

SENATE CONCURRENT RESOLUTIONS

CHAPTER 479

SENATE CONCURRENT RESOLUTION NO. 4001

(Legislative Management)
(Budget Section)

A concurrent resolution authorizing the Budget Section of the Legislative Management to hold the required legislative hearings on state plans for the receipt and expenditure of new or revised block grants passed by Congress.

WHEREAS, the Congress of the United States enacted the Omnibus Budget Reconciliation Act of 1981 creating the community services block grant program; and

WHEREAS, the Legislative Assembly is required to conduct public hearings; and

WHEREAS, the Appropriations Committees have met the public hearing requirement for community services block grant program money expected for the next biennium by the Department of Commerce; and

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

WHEREAS, the Legislative Assembly will not meet in regular session during 2018, and thus its public hearing responsibility for grants not approved by the Sixty-fifth Legislative Assembly must be delegated to a legislative entity.

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

That the Department of Commerce appropriation bill enacted by the Legislative Assembly is the Legislative Assembly's approval of and contains directions regarding the use of community services block grant program money for the period ending September 30, 2019; and

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

BE IT FURTHER RESOLVED, that the authority granted by this resolution is in effect during the period from the recess or adjournment of the Sixty-fifth Legislative Assembly through September 30, 2019, and the Budget Section may provide public notice and hold the hearings authorized by this resolution using the methods and procedures it deems appropriate.

Filed April 17, 2017

CHAPTER 480**SENATE CONCURRENT RESOLUTION NO. 4003**

(Senator Wardner)

A concurrent resolution requesting the Legislative Management to study the current juvenile justice process, levels of collaboration among various service systems, implementation of dispositional alternatives, and methods for improving outcomes for juveniles involved in the process.

WHEREAS, within the judicial branch, the juvenile court system is responsible for the adjudication and disposition of allegations that a juvenile is deprived, unruly, or has committed a delinquent act; and

WHEREAS, in addition to the juvenile court process, other entities are involved in addressing juvenile justice issues, including the Department of Corrections and Rehabilitation through the Division of Juvenile Services, the Department of Human Services, the Commission on Legal Counsel for Indigent Defense, regional human service centers, K-12 public schools, and a wide variety of treatment providers; and

WHEREAS, an effective resolution of juvenile justice issues must address recidivism, improve service access, efficiently use system resources, and collaborate with other service systems to identify the spectrum of needs of a juvenile involved in the system; and

WHEREAS, North Dakota is in the midst of a Justice Reinvestment Initiative in the adult justice system which began two years ago, has resulted in the passage of landmark legislation, and will continue into the next biennium; and

WHEREAS, the current juvenile justice process has not been reviewed in almost thirty years; and

WHEREAS, the current process poses concerns for ensuring the most effective use of probation services, access to adequate support services, the potential for unwarranted institutional placements, and the need to distinguish between deprived juveniles and unruly and delinquent juveniles with respect to dispositions and service access.

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

That the Legislative Management consider studying the current juvenile justice process, the appropriate age when a juvenile is considered capable of committing a criminal offense, levels of collaboration among various service systems, implementation of dispositional alternatives, and methods for improving outcomes for juveniles involved in the process; 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 481**SENATE CONCURRENT RESOLUTION NO. 4007**

(Senator Dever)
(Representative Maragos)

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

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

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

	SENATE	
Secretary of the senate		\$196
Assistant secretary of the Senate		177
Journal reporter		191
Calendar clerk		177
Bill clerk		165
Recording clerk		160
Sergeant-at-arms		160
Administrative assistant to majority leader		174
Staff assistant to majority leader		174
Administrative assistant to minority leader		174
Staff assistant to minority leader		174
Chief committee clerk		184
Appropriations committee clerk		174
Assistant appropriations committee clerk		167
Committee clerk for three-day committee		167
Committee clerk for two-day committee		162
Assistant committee clerk		162
Deputy sergeant-at-arms		122
Chief page		135
Legislative assistant		115
	HOUSE	
Chief clerk		196
Assistant chief clerk		177
Journal reporter		191
Calendar clerk		177
Bill clerk		165
Recording clerk		160
Sergeant-at-arms		160
Administrative assistant to majority leader		174
Staff assistant to majority leader		174
Administrative assistant to minority leader		174
Staff assistant to minority leader		174
Administrative assistant to Speaker		174
Deputy chief clerk		184

Appropriations committee clerk	174
Assistant appropriations committee clerk	167
Committee clerk for three-day committee	167
Committee clerk for two-day committee	162
Assistant committee clerk	162
Deputy sergeant-at-arms	122
Chief legislative assistant	135
Legislative assistant	115

