

SENATE CONCURRENT RESOLUTIONS

SENATE CONCURRENT RESOLUTION NO. 4002
(Legislative Council)
(Interim Committee on Budget "C")

LIBRARY COMMISSION MOVE TO LIBERTY MEMORIAL BUILDING RECOMMENDED

A concurrent resolution recommending that the State Library Commission be moved to the Liberty Memorial Building once the Liberty Memorial Building is no longer occupied by the State Historical Board.

WHEREAS, the State Historical Board will be moving from the Liberty Memorial Building on the state capitol grounds to the Heritage Center; and

WHEREAS, a Legislative Council study of state agency space needs recommended that the State Library Commission be moved to the Liberty Memorial Building when it is no longer occupied by the State Historical Board; and

WHEREAS, a Legislative Council performance review of the Library Commission recommended that plans to renovate the Liberty Memorial Building for occupancy of the State Library Commission should begin immediately; and

WHEREAS, it is important that the Library Commission be located on the capitol grounds since the Library Commission is a valuable research and reference source for state agencies; and

WHEREAS, the Library Commission was previously located in the Liberty Memorial Building; and

WHEREAS, the Library Commission is currently paying a significant amount of rent to house the Library Commission staff and collections;

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

That the Director of Institutions is urged to take such action as may be necessary to move the State Library Commission to the Liberty Memorial Building at such time as the Liberty Memorial Building is no longer occupied by the State Historical Board; and

BE IT FURTHER RESOLVED, that the Director of Institutions is urged to apply for preplanning funds from the Department of Accounts and Purchases to adequately plan any remodeling necessary to the Liberty Memorial Building for use by the State Library Commission; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded by the Secretary of State to the Director of Institutions, the State Librarian, and the Director of the Department of Accounts and Purchases.

Filed April 21, 1977

SENATE CONCURRENT RESOLUTION NO. 4003
(Legislative Council)
(Interim Committee on Constitutional Revision)

CONSTITUTIONAL REVISION COMMITTEE
CREATED

A concurrent resolution directing the Legislative Council, with the assistance of citizen advisors, to create a permanent interim committee to study the North Dakota Constitution and to make recommendations regarding constitutional revision.

WHEREAS, the North Dakota Constitution was adopted in 1889 and has been amended only on a piecemeal basis, with a few exceptions, since that time; and

WHEREAS, experience with constitutional revision in past years, both with interim committees and the 1972 Constitutional Convention, has shown that constitutional revision is best achieved through careful study and planning, and that the people of North Dakota are ill-served by piecemeal constitutional amendments that are not coordinated and well-planned; and

WHEREAS, North Dakotans have indicated, in recent elections, that they want to consider constitutional revisions, but that they wish to do so somewhat on a section-by-section basis;

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

That the Legislative Council create a permanent Constitutional Revision Committee to conduct a continuing and comprehensive study of constitutional revision. The council shall call upon citizen advisors to serve on this committee. The committee should consider, among other items, deletion of obsolete constitutional language, nonsubstantive changes in wording, possible consolidation of various constitutional provisions, removal or updating of archaic language, ballot placement and scheduling for proposed amendments, substantive revisions, and the possible effects of any initiated amendments and amendments proposed by the legislature. The council shall submit its recommendations on constitutional revision to the Forty-sixth Legislative Assembly and each succeeding assembly, together with the drafts of proposed amendments necessary to carry out its recommendations.

Filed April 21, 1977

SENATE CONCURRENT RESOLUTION NO. 4015
(Legislative Council)
(Interim Committee on Education)

ADULT AND VOCATIONAL EDUCATION STUDY

A concurrent resolution directing the Legislative Council, with the assistance of the State Board for Vocational Education and the State Office of Adult Education, to study the needs and financing of adult and vocational education.

WHEREAS, recent agricultural and industrial development in North Dakota has created new and emerging occupations which require vocational skills and abilities; and

WHEREAS, it will be necessary for the citizens of the state to acquire these skills and abilities through full-time or part-time adult and vocational training, and citizens of the state may have to retrain and upgrade several times during their lives to keep pace with the emerging needs of industry; and

WHEREAS, studies indicate that the need for vocational training will touch the lives of 88 percent of the labor force of the United States; and

WHEREAS, 50 percent of the state's population over age 25 have not completed a high school education or its equivalent; and

WHEREAS, adults do not have sufficient access to adult programs in relation to their needs; and

WHEREAS, Section 15-46-03 of the North Dakota Century Code provides that the state is to pay one-half the salary of teachers of an established evening school, which provides instruction to persons over the age of sixteen years; and

WHEREAS, there is a concern that adults and minorities, especially Indians, do not have sufficient access to adult and vocational education programs in relation to their needs, and this serves to deny such persons the opportunity to choose competitive careers in the open labor market and to make contributions to the state and their communities commensurate with their potential;

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

That the Legislative Council, with the cooperation and assistance of the State Board for Vocational Education and the State Office of Adult Education, is hereby directed and authorized to conduct an interim study of the needs and financing of adult and vocational education. This study shall give special emphasis to the effect of agricultural and industrial development in creating new and emerging occupations, to financing adult education including evening schools, and to the vocational education needs of adults and minorities of the state; and

BE IT FURTHER RESOLVED, that the Legislative Council, or its designee, may apply for and receive any public or private funds which may be available to help finance this study, and may make such matching expenditures as are necessary; and

BE IT FURTHER RESOLVED, that the Legislative Council shall make its report and recommendations, together with any legislation necessary to implement such recommendations, to the Forty-sixth Legislative Assembly.

Filed April 21, 1977

SENATE CONCURRENT RESOLUTION NO. 4017
(Legislative Council)
(Interim Committee on Finance and Taxation)

REIMBURSEMENT FOR FEDERAL TRANSMISSION LINE TAX LOSS URGED

A concurrent resolution urging Congress to enact legislation providing for the reimbursement of political subdivisions for the loss of property tax revenue resulting from federally owned electrical transmission lines.

WHEREAS, the United States Government, through the Bureau of Reclamation, Department of the Interior, has constructed a number of electrical transmission towers in the State of North Dakota; and

WHEREAS, there are 1,973 miles of 230 kilovolt or larger electrical transmission lines in the State of North Dakota, 801 miles of which are Bureau of Reclamation lines; and

WHEREAS, federal law provides for payments in lieu of taxes for certain lands held by the Bureau of Reclamation but not for transmission lines; and

WHEREAS, transmission lines obstruct normal farming operations and often result in reduced utility of the land because of difficulties in irrigating or operating large machinery on such land; and

WHEREAS, electrical transmission towers owned by the private sector are taxed by the state or by local political subdivisions, which balances the loss of revenue resulting from the reduced valuation of the land caused by transmission towers owned by investor-owned utilities and cooperatives; and

WHEREAS, the electrical transmission towers owned by the Bureau of Reclamation are not subject to taxation by the state or by local units of government;

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

That the Congress of the United States be respectfully urged to enact legislation providing for the reimbursement of political subdivisions by the Bureau of Reclamation for the

loss of property tax revenue caused by transmission towers owned by the Bureau of Reclamation; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded by the Secretary of State to the Secretary of the Interior, the Commissioner of the Bureau of Reclamation, and to each member of the North Dakota Congressional Delegation.

Filed February 28, 1977

SENATE CONCURRENT RESOLUTION NO. 4018
(Legislative Council)
(Interim Committee on Legislative Procedure and Arrangements)

LEGISLATIVE PROCESS STUDY

A concurrent resolution directing a Legislative Council study of the legislative process with emphasis on the appropriate use of the time available to the Legislative Assembly for regular sessions, on the interim process, on the use of standing and interim committees, and on the provision and use of staff.

WHEREAS, the Forty-fifth Legislative Assembly determined that an in-depth study is required before further legislative procedures are adopted which implement the 1976 amendment to section 56 of the Constitution of the State of North Dakota; and

WHEREAS, many of the suggested methods for utilizing the 80 natural days available would result in dramatic changes in the legislative process; and

WHEREAS, all members of the Legislative Assembly, state and local governmental officials, and the public at large should have an opportunity to be heard at length prior to adoption of any procedure which could result in a dramatic change in legislative procedures;

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

That the Legislative Council is directed to carry out a comprehensive study of the entire legislative process with emphasis on the best possible method of utilizing the 80 natural days available to it each biennium for meeting in regular session. The Legislative Council shall also emphasize, during the course of this study, the appropriateness of the interim structure; the proper use of standing committees and interim committees; and the provision of professional and other staff personnel during the legislative sessions and during the interim between sessions. The Legislative Council, or its designee, may appoint citizen members to the committee designated to carry out this study. The Legislative Council shall report its findings and recommendations, along with any necessary legislation, to the Forty-sixth Legislative Assembly.

Filed April 21, 1977

SENATE CONCURRENT RESOLUTION NO. 4019
(Lashkowitz, Lodoen, Tennesos, Hoffner)

GARRISON DIVERSION ACCELERATION URGED

A concurrent resolution urging acceleration of the Garrison Diversion Project.

WHEREAS, the Garrison Diversion Project envisions movement of water from the Missouri River watershed over the continental divide into the watersheds of central and eastern North Dakota; and

WHEREAS, the waters will augment the normal rainfall for irrigation, for municipal and industrial use, for fish and wildlife, and for recreation; and

WHEREAS, the mainstem dams and hydroelectric plants constructed under the plan cost North Dakotans more than 500,000 acres of land through the construction of the Oahe and Garrison reservoirs; and

WHEREAS, the Garrison Diversion plan, with its provision for 250,000 acres of irrigation in its initial phase and more than a million acres for irrigation in later phases, plus water for municipal and industrial uses, for fish and wildlife, and for recreation, is the commitment and consideration for the loss of those half-million acres of rich Missouri River bottomland; and

WHEREAS, many central and eastern North Dakota cities and rural areas lack adequate supplies of usable water due to deposits of iron, sulfates, alkali, salt, nitrates, and other hazardous substances which make water unsuitable for human use; and

WHEREAS, severe drought conditions which periodically strike North Dakota are presently being experienced in the eastern portion of North Dakota, making the lack of adequate water supplies for human purposes and needs even more critical; and

WHEREAS, the Garrison Diversion Project will provide municipal and industrial water supplies for large population areas of central and eastern North Dakota; and

WHEREAS, only 20 percent of the total project has been completed due to repeated delays; and

WHEREAS, public opinion polls have shown citizen support for

the Garrison Diversion plan growing in recent years and have shown continued strong North Dakota support for the project;

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

That the Forty-fifth Legislative Assembly strongly urges acceleration of the Garrison Diversion Project without delay to enable the citizens of North Dakota and the region to benefit from the additional, critically needed water supplies which would become available to the region to sustain and maintain life; and

BE IT FURTHER RESOLVED, that the Legislative Assembly urges Congress and the agencies responsible for the development of Garrison Diversion to expeditiously implement the necessary changes to resolve the controversies that may delay the completion of this project, and that the Legislative Assembly pledges the assistance and cooperation of the State of North Dakota towards such efforts; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded by the Secretary of State to the Chairman of the U. S. Senate and House Committees on Interior and Insular Affairs, the Secretary of the Interior, the North Dakota Congressional Delegation, and the Governor of North Dakota.

