

SENATE CONCURRENT RESOLUTIONS

CHAPTER 869

SENATE CONCURRENT RESOLUTION NO. 4003
(Legislative Council)
(Interim Budget Committee on Human Services)

HUMAN SERVICE DELIVERY SYSTEM

A concurrent resolution urging the Department of Human Services to implement changes to the human service delivery system in North Dakota.

WHEREAS, the Legislative Council's Budget Committee on Human Services during the 1985-87 interim conducted a study of the services provided by the Department of Human Services; the relationship between the Department of Human Services, the county social service boards, and mental health services; the services provided by the regional human service centers and the responsiveness of the centers to the court system and other referral agencies; and

WHEREAS, the committee engaged a consultant to survey employees of the Department of Human Services, regional human service centers, and county social service boards; to survey clients and referral sources; and to analyze the survey results and make recommendations regarding the human service delivery system; and

WHEREAS, the committee conducted tours and received testimony in each city containing a regional human service center regarding the effectiveness of the current human service delivery system;

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

That the Fiftieth Legislative Assembly urges the Department of Human Services to:

1. Improve coordination within the organization and with community service providers.
2. Enhance coordination by developing departmentwide glossaries, joint training, procedural and orientation manuals, and other devices to promote a sense of common mission and purpose.

3. Conduct an in-depth study of existing communication channels, identify restraints to accurate, effective, and speedy communication, and make changes necessary to reduce those restraints.
4. Enter into annual memorandums of understanding between the regional human service centers and county social service boards regarding respective responsibilities in the delivery of human services.
5. Develop informal memorandums of understanding or agreements between regional human service centers and community services relating to the mechanics of the referral process, human service planning, and the exchange of information.
6. Develop regional public information brochures to assist referral sources in understanding the purposes of the county and regional human service centers, the types and referrals that are appropriate for each, and mechanics of the referral process.
7. Define clearly the roles and responsibilities of each of the administrative positions within both the regional and state offices and minimize unnecessary duplication and areas of nonaccountability.
8. Identify the strengths and weaknesses of present administrators and provide the necessary training to assist them in overcoming identified weaknesses.
9. Develop a systemwide statement of purpose, goals, and objectives.
10. Seek, to the extent possible and reasonable, input from human service providers prior to instituting new policies and procedures.
11. Develop comprehensive planning on a systemwide rather than a programmatic or grant funded basis and establish priorities for the delivery of services by region and county.
12. Adopt a formal needs assessment process to be conducted on a systemwide basis.
13. Review existing programs and services periodically for possible discontinuation or modification.
14. Conduct a study of staff caseloads in each of the regions to determine appropriate standards and inequities.
15. Have each regional office develop a plan for promoting outreach.

16. Place greater emphasis on providing public information about the programs provided by the department.
17. Conduct a thorough review of the vocational rehabilitation division and its staff to determine the reasons for a high level of dissatisfaction within the division.
18. Place a greater emphasis on evaluated research and develop an information system to assist staff in planning, needs assessment, and program evaluation.
19. Evaluate staff members regularly, including administration, to determine their level of functioning and strengths and weaknesses.
20. Design a career development plan for each staff member and provide staff development opportunities to staff members in keeping with the individualized plan.
21. Conduct a study to determine if the staff salaries are equitable and competitive with salaries provided by similar organizations; and

BE IT FURTHER RESOLVED, that the Department of Human Services report to the Legislative Council, or any committee the Legislative Council designates, during the 1987-89 interim on the department's progress in implementing the recommendations.

Filed March 13, 1987

CHAPTER 870

SENATE CONCURRENT RESOLUTION NO. 4004 (Wright)

WATER IMPOUNDMENT RECOMMENDATIONS

A concurrent resolution urging the Congress of the United States to implement the recommendations of the Garrison Unit Joint Tribal Advisory Committee concerning the effects of the impoundment of waters under the Pick-Sloan Missouri Basin Program on the Fort Berthold and Standing Rock Indian Reservations and urging the creation of a similar advisory committee to review the impact of the impoundment of waters on the economic base of nontribal interests.

WHEREAS, the Garrison Diversion Unit Commission was established by an Act of Congress, Public Law 98-360, to review the contemporary water development needs of the State of North Dakota; and

WHEREAS, the Garrison Diversion Unit Commission, in its final report to the Secretary of the Interior and committees of the Congress of the United States, agreed with the Congress that a moral commitment was made in 1944 to the Upper Missouri Basin States and Indian Tribes with the passage of the Pick-Sloan Missouri Basin Program, and found that the State of North Dakota sacrificed hundreds of thousands of acres of land, much of it prime river bottom land, for the greater benefit of the Nation; and

WHEREAS, the Garrison Diversion Unit Commission further found that the Federal Government promised but has not provided assistance to replace the economic base of the State and Indian Tribes; and

WHEREAS, at the recommendation of the Garrison Diversion Unit Commission, the Secretary of the Interior on May 10, 1985, established the Garrison Unit Joint Tribal Advisory Committee to examine the impact of the impoundment of waters under the Pick-Sloan Missouri Basin Program on the Fort Berthold and Standing Rock Indian Reservations; and

WHEREAS, the Garrison Unit Joint Tribal Advisory Committee held several hearings during which it was made aware of the accuracy of the observation of the Garrison Diversion Unit Commission that the tribes of the Fort Berthold and Standing Rock Indian

Reservations bore an inordinate share of the cost of implementing the Pick-Sloan Missouri Basin Program mainstream reservoirs; and

WHEREAS, the Garrison Unit Joint Tribal Advisory Committee made findings and recommendations to find ways to resolve inequities borne by the tribes and to provide full potential for irrigation and financial assistance for on-farm development costs, development of shoreline recreation potential, return of excess lands, protection of reserved water rights, replacement of infrastructures lost by the creation of the Garrison and Oahe Reservoirs, preferential rights to Pick-Sloan Missouri Basin power, additional financial compensation, and other items; and

WHEREAS, the inundation of rich Missouri River bottom land by the Garrison and Oahe Reservoirs and project delays have resulted in agricultural, mineral, and forestry losses not only to tribal interests but nontribal interests as well;

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 urged to enact legislation implementing the recommendations of the Garrison Unit Joint Tribal Advisory Committee, and authorizing the creation of a similar advisory committee to review the impact of the impoundment of waters under the Pick-Sloan Missouri Basin Program on the economic base of nontribal persons and entities; 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 United States Senate, to each member of the North Dakota Congressional Delegation, and to the Secretary of the Interior.

Filed March 19, 1987

CHAPTER 871

SENATE CONCURRENT RESOLUTION NO. 4006
(Senators Waldera, Ingstad)
(Representatives Wentz, Kelly)

U.S. CONSTITUTION BICENTENNIAL

A concurrent resolution urging the Governor of the State of North Dakota to designate September 17, 1987, as a commemorative day to commemorate the bicentennial of the Constitution of the United States.

WHEREAS, the bicentennial of the formal signing of the Constitution of the United States of America by delegates to the Philadelphia Convention occurs on September 17, 1987; and

WHEREAS, having won their liberty and independence by force of arms, and having experienced distress and danger because of an imperfect union, the people finally succeeded in forming the "more perfect Union" which is ordained and established by the Constitution; and

WHEREAS, the Constitution enunciates the limitations upon government, the inalienable rights, and the principles of individual liberty and equality before law, and sets an enduring example of representative democracy for other nations and their citizens; and

WHEREAS, the Constitutional Celebration Committee of the North Dakota Supreme Court has been formed to coordinate efforts to celebrate the bicentennial of the Constitution of the United States in North Dakota; and

WHEREAS, the Fiftieth Legislative Assembly regards the approaching bicentennial as an historic opportunity for all citizens of the state to learn about and recall the great achievements of our Founders and the knowledge and experience that inspired them, the nature of the government they established, its origins, its character, and its ends, and the rights and privileges of citizenship, as well as its attendant responsibilities;

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

That the Governor of the State of North Dakota is urged to designate Thursday, September 17, 1987, a commemorative day to be known as "Constitution Day"; and

BE IT FURTHER RESOLVED, that the Governor of the State of North Dakota is urged to encourage fitting state activities, both solemn and festive, to commemorate the bicentennial of the Constitution and to encourage private organizations and local governments to organize and participate in bicentennial activities commemorating or examining the drafting, ratification, and history of the Constitution and the specific features of the document; and

BE IT FURTHER RESOLVED, that the Governor of the State of North Dakota is urged to request all responsible citizens of the state to participate in the activities of September 17, 1987, and, to this end, the Governor is urged to cause this resolution to be published and circulated in such manner as the Governor shall determine; and

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded by the Secretary of State to the Governor of the State of North Dakota.

Filed March 13, 1987

CHAPTER 872

SENATE CONCURRENT RESOLUTION NO. 4007
(Senators Heigaard, Olson)
(Representatives Strinden, Mertens)

LEGISLATIVE FITNESS DAY

A concurrent resolution recognizing the need for public awareness of the importance of physical fitness, designating the ninth day of March, 1987, as "Legislative Fitness Day", and urging all appropriate state agencies to promote public awareness of the importance of physical fitness.

