

SENATE CONCURRENT RESOLUTIONS

CHAPTER 572

SENATE CONCURRENT RESOLUTION NO. 4002

(Senators Mathern, Erbele, Oban)
(Representatives Buffalo, B. Koppelman, Nathe)

A concurrent resolution urging Congress to address the rising costs and availability of medications and health care for individuals with diabetes and coverage of those costs.

WHEREAS, approximately 65,000 adults and children in North Dakota have diabetes; and

WHEREAS, the average medical expenses for an individual with diabetes are twice as high as the medical expenses for an individual who does not have diabetes; and

WHEREAS, the estimated annual cost of diabetes in North Dakota for 2014 was \$700,000,000; and

WHEREAS, individuals with diabetes need regular health care, laboratory tests, and prescription medications and North Dakota is concerned about the increasing costs and availability of medications and health care and coverage for those costs;

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

That the Sixty-sixth Legislative Assembly urges the Congress of the United States to address the rising costs and availability of medications and health care for individuals with diabetes and coverage of those costs; and

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

Filed March 27, 2019

CHAPTER 573

SENATE CONCURRENT RESOLUTION NO. 4003

(Senators Patten, Piepkorn)
(Representatives Kempenich, Richter)

A concurrent resolution declaring the fourth Saturday in July as "National Day of the Cowboy".

WHEREAS, North Dakota pioneering men and women, known as cowboys, helped establish America's frontiers; and

WHEREAS, the cowboy archetype transcends gender, generations, ethnicity, geographic boundaries, and political affiliations; and

WHEREAS, the cowboy embodies honesty, integrity, courage, compassion, and determination; and

WHEREAS, the cowboy spirit exemplifies patriotism and strength of character; and

WHEREAS, the cowboy is an excellent steward of the land, its resources, and its creatures; and

WHEREAS, the core values expressed within the Cowboy Code of Conduct continue to inspire the pursuit of the highest caliber of personal integrity; and

WHEREAS, cowboy and ranching traditions have been part of the American landscape and culture since 1523, and today's cowboys and cowgirls continue to strive to preserve and perpetuate this unique element of America's heritage; and

WHEREAS, annual attendance at rodeos exceeds thirty million fans worldwide; and

WHEREAS, membership and participation in the national day of the Cowboy Organization, Working Ranch Rodeo Association, American Quarter Horse Association, Pro Rodeo Cowboys Association, the Buffalo Soldiers, Cowboy Fast Draw Association, Pro Bull Riding, Little Britches Rodeo, Western Music Association, Women's Pro Rodeo, and other organizations that encompass the livelihood of the cowboy continues to expand both nationally and internationally; and

WHEREAS, the cowboy and his horse are a central figure in literature, art, film, poetry, photography, and music; and

WHEREAS, the cowboy is a true American icon occupying a central place in the public's imagination;

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

That the Sixty-sixth Legislative Assembly declares the fourth Saturday in July as "National Day of the Cowboy".

BE IT FURTHER RESOLVED, that the Secretary of State forward a copy of this resolution to the United States Secretary of Agriculture, the President of the United States Senate, the Speaker of the United States House of Representatives, and each member of the North Dakota Congressional delegation.

Filed April 3, 2019

CHAPTER 574

SENATE CONCURRENT RESOLUTION NO. 4004

(Senators Oban, Davison, Holmberg)
(Representatives Hanson, Pyle, Schreiber-Beck)

A concurrent resolution directing the Legislative Management to consider studying the impact of students who experience behavioral health crisis or who engage in intense and aggressive behavior for communication purposes, both of which result in behaviors that make learning environments unsafe for other students, teachers, and other school personnel, and the need to implement a uniform reporting system.

