLUTION NO. 3026

(Representatives Devlin, Delzer, Kempenich, Vigesaa, Weisz)
(Senators Klein, J. Lee)

A concurrent resolution requesting the Legislative Management to consider studying the membership and state supervision of the state's occupational and professional licensing boards in order to retain antitrust law immunity.

WHEREAS, in the February 2015 case "North Carolina State Board of Dental Examiners v. FTC", the United States Supreme Court held if a controlling number of state regulatory board members are market participants, the board must be actively supervised by the state to be immune from antitrust law; and

WHEREAS, market participants hold a majority membership in the dozens of North Dakota occupational and professional licensing boards; and

WHEREAS, in October 2015, the Federal Trade Commission released guidance regarding the level of state supervision required for state regulatory boards to receive immunity from antitrust claims; and

WHEREAS, multiple states have taken executive and legislative action to minimize the risk of regulatory boards being subject to antitrust laws; and

WHEREAS, North Dakota seeks to minimize the risk of its occupational and professional licensing boards being subject to antitrust laws;

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

That the Legislative Management consider studying the membership and state supervision of the state's occupational and professional licensing boards in order to retain antitrust law immunity; and

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

Filed March 22, 2017

CHAPTER 474**HOUSE CONCURRENT RESOLUTION NO. 3027**

(Representative Streyle)
(Senators Armstrong, Casper, Poolman, Unruh)

A concurrent resolution directing the Legislative Management to consider studying the estimated fiscal impact to the state of refracturing existing oil wells.

WHEREAS, total statewide oil production exceeded four hundred eighteen million barrels in fiscal year 2016; and

WHEREAS, the state provides tax incentives related to other energy resources to promote economic development; and

WHEREAS, research by the Energy and Environmental Research Center indicated a small increase in the percentage of oil recovered can result in billions of barrels of additional oil production;

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

That the Legislative Management consider studying the estimated fiscal impact to the state of refracturing existing oil wells, including the estimated costs and benefits related to tax collections and any potential tax incentives for refracturing existing oil wells; and

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

Filed April 7, 2017

CHAPTER 475

HOUSE CONCURRENT RESOLUTION NO. 3034

(Representatives K. Koppelman, Devlin, D. Johnson, Keiser, Vigesaa)
(Senators Hogue, Holmberg, Wardner)

A concurrent resolution urging North Dakota to continue strengthening and expanding sister-state ties between the state of North Dakota and the people of the Republic of China (Taiwan); supporting the signing of a Free Trade Agreement and Bilateral Investment Agreement between the United States and Taiwan; and reaffirming support for increasing Taiwan's international profile.

WHEREAS, the State of North Dakota and Taiwan entered a sister-state relationship in 1986; and

WHEREAS, Taiwan shares the same values of freedom, democracy, rule of law, and respect for human rights as the State of North Dakota; and

WHEREAS, the bonds of true friendship and mutually beneficial trade partnership between the State of North Dakota and Taiwan have been strengthened, resulting in strong economic, social, tourism, and cultural exchanges; and

WHEREAS, negotiations for a Bilateral Investment Agreement between Taiwan and the United States are an important step toward further strengthening bilateral trade and paving the way for a Free Trade Agreement between Taiwan and the United States, which will increase North Dakota's exports to Taiwan and promote bilateral investment; and

WHEREAS, Taiwan, as a responsible stakeholder in the international community, is seeking meaningful participation in the International Civil Aviation Organization, United Nations Framework Convention on Climate Change, and International Criminal Police Organization;

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

That the Sixty-fifth Legislative Assembly urges North Dakota to continue its endorsement and support of the relationship and shared interests between the people of the Republic of China (Taiwan) and the State of North Dakota and celebrate the thirty-first anniversary of sister-state relations; that the Sixty-fifth Legislative Assembly endorses the signing of the Bilateral Investment Agreement and Free Trade Agreement between Taiwan and the United States; and that the Sixty-fifth Legislative Assembly supports Taiwan's meaningful participation in international organizations that support the health, safety, and well-being of the people of Taiwan.

BE IT FURTHER RESOLVED, that the Secretary of State forward copies of this resolution to the United States Secretary of State, Secretary General of the International Civil Aviation Organization, United States Secretary of Transportation, Governor of the Taiwan Provincial Government, and Director General of the Taipei Economic and Cultural Office in Denver, Colorado.

Filed March 17, 2017

CHAPTER 476**HOUSE CONCURRENT RESOLUTION NO. 3035**

(Representatives Mock, Rich S. Becker, Blum, Delmore, O'Brien, Owens, Sanford,
Vetter)

(Senators Holmberg, Kreun, Laffen, Meyer)

(Approved by the Delayed Bills Committee)

A concurrent resolution congratulating the University of North Dakota's hockey team for its outstanding season and its eighth NCAA Division I hockey national championship.