WHEREAS, the health and future welfare of the citizens of this state are inextricably entwined; and

WHEREAS, March 4, 1985, was designated as the first Legislative Fitness Day in recognition of the importance of physical fitness; and

WHEREAS, to heighten our awareness of the importance of physical fitness the North Dakota Alliance of Health, Physical Education, Recreation and Dance has again volunteered to perform a variety of health care screening and assessment services for members of the Legislative Assembly and legislative employees; and

WHEREAS, a day of physical fitness recognized as such by the Legislative Assembly will serve to promote the public's awareness of the importance of good health care practices;

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

That the ninth day of March, 1987, be designated as "Legislative Fitness Day"; and

BE IT FURTHER RESOLVED, that all appropriate state agencies are encouraged to promote public awareness of the importance of physical fitness and good health care practices.

Filed March 13, 1987

CHAPTER 873

SENATE CONCURRENT RESOLUTION NO. 4008

(Senator Hilken)

(Representative Anderson)

FEDERAL HIGHWAY AID

A concurrent resolution urging Congress to reauthorize promptly the federal highway aid program.

WHEREAS, the Ninety-ninth Congress adjourned without reauthorizing the federal aid highway program and as a result that program ran out of new money on September 30, 1986; and

WHEREAS, by the end of 1986 this state had exhausted its remaining \$2.9 million in funds under that program; and

WHEREAS, this state has a short construction season, running generally from May through September; and

WHEREAS, delaying reauthorization of the federal aid highway program would jeopardize \$31.5 million worth of major highway projects during this state's 1987 construction season; and

WHEREAS, delaying these projects would cause the loss of many jobs in the construction industry throughout this state, would unnecessarily delay the benefits arising from that construction, and would result in increased traffic congestion and inconvenience to motorists; and

WHEREAS, among the projects threatened by the loss of federal funds during the 1987 construction year are major rehabilitations of North Dakota's two interstate highways, I-29 and I-94; rehabilitation of the main street of North Dakota's capital, Bismarck; rehabilitation of the main street in North Dakota's leading railroad terminal and oil refinery city, Mandan; regrading of part of North Dakota's Lewis and Clark Trail, State Highway 25; completion of paving of the "missing link" in the four-laning of U.S. Route 2, allowing four-lane travel between Grand Forks and Minot; and various and sundry other important highway projects; and

WHEREAS, the process involved in issuing highway contracts requires that reauthorization be passed by March 1 if the North Dakota highway construction season is to begin on time; and

WHEREAS, even if funding is eventually received, postponing projects until a later construction season would still result in irretrievable loss of jobs during 1987; and

WHEREAS, the economy of North Dakota is suffering from the effects of depressed prices in both the agricultural and energy sectors, and the further losses in the construction industry which will result if Congress does not promptly reauthorize the highway aid program will cause irreparable damage to the well-being of the people of this state;

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

That the Fiftieth Legislative Assembly finds that an emergency situation exists and urges the Congress of the United States to reauthorize promptly the federal highway aid program; 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 United States Department of Transportation, the chairman of the House Transportation Committee, the chairman of the Senate Environment and Public Works Committee, and to the other two members of the North Dakota Congressional Delegation.

Filed January 16, 1987

CHAPTER 874

SENATE CONCURRENT RESOLUTION NO. 4010
(Senators Waldera, Mushik)
(Representatives Wentz, J. DeMers)

ADULT PROTECTIVE SERVICES STUDY

A concurrent resolution directing the Legislative Council to study the need for providing protective services to vulnerable adults subject to abuse, neglect, self-neglect, and exploitation.

WHEREAS, the problem of vulnerable adults, including developmentally disabled, chronically mentally ill, and drug or alcohol-abusing adults, who are subject to abuse, neglect, self-neglect, and exploitation is a growing concern in many communities in the state; and

WHEREAS, many vulnerable adults are unable or unlikely to seek protective services or assistance to deal with abuse, neglect, self-neglect, or exploitation; and

WHEREAS, many vulnerable adults do not receive protective services because state law does not clearly define the roles and responsibilities of state and local agencies and other organizations with respect to the receipt and investigation of reports of adult abuse, neglect, self-neglect, or exploitation; and

WHEREAS, present resources provide an inadequate response to the problem of abuse, neglect, self-neglect, and exploitation of vulnerable adults;

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 alternative means of providing protective services for vulnerable adults who are subject to abuse, neglect, self-neglect, or exploitation; and

BE IT FURTHER RESOLVED, that the Legislative Council receive information and research data obtained by the department of human services through the adult protective service demonstration project; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Fifty-first Legislative Assembly.

CHAPTER 875

SENATE CONCURRENT RESOLUTION NO. 4015 (Senator Adams) (Representative Smette)

STAMP SERIES

A concurrent resolution urging adoption of an "America Thru Our States" stamp series.

WHEREAS, a stamp series depicting the unique qualities of the individual states of this country would benefit tourism and generate citizen pride in the various states; and

WHEREAS, the "America Thru Our States" stamp series would be comprised of individual stamps selected in each state after a contest for artistic entries supervised by the tourism department and Postal Service in each state; and

WHEREAS, the selected state artist's entry would be sold in booklet form and, if possible, printed in its home state; and

WHEREAS, the recent experience with North Dakota's Rose stamp illustrates the warm reception to be extended to a stamp unique to this state; and

WHEREAS, the availability of these stamps would generate a sense of participation and goodwill among customers and postal workers as customers purchased and collected the stamps or used them on their mailings; and

WHEREAS, an "America Thru Our States" stamp series would generate interest in North Dakota's singular attractions and would promote pride and respect for this state as well as all other states in this nation;

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

That the Fiftieth Legislative Assembly expresses its wholehearted support for, and urges the adoption of, the "America Thru Our States" stamp series; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded by the Secretary of State to the Stamp Design Selection Committee, U.S. Postal Service Headquarters, Washington, D.C., and to each member of the North Dakota Congressional Delegation.

Filed March 13, 1987

CHAPTER 876

SENATE CONCURRENT RESOLUTION NO. 4016
(Senators J. Meyer, Mushik)
(Representatives Wentz, Rydell)

COMPARABLE WORTH STUDY

A concurrent resolution directing the Legislative Council to study the use of comparable worth to determine the existence of wage-based sex discrimination.

WHEREAS, the federal Equal Pay Act of 1963 requires equal pay for equal work; and

WHEREAS, comparable worth, or equal pay for work of equal value, was first advanced nearly seven years ago; and

WHEREAS, comparable worth may be a more equitable method of determining wage-based sex discrimination than equal pay for equal work, because persons employed in dissimilar jobs are evaluated by objective criteria to determine relative value to the employer; and

WHEREAS, wage-based sex discrimination is prohibited in North Dakota by North Dakota Century Code Section 34-06.1-03 to the extent that employers discriminate at the same establishment between employees who work at jobs with comparable requirements relating to skill, effort, and responsibility;

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

That the Legislative Council study comparable worth or equal pay for work of equal value to determine the feasibility and desirability of state legislation requiring governmental entities to pay their employees based upon work of equal value; and

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

Filed April 21, 1987

CHAPTER 877

SENATE CONCURRENT RESOLUTION NO. 4017
(Heinrich, Nalewaja, Stenehjem)

CHILD ABUSE LAWS STUDY

A concurrent resolution directing the Legislative Council to study the investigation and prosecution procedures for child abuse and neglect cases and to determine whether state law protects the interests of justice and of all parties involved in such cases.

WHEREAS, child abuse and neglect is a growing problem, with 3,023 cases reported in North Dakota during the year ending July 1, 1986; and

WHEREAS, it is imperative that action be taken to protect children who are being abused or neglected; and

WHEREAS, the continuing problem of child abuse and neglect is exacerbated by inconsistent application and enforcement of laws that are often inadequate or ill-suited to meet the challenge posed by this distressing problem; and

WHEREAS, the continuing presence of child abuse and neglect underscores the need to reassess the adequacy of existing penalties and to consider the adequacy of sentencing for certain child abuse offenses; and

WHEREAS, it is also a great concern that parents, relatives, child care providers, and public workers not be falsely accused of offenses regarding the abuse or neglect of children; and

WHEREAS, persons charged with a crime have the right to face and question their accusers; and

WHEREAS, children may be harmed by excessive questioning and cross-examination in court; and

WHEREAS, the National Center of Missing and Exploited Children has issued a guide for state legislators urging revision of state child abuse laws, suggesting new reporting statutes for child abuse cases, extending statutes of limitation in child abuse cases,

providing for out of court testimony by children, and eliminating corroboration rules for testimony; and

WHEREAS, it is imperative that the Department of Human Services, county social service boards, juvenile courts, law enforcement agencies, and state's attorneys' offices cooperate and coordinate in their efforts to provide child protective 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 study the reporting, investigation, prosecution, and treatment procedures of child abuse and neglect cases and to determine whether state law protects the interests of justice and of all parties involved in such cases; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement those recommendations, to the Fifty-first Legislative Assembly.