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

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

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

BE IT FURTHER RESOLVED, that with the approval of the Employment Committee of the respective house, a position may be converted to a part-time position, with the daily compensation converted to a per hour rate of pay, and a part-time employee may hold more than one part-time position so long as the positions held do not exceed a full-time equivalent position; and

BE IT FURTHER RESOLVED, an employee is entitled to pay for any day the Legislative Assembly is in recess and any employee is required to be present for committee hearings or other legislative business; and

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

Filed January 25, 2017

CHAPTER 482

SENATE CONCURRENT RESOLUTION NO. 4008

(Senators Casper, Kreun, Oban)
(Representatives Porter, Roers Jones, Seibel)

A concurrent resolution urging the federal government to refrain from enacting regulations that threaten the reliability and affordability of electric power in North Dakota and to increase its support for research, development, and deployment for next generation carbon-based energy generation.

WHEREAS, North Dakota has at least an 800-year supply of economically recoverable lignite coal at current production rates and has become the second largest oil producer in the United States; and

WHEREAS, these energy resources have resulted in North Dakota having the fourth lowest energy costs in the nation; and

WHEREAS, the North Dakota lignite industry generates over seventy-five percent of the electricity in the state and provides affordable electricity to more than two million families throughout the upper midwest; and

WHEREAS, the lignite coal industry contributes more than 3.4 billion dollars in total business activity to North Dakota; and

WHEREAS, the lignite coal industry employs fifteen thousand individuals with some of the highest wages in the state; and

WHEREAS, economic analysis by the North Dakota State University agribusiness and applied economics researchers estimates a new five hundred megawatt, coal-based electric generating facility would create 54.3 million dollars in personal income, 40 million dollars in retail sales, and 173.7 million dollars in total business activity each year; and

WHEREAS, the current value of the state's existing coal-based infrastructure is 18.6 billion dollars; and

WHEREAS, state tax revenues attributed to the lignite industry have increased from 61.4 million dollars in 2000 to over 100 million dollars in 2015; and

WHEREAS, current federal regulations represent a de facto ban on the construction of new, efficient, and cost-effective coal-based power plants and threaten the continued operation of existing coal-based power plants; and

WHEREAS, federal policy gives other electric generation resources a significant competitive advantage; and

WHEREAS, uncertainty around federal regulations continues to discourage investment in coal-based facilities; and

WHEREAS, North Dakota continues to serve as a model for responsible production of its natural resources, including a longstanding standard of reclaiming mined land to as good or better than before mining; and

WHEREAS, North Dakota continues to be one of only seven states meeting all federal ambient air quality standards; and

WHEREAS, affordable, reliable power is the backbone of North Dakota's established and emerging industries; and

WHEREAS, advancements in carbon capture utilization and storage can unlock enormous potential for the state's energy industries and economy;

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

That the Sixty-fifth Legislative Assembly urges the federal government to refrain from enacting regulations that threaten the reliability and affordability of electric power in North Dakota and to increase its support for research, development, and deployment for next generation carbon-based energy generation; and

BE IT FURTHER RESOLVED, that the federal government is urged to withdraw and revise regulations and other administrative actions that negatively impact the ability to utilize North Dakota's lignite coal reserves for affordable and reliable domestic power; and

BE IT FURTHER RESOLVED, that the federal government is urged to work with the state, the North Dakota Congressional Delegation, and the North Dakota lignite industry to design and implement regulatory programs based on sound science with inputs from local sources, recognize the status of existing technology, and develop timelines that make economic sense for the producers and consumers of electricity and byproducts derived from North Dakota lignite; and

BE IT FURTHER RESOLVED, that the federal government is urged to increase its partnership with the state of North Dakota and industry to develop technological solutions to enable the continuation of lignite-based electric generation; and

BE IT FURTHER RESOLVED, that the Secretary of State forward copies of this resolution to the President of the United States, the Administrator of the United States Environmental Protection Agency, the Secretary of the Department of Energy, the Secretary of the Department of Interior, and each member of the North Dakota Congressional Delegation.

Filed March 17, 2017

CHAPTER 483

SENATE CONCURRENT RESOLUTION NO. 4014

(Senators Holmberg, Meyer, Wardner, Heckaman)
(Representatives Carlson, Mock)
(Approved by the Delayed Bills Committee)

A concurrent resolution supporting the development of the unmanned aircraft systems industry in North Dakota and throughout the United States, congratulating the Federal Aviation Administration on the first Beyond Visual Line of Sight Certificate of Authorization in the United States, and encouraging further cooperation with the Federal Aviation Administration to safely integrate unmanned aircraft systems into the national airspace.