WHEREAS, on April 9, 2016, the University of North Dakota's hockey team captured the NCAA Division I hockey national championship with a dominating 5-1 victory over Quinnipiac University; and

WHEREAS, the 2015-16 University of North Dakota hockey team was the champion of the National Collegiate Hockey Conference regular season as well as the NCAA Division I hockey national champion, finishing the season with an impressive record of 34 wins, 6 losses, and 4 ties; and

WHEREAS, the leadership of Coach Brad Berry molded a team of outstanding individual athletes into a cohesive, unselfish team with balanced and explosive offense, unyielding defense, and stalwart goaltending; and

WHEREAS, the 2015-16 team, which proudly claimed the eighth University of North Dakota hockey national championship, is an exemplar of the hockey program's enduring fighting spirit and its opulent, unwavering, and extraordinary heritage;

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

That the Sixty-fifth Legislative Assembly takes great pride in extending to all members and coaches of the University of North Dakota hockey team its heartiest congratulations for winning the 2016 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 2015-16 University of North Dakota hockey team, to each of the team's coaches, and to the President of the University of North Dakota.

Filed April 12, 2017

CHAPTER 477

HOUSE CONCURRENT RESOLUTION NO. 3036

(Representatives Mock, P. Anderson, Beadle, Rich S. Becker, Blum, Boehning, Boschee, Carlson, Damschen, Delmore, Dobervich, Ertelt, Guggisberg, Hanson, Hogan, Holman, Howe, M. Johnson, Johnston, Kading, Kasper, Kiefert, B. Koppelman, K. Koppelman, Marschall, McWilliams, Mitskog, Monson, O'Brien, Olson, Owens, Paur, Pyle, Roers Jones, Sanford, Schneider, Schreiber-Beck, Skroch, Trottier, Vetter)

(Senators Campbell, Casper, Clemens, Davison, Dotzenrod, Heckaman, Holmberg, Kreun, Laffen, G. Lee, J. Lee, Luick, Mathern, Meyer, Myrdal, Nelson, Osland, Piepkorn, Robinson, Roers, Sorvaag, Wardner)

(Approved by the Delayed Bills Committee)

A concurrent resolution commemorating the twentieth anniversary of the Red River flood of 1997.

WHEREAS, the record-setting North Dakota winter of 1996-97 featured eight named blizzards resulting in record snowfall accumulations for Grand Forks, Fargo, and Bismarck; and

WHEREAS, on February 14, 1997, the National Weather Service predicted severe flooding along the Red River of the North, including all tributaries, between Wahpeton and Pembina, North Dakota, and subsequently projected flood crests of 17.9 feet in Wahpeton, 38 feet in Fargo, and 49 feet in Grand Forks; and

WHEREAS, Blizzard "Hannah" on April 5-6, 1997, caused an estimated loss of 90,000 head of cattle, downed the 2,060-foot KXJB-TV broadcast tower, toppled nearly 6,000 power poles, and forced approximately 90,000 homes to be without electricity; and

WHEREAS, flood waters along the Red River crested at 19.42 feet on April 6, 1997, and 19.25 feet on April 15, 1997, in Wahpeton and 39.72 feet on April 18, 1997, in Fargo; and

WHEREAS, on April 7, 1997, President Bill Clinton issued a major disaster declaration, as requested by Governor Ed Schafer, for severe flooding in all counties in North Dakota; and

WHEREAS, on April 16, 1997, Grand Forks Mayor Pat Owens recommended residents voluntarily evacuate the city; and

WHEREAS, on April 18, 1997, dikes in Grand Forks, North Dakota and East Grand Forks, Minnesota began to be overtopped, including Lincoln Park, Central Park, and Riverside Park neighborhoods, leading Mayor Owens to order the evacuation of over 50,000 people, which, up to that time, was the largest civilian evacuation in the United States since Atlanta, Georgia in 1864 during the American Civil War; and

WHEREAS, the flood waters pushed miles beyond the banks of the Red River, swamping fields, roads, and towns, submerging an area roughly the size of Delaware; and

WHEREAS, the flood waters in Grand Forks were 4 feet deep throughout downtown, covered rooftops in some neighborhoods, reached inland approximately 3 miles, and ultimately damaged 9,001 homes and 751 businesses; and

WHEREAS, the Grand Forks water treatment plant failed on the morning of April 19, 1997, leaving residents without water for 13 days and without potable water for 23 days; and

WHEREAS, on April 19, 1997, a fire started at the Security Building in a flooded downtown Grand Forks, spread over 3 city blocks, and destroyed 11 historic buildings over the course of two days; and