Filed March 25, 1987

CHAPTER 878

SENATE CONCURRENT RESOLUTION NO. 4018 (Senators Holmberg, Stenehjem, Heinrich) (Representatives Belter, Shaft, Cleveland)

GUARANTEED TUITION STUDY

A concurrent resolution directing the Legislative Council to study the feasibility and desirability of implementing a guaranteed tuition program for financing a child's postsecondary education.

WHEREAS, families are finding it increasingly difficult to plan for college education due to the unpredictability of escalating costs; and

WHEREAS, it is the responsibility of the state to maintain state institutions of higher education as provided by Article VIII, Section 2, of the Constitution of North Dakota; and

WHEREAS, it is in the best interest of the people of this state to foster public higher education in order to provide well-educated citizens; and

WHEREAS, parents should be encouraged to contribute to the education of their children to the extent that is reasonably possible; and

WHEREAS, even dedicated and sacrificial parental investment plans are often inadequate to meet the costs of education for their children; and

WHEREAS, a coordinated, combined investment program is often more reliable and profitable than individual efforts; and

WHEREAS, creative financing techniques for higher education should be encouraged; and

WHEREAS, a program to provide for advanced tuition payment contracts would assist families in the financing of their children's college education and would encourage parents to make investments toward their children's future postsecondary education;

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

That the Legislative Council study the guaranteed tuition payment plans of other states and other innovative alternatives to financing the cost of higher education to determine the desirability of establishing an alternative method of financing education in this state; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Fifty-first Legislative Assembly.

Filed March 13, 1987

CHAPTER 879

SENATE CONCURRENT RESOLUTION NO. 4020 (Committee on Appropriations)

BLOCK GRANT HEARINGS

A concurrent resolution regarding the approval of state agency use of block grant funds, and authorizing the Budget Section of the Legislative Council to hold the required legislative hearings on state plans for the receipt and expenditure of new or revised block grants as passed by Congress.

WHEREAS, the Congress of the United States enacted the Omnibus Budget Reconciliation Act of 1981 on July 29, 1981, thus creating several categories of "block" grant programs; and

WHEREAS, legislatures of the states are required to conduct public hearings; and

WHEREAS, the Appropriations Committees have held the required public hearings on block grant moneys expected for the next biennium by the Office of Management and Budget, Department of Human Services, and State Department of Health; and

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

WHEREAS, the Legislative Assembly will not meet in regular session during 1988 and thus its public hearing responsibility for grants not approved by the Fiftieth Legislative Assembly must be delegated to a legislative entity;

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

That the appropriation bills for the Office of Management and Budget, Department of Human Services, and State Department of Health, as they are passed by this Legislative Assembly are the Legislative Assembly's approval and contain directions on the use of block grant moneys for the period ending September 30, 1989; and

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

BE IT FURTHER RESOLVED, that the Budget Section authority granted by this resolution is in effect during the period from the recess or adjournment of the Fiftieth Legislative Assembly through September 30, 1989, and the Budget Section shall utilize such methods and procedures for holding such hearings and giving notice thereof as it deems appropriate.

Filed March 13, 1987

CHAPTER 880

SENATE CONCURRENT RESOLUTION NO. 4021
(Senators Wogsland, Tennesos, Wright)
(Representatives Rydell, O'Connell, J. DeMers)

EMERGENCY MEDICAL SERVICES STUDY

A concurrent resolution directing the Legislative Council to study the problems faced by and the funding of the North Dakota emergency medical services system and, in particular, volunteer ambulance services and the Division of Emergency Health Services of the State Department of Health.

WHEREAS, the provision of emergency medical services to the citizens of this state is essential to maintaining and enhancing the health and welfare of every citizen; and

WHEREAS, included in the state emergency medical services system are prehospital care providers such as local ambulance services, quick response units, rescue squads, and first responders, as well as the regulatory, training, and education support services provided by the Division of Emergency Health Services of the State Department of Health; and

WHEREAS, there are 134 ambulance services in North Dakota available 24 hours per day, with 117 of those services staffed by full-time trained volunteers, all of whom serve without pay and contribute the equivalent of over \$13 million annually in volunteer service to the health and welfare of the public; and

WHEREAS, the cost to adequately and uniformly maintain these volunteer ambulance services with up-to-date equipment and current professional and technical training has exceeded the ability of many ambulance users and ambulance service districts to fund those services; and

WHEREAS, federal highway safety funds available to local ambulance service districts through the Division of Emergency Health Services of the State Department of Health to help fund a large portion of the state emergency medical services system have been drastically reduced; and

WHEREAS, the Governor's Emergency Medical Services Advisory Council has established broad goals recommending enhanced support of the state emergency medical services system;

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

That the Legislative Council study the problems faced by the state emergency medical services system, including volunteer ambulance districts in North Dakota and the Division of Emergency Health Services, as well as alternative courses of action and funding sources for ambulance service districts and the state emergency medical services system, to help maintain and enhance continued viability of that system; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Fifty-first Legislative Assembly.

Filed March 25, 1987

CHAPTER 881

SENATE CONCURRENT RESOLUTION NO. 4022
(Olson)

CRIMINAL SENTENCING STUDY

A concurrent resolution directing the Legislative Council to study criminal sentencing statutes in misdemeanor and felony cases.

WHEREAS, there is a lack of consistency in the statutory provisions relating to misdemeanor and felony sentencing in chapters 12-53 and 12.1-32 of the North Dakota Century Code; and

WHEREAS, the case law development of the area of sentencing in North Dakota would be enhanced by a clarification of the statutory provisions relating to sentencing;

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 criminal sentencing statutes for misdemeanor and felony cases and to make recommendations to improve those statutes; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations to the Fifty-first Legislative Assembly.

Filed March 10, 1987

CHAPTER 882

SENATE CONCURRENT RESOLUTION NO. 4023
(Senator Holmberg)
(Representative Shaft)

SENIOR CITIZENS' PROPERTY TAX CREDITS
STUDY

A concurrent resolution directing the Legislative Council to study property tax credits allowed by law for persons 65 years of age or older with limited income.

WHEREAS, the state of North Dakota has recognized, through enactment of what is now codified as North Dakota Century Code Section 57-02-08.1, that senior citizens living on limited income are worthy of property tax credits when living in housing they own or rent; and

WHEREAS, the Legislative Assembly has on several occasions adjusted the allowable property tax credits for persons 65 years of age or older with limited income; and

WHEREAS, changing economic circumstances of senior citizens and the importance of property tax relief for senior citizens require that detailed study be made of the property tax credits allowed for senior citizens to assure that the property tax credits are serving the intended purposes of providing meaningful financial assistance to senior citizens with limited income;

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

That the Legislative Council study the property tax credits allowed for persons 65 years of age or older with limited income to assure that the credits will provide intended assistance to qualifying persons; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Fifty-first Legislative Assembly.

Filed March 10, 1987

CHAPTER 883

SENATE CONCURRENT RESOLUTION NO. 4026
(Senator Maixner)
(Representative Rydell)

VICTIM AND WITNESS ASSISTANCE STUDY

A concurrent resolution directing the Legislative Council to study programs for assistance to victims of and witnesses to crime.

WHEREAS, victims and witnesses to crime should be handled with sensitivity by the criminal justice system; and

WHEREAS, revictimization may leave those victims and witnesses discouraged and abused and, therefore, unwilling participants; and

WHEREAS, programs that provide assistance to victims and witnesses of crime assist the criminal justice system in prosecuting criminals;

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

That the Legislative Council study the state's role in the handling, assisting, or funding of victims of and witnesses to crimes; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Fifty-first Legislative Assembly.

Filed April 10, 1987

CHAPTER 884

SENATE CONCURRENT RESOLUTION NO. 4030 (Lips)

YMCA MODEL LEGISLATURE

A concurrent resolution expressing the support of the Fiftieth Legislative Assembly and urging cooperation for the Young Men's Christian Association model legislature program.

WHEREAS, the first YMCA State Youth and Government Program was initiated in New York in 1936, and since that time over 40 states have developed similar programs; and

WHEREAS, the purpose of the YMCA's model legislature program is to enhance development of the American democratic system by enabling young people to prepare for moral and political leadership through training in the theory and practice of determining public policy; and

WHEREAS, the YMCA model legislatures held following previous legislative sessions have been successful events allowing numerous young North Dakotans to gain a better understanding of the legislative process; and

WHEREAS, having such a program continue in this state can provide a major vehicle to help young people to really know about and become interested in government and the citizen's role in it; and

WHEREAS, among the goals for youth involvement in such a program are the development of confidence in and dedication to the democratic process, the gaining of communications skills, the learning of accountability and respect for other's rights, and the application of moral and ethical valuation processes to public policymaking;

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

That the Fiftieth Legislative Assembly express its support for the YMCA model state legislature to be held on Friday and Saturday,

April 24-25, 1987, and on dates yet to be selected in 1988, in the House and Senate chambers of the State Capitol in Bismarck; and

BE IT FURTHER RESOLVED, that those members of the Senate and House who are requested to participate in the program make every effort to arrange their schedules to be able to do so, and that the staff of the Legislative Council and the Director of Institutions' office render such reasonable assistance as may be necessary to make the program a success.