WHEREAS, North Dakota has made significant investments in the unmanned aircraft systems industry in technology, permitting, process, and economic development, including the Northern Plains Unmanned Aircraft Systems Test Site, Grand Sky Business Park, and North Dakota University System, which have led to successes of startup unmanned aircraft systems companies and other private sector economic investment in the state; and

WHEREAS, the Northern Plains Unmanned Aircraft Systems Test Site was chosen as a Federal Aviation Administration unmanned aircraft systems test site in December 2013, and was the first test site to conduct unmanned aircraft systems flights in May 2014; and

WHEREAS, the state desires to grow the unmanned aircraft systems industry and assist traditional industries, such as agriculture and energy, to grow through the use of unmanned aircraft systems; and

WHEREAS, the state desires to attract unmanned aircraft systems companies to invest in and employ the hard working people of the state to take advantage of the tremendous capabilities of unmanned aircraft systems to support infrastructure, rail and highway transportation, agriculture, energy, public safety, and natural resource management; and

WHEREAS, the state desires to speak with one voice to the unmanned aircraft systems industry through the Legislative Assembly and the Governor to promote the unmanned aircraft systems industry across the nation and to serve as the model for all states to properly implement rules and procedures for the safe integration of unmanned aircraft systems into the national airspace; and

WHEREAS, the Northern Plains Unmanned Aircraft Systems Test Site and the Federal Aviation Administration have collaborated to create the first Beyond Visual Line of Sight Certificate of Authorization, and in partnership with Grand Sky and the United States Air Force seek to put that Certificate of Authorization into public use; and

WHEREAS, the successes in this state may serve as a model for the Federal Aviation Administration to expand the geographic reach of the recently approved Certificate of Authorization to broaden the research, development, testing, evaluation,

engineering, and training opportunities necessary to support unmanned aircraft systems growth in the state and across the country;

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

That the Sixty-fifth Legislative Assembly supports the development of the unmanned aircraft systems industry in North Dakota and throughout the United States, congratulates the Federal Aviation Administration on the first Beyond Visual Line of Sight Certificate of Authorization in the United States, and encourages further cooperation with the Federal Aviation Administration to safely integrate unmanned aircraft systems into the national airspace; and

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

Filed April 21, 2017

CHAPTER 484

SENATE CONCURRENT RESOLUTION NO. 4015

(Senators Wardner, Heckaman)

(Representatives Carlson, Mock)

(Approved by the Delayed Bills Committee)

A concurrent resolution designating May 15, 2017, as "Peace Officers Memorial Day".

WHEREAS, peace officers make an invaluable contribution to the safety of North Dakotans and it is considered appropriate there be, in each year, a day to mark and pay tribute to the hard work, dedication, and sacrifices made by North Dakota peace officers; and

WHEREAS, "Peace Officers Memorial Holiday" is held annually in the United States on May 15 in honor of federal, tribal, state, and local officers killed or disabled in the line of duty; and

WHEREAS, it is important to strengthen the fellowship and heritage of law enforcement, family relationships, and the memory of the officers who have fallen or passed away; and

WHEREAS, "Peace Officers Memorial Day" promotes and recognizes high standards of ethics, integrity, honor, courtesy, and professionalism which develop and maintain citizen confidence in the law enforcement community; and

WHEREAS, peace officers reflect a positive image of law enforcement to assist in providing safety, security, and protection of the rights of individuals, regardless of race, creed, religion, gender, or national origin; and

WHEREAS, in the last two years North Dakotans have mourned the tragic loss of two peace officers who gave their lives in the line of duty, Jason Moszer, an officer with the Fargo Police Department who died on February 11, 2016; and Colt Allery, a Deputy with the Rolette County Sheriff's Office who died on January 18, 2017; and

WHEREAS, the lives of those two peace officers, along with the many other North Dakota peace officers who made the ultimate sacrifice will be commemorated on the grounds of the State Capitol in Bismarck and across the state on May 15, "Peace Officers Memorial Day";

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

That the Sixty-fifth Legislative Assembly designates May 15, 2017, as "Peace Officers Memorial Day" as proclaimed by the President of the United States and the Governor; and

BE IT FURTHER RESOLVED, that the State of North Dakota shall honor "Peace Officers Memorial Day" annually with an appropriate blue light display on the State Capitol; and

BE IT FURTHER RESOLVED, that the Secretary of State forward copies of this resolution to the Attorney General, the North Dakota Peace Officers Association, the North Dakota Sheriff's and Deputies Association, the Chiefs of Police Association of North Dakota, and the North Dakota Fraternal Order of Police.

Filed April 21, 2017