WHEREAS, all North Dakota students deserve and have the right to attend and participate in educational experiences in a safe school environment; and

WHEREAS, all North Dakota teachers, administrators, instructional support staff, student transportation personnel, and facility and food service staff deserve and have the right to teach and work in a safe school workplace environment; and

WHEREAS, behavioral health crisis or engagement in intense and aggressive behavior for communication purposes can result in incidences of assault, simple assault, aggravated assault, serious bodily injury, other violent behavior, and altercations such as hitting, kicking, biting, spitting, throwing objects, destruction of classroom furniture or materials, extreme profane vocal outbursts, and threats of violence occur in schools across the state; and

WHEREAS, students who experience behavioral health crisis or engagement in intense and aggressive behavior for communication purposes deserve effective and up-to-date screening, assessment, and treatment strategies to address their needs; and

WHEREAS, school environments free from classroom and instructional disruptions support meaningful interaction and maximum educational experience and student success; and

WHEREAS, accurate and reliable data such as the types of incidences, antecedents, resolutions, frequency, demographic data about the student, circumstances, including if the incident occurred during a regulated or nonregulated event, eligibility for special education, and other pertinent data generally is not available, not accurately reported, and not consistently reported from school to school;

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

That the Legislative Management consider studying the impact of students who experience behavioral health crisis or who engage in intense and aggressive behavior for communication purposes, both of which result in behaviors that make learning environments unsafe for other students, teachers, and other school personnel, and the need to implement a uniform reporting system; and

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

Filed April 5, 2019

CHAPTER 575

SENATE CONCURRENT RESOLUTION NO. 4006

(Senators Heckaman, Wardner)
(Representatives Boschee, Pollert)

A concurrent resolution to recognize Monday, February 25, 2019, as "Bank of North Dakota Day" and to congratulate the Bank of North Dakota on its 100th anniversary.

WHEREAS, on this day in 1919, the Bank of North Dakota was established by the North Dakota Legislative Assembly for the purpose of encouraging and promoting agriculture, commerce, and industry in North Dakota; and

WHEREAS, this event signifies Bank of North Dakota as the longest-running successful state-owned bank in the United States; and

WHEREAS, the Bank of North Dakota, since 1945 when the Twenty-ninth Legislative Assembly ordered the first transfer of the bank's funds, has returned more than \$1 billion to North Dakota, which includes \$811 million to the North Dakota general fund to augment state revenues and \$227 million to fund infrastructure, housing, disaster programs, technology, and other needs in North Dakota; and

WHEREAS, in partnership serving more than 300 headquarter and branch offices of North Dakota's financial institutions, the Bank of North Dakota continues to meet and expand its mission to promote the development of agriculture, commerce, and industry in North Dakota; and

WHEREAS, in 1967 the Bank of North Dakota made the first federally insured student loan in the nation and continues to provide a variety of loans for students wanting to pursue postsecondary education; and

WHEREAS, we recognize the many North Dakotans who fought to keep the Bank of North Dakota in law and supported it during its 100-year history; and

WHEREAS, we honor the memory of many Bank of North Dakota employees who have helped shape and expand the state's economy since the Bank's inception, and thank the Bank of North Dakota's current employees for their ongoing dedication and contributions to fulfill the bank's mission;

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

That the Sixty-sixth Legislative Assembly recognizes February 25, 2019, as "Bank of North Dakota Day"; and

BE IT FURTHER RESOLVED, that all citizens of North Dakota are urged to take cognizance of this event and to participate fittingly in its observance; and

BE IT FURTHER RESOLVED, that the Secretary of State forward copies of this resolution to members of the North Dakota Industrial Commission and members of the North Dakota Congressional Delegation.

Filed February 19, 2019

CHAPTER 576

SENATE CONCURRENT RESOLUTION NO. 4007

(Senators J. Lee, Clemens, Dever, Oban)
(Representatives Meier, Mock)

A concurrent resolution urging Congress and the Food and Drug Administration to end the marketing and advertising of e-cigarettes to youth.