Filed February 6, 1987

CHAPTER 885

SENATE CONCURRENT RESOLUTION NO. 4031
(Senators Mushik, Stenehem, J. Meyer)
(Representatives Kelly, J. DeMers, Kretschmar)

UNIFORM JUVENILE COURT ACT STUDY

A concurrent resolution directing the Legislative Council to study the Uniform Juvenile Court Act, child abuse and neglect laws, other state and federal laws, and current administrative rules and practices regarding the confidentiality, management, exchange, and use of records and information relating to services provided to minors.

WHEREAS, the Governor's Commission on Children and Adolescents at Risk assessed the need for a comprehensive and coordinated plan of effective delivery of quality services to minors within the human services and juvenile justice systems of the state through 22 public hearings that allowed citizens to express their concerns; and

WHEREAS, the commission heard testimony indicating that confidentiality laws at times create problems both in referral and research of information relating to services provided to minors; and

WHEREAS, the state's confidentiality laws were enacted to protect minors and should not be enforced in a manner that interrupts the treatment process or violates the civil rights of a minor;

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

That the Legislative Council study the Uniform Juvenile Court Act, child abuse and neglect laws, other state and federal laws, and current administrative rules and practices between the juvenile courts and other state departments, agencies, and institutions regarding the confidentiality of records, the flow and management of information contained in those records, and the exchange and use of records and information relating to services provided to minors; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Fifty-first Legislative Assembly.

Filed March 19, 1987

CHAPTER 886

SENATE CONCURRENT RESOLUTION NO. 4032
(Senators Heigaard, Olson)
(Representatives Strinden, Mertens)

FOUNDERS DAY

A concurrent resolution designating May 14, 1989, as "Founders Day" to remember those citizens involved in creating the Constitution of North Dakota.

WHEREAS, the North Dakota Centennial will be celebrated in 1989; and

WHEREAS, the attainment of 100 years of statehood calls for recognizing the people responsible for creating, maintaining, and improving the governmental systems and laws we live by; and

WHEREAS, delegates to the first North Dakota Constitutional Convention were elected on May 14, 1889;

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

That May 14, 1989, is designated as "Founders Day" and the Governor is urged to issue a proclamation requesting people of the state to recognize and remember as may be most convenient and proper the citizens involved in the first Constitutional Convention of North Dakota, and other persons in the past 100 years involved in improving and maintaining state government systems and laws; and

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

Filed March 19, 1987

CHAPTER 887**SENATE CONCURRENT RESOLUTION NO. 4033
(Senators Heigaard, Olson)
(Representatives Strinden, Mertens)****CONSTITUTION DAY**

A concurrent resolution designating July 4, 1989, as "Constitution Day" to observe the creation of the Constitution of North Dakota.

WHEREAS, the North Dakota Centennial will be celebrated in 1989; and

WHEREAS, the attainment of 100 years of statehood calls for observance of significant events that shaped the history of North Dakota; and

WHEREAS, delegates to the first North Dakota Constitutional Convention convened at the State Capitol in Bismarck on July 4, 1889; and

WHEREAS, the Constitution of North Dakota continues to be the foundation upon which government operates;

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

That July 4, 1989, is designated as "Constitution Day" and the Governor is urged to issue a proclamation requesting people of the state to recognize and observe as may be most convenient and proper the 100th anniversary of the start of the convention which led to the creation of the Constitution of North Dakota; and

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

Filed March 19, 1987

CHAPTER 888

SENATE CONCURRENT RESOLUTION NO. 4034
(Senators Heigaard, Olson)
(Representatives Strinden, Mertens)

GOVERNMENT DAY

A concurrent resolution designating February 22, 1989, as "Government Day" to observe and remember the day when the organizing of North Dakota state government was authorized to begin.

WHEREAS, the North Dakota Centennial will be celebrated in 1989; and

WHEREAS, the attainment of 100 years of statehood calls for greater awareness of those events that were significant to the transformation from Dakota Territory to State of North Dakota; and

WHEREAS, United States President Grover Cleveland signed the Enabling Act, allowing Dakota Territory to proceed with organizing for a state government on February 22, 1889;

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

That February 22, 1989, is designated as "Government Day" and the Governor is urged to issue a proclamation requesting people of the state to observe and remember as may be most convenient and proper the 100th anniversary of the beginning of the organizing process leading to statehood; and

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

Filed March 19, 1987

CHAPTER 889

SENATE CONCURRENT RESOLUTION NO. 4035 (Richard)

BRASSICA NAPUS

A concurrent resolution urging the Agriculture Stabilization and Conservation Service to approve Brassica napus as a cover crop on set aside acreage.

WHEREAS, Brassica napus, also known as rapeseed or canola, is a cultivated annual herb of the same genus as the mustard plant, which is allowed for planting as a cover crop on set aside acreage under regulations of the Agriculture Stabilization and Conservation Service; and

WHEREAS, Brassica napus is a winter-hardy biennial valued for the oil content of its seeds and provides valuable forage and nitrogenous fertilizer; and

WHEREAS, Brassica napus has desirable soil protection qualities and should be considered for addition to the list of cover crops which may be planted on set aside acreage;

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

That the Agriculture Stabilization and Conservation Service is hereby urged to approve planting of Brassica napus as a cover crop on set aside acreage under its jurisdiction in North Dakota; and

BE IT FURTHER RESOLVED, that the Secretary of State send copies of this resolution to the North Dakota Agriculture Stabilization and Conservation Service Committee and the administrator of the Agriculture Stabilization and Conservation Service, the United States Department of Agriculture.

Filed March 16, 1987

CHAPTER 890

SENATE CONCURRENT RESOLUTION NO. 4036
(Senators Tallackson, Lips)
(Representatives Gerntholz, Nicholas)

NORTH DAKOTA HALL OF FAME

A concurrent resolution expressing the full support of the Fiftieth Legislative Assembly of North Dakota for the North Dakota Hall of Fame.

WHEREAS, North Dakota is extremely proud of its people; and

WHEREAS, the Legislative Assembly encourages and praises the excellence achieved by citizens of North Dakota; and

WHEREAS, there are many former and current North Dakotans who are worthy of ongoing recognition for their outstanding contributions in their fields; and

WHEREAS, many North Dakotans of national stature and recognition such as Lawrence Welk, Louis L'Amour, Angie Dickinson, Roger Maris, Peggy Lee, and Eric Sevareid have been inducted into the North Dakota Hall of Fame; and

WHEREAS, tourism is a priority in the economic and cultural growth of our great state;

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

That the Fiftieth Legislative Assembly expresses its full support for the North Dakota Hall of Fame and encourages all North Dakotans to do the same; and

BE IT FURTHER RESOLVED, that the Secretary of State forward a copy of this resolution to Mr. Gary C. Pearson, President of the North Dakota Hall of Fame.

Filed March 13, 1987

CHAPTER 891

SENATE CONCURRENT RESOLUTION NO. 4038
(Senators Waldera, Satrom, Stenehjem)
(Representative Kelly)

COMMITMENT PROCEDURES STUDY

A concurrent resolution directing the Legislative Council to study the judicial standard of a "person requiring treatment" as used in mental health commitment proceedings resulting in treatment programs other than hospitalization.

WHEREAS, the state's mental health commitment law presently requires the judicial system to determine in a treatment hearing whether a person subject to a petition for involuntary treatment meets the criteria of a "person requiring treatment"; and

WHEREAS, state law generally defines a "person requiring treatment" as a person who is suffering from severe mental illness, severe alcoholism, or severe drug addiction, or who is mentally ill, an alcoholic, or a drug addict, and there is a reasonable expectation that if the person is not hospitalized there exists a serious risk of harm to the person, to others, or to property; and

WHEREAS, no uniformity exists in the application of the criteria and standards used in determining whether a person is a "person requiring treatment" and the most appropriate mode of treatment for persons presenting mental health 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 form a committee composed of legislators, mental health professionals, and other concerned citizens to study the judicial standard of a "person requiring treatment" as used in mental health commitment proceedings resulting in treatment programs other than hospitalization; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Fifty-first Legislative Assembly.

Filed March 19, 1987

CHAPTER 892

SENATE CONCURRENT RESOLUTION NO. 4039
(Senator Langley)
(Representatives Starke, Klundt)

COLONEL BUCHLI

A concurrent resolution congratulating Colonel James Buchli and welcoming him on his upcoming visit to Bismarck.

WHEREAS, it is a custom of the Legislative Assembly to recognize and honor North Dakota citizens for their national accomplishments; and

WHEREAS, Colonel James Buchli was born in New Rockford, North Dakota, and grew up in Fargo, North Dakota, and served as a mission specialist on the January 1985 flight of the space shuttle Discovery; and

WHEREAS, Colonel Buchli will be visiting Bismarck, North Dakota, to present the state with memorabilia from the space shuttle Challenger; and

WHEREAS, Colonel Buchli will represent the National Aeronautics and Space Administration in presenting Governor George A. Sinner with a wooden plaque containing a likeness of the crew members and a miniature North Dakota flag that was recovered from the Challenger wreckage;

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

That the Fiftieth Legislative Assembly extends its heartiest congratulations to Colonel James Buchli on his recent accomplishments and welcomes him on his upcoming trip to Bismarck, North Dakota; and

BE IT FURTHER RESOLVED, that the Secretary of State send an enrolled copy of this resolution to Colonel James Buchli.