Filed February 28, 1977

SENATE CONCURRENT RESOLUTION NO. 4020
(Lips)CERTIFIED PROFESSIONAL SECRETARIES
COMMENDED

A concurrent resolution recognizing and commending secretaries who have attained the rating of Certified Professional Secretary.

WHEREAS, the National Secretaries Association (International) is an organization comprised of secretaries devoted to upgrading their skills and elevating the standards of the secretarial profession by uniting for their mutual benefit persons who are or have been engaged in secretarial work; and

WHEREAS, the Institute for Certifying Secretaries is a department of the National Secretaries Association (International) whose purposes and powers are to prepare examinations for the certification of persons as professional secretaries, to establish qualifications of applicants for the certifying examination, to administer the certifying examination, to award certificates to those who successfully complete such examinations, and to prepare and disseminate literature that will specify the scope, content, and nature of the examination; and

WHEREAS, the Certified Professional Secretary examination is based upon an analysis of secretarial work, with emphasis on judgment, understanding, and administrative ability including skills, techniques, and knowledge in six important areas of the business world--namely, environmental relationships in business, business and public policy, economics and management, financial analysis, and the mathematics of business, communications, and decision making, and office procedures; and

WHEREAS, candidates who successfully complete the two-day, 12-hour examination promote the professional identity of the exceptional secretary and are the Capstone of the profession;

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

That the Forty-fifth Legislative Assembly recognizes and commends the attainment of the Certified Professional Secretary rating by secretaries employed in state, county, and local government; and further recognizes and commends Certified

Professional Secretaries employed in business and private industry; and

BE IT FURTHER RESOLVED, that an enrolled copy of this resolution be forwarded by the Secretary of State to the President of the State Chapter of the National Secretaries Association (International).

Filed March 30, 1977

SENATE CONCURRENT RESOLUTION NO. 4021
(Wenstrom, Nething, Hoffner)

JUDICIAL SYSTEM STUDY

A concurrent resolution urging a moratorium on structural changes in the North Dakota judicial system and directing a Legislative Council study of the state's judicial system.

WHEREAS, North Dakota voters in September 1976 approved a constitutional amendment giving North Dakota a new judicial article based on a unified court system; and

WHEREAS, while this amendment is already in effect, the state's court system remains structurally as it was because it is established through statutes as well as in the Constitution; and

WHEREAS, the new constitutional provisions will allow the North Dakota legislature to make structural changes in the North Dakota judicial system; and

WHEREAS, it has been shown by experience in other states which have established a unified court system that a great deal of study and planning is necessary before any structural changes are made in the overall judicial system, not only because of the interdependence of one portion of the system on another, but also because of the far-reaching effects any structural change in the state's court system will have on all the citizens of the state; and

WHEREAS, there is no crisis or urgent need which mandates immediate structural change;

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

That the Forty-fifth Legislative Assembly is hereby urged to make no substantive changes in the structure of the state's judicial system based upon the new powers granted to the legislature in the new judicial article until such time as the results and recommendations of a thorough study of the state's entire judicial system can be received and considered; and

BE IT FURTHER RESOLVED, that the Legislative Council is hereby directed to initiate a joint study with the Judicial Council to study the state's entire judicial system in light of the new judicial article to determine what, if any, structural changes might be necessary and what the timetable for such changes should be; and

BE IT FURTHER RESOLVED, that the Legislative Council and the Judicial Council conduct this study with a committee composed not only of legislators and judges, but also of citizens and persons associated with and familiar with the state's judicial system; and

BE IT FURTHER RESOLVED, that this study seek the cooperation of the North Dakota Supreme Court, North Dakota State Bar Association, North Dakota State's Attorneys Association, and other judicial and court-related associations; and

BE IT FURTHER RESOLVED, that the Legislative Council and Judicial Council shall make a report of its findings and recommendations, together with any legislation required to implement such recommendations, to the Forty-sixth Legislative Assembly.

Filed April 21, 1977

SENATE CONCURRENT RESOLUTION NO. 4025
(Hanson, Lodoen, Peterson, Teneffos, Lashkowitz)

SID CICHY CONGRATULATED

A concurrent resolution congratulating Sid Cichy on being named the national high school football coach of the year for 1975.

WHEREAS, in twenty-nine years at Shanley High School, Sid Cichy has a won-loss-tie record of 220-38-3 and a winning percentage of 85.2 percent; and

WHEREAS, Sid Cichy has had eleven unbeaten seasons and 53 straight victories and 59 games without a loss; and

WHEREAS, the Shanley Deacons have won twelve East-West championships along with two ties, nine of which have occurred in the past ten years; and

WHEREAS, Sid Cichy first won the high school coach of the year title given by the North Dakota Associated Press Sports Writers and Sportscasters Association in 1950 and has won that title eight more times, and his squads have won Team of the Year honors five times; and

WHEREAS, Sid Cichy participated in athletics at North Dakota State University and was named to the Bison Athletic Hall of Fame in 1972; and

WHEREAS, Sid Cichy received the National High School Football Coach of the Year award, made by the National High School Athletic Coaches Association, for 1975;

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

That the legislature extends to Sid Cichy and to the Shanley Deacons the heartiest congratulations for his and their outstanding achievement in athletics; and

BE IT FURTHER RESOLVED, that the Secretary of State forward an enrolled copy of this resolution to Coach Sid Cichy.

Filed January 25, 1977

SENATE CONCURRENT RESOLUTION NO. 4026
(Hanson)

NDSU FOOTBALL TEAM CONGRATULATED

A concurrent resolution congratulating the 1976 North Dakota State University Bison football team and their coach Jim Wacker on winning the North Central Conference championship, advancing to the NCAA Division 2 semifinals, and on being named North Dakota college team and coach of the year.

WHEREAS, the 1976 North Dakota State University Bison football team won the North Central Conference Championship; and

WHEREAS, the Bison football team then advanced to the semifinals in the National Collegiate Athletic Association Division 2 national playoffs; and

WHEREAS, North Dakota State University hosted the Grantland Rice Bowl in Fargo on December 4, 1976; and

WHEREAS, the 1976 North Dakota State University Bison football team and their coach Jim Wacker were respectively named the 1976 North Dakota college team and coach of the year;

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

That the Forty-fifth Legislative Assembly extends to the members of the 1976 North Dakota State University Bison football team, and to their coach Jim Wacker, its heartiest congratulations for their successful season, the awards bestowed upon them, and for being excellent ambassadors for North Dakota throughout the season; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded by the Secretary of State to the North Dakota State University Athletic Department.

Filed January 25, 1977

SENATE CONCURRENT RESOLUTION NO. 4029
(Strinden)

VCSC FOOTBALL TEAM CONGRATULATED

A concurrent resolution congratulating the Valley City State College football team on its extraordinarily fine 1976 season.

WHEREAS, the Valley City State College 1976 football team stormed through the North Dakota College Athletic Conference schedule to compile a sparkling 6-0 record and annex the conference championship; and

WHEREAS, the VCSC Vikings, ably coached by Jim Dew, had an 8-1 record in regular season play, a mark that earned them fifth place in the national poll for Division 2 National Association of Intercollegiate Athletic teams; and

WHEREAS, the Vikings were selected as one of four teams to play off in post-season competition for the NAIA Division 2 national championship, thus becoming the first team in VCSC history and only the second team ever from the NDCAC to compete in post-season playoffs; and

WHEREAS, the fates and everything else evil and bad conspired against the Vikings in the playoff game and they lost 40-39 in overtime to the University of Redlands in a game at Redlands, California; and

WHEREAS, even in losing, they looked considerably better than a certain other Viking team in this region which also played in a post-season game in California; and

WHEREAS, an offensive lineman for the VCSC Vikings, Jim Ukestad, was tapped as a first team NAIA All-America choice, the first VCSC athlete to be so honored;

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

That the Forty-fifth Legislative Assembly of the State of North Dakota hereby extends hearty congratulations to the Valley City State College Vikings 1976 football team, to coach Jim Dew, to NAIA All-American pick Jim Ukestad, and to the VCSC Athletic Department for its excellent 1976 football season which included the NDCAC championship, an NAIA Division 2 post-season playoff

game, and fifth-place ranking nationally in NAIA's final 1976 Division 2 poll; and

BE IT FURTHER RESOLVED, that the Secretary of State send copies of this resolution to the Valley City State College Athletic Department, to Coach Jim Dew, and to offensive lineman Jim Ukestad.

Filed February 28, 1977

SENATE CONCURRENT RESOLUTION NO. 4030
(Solberg, Freed)

PRODUCTS LIABILITY STUDY

A concurrent resolution directing the Legislative Council to conduct a study of products liability and related insurance problems.

WHEREAS, manufacturers, distributors, and dealers have recently been experiencing difficulties in obtaining liability insurance coverage for products which they manufacture, as well as the distribution and sale of same; and

WHEREAS, under the present court system such claims are difficult to prove and costly to prosecute or defend; and

WHEREAS, the number of products liability claims and settlements have dramatically increased in the last few years; and

WHEREAS, although insurance companies have increased premiums dramatically for products liability insurance coverage, much of the insurance dollar goes for administrative costs and costs of defense rather than to an injured plaintiff;

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

That the Legislative Council be directed to conduct a study regarding products liability insurance coverage and other related areas where liability insurance coverage is limited in availability or restrictive in cost. The Legislative Council shall make its recommendations, accompanied by any necessary legislation to implement such recommendations, to the Forty-sixth Legislative Assembly. The Legislative Council may call on the Insurance Commissioner for such aid and assistance as is reasonable.