WHEREAS, the Red River crested in Grand Forks on April 22, 1997, at the historic high water mark of 54.35 feet after which the river level did not fall below 49 feet until April 26, with the river finally receding below flood stage of 28 feet on May 23, 1997; and

WHEREAS, on April 22, 1997, President Bill Clinton, Senators Kent Conrad and Byron Dorgan, and Congressman Earl Pomeroy, visited Grand Forks Air Force Base and committed \$488 million in federal assistance; and

WHEREAS, Red River flood waters ultimately inundated approximately 2,200 square miles of land, resulted in the evacuation of 70,000 residents, and caused approximately \$4 billion worth of damage; and

WHEREAS, the Grand Forks Air Force Base provided instrumental support throughout the disaster, including serving as a shelter for 3,500 evacuees and a medical shelter for more than 400 civilian patients, assembling approximately 800,000 of the 3.5 million sandbags used by the city of Grand Forks, and providing military equipment for fire suppression, evacuation, and civilian transport; and

WHEREAS, 694 homes and 493 other structures in Grand Forks were demolished following the flood, an additional 850 properties were purchased and demolished through a voluntary buyout program, and 161 homes and 414 structures were relocated to other properties to make space for permanent flood protection; and

WHEREAS, in addition to the more than \$48 million in damage to University of North Dakota buildings, 16 of the 22 schools owned by Grand Forks Public School District suffered a total \$72 million in damages, including 3 schools which suffered catastrophic damage; and

WHEREAS, disaster recovery funding from all sources exceeded \$567 million, including more than \$34 million in state and local funding; and

WHEREAS, following the disaster, the administrations of Governor Ed Schafer and Governor John Hoeven and the Legislative Assemblies throughout the decade following the flood continued to provide support for the cleanup, restoration, and flood prevention efforts in the Red River Valley; and

WHEREAS, in January 2007, the \$409 million Grand Forks Flood Prevention Project was completed, featuring approximately 8 miles of levees and walls expandable to protect against a 63-foot flood, 20 miles of recreational trails, two pedestrian bridges, and 2,200 acres of green space; and

WHEREAS, as a result of the Red River flood of 1997, the National Weather Service has changed its flood forecasting methodology, increased the number of

monitoring gauges, updated satellite imagery, and revised surveys of the Red River channel; and

WHEREAS, major capital projects in the Red River Valley, including the \$19 million Grand Forks County office building, the \$104 million Ralph Engelstad Arena, and the \$16 million downtown Corporate Center, were built using flood mitigation designs such as raised foundations, elevated utility rooms, and integrated dewatering systems; and

WHEREAS, the City of Grand Forks has adopted other flood-stricken communities across the country to assist in flood prevention and management practices, including St. Bernard Parish, Louisiana; Cedar Rapids, Iowa; Minot, North Dakota; Findley, Ohio; and Biloxi, Mississippi; and

WHEREAS, flood mitigation lessons learned from the Red River flood of 1997 have been applied to city plans and flood prevention projects in communities throughout the Upper Midwest, including the cities of Valley City, Bismarck, Minot, Wahpeton, and Fargo;

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

That the Sixty-fifth Legislative Assembly recognizes the hard work exhibited by all communities impacted by winter storms and flooding during the winter of 1996 and the spring of 1997 in preventing and responding to historic natural events; and

BE IT FURTHER RESOLVED, that the Sixty-fifth Legislative Assembly congratulates all communities throughout the Red River Valley on their perseverance and commitment to rebuild following the devastation associated with the flood of 1997; and

BE IT FURTHER RESOLVED, that the Sixty-fifth Legislative Assembly expresses its gratitude and appreciation on behalf of the people of North Dakota to the United States federal government, United States Air Force, North Dakota National Guard, and countless businesses, organizations, and volunteers who assisted in the protection, recovery, and rebuilding of all 1997 flood-impacted communities; and

BE IT FURTHER RESOLVED, that the Secretary of State forward copies of this resolution to the base commander of the Grand Forks Air Force Base; the director of the Federal Emergency Management Agency; the mayors of Wahpeton, Fargo, Grand Forks, Drayton, and Pembina; the North Dakota Adjutant General; the North Dakota Congressional delegation; former President Bill Clinton; former Governor Ed Schafer; the 1997 North Dakota Congressional delegation; and former Grand Forks Mayor Pat Owens.

Filed April 20, 2017

CHAPTER 478

HOUSE CONCURRENT RESOLUTION NO. 3037

(Representatives Mock, Carlson, Delzer, Hogan, Mitskog, Porter, Seibel)
(Senators Anderson, Heckaman, Oban, Unruh, Wardner)
(Approved by the Delayed Bills Committee)

A concurrent resolution requesting the Congress and the President of the United States to enact legislation to expand and extend the current federal tax credit for carbon capture, utilization, and storage under Section 45Q of the Internal Revenue Code; to provide appropriations to the United States Department of Energy sufficient to achieve and sustain a robust carbon capture research, development, demonstration, and deployment program; to support the inclusion of economically and environmentally beneficial carbon capture projects in any forthcoming federal infrastructure initiative; to support policies to increase the operational efficiency; and to support the preservation of a fuel-diverse electric generation portfolio critical to our domestic economic, energy, and national security.