Filed February 6, 1987

CHAPTER 893

SENATE CONCURRENT RESOLUTION NO. 4040

(Senators Heigaard; Olson; Redlin; Adams; Axtman; Bakewell; David; Dotzenrod; Freborg; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelly; Kelsh; Krauter; Langley; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Maxson; D. Meyer; J. Meyer; W. Meyer; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; Peterson; Reiten; Richard; Satrom; Schoenwald; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Wogsland; Wright; Yockim)

(Representatives Strinden; Mertens; Kloubec; Aas; Almlie; Anderson; Belter; G. Berg; R. Berg; Brokaw; Christman; Cleveland; Dalrymple; J. DeMers; P. DeMers; Dorso; Dotzenrod; Enget; Flaagan; Frey; Gates; Gerntholz; Goetz; Gorman; Graba; Gunsch; Halmrast; Hamerlik; L. Hanson; O. Hanson; Haugen; Haugland; A. Hausauer; R. Hausauer; Hill; Hoffner; Hokana; Kelly; Kent; Kingsbury; Klundt; Knell; Knudson; Koland; Kolbo; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Marks; Martin; Martinson; Melby; Meyer; Moore; Murphy; Myrdal; C. Nelson; J. Nelson; Nicholas; Nowatzki; Oban; O'Connell; D. Olsen; A. Olson; V. Olson; Opedahl; O'Shea; Payne; Peterson; Rice; Riehl; Rydell; Scherber; Schindler; Schneider; Shaft; Shaw; Shide; Shockman; Skjerven; Smette; Solberg; Sorensen; Starke; Stofferahn; Thompson; Tokach; Tollefson; Tomac; Trautman; Ulmer; Vander Vorst; Wald; Watne; Wentz; Whalen; Wilkie; A. Williams; C. Williams; W. Williams; Winkelman)

LIEUTENANT GOVERNOR MEIERS

A concurrent resolution expressing the deep appreciation and affection of the Fiftieth Legislative Assembly of North Dakota for Lieutenant Governor Ruth Meiers.

WHEREAS, in times that try the human spirit there are always among us individuals who by deed or spoken word inspire us and who exemplify the strength and resiliency often required of us if we are to attempt great things; and

WHEREAS, Ruth Meiers who has served this state and its citizens with dedication and high spirit as a member of the Legislative Assembly and who now serves as this state's first woman Lieutenant Governor is one such individual; and

WHEREAS, during the recent special session, a time of high tensions and difficult decisions, Lieutenant Governor Meiers, as President of the Senate, presided over this esteemed body with vigor and good humor; and

WHEREAS, during the trials of her present illness, Lieutenant Governor Meiers has, often with great humor, always with steadfast resolve, courageously continued her dedicated service to this state and its citizens; and

WHEREAS, Lieutenant Governor Meiers' courage, her vibrant love for this life, and her supreme confidence in her ability to persevere in the face of this present adversity are true inspirations to all members of this Legislative Assembly, to the citizens of this state, and to any person who may face similar trials;

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

That the Fiftieth Legislative Assembly expresses its deepest appreciation and warmest affection for Lieutenant Governor Ruth Meiers, and wishes her a rapid recovery so that she may soon again grace this body with her wit, charm, and considerable talents as a leader of this state and this Legislative Assembly; and

BE IT FURTHER RESOLVED, that the Secretary of State send an enrolled copy of this resolution to Lieutenant Governor Ruth Meiers.

Filed February 5, 1987

CHAPTER 894

SENATE CONCURRENT RESOLUTION NO. 4042
(Senators Lips, Tallackson, Stromme)
(Representatives Hoffner, Mertens, Martin)

INCURABLE DISEASE INSURANCE STUDY

A concurrent resolution directing the Legislative Council to study the life insurance needs of individuals born with incurable diseases.

WHEREAS, due to advances in medical science, many persons who would have formerly died during their youth from the pernicious effects of incurable diseases now live normal adult lives; and

WHEREAS, despite the incurable status of their disease, these persons are capable of being productive members of society; and

WHEREAS, it is possible to establish a pooled risk life insurance group program to provide life insurance to state residents who were born with incurable diseases; and

WHEREAS, with proper legislative support, an insurance program can help these persons and their families lead full, happy, and productive lives and thereby avoid becoming burdensome to the rest of 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 study the life insurance needs of persons born with incurable diseases; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation necessary to implement the recommendations, to the Fifty-first Legislative Assembly.

Filed March 25, 1987

CHAPTER 895

SENATE CONCURRENT RESOLUTION NO. 4043
(Wright, Reiten, Redlin)
(Approved by the Committee on Delayed Bills)

CENTENNIAL HIGHWAY U.S. 2

A concurrent resolution designating U.S. Highway 2 as a Centennial Highway.

WHEREAS, U.S. Highway 2, the northernmost east-west United States numbered highway, in its transcontinental journey from Houlten, Maine, to Everett, Washington, traverses the state of North Dakota from Grand Forks to Williston; and

WHEREAS, U.S. Highway 2 also traverses two other states that will be celebrating their centennial of admission to the Union in 1889, the same year as North Dakota, namely Washington and Montana; and

WHEREAS, through North Dakota, U.S. Highway 2 follows a course first traveled by prairie schooners, then the iron horse, and finally today's modern automobile; and

WHEREAS, U.S. Highway 2, which has been previously known as the Theodore Roosevelt International Highway, as well as the "Green Route," has been the primary east-west route across the northern part of this state since the earliest days of our statehood; and

WHEREAS, the attainment of 100 years of statehood calls for recognizing progress made on significant projects of economic benefit and public convenience; and

WHEREAS, U.S. Highway 2 is such a project, with four-laning of the 210 miles from Grand Forks to Minot almost complete, the 15-mile "missing link" between Rugby and Towner being scheduled for completion this year;

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

That U.S. Highway 2 is designated as a Centennial Highway in observance of 100 years of statehood for North Dakota; and

BE IT FURTHER RESOLVED, that the Secretary of State forward copies of this resolution to the Governor and to the State Highway Commissioner.

Filed April 2, 1987

CHAPTER 896

SENATE CONCURRENT RESOLUTION NO. 4044
(Senator W. Meyer)
(Representative Nicholas)
(Approved by the Committee on Delayed Bills)

AGRICULTURAL ECONOMIC DIFFICULTIES

A concurrent resolution urging Congress to adopt positive, solution-oriented programs of assistance targeted to address agricultural economic difficulties.

WHEREAS, the agricultural sector continues to face the combined problems of weak export markets, competitive advantage difficulties, declining asset values, nonproductive debt, and lack of available credit at an affordable interest rate; and

WHEREAS, the prolonged difficulties have created a negative attitude, which hinders progressive actions to stimulate an agricultural sector turnaround; and

WHEREAS, burdensome world grain stockpiles continue to clog this country's prospects for a dramatic increase in export levels; and

WHEREAS, one-third of commercial farmers have two-thirds of the total debt of commercial farmers; and

WHEREAS, this substantial amount of debt is nonproductive and cannot be paid out of the earnings from assets; and

WHEREAS, federal budget cutbacks in agricultural programs are being proposed at a time when farm and ranch families are depending on the federal government for continued support in its commitment to aid in the transition that agriculture is going through; and

WHEREAS, the impact of farm economy difficulties greatly affects the overall well-being of rural families, communities, and the state of North Dakota as a whole;

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

That the Fiftieth Legislative Assembly urges the Congress of the United States to adopt positive, solution-oriented programs of

assistance targeted at addressing farm credit difficulties and to improve the Food Security Act of 1985 to provide improved returns to farm and ranch families, thereby reaffirming a commitment to a strong agrarian system of family farms and ranches; and

BE IT FURTHER RESOLVED, that Congress implement measures in the farm program to target government spending to full-time family farmers and ranchers and to also target a portion of this spending to deal with the debt crisis facing American agriculture; and

BE IT FURTHER RESOLVED, that Congress consider the impact on the agricultural sector of constant changes in farm program operation and federal farm policy changes; 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 United States Secretary of Agriculture, the chairmen of the United States Senate and House Committees on Agriculture, and to each member of the North Dakota Congressional Delegation.

Filed February 9, 1987

CHAPTER 897

SENATE CONCURRENT RESOLUTION NO. 4045 (Holmberg)

STUDY SCREENING STUDY

A concurrent resolution directing the Legislative Council to study the process of approving and ultimately prioritizing studies to be conducted by the Legislative Council.