Filed April 21, 1977

SENATE CONCURRENT RESOLUTION NO. 4031
(Iszler, Strand, Solberg)

MOTOR VEHICLE MODIFICATION SPECIFICATIONS APPROVED

A concurrent resolution to adopt specifications for the modification of motor vehicles.

WHEREAS, the Forty-fourth Legislative Assembly adopted Senate Bill No. 2426, which directed the motor vehicle registrar to promulgate regulations on motor vehicle modification; and

WHEREAS, the promulgation of rules and regulations by the motor vehicle registrar is provided for by sections 28-32-02 and 39-23-03 of the North Dakota Century Code; and

WHEREAS, the action taken by the motor vehicle registrar is pursuant to established law and procedure;

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

That the Forty-fifth Legislative Assembly hereby approves and adopts the rules and regulations for construction and equipment of special motor vehicles, R39-23-03, as promulgated by the motor vehicle registrar; and

BE IT FURTHER RESOLVED, that an enrolled copy of this resolution be delivered to the motor vehicle registrar by the Secretary of State.

Filed April 21, 1977

SENATE CONCURRENT RESOLUTION NO. 4033
(Melland)FEDERAL AID MATCHING FORMULAE
REVISION URGED

A concurrent resolution urging the North Dakota Congressional Delegation to introduce legislation in the Congress to make federal aid matching formulas for the states more responsive to current economic conditions of the states.

WHEREAS, the Social Service Board needs an additional six million of state funding during the next biennium to maintain present program levels because the federal matching percentage for medicaid and aid to families with dependent children has been reduced because of high per capita incomes in 1973, 1974, and 1975 in the state; and

WHEREAS, the Division of Vocational Rehabilitation has incurred a reduction in federal funds because of the 1973, 1974, and 1975 high levels of per capita income; and

WHEREAS, the school lunch program state matching percentage has increased because of the levels of per capita income; and

WHEREAS, the 1973, 1974, and 1975 levels of per capita income which will be used by federal departments and agencies to determine matching percentages and allotments of federal funds for North Dakota during the next biennium no longer reflect the current levels of per capita income since low farm prices and dry conditions in the state are expected to reduce substantially the state's per capita income;

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

That the Forty-fifth Legislative Assembly urges the North Dakota Congressional Delegation to sponsor such legislation as may be necessary for per capita income levels to be based upon the most current information when used as a basis for determining the amount of federal participation in state programs such as medicaid, AFDC, vocational rehabilitation, and the school lunch programs; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to the Secretary of State for his distribution to the North Dakota Congressional Delegation, the Secretary of Health, Education, and Welfare, and the director of the Office of Management and Budget.

Filed April 21, 1977

SENATE CONCURRENT RESOLUTION NO. 4034
(Hoffner, Nething)

THEODORE ROOSEVELT NATIONAL PARK
DESIGNATION URGED

A concurrent resolution urging the United States Congress to designate Theodore Roosevelt National Memorial Park as Theodore Roosevelt National Park.

WHEREAS, Theodore Roosevelt National Memorial Park is a natural, scenic and historic area of great significance to this nation, the United States of America, and the state of North Dakota; and

WHEREAS, the Congress and President of the United States recognized this fact and established the area as a park of national significance on April 25, 1947; and

WHEREAS, political compromise rather than common sense determined that the area should be designated as a National Memorial Park rather than a national park; and

WHEREAS, the park encompasses a large and unique natural area including not only the picturesque buttes of the Badlands, the winding Little Missouri River, beautiful wildlife, and the now uncommon short prairie grasses that formerly dominated this Nation's grazing lands; and

WHEREAS, the Little Missouri River has been officially designated as a state scenic river by the forty-fourth North Dakota Legislative Assembly and the governor of this state; and

WHEREAS, status as a national park would bring appropriate status and recognition to this fantastically beautiful region of the United States;

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

That the forty-fifth North Dakota Legislative Assembly and the governor of North Dakota urge the Congress of the United States and the President to take immediate action in the designation of Theodore Roosevelt National Memorial Park as a full-fledged national park; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to the Secretary of the Interior, director of the National Park Service, the chairmen of the Senate and House Committees on the Interior, and each member of the North Dakota Congressional Delegation.

Filed April 21, 1977

SENATE CONCURRENT RESOLUTION NO. 4035
(Committee on Appropriations)
(Lips)

FEDERAL HIGHWAY TRUST FUND
CONTINUATION URGED

A concurrent resolution urging the President and the Congress to retain and to continue the federal highway trust fund in its present status and role.

WHEREAS, a highway system that adequately meets this state's urban and rural needs is essential to its economic well-being and to the nation's need for food and fiber; and

WHEREAS, the Federal Aid Highway Act of 1956 established the federal highway trust fund and provided that highway taxes accruing to the fund be dedicated to the financing of federal aid highways; and

WHEREAS, the highway trust fund facilitates long-range efficient planning, and recognizes that highway construction work does not lend itself to short-range projects nor to stop-and-start operations; and

WHEREAS, the dedication of continuing revenues to the highway trust fund gives political stability by removing the revenues involved from the arena of controversy and annual review; and

WHEREAS, the highway trust fund financial arrangements have been one of the essential ingredients in the present successes of this state's highway program; and

WHEREAS, under present law the highway trust fund is scheduled to continue only through September 30, 1980;

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

That the Forty-fifth Legislative Assembly urges the Congress of the United States to retain and continue the federal highway trust fund for the sole purpose of financing highways and streets in this nation, so the State of North Dakota and other states will have financing necessary to meet highway needs; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded by the Secretary of State to the President of the United States, the Secretary of the Department of Transportation, members of the North Dakota delegation to Congress, and the Governor of the State of North Dakota.

Filed April 21, 1977

SENATE CONCURRENT RESOLUTION NO. 4036
(Naaden)

LAWRENCE WELK COMMENDED

A concurrent resolution congratulating Mr. Lawrence Welk for his achievements and dedication to North Dakota.

WHEREAS, Lawrence Welk is a native son of North Dakota, being born near Strasburg, North Dakota; and

WHEREAS, Lawrence Welk has achieved national recognition for his career in music entertainment, and has appeared on television for over twenty years; and

WHEREAS, Lawrence Welk has devoted substantial time to charitable causes in North Dakota and nationwide; and

WHEREAS, Lawrence Welk credits his North Dakota upbringing for teaching him the self-discipline and perseverance needed in his career; and

WHEREAS, Lawrence Welk always remembers his home state in his books and performances;

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

That Mr. Lawrence Welk be commended for his life-long devotion to music and to the state of North Dakota, and that in all of his activities he carry with him the admiration and best wishes of the North Dakota Legislative Assembly and the people of North Dakota; and

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded by the Secretary of State to Mr. Lawrence Welk.

Filed February 28, 1977

SENATE CONCURRENT RESOLUTION NO. 4038
(Hoffner, Nething, Reiten)

PRESS PRAISED AND EDITORS DAY DECLARED

A concurrent resolution offering a paean of praise to the press and declaring Thursday, February 10, 1977, as North Dakota Editors Day at the Forty-fifth Legislative Assembly, and welcoming Mr. Jack Landau, a distinguished journalist and Washington-based syndicated columnist, to North Dakota.

WHEREAS, Joseph Story, publisher of an early American newspaper, the Salem Register, in 1802 had the following motto:

"Here shall the Press the People's
right maintain, Unaw'd by influence
and unbrib'd by gain; Here patriot
Truth her glorious precepts draw,
Pledg'd to Religion, Liberty, and
Law;" and

WHEREAS, this motto is appropriate for members of North Dakota's distinguished Fourth Estate, the editors and reporters of the state's daily, semiweekly, and weekly newspapers, who are dedicated to informing North Dakotans and thus serve a vital function in the democratic processes; and

WHEREAS, the North Dakota Legislative Assembly receives thorough and complete coverage by the news media which enables it to better fulfill its governmental functions and duties to the citizens of North Dakota, and for which it is much appreciative . . . really; and

WHEREAS, the North Dakota Newspaper Association, whose president we are proud to note is Senator Steve Farrington, a member of this Legislative Assembly, and the North Dakota professional chapter of Sigma Delta Chi, whose president is Dick Dobson and his cigar, are sponsoring the biennial Editors Day at the Legislature February 10, 1977; and

WHEREAS, the Editors Day banquet, to which members of the Forty-fifth Legislative Assembly have been invited by members of the press from their respective districts, will feature as speaker Mr. Jack Landau, a Washington-based, nationally syndicated reporter and columnist for the Chicago Daily News who is also an attorney and chairman of the Reporters Committee for Freedom of the Press;

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

That the Forty-fifth Legislative Assembly commends and congratulates North Dakota's editors and reporters for their continuing service to all North Dakota citizens, and declares February 10, 1977, as Editors Day at the 1977 Legislative Assembly; and

BE IT FURTHER RESOLVED, that the Forty-fifth Legislative Assembly extends a hearty and sincere North Dakota welcome to Mr. Jack Landau, and hopes that his stay in the state is pleasant and enjoyable; and

BE IT FURTHER RESOLVED, that each senator and representative make every effort to attend the banquet February 10, 1977, at the invitation of the North Dakota Newspaper Association and Sigma Delta Chi; and

BE IT FURTHER RESOLVED, that the Secretary of State send copies of this resolution to the national and North Dakota Presidents of Sigma Delta Chi; to the President of the North Dakota Newspaper Association; to Mr. Jack Landau; to Dr. Vern Keel, Chairman, Journalism Department, University of North Dakota; to Professor Al Austin, UND Journalism Department; and to Mr. Gene Carr, Executive Vice President, North Dakota Newspaper Association.

Filed February 28, 1977

SENATE CONCURRENT RESOLUTION NO. 4039
(Wright)

CITY OF STANLEY CONGRATULATED

A concurrent resolution congratulating the city of Stanley on its upcoming Seventy-fifth Anniversary celebration.