WHEREAS, e-cigarettes are known by many different names, including "e-cigs", "e-hookahs", "mods", "vape pens", "vapes", "tank systems", and "electronic nicotine delivery systems"; and

WHEREAS, the Centers for Disease Control and Prevention (CDC) reports e-cigarettes are the most commonly used tobacco products among youth, with 2018 CDC data showing 3.6 million middle and high school students used e-cigarettes in the past 30 days; and

WHEREAS, e-cigarettes are available in more than 7,000 fruit and candy flavors and advertising and marketing use cartoons and celebrities, which are appealing to youth; and

WHEREAS, e-cigarettes contain nicotine, which is a highly addictive drug and has immediate biochemical effects on the brain and body; and

WHEREAS, the Food and Drug Administration (FDA) has found e-cigarettes contain a number of toxins, carcinogens, and components suspected of being harmful to humans and acknowledges consumers of e-cigarettes have no way of knowing whether e-cigarettes are safe or how much nicotine or other potentially harmful chemicals are being inhaled; and

WHEREAS, although the FDA has banned youth marketing techniques and advertising for cigarettes and the FDA has taken the first step in establishing FDA oversight of e-cigarettes, there are no federal restrictions preventing the sale and advertising of e-cigarettes to youth;

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

That the Sixty-sixth Legislative Assembly urges the Congress of the United States and the FDA to end the marketing and advertising of e-cigarettes to youth; and

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

Filed March 28, 2019

CHAPTER 577

SENATE CONCURRENT RESOLUTION NO. 4008

(Senators Dwyer, Luick)
(Representative D. Johnson)

A concurrent resolution urging the United States Department of Agriculture to use official government estimates when reporting world grain supplies.

WHEREAS, the United States Department of Agriculture reports monthly world agriculture supply and demand estimates; and

WHEREAS, other countries from around the world also have official government reporting estimates of world grain supplies; and

WHEREAS, examples of other official government reporting estimates include the Australian Bureau of Agricultural and Resource Economics, the Brazilian National Supply Company, Statistics Canada, the European Union Grains Commission, and the Argentina Agricultural Ministry; and

WHEREAS, in February 2018, based on the United States Department of Agriculture's supply estimates of Chinese wheat stocks, which were estimated as 53 percent of world wheat stocks, a line item was placed in the United States Department of Agriculture World Agricultural Supply and Demand Estimates report in the May 2018 crop estimate, eliminating China from the balance sheet, allowing for a more accurate assessment of world wheat trade as China is primarily an importer of grain; and

WHEREAS, in November 2018, China customs reported corn stocks 148.99 million metric tons above the United States Department of Agriculture's October Chinese corn stock estimate report, which increased the world corn supply by 93 percent from 159.35 million metric tons to 307.51 million metric tons in the November report; and

WHEREAS, the United States Department of Agriculture does not use the official grain estimates of other countries, and uses estimates higher than the estimates of private and governmental entities;

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

That the Sixty-sixth Legislative Assembly urges the United States Department of Agriculture to use official government estimates when reporting world grain supplies; and

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

Filed April 2, 2019

CHAPTER 578

SENATE CONCURRENT RESOLUTION NO. 4009

(Senator Sorvaag)
(Representative Schmidt)

A concurrent resolution directing the Legislative Management to consider studying the feasibility and desirability of the water resource boards in each drainage basin forming a joint water resource board to plan and construct water conveyance projects based on basinwide needs.

WHEREAS, water conveyance projects may impact land in multiple water resource districts; and

WHEREAS, cooperation among the water resource boards in a common drainage basin may prove beneficial and cost-effective for residents of the basin; and

WHEREAS, planning water conveyance projects on a basinwide basis may result in more efficient use of water resources in this state;

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

That the Legislative Management consider studying the feasibility and desirability of the water resource boards in each drainage basin forming a joint water resource board to plan and construct water conveyance projects based on basinwide needs; 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-seventh Legislative Assembly.