WHEREAS, since 1979 the Legislative Council in order to maintain its workload within the limitations of time and legislative appropriations has screened and prioritized studies directed by concurrent resolutions approved by the Legislative Assembly; and

WHEREAS, in prioritizing its studies the Legislative Council reviews previous studies of the same or similar subject matter, the appropriateness of the legislative branch studying the issue rather than another entity, the potential of the study to resolve the problem involved, and the necessity of that study in relation to other studies that should be conducted; and

WHEREAS, under current procedures, the time taken during a legislative session to hear, discuss, and vote upon resolutions directing studies by the Legislative Council reduces the time available for consideration of other legislative matters which must be completed before adjournment of the 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 study the entire process of determining which studies should be conducted by the Legislative Council during the interim, including methods of legislative review and approval of resolutions directing Legislative Council studies and prioritization of studies directed by resolution or bill; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Fifty-first Legislative Assembly.

Filed March 13, 1987

CHAPTER 898

SENATE CONCURRENT RESOLUTION NO. 4046 (Krauter, Maixner)

GAME AND FISH LAWS STUDY

A concurrent resolution directing the Legislative Council to study the state's game and fish laws and rules, with an emphasis on the laws and rules concerning the issuance of game and fish licenses and the role of county auditors in the issuance of game and fish licenses.

WHEREAS, county auditors are directed by state law to issue game and fish licenses and may designate agents to issue such licenses; and

WHEREAS, county auditors retain a portion of game and fish license fees to meet administrative costs; and

WHEREAS, county auditors are personally liable for the receipts from game and fish licenses issued in that county; and

WHEREAS, the role of county auditors in the issuance of game and fish licenses should be reviewed to determine if changes in the applicable laws and rules should be made;

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

That the Legislative Council study the state's game and fish laws and rules, with an emphasis on those laws and rules concerning the issuance of game and fish licenses and the role of county auditors in the issuance of game and fish licenses; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation necessary to implement the recommendations, to the Fifty-first Legislative Assembly.

Filed March 25, 1987

CHAPTER 899

SENATE CONCURRENT RESOLUTION NO. 4048
(Senators Ingstad, Bakewell, D. Meyer)
(Representatives Cleveland, Lindgren)

RECREATION AND RESOURCE DEVELOPMENT STUDY

A concurrent resolution directing the Legislative Council to study the state's bountiful natural resources and outdoor recreation activities with an emphasis on the state's wildlife resources for the purpose of promoting tourism and economic development.

WHEREAS, the Legislative Assembly recognizes that North Dakota's bountiful natural resources and outdoor recreation opportunities act as an attraction to nonresidents who enter the state for the purpose of hunting, fishing, camping, and nature appreciation; and

WHEREAS, the Legislative Assembly recognizes that significant amounts of tourism dollars are generated in North Dakota directly as a result of existing natural resources in the state; and

WHEREAS, the Legislative Assembly recognizes the need for management and enhancement of natural resources to assure continued enjoyment by both citizens of North Dakota and visitors to the state; and

WHEREAS, the economic well-being of the state depends upon attracting nonresidents to the state, promoting tourism, and enhancing economic development within the state; and

WHEREAS, these resources could perhaps be more fully utilized to attract tourists to the state for the purpose of hunting, fishing, camping, and nature appreciation and to promote economic development within the state;

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

That the Legislative Council study the state's bountiful natural resources and outdoor recreation opportunities with an emphasis on the state's wildlife resources for the purpose of promoting tourism and economic development; and

BE IT FURTHER RESOLVED, that the Legislative Council seek the assistance and advice of the Attorney General, the State Game and Fish Commissioner, the director of the Economic Development Commission, and the director of the Tourism Division, in conducting this study; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation necessary to implement the recommendations, to the Fifty-first Legislative Assembly.

Filed March 13, 1987

CHAPTER 900

SENATE CONCURRENT RESOLUTION NO. 4051 (D. Meyer, Maixner, Nelson, Vosper)

STATE BONDING FUND STUDY

A concurrent resolution directing the Legislative Council to study the feasibility and desirability of establishing a state bonding fund for those persons who are required by state law to be bonded in order to engage in business activities.

WHEREAS, persons who are involved in the production of oil and coal, persons who operate grain warehouses or livestock auction markets, and persons who are involved in other types of business activities are required to obtain surety bonds as a prerequisite to conducting business in this state; and

WHEREAS, surety bonds at affordable rates are becoming increasingly difficult to obtain, and in some cases are difficult to find at any cost; and

WHEREAS, the North Dakota Insurance Reserve Fund was established and is successfully operating to assist political subdivisions that were having difficulty obtaining insurance at a reasonable premium to obtain insurance coverage; and

WHEREAS, a state bonding fund, financed by the industries involved, could provide affordable bond coverage while also providing adequate protection under the bonds;

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

That the Legislative Council study the feasibility and desirability of establishing a state bonding fund for those persons who are required by state law to be bonded in order to engage in business activities; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Fifty-first Legislative Assembly.

Filed April 7, 1987

CHAPTER 901

SENATE CONCURRENT RESOLUTION NO. 4052
(Maixner)

RADON STUDY

A concurrent resolution directing the Legislative Council to study the health impact of indoor radon gas and radon progeny in homes and other buildings in North Dakota.

WHEREAS, radon is a gas which occurs naturally in varying concentrations in soils and rocks across the state; and

WHEREAS, it has been found and measured in a number of homes in North Dakota in concentrations above United States Environmental Protection Agency guidelines; and

WHEREAS, the radioactive decay products of radon have been shown to increase the risk of lung cancer; and

WHEREAS, the degree of risk to the citizens of North Dakota is unknown; and

WHEREAS, there is some scientific uncertainty as to the amount of health risk associated with radon and its decay products; and

WHEREAS, there are technical, scientific, legal, and program resource issues which need to be identified and addressed;

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

That the Legislative Council study the health-related, legal, and program resource issues related to radon gas and its decay products; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with the legislation required to implement the recommendations, to the Fifty-first Legislative Assembly.

Filed March 16, 1987

CHAPTER 902

SENATE CONCURRENT RESOLUTION NO. 4053 (Nelson, Naaden, Yockim)

SPECIAL FUND APPROPRIATION STUDY

A concurrent resolution directing the Legislative Council to study the appropriation of special funds.

WHEREAS, Article X, Section 12, of the Constitution of North Dakota provides that all public moneys from whatever source derived are to be deposited with the State Treasurer and, with certain exceptions, can only be paid out and disbursed pursuant to appropriation first made by the Legislative Assembly; and

WHEREAS, to meet constitutional requirements the courts have determined that appropriations must be specific in amount; and

WHEREAS, \$1.4 billion of special fund appropriations are recommended in the executive budget for the 1987-89 biennium; and

WHEREAS, the legislative reports to the public on expenditures approved by the Legislative Assembly are based on amounts appropriated; and

WHEREAS, the appropriation of special funds for some agencies creates hardships since revenues may be difficult to estimate; and

WHEREAS, in recent sessions the Legislative Assembly has been asked to make exceptions to the requirement for specific appropriations; and

WHEREAS, during the Fiftieth Legislative Assembly a number of state agencies and institutions have requested authority for the 1987-89 biennium to spend pursuant to Emergency Commission approval such additional moneys as may become available; and

WHEREAS, whenever appropriations are not specific in time and amount the Legislative Assembly's accuracy in reporting appropriations is diminished;

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

That the Legislative Council study the policy of appropriating special funds, the extent to which exceptions have been made to the practice of appropriating special funds, and the need to continue reporting special fund appropriations; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Fifty-first Legislative Assembly.

Filed March 16, 1987

CHAPTER 903

SENATE CONCURRENT RESOLUTION NO. 4056 (Nothing)

GOVERNMENTAL SERVICES STUDY

A concurrent resolution directing the Legislative Council to study the cost effectiveness and economic impact of governmental and intergovernmental services provided by state agencies, departments, and institutions, and alternative means of delivering those services.

WHEREAS, the sagging economic climate of the state and recent budgetary constraints necessitate an evaluation of the cost effectiveness of governmental and intergovernmental services presently provided by state agencies, departments, and institutions and the impact on state economic development resulting from the provision of those services by the state; and

WHEREAS, the lack of competition in the public sector provides less incentive to improve efficiency or available standards from which to gauge the true cost of providing state services than exists in the private sector; and

WHEREAS, alternative means of delivering state services may provide opportunities to reduce costs, eliminate duplication and inefficient management practices, develop better and more accountable systems, and improve service delivery; and

WHEREAS, several state and local governments have privatized many public services to varying degrees ranging from relatively distant involvement with the private sector, as in adopting management practices or establishing joint ventures between governments and the private sector, to actually placing the delivery of certain governmental services into the hands of the private sector; and

WHEREAS, the Fiftieth Legislative Assembly has received proposals to commence a license plate manufacturing plant at the State Penitentiary and to permit the State Highway Commissioner to engage in the business of erecting and maintaining signs; and

WHEREAS, many services provided by state agencies, departments, and institutions may be candidates for alternative

service delivery arrangements including state printing services, engineering and construction services, and the provision of office furnishings and other products to the state and others by Roughrider Industries at the State Penitentiary;

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

That the Legislative Council study the cost effectiveness and economic impact of governmental and intergovernmental services provided by state agencies, departments, and institutions, and alternative means of delivering those services; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Fifty-first Legislative Assembly.

