

# SENATE CONCURRENT RESOLUTIONS

## CHAPTER 614

### SENATE CONCURRENT RESOLUTION NO. 4001

(Legislative Council)  
(Budget Committee on Government Services)  
(Senator St. Aubyn)  
(Representatives Sveen, Wentz)

### MENTAL HEALTH AND FOSTER CARE MONITORING

A concurrent resolution directing the Legislative Council to monitor mental health and foster care services.

**WHEREAS**, the Department of Human Services has developed a plan for an integrated multidisciplinary continuum of services for mentally ill individuals pursuant to North Dakota Century Code Section 50-06-06.5, which was a recommendation resulting from a 1985-86 study by the Legislative Council; and

**WHEREAS**, the Legislative Council has monitored services to the mentally ill and chemically dependent since the 1987-88 interim, including the role and function of the State Hospital and expanded community services for mentally ill and chemically dependent individuals; and

**WHEREAS**, each regional human service center operates a psychosocial rehabilitation center through contracts with private, nonprofit organizations for providing companionship and recreational activities for individuals with serious mental illness; and

**WHEREAS**, the 1991 Legislative Assembly began providing funding for clubhouse projects for providing prevocational skills training for individuals with serious mental illness and currently two psychosocial rehabilitation centers operate clubhouse projects; and

**WHEREAS**, the 1995 Legislative Assembly authorized the Mental Health Division to implement and supervise a unified mental health delivery system to assure that mental health services provided by the human service centers, the State Hospital, and private contractors are in accordance with the state plan; and

**WHEREAS**, the cost of services for children placed out of state in the foster care program increased from \$603,000 in fiscal year 1994 to \$1.1 million in fiscal year 1995; and

**WHEREAS**, the effect of ongoing federal and state welfare reform activity is unknown at this time; and

**WHEREAS**, residential child care facilities and residential treatment centers have expressed concern that reimbursement rate adjustments are not made on a

timely basis by the Department of Human Services and that the rates do not provide for the actual cost of services;

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

That the Legislative Council monitor mental health and foster care services, including changes in the role of the State Hospital, psychosocial rehabilitation centers, and clubhouse projects; the effect of welfare reform on the delivery of mental health and foster care services; methods used to place children in the custody of the division of juvenile services; methods used to place children in residential child care facilities and residential treatment centers and methods of setting and levels of reimbursements for residential child care facilities and residential treatment centers; and items of legislative intent regarding mental health and foster care 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-sixth Legislative Assembly.

Filed March 3, 1997

**CHAPTER 615****SENATE CONCURRENT RESOLUTION NO. 4002**

(Legislative Council)  
(Education Finance Committee)

**ELEMENTARY AND SECONDARY EDUCATION STUDY**

A concurrent resolution directing the Legislative Council to study those provisions of Title 15 of the North Dakota Century Code which relate to elementary and secondary education.

**WHEREAS**, many of the laws relating to the provision of elementary and secondary education in this state have been adopted over the years without regard to their interrelationship; and

**WHEREAS**, many of the laws relating to the provision of elementary and secondary education in this state set forth neither clear objectives nor directives for their administration; and

**WHEREAS**, many of the laws relating to the provision of elementary and secondary education in this state are duplicative, inconsistent, or illogically arranged;

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

That the Legislative Council study those provisions of Title 15 of the North Dakota Century Code which relate to elementary and secondary education; and

**BE IT FURTHER RESOLVED**, that the purpose of the study is to recommend changes to laws that are found to be irrelevant, duplicative, inconsistent, illogically arranged, or unclear in their intent and direction; 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-sixth Legislative Assembly.

Filed March 20, 1997

**CHAPTER 616****SENATE CONCURRENT RESOLUTION NO. 4003**

(Legislative Council)  
(North Dakota/South Dakota Commission)

**HIGHER EDUCATION COLLABORATION URGED**

A concurrent resolution urging the State Board of Higher Education to continue to pursue collaborative efforts with the South Dakota Board of Regents.

**WHEREAS**, the State Board of Higher Education and the South Dakota Board of Regents have initiated discussion regarding cooperative ventures between the two university systems; and

**WHEREAS**, during the 1995-96 interim, the Legislative Council and the South Dakota Legislative Research Council established the North Dakota/South Dakota Commission to study and identify ways North Dakota and South Dakota can collaborate to deliver government services more efficiently; and

**WHEREAS**, the State Board of Higher Education and the South Dakota Board of Regents participated in the deliberations of the North Dakota/South Dakota Commission and identified several areas for potential cooperation between the university systems, including exploration of cooperative purchasing arrangements, implementation of joint student followup processes, development and improvement of research infrastructure and research capabilities, provision of services by the academic community to the public sector, distance education, development of information systems, and examination of reciprocity between the states for certain low enrollment programs;

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

That the Fifty-fifth Legislative Assembly urges the State Board of Higher Education to continue to pursue collaborative efforts with the South Dakota Board of Regents; and

**BE IT FURTHER RESOLVED**, that the Secretary of State forward copies of this resolution to the State Board of Higher Education and the South Dakota Board of Regents.