WHEREAS, the city of Stanley, the jewel of Mountrail County, will celebrate its Seventy-fifth Anniversary July 15-17, 1977; and

WHEREAS, this wonderful northwestern North Dakota city serves as the county seat; and

WHEREAS, Stanley's approximate population of 1,785 will no doubt expand considerably during the celebration when Stanley High School holds its first complete alumni reunion for all its graduates and when the city stages various rodeos, parades, dances, and so forth; and

WHEREAS, Stanley's mayor for the past eight years is none other than Senator Stanley Wright, a member of this Legislative Assembly;

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

That the Forty-fifth Legislative Assembly extend its sincere congratulations and best wishes to the jewel of Mountrail County, the city of Stanley, upon the upcoming celebration of its Seventy-fifth Anniversary; and

BE IT FURTHER RESOLVED, that the Secretary of State send copies of this resolution to the Stanley City Council and to the Stanley High School Library.

Filed February 28, 1977

SENATE CONCURRENT RESOLUTION NO. 4040
(Morgan)

FEDERAL LAND ENHANCEMENT URGED

A concurrent resolution urging Congress to require federal agencies to enhance lands under their control with woody plantings and utilize other soil and water conservation practices, including the control of noxious weeds.

WHEREAS, activities of federal agencies in the operation of lands under their control in North Dakota cause adverse environmental impacts in the form of soil erosion, damage to vegetation, and the spread of noxious weeds; and

WHEREAS, current water management practices cause soil erosion and the consequent addition of silt to surrounding water; and

WHEREAS, wildlife concentrations in an area cause significant damage to vegetation; and

WHEREAS, noxious weeds on federal lands remain uncontrolled and therefore spread to lands owned by private landowners who are required by state law to control such noxious weeds; and

WHEREAS, other activities on federal lands extend beyond the borders of those lands and affect surrounding private landowners;

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

That the United States Congress is urged to require federal agencies to enhance lands under their control with woody plantings and to utilize other soil and water conservation practices, including the control of noxious weeds; 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 of the United States Senate, to the Secretary of the Interior, Secretary of Agriculture, and Secretary of Defense, and the North Dakota Congressional Delegation.

Filed April 7, 1977

SENATE CONCURRENT RESOLUTION NO. 4041
(Melland)

FEDERAL STANDARDS FLEXIBILITY URGED

A concurrent resolution urging Congress and the President to permit states to have flexibility in establishing standards and solving local problems.

WHEREAS, the United States of America is a large and diverse country, with 50 sovereign states joined in a unique federal system; and

WHEREAS, the Founding Fathers of this great nation created a system under which the central government has only those powers specifically delegated to it under the Constitution, and all powers not delegated to the federal government are reserved to the states or to the people; and

WHEREAS, the legislative assemblies of the various states are much closer to the people and in a much better position to evaluate the needs of the people than are those persons working for the federal government who administer federal programs or promulgate rules and regulations pursuant to federal law; and

WHEREAS, as our society has grown larger and more complex, so have the laws and regulations of the federal government; and

WHEREAS, many of these laws and regulations may be appropriate for one region or area of the country, or may provide solutions to problems of one or more of the states, but are quite inappropriate in other regions or states; and

WHEREAS, recent years have seen a number of federal laws or regulations which may have had unquestionable motives but which, as enforced, are unduly burdensome or which create an unnecessary imposition on the rights of the states; and

WHEREAS, flexibility is required so that the individual states might apply for exceptions under these federal laws and regulations so that the duly elected decisionmakers of a state can decide what is best for that state;

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

That the Forty-fifth Legislative Assembly urge Congress and the President to provide procedures to permit the states to apply for exceptions under federal laws and regulations which the legislative assemblies believe are not in the best interests of their states; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded by the Secretary of State to the President of the United States, the Speaker of the United States House of Representatives, the President of the United States Senate, and the North Dakota Congressional Delegation.

Filed April 21, 1977

SENATE CONCURRENT RESOLUTION NO. 4043
(Naaden)

CONSTITUTIONAL AMENDMENT ON LIFE URGED

A concurrent resolution requesting the Congress of the United States to adopt an amendment to the United States Constitution for ratification by the states which will guarantee the right of the unborn human to life throughout its intrauterine development subordinate only to saving the life of the mother, and will guarantee that no human life shall be denied protection of law or deprived of life on account of age, sickness, or condition of dependency.

WHEREAS, 77 percent of those voting in the November 7, 1972, general election in North Dakota rejected abortion as an alternative to solving the problems of maternal and prenatal and natal health; and

WHEREAS, the United States Supreme Court on January 22, 1973, nullified the overwhelming decision of the North Dakota electorate to protect unborn human life by interpreting the United States Constitution in a way which allows the destruction of unborn human life to preserve the well-being of the pregnant woman; and

WHEREAS, the sweeping judgment of the United States Supreme Court in the Texas and Georgia abortion cases is a flagrant rejection of the unborn child's right to life through the full nine-month gestation period; and

WHEREAS, human life in the womb is entitled to the protection of the laws which may not be abridged by act of any court or legislature or by any judicial interpretation of the Constitution of the United States;

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

That the Congress of the United States is hereby urged and requested to adopt a constitutional amendment that will guarantee the explicit protection of all unborn human life throughout its intrauterine development subordinate only to saving the life of the mother, and will guarantee that no human life shall be denied protection of law or deprived of life on account of age, sickness, or condition of dependency, and that Congress and the several states

shall have power to enforce this article by appropriate legislation;
and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded by the Secretary of State to the North Dakota Congressional Delegation, the Secretary of the United States Senate, the Clerk of the United States House of Representatives, and the President of the United States.

Filed March 30, 1977

SENATE CONCURRENT RESOLUTION NO. 4044
(Shablow, Sands)

**SOLID WASTE MANAGEMENT CRITERIA
DISCRETIONARY ENFORCEMENT URGED**

A concurrent resolution urging the State Department of Health to exercise discretion in requiring small communities to meet the criteria for solid waste management established in Chapter 23-29 of the North Dakota Century Code.

WHEREAS, the environmental degradation caused by inadequate solid waste management in small communities is relatively insignificant; and

WHEREAS, serious economic, management, and technical problems exist for small communities in attempting to meet the solid waste management requirements set forth in Chapter 23-29 of the North Dakota Century Code; and

WHEREAS, the State Department of Health has discretionary authority to ease the burdens of small communities in the area of solid waste management;

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

That the State Department of Health is urged to exercise discretion in requiring the upgrading of solid waste management practices in small communities; and

BE IT FURTHER RESOLVED, that the Forty-fifth Legislative Assembly favors cooperative efforts in solid waste management among small communities in order to better utilize resources and maintain environmental integrity; and

BE IT FURTHER RESOLVED, that the Secretary of State forward a copy of this resolution to the State Health Officer.

Filed April 7, 1977

SENATE CONCURRENT RESOLUTION NO. 4045
(Walsh)

GASOHOL MARKETING RESEARCH URGED

A concurrent resolution urging the North Dakota Mill and Elevator and the Industrial Commission to conduct marketing research regarding the production and sale of gasohol.

WHEREAS, the United States is an energy-consuming nation, which annually consumes more energy than it produces; and

WHEREAS, the United States presently relies upon nonrenewable organic energy sources which are being depleted; and

WHEREAS, the recent closing of schools and industries in parts of the United States have emphasized the severity of the energy crisis; and

WHEREAS, there is a lack of readily available and renewable energy sources; and

WHEREAS, the effects of the worldwide energy crisis are especially evident in North Dakota and other agricultural areas because of the increased costs of energy in the form of petroleum fuels necessary to operate farm equipment and because of the increased costs of fertilizers and pesticides which are derived from petrochemicals; and

WHEREAS, the price of gasoline is projected to rise while grain prices are expected to remain at a low level; and

WHEREAS, North Dakota is one of the leading areas of the world in the production of small cereal grains, including wheat, durum, flax, barley, oats, corn, and other cereal grains; and

WHEREAS, research has determined that gasohol is a competitive practical renewable energy source; and

WHEREAS, the production of gasohol would result in a new market for North Dakota's small grains and would help alleviate the energy crisis; and

WHEREAS, distressed grain which would otherwise go to waste may be used in the production of gasohol; and

WHEREAS, the fermentation process used in producing gasohol results in food supplement by-products for cattle and human consumption;

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

That the North Dakota Industrial Commission and the North Dakota State Mill and Elevator conduct marketing research to determine the feasibility and desirability of developing the Mill and Elevator's capability for production of gasohol and to determine whether funding is available from other than state sources; and

BE IT FURTHER RESOLVED, that the Secretary of State forward a copy of this resolution to the members of the North Dakota Industrial Commission and the manager of the North Dakota State Mill and Elevator Association.

Filed April 21, 1977

SENATE CONCURRENT RESOLUTION NO. 4046
(Barth, Wenstrom)

COUNTY MOTOR VEHICLE TAX DISTRIBUTION
STUDY COOPERATION URGED

A concurrent resolution relating to recognition of and cooperation with a study being conducted by the North Dakota State University Community and Regional Planning Program, at the request of the North Dakota Indian Affairs Commission, concerning the distribution of county motor vehicle tax moneys for North Dakota reservation county roads.

WHEREAS, county roads on the four North Dakota Indian reservations (Ft. Berthold, Ft. Totten, Standing Rock, and Turtle Mountain) appear to receive maintenance inferior to those outside the exterior boundaries of the reservations; and

WHEREAS, these roads should have motor vehicle tax moneys available to help defray maintenance and improvement expenditures because they qualify for funds under section 54-27-19 of the North Dakota Century Code, relating to the state-county tax distribution ratio; and

WHEREAS, the North Dakota State University Community and Regional Planning Program can provide the expertise and technical assistance necessary to conduct a comprehensive study to determine whether a motor vehicle tax distribution inequity exists in its application to North Dakota reservation roads;

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

That the Forty-fifth Legislative Assembly requests county commissioners, and other appropriate local, state, and federal officials and agencies, to recognize and cooperate with the North Dakota Indian Affairs Commission and the North Dakota State University Community and Regional Planning Program in their pursuit of this study to ascertain the distribution of county motor vehicle tax moneys to the four North Dakota reservations; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded by the Secretary of State to all North Dakota boards of county commissioners whose counties lie partly or wholly within the exterior boundaries of an Indian reservation, and to the State Treasurer, the Commissioner of Agriculture, the Tax Commissioner, the Highway Commissioner, and the Secretary of the United States Department of Transportation.