Filed March 16, 1987

CHAPTER 904

SENATE CONCURRENT RESOLUTION NO. 4057 (Nothing)

ALCOHOL OFFENSE ADMINISTRATIVE PENALTIES STUDY

A concurrent resolution directing the Legislative Council to study the administrative hearing and license suspension process for alcohol-related traffic offenses.

WHEREAS, in 1983 the Legislative Assembly significantly broadened the scope of administrative proceedings under the Implied Consent Act by enacting an administrative penalty for driving or being in actual physical control of a vehicle while having certain levels of blood alcohol concentration; and

WHEREAS, since 1983 there has been an average of 666 implied consent hearings each year, and an average of 156 appeals from those hearings to district courts each year; and

WHEREAS, the North Dakota Supreme Court has held that a driver's license is a protectable property interest to which the guarantee of procedural due process applies; and

WHEREAS, there are recurring issues concerning the propriety of admitting certain evidence, the methods of inquiry used by the hearing officers, the level of expertise exhibited by the hearing officers in applying legal and evidentiary principles, and whether due process safeguards are adequately preserved in the administrative hearing process;

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

That the Legislative Council study the current administrative hearing process as it applies to license suspensions for alcohol-related traffic offenses, with emphasis on the adequacy of due process protections, the expertise of the hearing officers, and the general effectiveness of the hearing process in achieving fair and equitable results; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Fifty-first Legislative Assembly.

Filed March 25, 1987

CHAPTER 905

SENATE CONCURRENT RESOLUTION NO. 4058
(Senators Stromme, Thane)
(Representative Kingsbury)

CAPITAL CONSTRUCTION TRUST FUND

A concurrent resolution directing the Legislative Council to study alternative methods available for establishing a capital construction trust fund for the state.

WHEREAS, there will be a continued need in the state for new buildings; and

WHEREAS, the state cannot afford general fund appropriations for the construction of new buildings in times of economic depression; and

WHEREAS, there is currently no established source of funding dedicated for the construction of new facilities in the state; and

WHEREAS, the North Dakota Constitution prohibits unsecured deficit spending; and

WHEREAS, the state needs a structured plan for accumulating funds in a trust fund earmarked for the construction of new buildings in the state;

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

That the Legislative Council conduct a study on the need, feasibility, and alternatives available for establishing a capital construction trust fund for the state; and

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

Filed March 16, 1987

CHAPTER 906

SENATE CONCURRENT RESOLUTION NO. 4060 (Nothing)

SECURITIES LAWS STUDY

A concurrent resolution directing the Legislative Council to study the securities laws of North Dakota, the need for regulation of the various aspects of the securities business, and the desirability of revising the state's securities laws to foster legitimate capital formation in the state.

WHEREAS, although the primary jurisdiction over the sale of stocks, bonds, and other securities is held by the United States Securities and Exchange Commission, states have jurisdiction over the issuance and sale of securities within the states and may regulate certain aspects of the securities business; and

WHEREAS, in North Dakota the regulatory provisions of the Securities Act of 1951 were enacted to ensure that people receive relevant information about securities upon which they can base their investment decisions; to protect investors from securities that do not meet statutory standards; to prevent unqualified, unethical, and fraudulent persons from entering the securities business; and to supervise the activities of persons in the securities business; and

WHEREAS, abuses in the sale of insurance securities to the elderly, unscrupulous securities agents selling door-to-door or by mail advertisement, and other exploitative practices in the securities business reflect the need and importance for securities regulation to protect the unsophisticated investor; and

WHEREAS, a major obstacle to the development of business and employment opportunities in North Dakota is the unavailability of investment capital for new and expanding businesses; and

WHEREAS, the state's securities laws may impose excessive costs on persons who comply with the laws and in some instances may inhibit legitimate capital formation; and

WHEREAS, the state's securities laws should be structured to protect the public from fraud, deception, or the disposal of securities on unfair terms but not in an overly restrictive manner so as to inhibit legitimate capital formation in the state;

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

That the Legislative Council study the securities laws in this and other states, the need for regulation of the various aspects of the securities business, and the desirability of revising the Securities Act of 1951 to foster legitimate capital formation in the state in a manner that does not diminish necessary public protections; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Fifty-first Legislative Assembly.

Filed March 25, 1987

CHAPTER 907

SENATE CONCURRENT RESOLUTION NO. 4062
(Redlin, Reiten)
(Approved by the Committee on Delayed Bills)

NATIONAL SPECIAL EDUCATOR OF THE YEAR

A concurrent resolution congratulating Joan Bonsness on being named the National Special Educator of the Year.

WHEREAS, Joan Bonsness has been recognized nationally and in this state for her contributions as a teacher in the learning disabilities field; and

WHEREAS, Joan Bonsness has been teaching both regular and special education in the public schools in this state for over 23 years; and

WHEREAS, Joan Bonsness, as Northwest Education Project Director since 1974, educates teachers in this state, and has educated teachers in 32 other states about learning disabilities; and

WHEREAS, Joan Bonsness was named North Dakota Association for Children and Adults with Learning Disabilities Special Educator of the Year in September 1986 and was selected from over 24 national contestants as National Special Educator 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 Fiftieth Legislative Assembly extends its sincere and hearty congratulations to Joan Bonsness of Minot, North Dakota, on being named National Special Educator of the Year; and

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

Filed March 30, 1987

CHAPTER 908

SENATE CONCURRENT RESOLUTION NO. 4063
(Senator W. Meyer)
(Representative Nicholas)
(Approved by the Committee on Delayed Bills)

FOOD SECURITY ACT POLICIES

A concurrent resolution urging the Secretary of the United States Department of Agriculture to adopt regulations under the Food Security Act of 1985 which are consistent with the rapidly changing world market conditions.

WHEREAS, current government programs and the world economy have resulted in substantially lower prices for federal farm program and nonprogram crops, including sunflowers and other specialty crops; and

WHEREAS, farmers are forced to rely on federal farm program crops for adequate cash flow; and

WHEREAS, the present procedures of the United States Department of Agriculture for establishing base acres for federal farm program crops are highly inequitable to farmers who have diversified into nonprogram or specialty crops, including sunflowers; and

WHEREAS, those farmers with low established bases for federal farm program crops realize reduced cash flows and lowered real estate values;

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

That the Fiftieth Legislative Assembly urges the Secretary of the United States Department of Agriculture to adopt policies under the Food Security Act of 1985 which recognize rapidly changing world market conditions; and

BE IT FURTHER RESOLVED, that any policies adopted allow farmers who have diversified into nonprogram crops, including sunflowers and other specialty crops, to receive one or more of the following options:

1. To participate in the farm programs by planting program crops on nonprogram acres.
2. To receive a direct per-acre deficiency payment on nonprogram acres.
3. To change crop production history by the elimination of limited cross-compliance requirements.
4. To appeal to county USDA-ASCS boards when a farmer's program base acre allotments are not representative of the farmer's long-term production history.
5. To receive equitable treatment if that farmer has diversified into nonprogram crops, including sunflowers and other specialty crops, so that farmers who diversify will not be penalized by being denied program benefits; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded by the Secretary of State to the Secretary of Agriculture of the United States Department of Agriculture, the chairmen of the United States Senate and House Committees on Agriculture, and to each member of the North Dakota Congressional Delegation.

Filed March 30, 1987

CHAPTER 909

SENATE CONCURRENT RESOLUTION NO. 4064
(Senator Tallackson)
(Representatives Kingsbury, Skjerven)
(Approved by the Committee on Delayed Bills)

JUNIOR MEN'S CURLING CHAMPIONS

A concurrent resolution congratulating the members of the Darren Kress rink of Grafton on winning the National Junior Men's Curling Championship and advancing to international competition.

WHEREAS, the Darren Kress rink of Grafton, composed of Darren Kress, Connor Oihus, Duane McGregor, and Brett Davis, defeated Nebraska to advance to semifinal competition in the National Junior Men's Curling Championship; and

WHEREAS, the Kress rink defeated Illinois in the semifinal round and dominated in the finals, defeating Wisconsin 9-2 to capture the National Junior Men's Curling Championship; and

WHEREAS, the Kress rink has successfully advanced to international competition and will compete and represent North Dakota in the upcoming World Junior Men's Curling Tournament held in Victoria, British Columbia, March 15-21, 1987; and

WHEREAS, the Kress rink's victories and participation in world competition are achievements of which the rink members and all North Dakotans can be justifiably proud;

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

That the Fiftieth Legislative Assembly extends its heartiest congratulations to the members of the Darren Kress rink on capturing the National Junior Men's Championship and wishes these skilled athletes and superb curlers great success in their upcoming international competition; and

BE IT FURTHER RESOLVED, that the Secretary of State send copies of this resolution to rink members Darren Kress, Connor Oihus, Duane McGregor, and Brett Davis.

Filed March 13, 1987

CHAPTER 910

SENATE CONCURRENT RESOLUTION NO. 4065

(Maixner)

(Approved by the Committee on Delayed Bills)

URANIUM PROCESSING FACILITIES STUDY

A concurrent resolution directing the Legislative Council to study remedial action on two inactive uranium processing facilities in North Dakota.