Filed March 15, 2019

CHAPTER 579

SENATE CONCURRENT RESOLUTION NO. 4010

(Senators Bekkedahl, Wardner)
(Representatives Hatlestad, Steiner)

A concurrent resolution directing the Legislative Management to consider studying postproduction deductions from royalty payments.

WHEREAS, total statewide oil production exceeded four hundred twenty million barrels in fiscal year 2018; and

WHEREAS, total oil and gas tax revenue collections exceeded two billions dollars in fiscal year 2018; and

WHEREAS, oil and gas production in the state is estimated to continue for fifty more years; and

WHEREAS, oil and gas development activity has a significant impact on North Dakota's economy; and

WHEREAS, some mineral owners and state agencies have expressed concerns regarding deductions from their royalty payments;

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

That the Legislative Management consider studying postproduction deductions from royalty payments; and

BE IT FURTHER RESOLVED, that the study must include consideration of the methods used to calculate the value of oil and gas, the point of sale used to determine the value, oil and gas sales in the absence of an arm's-length contract, any deductions or incentives applied to the value, and the methods used to report any deductions or incentives on mineral royalty statements; and

BE IT FURTHER RESOLVED, that the study must include input from representatives from the oil and gas industry, representatives from an organization representing royalty owners, the department of mineral resources, the department of trust lands, the attorney general's office, and other state agencies; 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-seventh Legislative Assembly.

Filed March 15, 2019

CHAPTER 580

SENATE CONCURRENT RESOLUTION NO. 4011

(Senators Meyer, Erbele, Holmberg, J. Roers)
(Representatives Beadle, Blum)

A concurrent resolution urging the student bodies of the University of North Dakota and North Dakota State University to design and implement a new football rivalry trophy.

WHEREAS, beginning in 1938, the winner of the annual football game between North Dakota's two largest universities claimed the Nickel Trophy; and

WHEREAS, the Nickel Trophy has been officially retired and is on permanent display in the North Dakota Heritage Center; and

WHEREAS, with the 2020 football season, the University of North Dakota and North Dakota State University will again play on an annual basis as conference rivals; and

WHEREAS, this long-standing rivalry deserves a fitting rivalry trophy;

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

That the Legislative Assembly urges the student bodies of the University of North Dakota and North Dakota State University to design and implement a new football rivalry trophy.

BE IT FURTHER RESOLVED, that the Secretary of State forward copies of this resolution to the student body president of the University of North Dakota and the student body president of North Dakota State University.

Filed March 15, 2019

CHAPTER 581

SENATE CONCURRENT RESOLUTION NO. 4013

(Senators Dotzenrod, Kannianen, Klein, Vedaa)

A concurrent resolution directing the Legislative Management to consider studying the distribution and transportation of food in the state necessary to the lives of individuals in rural communities, and the roles of state entities in facilitating the movement of food to rural areas of the state.

WHEREAS, since 2013, North Dakota has lost 15 percent of its grocery stores in towns with populations of fewer than 2,100 people; and

WHEREAS, small profit margins in the grocery store business make it difficult for store owners to keep up with building and infrastructure needs; and

WHEREAS, a considerable number of the state's population drive more than 10 miles to reach a grocery store that offers fresh milk, bread, meat, fruits, and vegetables; and

WHEREAS, there is a strong negative correlation between the distance people drive for food and those people's health; and

WHEREAS, the North Dakota Rural Grocery Initiative task force is studying the financial feasibility of collaborative purchasing, aggregation, and public-private partnerships to make the best use of existing infrastructure to improve the access, affordability, and variety of food in rural locations in the state; and

WHEREAS, it is imperative the state examines the law regarding the regulation, inspection, and health requirements that restrict some foods to limited distribution channels;

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

That the Legislative Management consider studying the distribution and transportation of food in the state necessary to the lives of individuals in rural communities, and the roles of state entities in facilitating the movement of food to rural areas of the state; 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-seventh Legislative Assembly.