Filed April 21, 1977

SENATE CONCURRENT RESOLUTION NO. 4048
(Maher, Hoffner, Berube)

RESOLUTION OF INDIAN PROBLEMS URGED

A concurrent resolution citing the existence of certain conditions of mutual concern confronting the reservation and nonreservation residents of North Dakota, and urging the Congress and the President of the United States to exercise responsibility and authority in resolving them.

WHEREAS, the establishment and governance of Indian reservations in North Dakota have resulted from treaties and other acts of the United States government; and

WHEREAS, the governmental interrelationships of tribal, local, state, and federal governments are both unique and often ill-defined, and are extraordinary to the normal relationships envisioned by our federal system; and

WHEREAS, there exists in these governmental interrelationships questions surrounding the relative authority and powers as they apply to Indian and non-Indian persons living within reservation boundaries; and

WHEREAS, the uncertainties and complexities of these relationships raise substantial questions concerning availability of full constitutional guarantees to all persons residing within the reservation boundaries, and further that these conditions have the effect of establishing various categories of citizenship with attendant differences in the rights and obligations of individuals; and

WHEREAS, questions are being raised relative to what services state and local governments should and must provide reservation residents in view of growing assertions that state law and authority do not extend to reservation areas; and

WHEREAS, the cost and time involved in seeking a resolution of these and other problems through litigation are undesirable and only serve to prolong uncertainties and encourage increased tensions; and

WHEREAS, North Dakota's Indian reservations are generally lacking in quality health services, employment, educational opportunity, adequate communications and transportation, and other services and opportunities generally available to other portions of the state; and

WHEREAS, the availability of quality and clearly defined governmental services is critical to the solution of these problems, and is not readily possible under current conditions; and

WHEREAS, these undesirable conditions are largely a result of acts of the United States government, and the State of North Dakota is virtually powerless to achieve their correction; and

WHEREAS, the State of North Dakota and the tribal governments therein have worked effectively together, within limitations outlined in part herein, through such mechanisms as the North Dakota Indian Affairs Commission, in addressing common problems in economic development, education, and other common concerns;

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

That the Congress and the President of the United States are urged to fulfill their respective responsibilities in providing leadership in the solution of these and other problems which are equally destructive to the progress and quality of life and preservation of peace of both Indian and non-Indian residents in North Dakota; and

BE IT FURTHER RESOLVED, that the State of North Dakota recognizes the right of tribal self-government; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded by the Secretary of State to the presiding officers of the United States House of Representatives and the United States Senate, the North Dakota Congressional Delegation, the President of the United States, and the Secretary of the Interior and the Attorney General of the United States.

Filed April 21, 1977

SENATE CONCURRENT RESOLUTION NO. 4049
(Tennefos)

TAFT-HARTLEY 14B RETENTION URGED

A concurrent resolution urging Congress to retain Section 14(b) of the Taft-Hartley Act.

WHEREAS, the public policy of the State of North Dakota is established by its Constitution and statutes to protect the employee in his right to work free from any interference, restraint, or coercion either by the employer or by a labor organization; and

WHEREAS, the people of North Dakota, when the issue has been referred to them, have overwhelmingly upheld Section 23 of the North Dakota Constitution and Section 34-01-14 of the North Dakota Century Code, commonly known as the "North Dakota Right to Work Law"; and

WHEREAS, since approval of this law North Dakota and its people have benefited from a minimum of labor unrest and discord because each person is guaranteed free choice of holding membership in a labor union or electing not to become a member of such; and

WHEREAS, the Congress of the United States is now being urged to consider proposed legislation to repeal Section 14(b) of the Taft-Hartley Act, which would preempt Section 23 of the North Dakota Constitution and Section 34-01-14 of the North Dakota Century Code; and

WHEREAS, no national policy exists that would warrant this unjust intrusion upon the right of North Dakota and its citizens to prohibit compulsory membership in labor organizations;

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

That Congress and the President be urged to maintain Section 14(b) as a part of this nation's labor law; and

BE IT FURTHER RESOLVED, that copies of this resolution be transmitted by the Secretary of State to the President of the United States, the Majority and Minority Leaders of the United States Senate, the Speaker and the Majority and Minority Leaders of the United States House of Representatives, and to each member of North Dakota's Congressional Delegation.

Filed April 21, 1977

SENATE CONCURRENT RESOLUTION NO. 4050
(Vosper)

PEMBILIER DAM PROJECT SUPPORTED

A concurrent resolution expressing the support of the North Dakota Legislative Assembly for the Pembilier Dam Project.

WHEREAS, the construction of a multipurpose dam on the Pembina River in northeastern North Dakota has been under investigation and study for twenty-five years by the Army Corps of Engineers, the International Joint Commission, North Dakota State Water Commission, the Province of Manitoba, and others at a total expenditure approaching three million dollars by both countries; and

WHEREAS, the numerous studies have been resolved but funding for the Pembilier Dam Project with Canada participating in the construction costs as a joint venture has not yet been authorized; and

WHEREAS, the benefits assignable to flood damage reduction in the agricultural and urban areas of the Pembina River Basin are estimated at \$2,355,000 annually; and

WHEREAS, the project is the only solution to a serious and continuing boundary dispute between the two countries by alleviating the severity of spring flooding on the Red River of the North that is a constant problem to the United States and Canada; and

WHEREAS, the project is supported by the public, and all local, state, and provincial units of government including all environmental interests and agencies; and

WHEREAS, the project was authorized by the previous Congress contingent upon final approval of the Board of Engineers for Rivers and Harbors in Washinton, D. C. and such approval has recently been granted;

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

That the Senate do request the United States Congress to provide first-phase moneys to initiate a start on the Project so urgently needed for the protection and livelihood of the people and their property in the lower Pembina Basin in the United States and Canada; and

BE IT FURTHER RESOLVED, that the Secretary of State forward copies of this resolution to the North Dakota congressional delegation; the United States Department of State, Canadian Affairs, Washington, D.C.; and Manitoba Water Department of Mines, Resources and Environmental Management, Winnipeg.

Filed March 30, 1977

SENATE CONCURRENT RESOLUTION NO. 4052
(Strinden, Redlin)

FEDERAL SAVINGS AND LOAN ASSOCIATION
INFORMATION REQUESTED

A concurrent resolution urging federally authorized lending agencies to provide financial information to state authorities.

WHEREAS, the Federal Land Bank, Banks for Cooperatives, Production Credit Associations, federal savings and loans and credit unions, all federally chartered and authorized lending institutions and agencies, are conducting business within the state of North Dakota in carrying out various loaning practices and procedures within the state; and

WHEREAS, the Department of Banking and Financial Institutions under the supervision of the State Banking Board and the Commissioner of Banking and Financial Institutions and the State Credit Union Board has responsibility to make rules and regulations, to make examinations and receive reports and to otherwise supervise and monitor the financial activities and stability of state-chartered banks, savings and loans, and credit unions; and

WHEREAS, the Department of Banking and Financial Institutions is empowered to obtain financial data from all state-chartered institutions and from national banks, wherever necessary, through Federal Deposit Insurance Corporation sources; and

WHEREAS, neither the Department of Banking and Financial Institutions nor any other state supervisory agency is able to obtain comparable financial data as to the lending and investment practices of federally chartered savings and loans operating within the state, which information is necessary to provide an overall view of financial needs and available funds for various purposes throughout the state of North Dakota and for evaluating legislative needs of financial institutions operating within our state;

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

That the Forty-fifth Legislative Assembly strongly urges the Federal Home Loan Bank Board and the governing authorities of the various federally chartered lending institutions to require federally chartered loan associations and other federally chartered

institutions to provide information concerning deposits, investments, and loaning practices of such federally chartered institutions operating within the state of North Dakota to state supervisory agencies; and

BE IT FURTHER RESOLVED, that if present federal legislation does not authorize the furnishing of such financial information to state supervisory agencies, that the Congress of the United States undertake legislation to enable and require such disclosures.

Filed April 21, 1977

SENATE CONCURRENT RESOLUTION NO. 4055
(Hanson)

ENERGY CONSERVATION CODE STUDY

A concurrent resolution directing the Legislative Council to study the feasibility and desirability of assisting local authorities to develop local energy codes or of adopting a statewide code for energy conservation in building construction.

WHEREAS, local codes for energy conservation in building construction may be inadequate to meet the present need to minimize wasteful use of energy in building construction and maintenance; and

WHEREAS, codes for energy conservation in building construction vary from community to community in the state; and

WHEREAS, local enforcement and development of adequate energy codes may be inadequate due to lack of technical and financial resources; and

WHEREAS, lack of adequate and uniform local energy codes results in inadequate building control, overlapping responsibilities of state and local agencies, and compliance problems by the construction industry; and

WHEREAS, development of an energy code through use of technical expertise normally unavailable in every community of the state would aid all communities in meeting their obligations to promote and protect the health, safety, and well-being of their residents;

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

That the Legislative Council is hereby directed to study the feasibility and desirability of providing assistance to local authorities to develop and put into effect local codes for energy conservation in building construction or of adopting a statewide code for energy conservation in building construction; and

BE IT FURTHER RESOLVED, that the Legislative Council shall call upon the state superintendent of construction, and any architects, engineers, and other citizens of the state knowledgeable in energy code requirements to assist in the study; and

BE IT FURTHER RESOLVED, that the Legislative Council shall make its report and recommendations, together with any proposed legislation required to carry out such recommendations, to the Forty-sixth Legislative Assembly.

Filed April 21, 1977

SENATE CONCURRENT RESOLUTION NO. 4060
(Thane, Freed)

CRIMINAL JUSTICE SYSTEM STUDY

A concurrent resolution directing the Legislative Council to conduct a study of the criminal justice system in North Dakota.