WHEREAS, Congress passed an act entitled the Uranium Mill Tailings Radiation Control Act (UMTRCA) of 1978; and

WHEREAS, in the 1960s uranium was mined and processed in North Dakota; and

WHEREAS, the UMTRCA provides for the safe stabilization, disposal, and control of uranium mill tailings and other residual radioactive material located at designated inactive uranium processing sites; and

WHEREAS, in North Dakota two inactive uranium processing sites have been designated by the United States Department of Energy for remedial action; and

WHEREAS, a substantial cost is potentially involved in these remedial actions with current estimates at approximately \$7,200,000 with costs to be spread over possibly three bienniums; and

WHEREAS, ninety percent of the funding for the remedial action will be supplied through the United States Department of Energy with the remaining ten percent supplied by the state of North Dakota; and

WHEREAS, the State Department of Health has entered into a cooperative agreement with the United States Department of Energy to establish a plan of remedial action to acquire property and to formally commit the United States Department of Energy and the state to the undertaking of their respective statutory responsibilities under UMTRCA; and

WHEREAS, difficult financial problems are now facing the state;

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

That the Legislative Council study and review the progress to date on these proposed remedial actions and evaluate funding resources to meet the state's share of these projects; and

BE IT FURTHER RESOLVED, that the Legislative Council report its finding and recommendations, together with any legislation required to implement the recommendations, to the Fifty-first Legislative Assembly.

Filed March 25, 1987

CHAPTER 911

SENATE CONCURRENT RESOLUTION NO. 4066
(Senators Mathern, Satrom, Yockim)
(Representatives Hokana, Lindgren)
(Approved by the Committee on Delayed Bills)

POLITICAL SUBDIVISIONS STUDY

A concurrent resolution directing the Legislative Council to study the feasibility and desirability of changes in the legal status of, and relationships existing among, political subdivisions and the effect of new legislation on county and city budgets.

WHEREAS, we are about to celebrate the 100th anniversary of our state constitution and political subdivision structures; and

WHEREAS, changes in modes of transportation and methods of communication, shifting population centers, and the need to efficiently provide governmental services underscore the need to reassess the legal status of, and relationship existing among, political subdivisions, and to determine whether certain functions are or may be shared; and

WHEREAS, laws enacted by the legislative assembly which fiscally impact counties and cities often take effect in the middle of a fiscal year without special legislative provision and thorough study of this situation is necessary to assure that county and city budgets already in place are not adversely affected by new laws; and

WHEREAS, current governmental structures may require revision to ensure that the demands of our changing society are met and to achieve cost savings in governmental expenditures;

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

That the Legislative Council study the feasibility and desirability of changes in the legal status of, and relationship existing among, political subdivisions, and determine whether certain functions are or may be shared, whether the arrangement of political subdivisions may be rationally adapted to ensure the optimum provision of governmental services in a cost-effective manner, and whether constitutional, geographical, or other barriers to such adaptations exist; and

BE IT FURTHER RESOLVED, that the emphasis of the study be on law enforcement services such as courts, police, correction facilities, and safety programs and measures, governmental administration, transportation systems (particularly roads), parks and recreation facilities, health services, and economic development; and

BE IT FURTHER RESOLVED, that attention be given in the study to the time of taking effect of legislation that fiscally impacts counties or cities; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Fifty-first Legislative Assembly.

Filed April 9, 1987

CHAPTER 912

SENATE CONCURRENT RESOLUTION NO. 4067
(Senators Satrom, Waldera, Mushik, Lips)
(Representative Kingsbury)
(Approved by the Committee on Delayed Bills)

RAILROAD RIGHT OF WAY TENANTS STUDY

A concurrent resolution directing the Legislative Council to study the relationship between railroads and their tenants along railroad rights of way.

WHEREAS, under North Dakota Century Code Chapter 60-06, as amended by 1987 House Bill No. 1347, warehouses and elevators for the storage of grain and potatoes may be placed along railroad rights of way and sidings, with the warehouse or elevator operator being required to pay rent to the railroad for that privilege; and

WHEREAS, under Chapter 60-06, as amended by House Bill No. 1347, the Public Service Commission is responsible for determining the rent payable to the railroad; and

WHEREAS, testimony on 1987 House Bill No. 1347 indicated that rent has increased on some of these properties on the order of 170 percent over the last 10 years; and

WHEREAS, the issue of rental rates charged for use of railroad properties is not limited to country sidings, but has direct application to Main Street businesses in most cities of this state, because those businesses along the railroad right of way are also subject to the risk of rent increases and lack of availability of long-term leases, thus hindering long-range planning of business operations; and

WHEREAS, the principles that impelled the adoption of what is now North Dakota Century Code Chapter 60-06 may have equally valid application to railroad property leased by Main Street businesses;

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

That the Legislative Council study the present relationship between railroads and their tenants under North Dakota Century Code Chapter 60-06 and the similarities between that relationship and the relationship between railroads and their tenants along other rights of way not governed by that Chapter, including a consideration of whether rights concerning establishment of tenancies should include railroad rights of ways in cities; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Fifty-first Legislative Assembly.

CHAPTER 913

SENATE CONCURRENT RESOLUTION NO. 4068
(Senators Peterson, Nalewaja, Tennefos, Mathern, Lashkowitz)
(Representatives Moore, Scherber, R. Berg, C. Nelson, Dorso,
Gorman, Kloubec, Payne, Kelly, Schneider)
(Approved by the Committee on Delayed Bills)

BISON CLUB HOCKEY TEAM

A concurrent resolution congratulating the North Dakota State University Bison Club hockey team for winning the 1987 National Collegiate Club Hockey Tournament held at Fargo, North Dakota.

WHEREAS, the North Dakota State University Bison Club hockey team has completed its first three full seasons of collegiate competition by winning its third consecutive national championship; and

WHEREAS, the North Dakota State University Bison Club hockey team won the 1987 National Collegiate Club Hockey Tournament in a thrilling three overtime victory in the championship game against the University of Arizona on March 15, 1987; and

WHEREAS, the Bison Club hockey team, coaches, advisor, contributors, students, boosters, and fans have all contributed to making collegiate hockey at North Dakota State University a huge success in the first three full years of competition; and

WHEREAS, the team's outstanding accomplishments and national championships are accomplishments of which all North Dakotans can be justifiably proud;

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

That the Fiftieth Legislative Assembly takes great pride and pleasure in extending its congratulations to the North Dakota State University Bison Club hockey team and their coach, Dave Morinville; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded by the Secretary of State to the administration at North Dakota State University, to the North Dakota State University Bison Hockey Club and team members, and to head coach Dave Morinville.

Filed March 30, 1987

CHAPTER 914

SENATE CONCURRENT RESOLUTION NO. 4069
(Senators Wogsland, Thane)
(Representatives Flaagan, Laughlin, Myrdal)
(Approved by the Committee on Delayed Bills)

FIRE DISTRICT AID STUDY

A concurrent resolution directing the Legislative Council to study state aid to local fire departments and districts.

WHEREAS, the efficient and capable delivery of fire protection services to this state's citizens is a goal of the Legislative Assembly; and

WHEREAS, an adequate and equitable system for determining state aid to help finance the cost of local fire protection is critical to the needs of this state's citizens and the protection of their property; and

WHEREAS, state aid distributed to local fire departments and districts is appropriated from the reserves of the state fire and tornado fund; and

WHEREAS, the reserves of the state fire and tornado fund may not be adequate to fund this program in the future;

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

That the Legislative Council study the method of providing state aid to local fire departments and districts and determine what, if any, changes should be made; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Fifty-first Legislative Assembly.

Filed April 15, 1987

CHAPTER 915

SENATE CONCURRENT RESOLUTION NO. 4070
(Senators Heigaard, Olson)
(Representatives Strinden, Mertens)
(Approved by the Committee on Delayed Bills)

DOCTOR OF THE DAY PROGRAM

A concurrent resolution expressing the thanks and appreciation of the Fiftieth Legislative Assembly to the North Dakota Medical Association Doctor of the Day Program.

WHEREAS, many practicing physicians from throughout the state, as well as resident physicians from the University of North Dakota School of Medicine Family Medicine and Internal Medicine Residency programs in Minot, Grand Forks, Fargo, and Bismarck, have volunteered their services as the Doctor of the Day during the Fiftieth Legislative Session; and

WHEREAS, many legislators, legislative employees, family members, lobbyists, and visitors to the Capitol have received treatment, counseling, and medications at no charge; and

WHEREAS, the North Dakota Medical Association, the North Dakota State Board of Pharmacy, the Bismarck Family Practice Center, the Bismarck Pharmacy, and the State Health Department have all provided services, equipment, or supplies to the Doctor of the Day medical services room;

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

That thanks and appreciation be expressed to the physicians and health care groups who have volunteered their professional services, expertise, supplies, and equipment in the operation of the 1987 North Dakota Medical Association Doctor of the Day Program.

Filed April 8, 1987