Filed March 19, 1997

**CHAPTER 617****SENATE CONCURRENT RESOLUTION NO. 4004**

(Legislative Council)  
(North Dakota/South Dakota Commission)

**ND - SD COLLABORATION STUDY**

A concurrent resolution directing the Legislative Council to study methods through which North Dakota and South Dakota can collaborate to deliver government services more efficiently.

**WHEREAS**, during the latter portion of the 1995-96 interim, the North Dakota/South Dakota Commission studied methods through which the two states could cooperate to more efficiently provide government services; and

**WHEREAS**, the North Dakota/South Dakota Commission identified several areas in which the two states are currently cooperating or could establish cooperative efforts to provide government services more efficiently; and

**WHEREAS**, because numerous opportunities for cooperation were identified which could improve services and reduce costs, further study of potential areas of cooperation may be necessary for implementation of cooperative efforts;

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

That the Legislative Council establish a committee of four senators and four representatives to work with a similar committee of South Dakota legislators to study methods through which North Dakota and South Dakota can collaborate to deliver governmental services more efficiently; and

**BE IT FURTHER RESOLVED**, that the committee solicit information and assistance from executive branch agencies and departments to determine areas in which the states can collaborate to deliver government services more efficiently and cost effectively; and

**BE IT FURTHER RESOLVED**, that the committee request reports annually from executive branch agencies and departments regarding efforts to cooperate with agencies and departments of South Dakota government; 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-sixth Legislative Assembly.

Filed March 7, 1997

**CHAPTER 618****SENATE CONCURRENT RESOLUTION NO. 4007**

(Senators Traynor, O'Connell, Sand)  
(Representatives Henegar, Nicholas, Soukup)

**WATERFOWL SEPTEMBER OPENING URGED**

A concurrent resolution urging the North Dakota Game and Fish Department to make a request of the Secretary of the Interior and the United States Fish and Wildlife Service to open the waterfowl hunting season by September 15 of each year.

**WHEREAS**, the state's economy and the well-being of the people of North Dakota are dependent upon agriculture; and

**WHEREAS**, North Dakota produces more ducks than any other of the contiguous 48 states; and

**WHEREAS**, waterfowl historically have caused serious depredation and damage to crops in northern North Dakota; and

**WHEREAS**, most of this serious depredation occurred in the month of September;

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

That the Fifty-fifth Legislative Assembly urges the North Dakota Game and Fish Department to make a request of the Secretary of the Interior and the United States Fish and Wildlife Service to open the North Dakota waterfowl hunting season by September 15 of each year; and

**BE IT FURTHER RESOLVED**, that the Secretary of State forward copies of this resolution to the Secretary of the Interior, the regional director of the United States Fish and Wildlife Service, the members of the Central Flyway Council, the director of the North Dakota Game and Fish Department, and each member of the North Dakota Congressional Delegation.

Filed April 1, 1997

**CHAPTER 619****SENATE CONCURRENT RESOLUTION NO. 4008**

(Senators Wanzek, Grindberg, O'Connell, Tomac)  
(Representatives Nicholas, Wilkie)

**CANADIAN CANOLA DATA USE URGED**

A concurrent resolution urging Congress to require the Environmental Protection Agency to use Canadian data in its registration of crop protection chemicals appropriate for canola.

**WHEREAS**, North Dakota accounts for nearly one-half of all canola acreage in the United States; and

**WHEREAS**, increases in canola acreages have been limited by the lack of crop protection chemicals; and

**WHEREAS**, the Canadian government has allowed for the registration of approximately three dozen crop protection chemicals appropriate for canola; and

**WHEREAS**, the United States government, through the Environmental Protection Agency, has allowed for the registration of only six crop protection chemicals appropriate for canola; and

**WHEREAS**, the Environmental Protection Agency is already pursuing harmonization with Canada of the registration of crop protection chemicals; and

**WHEREAS**, the Environmental Protection Agency needs to put more resources into the harmonization with Canada of crop protection chemicals; and

**WHEREAS**, use of Canadian registration data by the United States Environmental Protection Agency could accelerate its registration process for crop protection chemicals appropriate for canola;

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

That the Fifty-fifth Legislative Assembly urges the Congress of the United States to require the Environmental Protection Agency to use Canadian data in its registration of crop protection chemicals appropriate for canola; and

**BE IT FURTHER RESOLVED**, that the Environmental Protection Agency be directed to commit the resources needed to harmonize with Canada the registration of crop protection chemicals for canola; and

**BE IT FURTHER RESOLVED**, that the Secretary of State forward copies of this resolution to the chairmen of the Senate and House Committees on Agriculture and to each member of the North Dakota Congressional Delegation.

Filed March 11, 1997

**CHAPTER 620****SENATE CONCURRENT RESOLUTION NO. 4009**

(Senators Wanzek, Grindberg, O'Connell, Tomac)  
(Representatives Nicholas, Wilkie)

**CANOLA INSURANCE PROGRAM URGED**

A concurrent resolution urging Congress to require the Federal Crop Insurance Corporation to develop and maintain an insurance program for canola.