WHEREAS, criminal activity within the State of North Dakota has increased at an alarming rate and has therefore properly become a major concern of the public; and

WHEREAS, serious crime threatens harm to the peace, welfare, and safety of the citizens of North Dakota to which they have a vested and inherent right to enjoy and for which appropriate safeguards must be examined and implemented; and

WHEREAS, increasing demands upon law enforcement compel all law enforcement agencies concerned to be evaluated in terms of coordination, efficiency, training, and effectiveness; and

WHEREAS, the courts of this state, in applying standards of justice to those charged with crimes and in sentencing those adjudged guilty, require periodic public review and reexamination to determine whether such judicial adjudications meet societal needs for public safety, punishment of the offender, compensation of innocent victims of crime, rehabilitation of defendants, and reduction of criminal conduct; and

WHEREAS, prosecutorial services in this state must be elevated to the highest degree of professionalism and competence possible; and

WHEREAS, the administration and utility of our state's penal institutions in their present form deserves thorough examination and analysis; and

WHEREAS, all criminal justice services, offices, and agencies, including courts, police, corrections, prosecution, and defense, must be thoroughly examined for existing problems as each relates to the criminal justice system in North Dakota, and as each relates to and serves the public need; and

WHEREAS, the citizens of North Dakota, as is their right, demand swift, fair, and equitable administration of our criminal justice system compatible with the public interest; and

WHEREAS, through the criminal laws as established by statute and judicial decree, the entire processes of justice require timely and concentrated review so as to reexamine their value, effectiveness, and philosophy in a contemporary society;

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

That the Legislative Council is hereby directed to conduct an interim study of the entire criminal justice system, to include the adversary relationship of many of its elements, its existing problems, its administration, and how it relates to those expressed concerns; and

BE IT FURTHER RESOLVED, that the Legislative Council shall conduct the study seeking input from persons associated in all respects with the administration of justice in North Dakota, as well as representatives of the citizenry who wish to express their concern; and

BE IT FURTHER RESOLVED, that the Legislative Council shall make its report and recommendations, accompanied by any necessary legislation to implement such recommendations, to the Forty-sixth Legislative Assembly.

Filed April 21, 1977

SENATE CONCURRENT RESOLUTION NO. 4061
(Melland)

GENERAL FUND REVENUES AND EXPENDITURES
STUDY

A concurrent resolution directing the Legislative Council to conduct a study of general fund revenues and expenditures during the biennium.

WHEREAS, an analysis of the general fund cash flow will assist in establishing appropriate levels of general fund balances for future bienniums; and

WHEREAS, the rate of inflation experienced during the next biennium will be a basis for determining budget needs for the following biennium; and

WHEREAS, energy costs of state institutions have increased dramatically in recent years; and

WHEREAS, the Budget Section of the Legislative Council should be informed of any major budgetary problems incurred by state agencies and institutions during the interim so that early action can be taken by the Forty-sixth Legislative Assembly in response to these problems;

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

That the Legislative Council is authorized and directed to study the state budget during the biennium beginning July 1, 1977, and ending June 30, 1979, with special emphasis being given to categories of expenditures subject to high inflationary rates including energy costs and also the cash balances in the state general fund at various times during the biennium; and

BE IT FURTHER RESOLVED, that all state agencies, departments, and institutions shall furnish the Legislative Council with such information as the Council, in carrying out the provisions of this resolution, reasonably requires and that the Council shall make its report and recommendations, together with any legislation necessary to implement any of its recommendations, to the Forty-sixth Legislative Assembly.

Filed April 21, 1977

SENATE CONCURRENT RESOLUTION NO. 4065
(Melland)

STATE GOVERNMENT PURCHASING PRACTICES
STUDY

A concurrent resolution directing the Legislative Council to study the purchasing practices of state government.

WHEREAS, one of the largest categories of administrative expenses for the State of North Dakota is for purchases by the various entities of state government; and

WHEREAS, the Department of Accounts and Purchases has operated a central purchasing service for state government since 1960; and

WHEREAS, the central purchasing service is vested with responsibility for all purchases of equipment, furniture, fixtures, printing, materials, supplies, and other items by all state departments, institutions, offices, and agencies unless such purchases are of an emergency or unique nature or are specifically exempted by the director of the Department of Accounts and Purchases; and

WHEREAS, various institutions in state government operate purchasing services independent of the central purchasing service, and there are apparent disparities in prices paid for similar products by various institutions; and

WHEREAS, since the creation of the central purchasing service the prices for certain products, such as heating fuels and gasoline, have escalated, resulting in an increased need for the coordination of purchases of such products so that the most efficient and economical method might be used;

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

That the Legislative Council is hereby directed to study all laws, policies, and practices of state government related to purchasing, and that the Department of Accounts and Purchases and all other state departments, institutions, offices, and agencies provide the Council with such reasonable assistance as it may require; and

BE IT FURTHER RESOLVED, that the Legislative Council submit its report and recommendations, together with any legislation necessary to implement those recommendations, to the Forty-sixth Legislative Assembly.

Filed April 21, 1977

SENATE CONCURRENT RESOLUTION NO. 4069

(Committee on Delayed Bills)

(At the request of Senators Jones, Goodman, Hanson)

CHAMPIONSHIP CURLING RINKS CONGRATULATED

A concurrent resolution congratulating the Doris Nelson Rink of Devils Lake, the Ken Kistner Rink of Fargo, and the Don Barcome, Jr., Rink of Grand Forks for their recent curling championships and wishing them well in their upcoming national and international competition.

WHEREAS, curling is one of the fastest growing and most popular winter sports in North Dakota among persons of all ages; and

WHEREAS, North Dakota rinks have done exceedingly well in national and international competition the past few years, including national championships in men's and junior competition; and

WHEREAS, the Doris Nelson Rink of Devils Lake took top honors in the North Dakota Women's Curling Championship held in January in Grafton, and now goes on to the national bonspiel at Wilmette, Illinois, February 21-24, 1977; and

WHEREAS, members of the Doris Nelson Rink are Doris Nelson, who is a sister of Senator Harvey Tallackson, Lois Storsteen, Jan Olson, and Linda Schmaltz; and

WHEREAS, the Don Barcome, Jr., Rink of Grand Forks captured its second straight National Junior Curling Championship in Detroit, Michigan, February 6, and now advances to the World Curling Championships beginning February 28, 1977, in Quebec City, Canada; and

WHEREAS, members of the Don Barcome, Jr., Rink are Don Barcome, Jr., Dale and Gary Mueller, and Earl Barcome; and

WHEREAS, the Ken Kistner Rink of Fargo captured the North Dakota Curling Championship February 21 at Rolla and now advances to the national championships starting February 28 at Northbrook, Illinois; and

WHEREAS, members of the Ken Kistner Rink are Ken Kistner, Larry Budish, Darrell Trautman, and Mark Bohn;

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

That the Forty-fifth Legislative Assembly extends its sincere congratulations to the Doris Nelson, Don Barcome, Jr., and Ken Kistner Rinks for winning their respective curling championships, and that the Assembly joins with all North Dakotans in wishing these excellent curlers the very best of luck in their national and international competition, knowing full well that these teams will uphold the fine athletic and curling traditions of past North Dakota champions; and

BE IT FURTHER RESOLVED, that the Secretary of State send copies of this resolution to the Grand Forks Curling Club, the Fargo Curling Club, the Devils Lake Curling Club, and to each member of the three rinks listed herein.

Filed March 10, 1977

SENATE CONCURRENT RESOLUTION NO. 4070
(Thane)

MIDWESTERN REGIONAL EDUCATION COMPACT
STUDY

A concurrent resolution directing the Legislative Council to study the feasibility of and the necessity for a Midwestern Regional Education Compact.

WHEREAS, the governors of North Dakota, South Dakota, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, Ohio, and Wisconsin have given initial approval to a Midwestern Regional Education Compact subject to approval by the individual legislatures; and

WHEREAS, the compact shall take effect if approved by the legislatures of six or more of the twelve states by July 1979; and

WHEREAS, Senate Bill No. 2508 defeated by the Forty-fifth Legislative Assembly provided for ratification of the compact by North Dakota and for subsequent legislative appropriations upon the compact taking effect; and

WHEREAS, the purpose of the compact is to "advance the long-term future economic, social, and cultural growth of the region through planning and establishment of regional educational services"; and

WHEREAS, North Dakota presently contracts for out-of-state services for its students in various educational areas;

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

That the Legislative Council is hereby authorized and directed to conduct a study of the feasibility of and the necessity for a Midwestern Regional Education Compact; and

BE IT FURTHER RESOLVED, that the Legislative Council make its report and recommendations, together with any legislation required to carry out such recommendations, to the Forty-sixth Legislative Assembly.

Filed April 21, 1977

SENATE CONCURRENT RESOLUTION NO. 4071
(Orange)

AIRPORT FINANCE STUDY

A concurrent resolution directing the Legislative Council to study the alternative methods of providing an equitable means of airport financing.

WHEREAS, an ever-increasing reliance is being placed upon airline service to meet the transportation needs of the citizens of North Dakota; and

WHEREAS, all citizens of North Dakota benefit from the commercial airline services provided through only seven airports in the state; and

WHEREAS, these seven airports are supported and financed solely by the citizens of the immediate geographical area within which they are located; and

WHEREAS, the existing methods of financing airport construction and maintenance are inadequate to meet the growing needs; and

WHEREAS, an adequate and equitable means of financing airline service should be developed to ensure that the benefits provided by these airports to all the citizens of the state are not provided solely at the expense of the residents of the cities involved;

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

That the Legislative Council is directed to conduct a study of alternative methods of providing an equitable means of financing airline services for the citizens of the state. The Legislative Council shall seek the aid and assistance of the North Dakota Aeronautics Commission, cities operating airports, and such other state and local governmental officials and employees and other persons who may be of assistance in this study. The Legislative Council shall report its findings and recommendations, together with the legislation required to implement such recommendations, to the Forty-sixth Legislative Assembly.

Filed April 21, 1977

SENATE CONCURRENT RESOLUTION NO. 4072
(Nothing)STATE GOVERNMENT ENERGY DEVELOPMENT
COSTS STUDY

A concurrent resolution directing a Legislative Council study of costs incurred by state agencies and institutions during the 1977-1979 biennium because of energy development activities in North Dakota.