WHEREAS, fossil fuels including coal, natural gas, and oil provide more than three-quarters of global and United States' primary energy demand and, according to the International Energy Agency, will continue to do so for the next quarter-century or more under current energy and environmental policies; and

WHEREAS, recognition of the value and enduring role of fossil fuels as an essential source of energy around the world and in the United States for decades to come has led environmental advocates to support the accelerated development and broad deployment of carbon capture technologies for fossil fuels as part of a sustainable energy future; and

WHEREAS, recognition of the role carbon capture can play in creating new opportunities for fossil fuels has led fossil energy advocates to similarly support the development and deployment of carbon capture technologies for fossil fuels; and

WHEREAS, the United States and North Dakota have abundant supplies of fossil energy, the production and use of which provide important economic, energy, and national security benefits to our nation and our state; and

WHEREAS, North Dakota is the nation's 6th largest producer of fossil energy, 2nd largest producer of oil, 2nd largest producer of lignite coal, 11th largest producer of natural gas, the largest consumer of coal for industrial use, and the 10th largest consumer of coal for electricity generation; and

WHEREAS, according to the Department of Energy, "A diverse portfolio of energy resources is critical to U.S. energy and national policy...being more robust and resilient in comparison to a system that is heavily dependent on a limited set of energy resources...[and] helps insulate the economy from certain risks, including price volatility and risks from supply disruptions"; and

WHEREAS, reliable and affordable electricity is vital to economic growth and job creation in North Dakota and the overall welfare of our citizens; and

WHEREAS, 73 percent of the electricity generated in North Dakota is produced from fossil fuels and the average residential price of electricity in North Dakota is the 6th lowest in the nation and is 18 percent below the national average; and

WHEREAS, continued research and development of carbon reduction strategies for fossil fuels is an essential element of a forward-looking sustainable energy strategy for North Dakota, our nation, and the world which will simultaneously maximize both environmental quality and economic opportunity; and

WHEREAS, the Energy and Environmental Research Center at the University of North Dakota, the Great Plains Synfuels Plant in Beulah, and the Lignite Energy Council are engaged in efforts to address environmental, health, and economic impacts of energy production and use through collaborations on applied carbon dioxide research, practical applications, workforce development, and public education; and

WHEREAS, legislation was introduced in the 114th Congress to enhance and extend federal tax incentives, under Section 45Q of the Internal Revenue Code, which serve to sustain and promote such collaborations and to encourage private industry in energy generation, manufacturing, and agriculture to adopt and deploy existing and emerging technologies that increase carbon capture, utilization, and storage; and

WHEREAS, the coming together of environmental and energy advocates in support of carbon capture is reflected in the groundbreaking coalition of environmental advocacy groups, labor unions, and energy producers from the coal, oil and gas, ethanol, and algae-biomass industries working together in support of federal legislation; and

WHEREAS, similar legislation is now under consideration in the 115th Congress, and Congress and the President also are considering enactment of a large-scale federal infrastructure initiative to strengthen our nation's transportation, public works, and energy infrastructure that also could serve as a vehicle for advancing "jobs-ready" carbon capture projects; and

WHEREAS, according to the Department of Energy, "A combination of tax incentives and research, development, demonstration, and deployment will be critical to developing transformational carbon capture technologies and to driving down the costs of capture";

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

That the Sixty-fifth Legislative Assembly requests Congress and the President of the United States to enact legislation to expand and extend the current federal tax credit for carbon capture, utilization, and storage under Section 45Q of the Internal Revenue Code; to provide appropriations to the United States Department of Energy sufficient to achieve and sustain a robust carbon capture research, development, demonstration, and deployment program; to support the inclusion of economically and environmentally beneficial carbon capture projects in any forthcoming federal infrastructure initiative; to support policies to increase the operational efficiency, and thereby the environmental performance, of existing electric-generating units in the United States; and to support the preservation of a fuel-diverse electric generation portfolio critical to our domestic economic, energy, and national security; and

BE IT FURTHER RESOLVED, that the Secretary of State forward copies of this resolution by certified mail, return receipt requested, to the President of the United States, the President and Secretary of the United States Senate, the Speaker and Clerk of the United States House of Representatives, the Secretary of the United States Department of Energy, and to each member of the North Dakota Congressional Delegation.

Filed April 26, 2017