Filed April 3, 2019

CHAPTER 582

SENATE CONCURRENT RESOLUTION NO. 4014

(Senators Hogan, J. Lee, Mathern)
(Representatives Devlin, Weisz)

A concurrent resolution directing the Legislative Management to consider studying the implementation of the recommendations of the Human Services Research Institute's study of North Dakota's behavioral health system.

WHEREAS, in 2017-18, the Human Services Research Institute conducted a comprehensive study of North Dakota's behavioral health system for the Behavioral Health Division of the Department of Human Services; and

WHEREAS, a main objective of the study was to provide actionable recommendations for enhancing the comprehensiveness, integration, and cost-effectiveness of the state's behavioral health system to effectively meet the needs of the community; and

WHEREAS, in conducting the study, the Human Services Research Institute conducted focus groups, community listening sessions, and interviews around the state; and

WHEREAS, in April 2018, the Human Services Research Institute issued its final report detailing its findings from the study; and

WHEREAS, the Human Services Research Institute's behavioral health analysis identified 13 categories and 65 specific recommendations to direct future behavioral health public policy and services;

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

That the Legislative Management consider studying the implementation of the recommendations of the Human Services Research Institute's study of North Dakota's behavioral health system; and

BE IT FURTHER RESOLVED, that in conducting the study, the Legislative Management receive regular updates on each of the major recommendation areas from the report; identify the availability, access, and delivery of behavioral health services; seek input from stakeholders, including law enforcement, social and clinical service providers, medical providers, mental health advocacy organizations, emergency medical service providers, juvenile court personnel, educators, tribal governments, and state and local agencies; and consider options for improving access and the availability for behavioral health care; 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-seventh Legislative Assembly.

Filed March 27, 2019

CHAPTER 583

SENATE CONCURRENT RESOLUTION NO. 4017

(Senators Heckaman, Kannianen, Marcellais, Oehlke)
(Representatives Buffalo, Dobervich)

A concurrent resolution urging the Indian Affairs Commission to study the archaeological discipline, cultural resources, and the knowledge and expertise of tribal elders and tribal historic preservation officers to educate local, state, and federal agencies and the public and to facilitate effective consultation and cooperation for historic and prehistoric site identification and the betterment of North Dakota and its citizens.

WHEREAS, historic and prehistoric sites are significant in helping to tell the story of North Dakota's history before it became a state as well as tribal history and continuity; and

WHEREAS, respectful and culturally sensitive public education can help to further the goal of preserving culturally significant historic and prehistoric sites; and

WHEREAS, it is important to further mutual respect and understanding between state agencies and the tribes in the state regarding historic and prehistoric cultural resource sites and landscapes in North Dakota; and

WHEREAS, there is a need for state agencies, regional and private industry archaeological staff, and the public to better understand the tribal perspective on the importance, treatment, and protection of culturally significant historic and prehistoric sites in North Dakota; and

WHEREAS, education and discussion regarding the archaeological and tribal perspectives on historic and prehistoric sites would help provide a framework for determining culturally significant sites; and

WHEREAS, the Indian Affairs Commission is urged to consider coordinating with state agencies including the Department of Transportation, State Historical Society, and Public Service Commission and to consult with tribes on identification, evaluation, and preservation of culturally significant historic and prehistoric sites;

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

That the Indian Affairs Commission is urged to consider studying the archaeological discipline, cultural resources, and the knowledge and expertise of tribal elders and tribal historic preservation officers to educate local, state, and federal agencies and the public and to facilitate effective consultation and cooperation for historic and prehistoric site identification and the betterment of North Dakota and its citizens; and

BE IT FURTHER RESOLVED, that if studied, the Indian Affairs Commission is urged to report its findings and recommendations, together with any legislation

required to implement the recommendations, to the Sixty-seventh Legislative Assembly.

Filed April 12, 2019