WHEREAS, state departments, agencies, and institutions may be spending in excess of \$19 million during the 1977-1979 biennium because of additional responsibilities relating to energy development; and

WHEREAS, a portion of the cost relating to energy development should be paid in part from the proceeds of the severance tax placed upon coal mined in the state; and

WHEREAS, the present state accounting system is unable to deliver this type of information; and

WHEREAS, these costs, as well as projected costs for the 1979-1981 biennium, will be of assistance to the Forty-sixth Legislative Assembly;

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

That the Legislative Council is hereby authorized and directed to conduct a study to determine the amount of costs incurred by state agencies and institutions during the 1977-1979 biennium related to energy development and also to determine the level of funding that state agencies, departments, and institutions will be requesting from the Forty-sixth Legislative Assembly for similar activities during the 1979-1981 biennium; and

BE IT FURTHER RESOLVED, that the Department of Accounts and Purchases and such other state agencies and institutions as the Council may select shall provide such aid and assistance as the Council may request in conducting the study; and

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

Filed April 21, 1977

SENATE CONCURRENT RESOLUTION NO. 4073
(Redlin, Jacobson)

WATER RESOURCE DEVELOPMENT STUDY

A concurrent resolution directing the Legislative Council to study and review the capacity of the State Water Commission to aid in the development of irrigation and other water resource development projects.

WHEREAS, North Dakota is a semiarid state and must conserve, guard, and carefully use its water resources; and

WHEREAS, North Dakota's water resources are vitally important to the state's agricultural industry; and

WHEREAS, North Dakota has experienced drought conditions which may result in diminishing the agricultural production of the state; and

WHEREAS, North Dakota's future may include unprecedented industrial development that could create major demands on the state's water resources; and

WHEREAS, the State Water Commission and the state engineer and his staff could provide aid, coordinated administration, and management of the state's water resources through development of irrigation and other water resource development projects; and

WHEREAS, a limiting factor on the State Water Commission's authority to aid in the development of water resources may be its revenue bonding authority, which is currently limited to \$3,000,000.00;

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

That the Legislative Council is hereby directed and authorized to conduct an interim study on the capacity of the State Water Commission and the state engineer to aid in the development of irrigation and other water resource development projects in the state, with emphasis on whether the bonding authority of the State Water Commission would limit such aid and development, and the staff requirements of the state engineer in conducting such development projects; and

BE IT FURTHER RESOLVED, that the Legislative Council shall conduct the study with the cooperation and assistance of the State Water Commission, the state engineer, and any other state or federal agencies concerned with the development and conservation of water resources, and such state agencies shall provide such information and assistance as the Legislative Council may request; and

BE IT FURTHER RESOLVED, that the Legislative Council shall make its report and recommendations, together with any legislation required to carry out such recommendations, to the Forty-sixth Legislative Assembly.

Filed April 21, 1977

SENATE CONCURRENT RESOLUTION NO. 4074
(Melland)

DEPARTMENT OF ADMINISTRATION STUDY

A concurrent resolution directing the Legislative Council to study the feasibility of reorganizing and consolidating the administrative, management, and budgetary responsibilities of state government into a department of executive management or a department of administration.

WHEREAS, the Department of Accounts and Purchases contains a division of accounting and payroll, a division of purchasing, and a revenue sharing liaison officer; and

WHEREAS, the Department of Accounts and Purchases also contains five statutory divisions which include the office of the budget, the office of central data processing, the central personnel division, the state planning division, and the responsibility for state printing; and

WHEREAS, the Director of Institutions is responsible for the maintenance and operation of the state radio broadcasting system, the state communications system, the central mailing bureau, and the central telephone exchange, as well as the maintenance of the Capitol and grounds; and

WHEREAS, the Secretary of State is statutorily designated as the state records administrator and is responsible for state records management and the establishment and maintenance of the central microfilm unit; and

WHEREAS, the Secretary of State is statutorily directed to appoint a state construction superintendent who is responsible for supervising and approving plans for all state buildings; and

WHEREAS, the public employee retirement board is responsible for administering the state employees retirement system and the state employees uniform group insurance program; and

WHEREAS, the responsibilities, functions, and duties of these designated agencies and programs concern the basic administrative, management, and budget aspects of state government; and

WHEREAS, these agencies, as presently constituted, perform related services in the areas of administration, budget, planning, and personnel; and

WHEREAS, in many other states these functions are performed by a centralized department of administration or department of executive management; and

WHEREAS, a centralized department of administration may more effectively provide coordinated administrative, budget, planning, and personnel services;

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

That the Legislative Council is directed to study the feasibility and desirability of consolidating the administrative, management, and budgetary responsibilities of state government into a department of executive management or a department of administration, with such divisions or organizational structure as may be necessary to ensure coordinated and efficient delivery of administrative, budget, planning, and personnel services and functions; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, along with any recommended legislation, to the Forty-sixth Legislative Assembly.

Filed April 21, 1977

SENATE CONCURRENT RESOLUTION NO. 4076
(Wright, Jacobson)

FEDERAL MINERAL LEASE REVENUE USE STUDY

A concurrent resolution directing the Legislative Council to study the use to which moneys should be put that are received by the state from the United States Secretary of the Treasury from sales, bonuses, royalties, and rentals the United States receives from its mineral interests in public lands in North Dakota.

WHEREAS, section 35 of the United States Act of February 25, 1920, as amended, (30 USC 191) provides that a portion of the moneys received by the United States Secretary of the Treasury from sales, bonuses, royalties, and rentals that the United States receives from its mineral interests in its public lands in any state shall be distributed to that state; and

WHEREAS, said section 35 of the 1920 Act was amended by the United States Congress in 1976 by Public Laws 94-377, 94-422, and 94-579, which increased to 50% the portion of said moneys to be distributed to the state of North Dakota and other states and provided that said moneys paid to the states shall be "used by such State and its subdivisions, as the legislature of the State may direct giving priority to those subdivisions of the State socially or economically impacted by development of minerals leased under this Act, for (i) planning, (ii) construction and maintenance of public facilities, and (iii) provision of public service"; and

WHEREAS, the state of North Dakota will receive more than one million dollars annually as its portion of federal moneys received pursuant to the provisions of the above cited federal law because of sales, bonuses, royalties, and rentals the United States receives from its mineral interests in almost one-half of the counties in North Dakota;

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

That the Legislative Council is directed to conduct a study of these federal laws, particularly the distribution that should be made of the moneys received by the state of North Dakota pursuant to those laws, and submit its report and recommendations, together with any legislation required to implement such recommendations, to the Forty-sixth Legislative Assembly.

Filed April 21, 1977

SENATE CONCURRENT RESOLUTION NO. 4077
(Naaden, Strinden, Wenstrom)

HUMAN SERVICE CENTERS STUDY

A concurrent resolution directing the Legislative Council to conduct a study of the internal organization, policies, and programs of human service and mental health and retardation centers.

WHEREAS, Section 54-40-09 of the North Dakota Century Code provides for the establishment of human service centers to provide services to the individual or family in order to help achieve, maintain, or support the highest level of personal independence and economic self-sufficiency, including health, mental health, education, manpower, social, vocational rehabilitation, aging, food and nutrition, and housing services; and

WHEREAS, Chapter 25-12 of the North Dakota Century Code allows for the establishment of mental health and retardation service centers throughout the state; and

WHEREAS, problems have recently surfaced which raise questions concerning the internal organization, policies, and programs of human service and mental health and retardation centers; and

WHEREAS, the problems have created controversy and doubt as to the effectiveness and efficiency of the human service and mental health and retardation centers;

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

That the Legislative Council is authorized and directed to conduct a study of the internal organization, policies, and programs of the human service centers and mental health and retardation centers in North Dakota; and

BE IT FURTHER RESOLVED, that the Legislative Council make its report and recommendations, together with any legislation necessary to implement such recommendations, to the Forty-sixth Legislative Assembly.

Filed April 21, 1977

SENATE CONCURRENT RESOLUTION NO. 4079
(Nothing)

HUMAN RIGHTS STUDY

A concurrent resolution directing an interim study by the Legislative Council of the feasibility of enacting comprehensive human rights legislation in North Dakota.

WHEREAS, discrimination in North Dakota based on race, color, religion, national origin, sex, age, marital status, the presence of any sensory, mental, or physical disability, or status with regard to public assistance should be prevented or eliminated; and

WHEREAS, prevention or elimination of discrimination in all employment relations, all places of public accommodation, housing, the provision of any state or local government services to its citizens, education, credit transactions, and insurance transactions should be a state goal; and

WHEREAS, those who aid, abet, or induce discrimination, or those who coerce others to discriminate should be deterred; and

WHEREAS, these policies might be effectively implemented through the enactment of comprehensive human rights legislation; and

WHEREAS, North Dakota is presently one of only two states in the nation without such legislation;

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

That the Legislative Council is hereby directed and authorized to conduct an interim study of the feasibility of enacting comprehensive human rights legislation in North Dakota, and the adequacy of present statutes relating to human rights legislation and their enforcement; and

BE IT FURTHER RESOLVED, that the Legislative Council shall make its report and recommendations, together with any legislation required to carry out such recommendations, to the Forty-sixth Legislative Assembly.

Filed April 21, 1977

SENATE CONCURRENT RESOLUTION NO. 4081
(Fritzell)

MUNICIPAL INDUSTRIAL DEVELOPMENT ACT STUDY

A concurrent resolution directing the Legislative Council to study the purposes and effects of the Municipal Industrial Development Act.

WHEREAS, the Municipal Industrial Development Act of 1955 originally authorized cities to issue revenue bonds to develop enterprises engaged in assembling, manufacturing, or processing agricultural, mineral, or manufactured products, or the storing, warehousing, distributing, or selling of such products; and

WHEREAS, the original Act has been expanded to authorize counties to issue MIDA bonds and to authorize the issuance of MIDA bonds for environmental pollution control equipment, public vocational education, and any other industry or business not prohibited by the Constitution or statutes of this state; and

WHEREAS, no statistical or other information is available describing the extent of the issuance of MIDA bonds, the types of projects for which MIDA bonds have been issued, the amount of MIDA bonds outstanding, and the types of proposals received for MIDA bond issuance; and

WHEREAS, the issuance of MIDA bonds affects the ability of the municipality to issue other types of bonds to finance projects other than projects under the Municipal Industrial Development Act; and

WHEREAS, the present availability of MIDA bonds to finance large industrial development and utility construction projects brings into question the original purpose and intent of the Municipal Industrial Development Act;

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

That the Legislative Council is directed to conduct a study of the purposes and effects of the Municipal Industrial Development Act. The study should include a review of the

original purposes and intent of the Act, the extent the Act is used to finance and attract industry, the extent MIDA bonds have been issued in the state, and the types of projects for which MIDA bonds have been issued; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, along with any legislation required to carry out its recommendations, to the Forty-sixth Legislative Assembly.

Filed April 21, 1977

SENATE CONCURRENT RESOLUTION NO. 4084
(Committee on Delayed Bills)
(At the request of the Committee on Transportation)

HAUL ROAD PROBLEM AWARENESS URGED

A concurrent resolution urging lignite mining companies, state agencies, and political subdivisions to be aware of and work to solve potential problems from haul roads.

WHEREAS, individuals residing on or near present and projected mine and energy conversion sites are becoming increasingly aware of and concerned about potential problems resulting from location of haul roads for such facilities; and

WHEREAS, the Federal Mine Safety and Enforcement Administration and the North Dakota State Department of Health presently have jurisdiction over dust emissions on mine sites; and

WHEREAS, the North Dakota Public Service Commission, under legislation adopted during the Forty-fifth Legislative Assembly, has jurisdiction over location and reclamation of haul roads; and

WHEREAS, county zoning and planning commissions may attach various conditions prior to rezoning or issuance of conditional use permits; and

WHEREAS, it is desirable that location of haul roads be consistent with the use of adjacent lands and sensitive to the needs and concerns of adjacent landowners;

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

That the Forty-fifth Legislative Assembly urge the lignite mining industry and the state agencies and political subdivisions which have jurisdiction thereof to remain aware of and work together to solve potential problems involving locations of haul roads; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded by the Secretary of State to the North Dakota State Health Department, the North Dakota Public Service Commission, appropriate zoning and planning commissions, and the North Dakota Lignite Council.

Filed April 21, 1977

SENATE CONCURRENT RESOLUTION NO. 4086
(Committee on Delayed Bills)
(At the request of Senator Lee)

FOREIGN MEDICAL SCHOOL GRADUATES
PRACTICE URGED

A concurrent resolution urging Congress and the United States Secretary of Health, Education, and Welfare to take certain action to allow graduates of foreign medical schools to practice medicine in the United States, and particularly in rural areas, such as North Dakota.

WHEREAS, there is evidence that the cost of health care in the various states of the United States is rising at an alarming rate; and

WHEREAS, there is evidence that the cost and quality of health care in any given area are directly affected by the number of practicing physicians in that area; and

WHEREAS, it appears that the United States is currently experiencing a shortage of qualified physicians; and

WHEREAS, it appears that this shortage is particularly acute in rural areas; and

WHEREAS, it is evident that allowing the immigration of qualified graduates of foreign medical schools can help alleviate this shortage; and

WHEREAS, there is evidence that such graduates, with their families, can become productive additions to any community in which they become established; and

WHEREAS, it is evident that in order to lure qualified graduates of foreign medical schools to the United States, a certain security of employment must be offered them; and

WHEREAS, it is recognized that the immigration laws of the United States play a substantial role in providing such employment security; and

WHEREAS, Title VI of the Health Professions Educational Assistance Act of 1976 (Pub. L. 94-484), as currently construed, places qualified graduates of foreign medical schools in jeopardy of losing their positions as practicing physicians in the United States;

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

That the Forty-fifth Legislative Assembly urges the United States Congress to amend the Health Professions Educational Assistance Act of 1976 (Pub. L. 94-484) by repealing Title VI thereof; and

BE IT FURTHER RESOLVED, that pending such action, the Forty-fifth Legislative Assembly urges Congress to declare a twelve-month moratorium on enforcement of Pub. L. 94-484 to allow the Secretary of Health, Education, and Welfare sufficient time to promulgate appropriate rules and regulations pursuant to the Act; and

BE IT FURTHER RESOLVED, that pending repeal of Title VI by Congress, the Forty-fifth Legislative Assembly urges the Secretary of Health, Education, and Welfare to promulgate rules and regulations pursuant to Section 601 (a) of Pub. L. 94-484; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded by the Secretary of State to the Secretary of Health, Education, and Welfare and each member of the North Dakota Congressional Delegation.

Filed April 21, 1977

SENATE CONCURRENT RESOLUTION NO. 4088
(Committee on Delayed Bills)
(At the request of Senators Morgan, Miller)

UNIFORM CONTROLLED SUBSTANCES ACT STUDY

A concurrent resolution directing the Legislative Council to conduct a study of North Dakota's drug laws, penalties, and sentencing procedures and practices.

WHEREAS, the sale and use of drugs are becoming major problems throughout North Dakota; and

WHEREAS, illegal drug traffic and usage severely damage the health and productivity of the state's citizens, and particularly its youth; and

WHEREAS, the sale and use of illegal drugs often lead to further serious crimes to support drug habits and thereby endanger law-abiding citizens; and

WHEREAS, the Uniform Controlled Substances Act (Chapter 19-03.1, NDCC) specifies the prohibited drugs and acts and provides penalties for violation of the drug laws; and

WHEREAS, violation of the Act has resulted in excessive imposition of light sentences and probation rather than stiffer prison sentences; and

WHEREAS, leniency on the part of judges in enforcing the Uniform Controlled Substances Act encourages drug traffic and use in North Dakota;

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

That the Legislative Council is hereby directed to conduct a study of the Uniform Controlled Substances Act (Chapter 19-03.1, NDCC) and drug laws in general, the potential penalties which may be imposed for violation of the drug laws, and the actual sentencing procedures and practices followed in North Dakota to determine whether the state's drug laws and sentencing procedures require revision in order to combat the increasing drug problem; and

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

Filed April 21, 1977

SENATE CONCURRENT RESOLUTION NO. 4089
(Committee on Delayed Bills)
(At the request of the Select
Senate Committee on the Bank of North Dakota)

BANK STOCK TRANSFER STUDY

A concurrent resolution directing the Legislative Council to study the feasibility and desirability of regulating the transfer of control of banking institutions.

WHEREAS, the 1975 Legislative Assembly originally considered a proposal to require State Banking Board approval of the transfer of control of a banking institution; and

WHEREAS, an ever-increasing possibility exists of a transfer of control of a banking institution to the detriment of its depositors and minority stockholders, and the public; and

WHEREAS, approximately 35 states have some type of legislation designed to prevent the transfer of ownership of banking institutions to the detriment of depositors, minority stockholders, and the public; and

WHEREAS, the 1977 Legislative Assembly authorized the Bank of North Dakota to make bank stock loans to qualified state residents; and

WHEREAS, this authority of the state-owned Bank of North Dakota requires a review of state regulation of bank ownership and transfer of bank ownership; and

WHEREAS, the 1977 Select Senate Committee on the Bank of North Dakota considered the problems involved in transfer of bank control, but found that any proposals for regulatory legislation would require substantial study;

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

That the Legislative Council is directed to study the feasibility and desirability of legislation regulating the transfer of control of banking institutions. The study shall

include a review of legislation of other states, the purposes of any proposed regulatory legislation, the impact of any proposed legislation on banking institutions, depositors, stockholders, and the public, and the effect of any proposed regulatory legislation on the State Banking Board, the Department of Banking and Financial Institutions, and any other state entity which may be involved or affected by any proposed regulatory legislation; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, along with any legislation required to carry out its recommendations, to the Forty-sixth Legislative Assembly.

Filed April 21, 1977

SENATE CONCURRENT RESOLUTION NO. 4090
(Nething, Thane)

COMPLETION OF LEGISLATIVE JOURNALS

A concurrent resolution providing for the completion of the legislative journals of the House and Senate.

WHEREAS, after termination of the Forty-fifth Legislative Assembly a complete record with index of the House and Senate journals must be prepared;

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

That Roy Gilbreath, Chief Clerk of the House, and Leo Leidholm, Secretary of the Senate, are hereby authorized and employed to compare and index the journals of the Forty-fifth Legislative Assembly, and the said Roy Gilbreath and Leo Leidholm are hereby directed to arrange for and procure sufficient assistance to insure that the said work shall be completed within thirty days after the close of the session; and

BE IT FURTHER RESOLVED, that for the expenses of the said Roy Gilbreath and Leo Leidholm, as above set forth, there shall be allowed the sum of \$3,000.00 each, which shall include compensation for any assistance deemed necessary by them, all to be paid as other legislative expense, and paid when the respective claims are verified by the affidavits of the said Roy Gilbreath and Leo Leidholm showing completion of such work.

Filed April 21, 1977

SENATE CONCURRENT RESOLUTION NO. 4091
(Committee on Delayed Bills)
(At the request of Senator Strinden)

OUTSTANDING VIETNAM VETERAN FOR 1977 COMMENDED

A concurrent resolution commending Dean H. Pederson of Valley City upon his selection as North Dakota's outstanding Vietnam veteran for 1977.

WHEREAS, Dean H. Pederson of Valley City has been selected as North Dakota's outstanding Vietnam veteran for 1977; and

WHEREAS, Dean H. Pederson was wounded and blinded by a grenade explosion while serving as a paratrooper in Vietnam in 1969; and

WHEREAS, Dean H. Pederson has overcome his handicap through vocational training with the Veterans' Administration and has started his own cabinetmaking business in Valley City; and

WHEREAS, Dean H. Pederson is an outstanding example of what North Dakota Vietnam veterans have accomplished since serving our country in the military service; and

WHEREAS, his perserverance and fortitude, in spite of his handicap, have made Dean H. Pederson a successful businessman and a civic leader in his community;

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

That the Forty-fifth Legislative Assembly extends its congratulations to Dean H. Pederson of Valley City upon his selection as North Dakota's outstanding Vietnam veteran for 1977; and

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded by the Secretary of State to Dean H. Pederson.

Filed April 21, 1977