**WHEREAS**, North Dakota accounts for nearly one-half of all the canola acreage in the United States; and

**WHEREAS**, without crop insurance, many small grain farmers cannot obtain operating loans from financial institutions; and

**WHEREAS**, canola is no more risky for crop insurance than wheat or barley; and

**WHEREAS**, additional canola acreages would be planted if a federal crop insurance program comparable to that offered for wheat and barley were available;

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

That the Fifty-fifth Legislative Assembly urges the Congress of the United States to require the Federal Crop Insurance Corporation to develop and maintain an insurance program for canola; and

**BE IT FURTHER RESOLVED**, that the Secretary of State forward copies of this resolution to the chairman of the Senate and House Committees on Agriculture and to each member of the North Dakota Congressional Delegation.

Filed March 7, 1997

**CHAPTER 621****SENATE CONCURRENT RESOLUTION NO. 4013**

(Senators Naaden, B. Stenehjem, Kringstad, Kelsh, O'Connell)  
(Representative R. Kelsch)

**LEGISLATIVE EMPLOYEE COMPENSATION**

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

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

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

SENATE	
Secretary of the Senate	\$95.00
Assistant secretary of the Senate	80.00
Desk reporter	89.00
Bill clerk	74.00
Sergeant-at-arms	74.00
Secretary to majority leader	80.00
Staff assistant to majority leader	74.00
Secretary to minority leader	80.00
Staff assistant to minority leader	74.00
Chief committee clerk	78.00
Appropriations Committee clerk	78.00
Assistant Appropriations Committee clerk	74.00
Committee clerk for three-day committee	74.00
Committee clerk for two-day committee	70.00
Assistant committee clerk	62.00
Deputy sergeant-at-arms	62.00
Chief page and bill book clerk	68.00
Calendar clerk	74.00
Legislative assistant	58.00
HOUSE	
Chief Clerk	\$95.00
Assistant chief clerk	80.00
Desk reporter	89.00
Sergeant-at-arms	74.00
Bill clerk	74.00
Secretary to majority leader	80.00
Staff assistant to majority leader	74.00
Secretary to minority leader	80.00
Staff assistant to minority leader	74.00
Secretary to Speaker	74.00
Chief committee clerk	78.00
Appropriations Committee clerk	78.00
Assistant Appropriations Committee clerk	74.00

Committee clerk for three-day committee	74.00
Committee clerk for two-day committee	70.00
Assistant committee clerk	62.00
Payroll clerk	70.00
Deputy sergeant-at-arms	62.00
Chief page and bill book clerk	68.00
Calendar clerk	74.00
Chief telephone attendant	68.00
Legislative assistant	58.00

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

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

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

**BE IT FURTHER RESOLVED**, that with the approval of the Employment Committee of the respective house, a position may be converted to a part-time position, with the daily compensation converted to a per hour rate of pay; and

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

Filed January 24, 1997

**CHAPTER 622****SENATE CONCURRENT RESOLUTION NO. 4014**

(Senators Grindberg, Krebsbach, Wogsland)  
(Representatives Dalrymple, Mahoney, Torgerson)

**COUNTY GOVERNMENT RESTRUCTURING STUDY**

A concurrent resolution directing the Legislative Council to study the feasibility and desirability of restructuring county government.

**WHEREAS**, proposals to consolidate services in counties of the state have been discussed frequently and considered by the Legislative Assembly; and

**WHEREAS**, in recent years counties have entered a variety of joint efforts to deliver services more cost effectively, but the efficiency and transferability of those joint efforts have not been evaluated; and

**WHEREAS**, consolidation and coordination efforts in other areas have proven to be difficult without sufficient technical assistance; and

**WHEREAS**, because there are potential advantages and disadvantages to changing the structure of county government, thoughtful review and study are needed to fully examine the legal and administrative issues necessary to make a decision in the best interest of all citizens of the state; and

**WHEREAS**, a comprehensive study of restructuring county government is a many-sided issue that needs thorough study and comment from citizens;

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

That the Legislative Council study the feasibility and desirability of restructuring county government; and

**BE IT FURTHER RESOLVED**, that the study include an examination of examples of consolidation of services to determine the cost-effectiveness and transferability of those consolidations and an examination of methods through which the state may be able to provide affordable technical assistance to counties choosing to consolidate, merge, or share services and a review of the effect of 1993 Session Laws Chapter 401; 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-sixth Legislative Assembly.

Filed March 25, 1997

**CHAPTER 623****SENATE CONCURRENT RESOLUTION NO. 4016**

(Senators DeMers, Mathern, Nalewaja, Yockim)  
(Representative Gulleson)

**VISUALLY IMPAIRED SERVICES LEGISLATION  
URGED**

A concurrent resolution urging each member of the North Dakota Congressional Delegation to seek and promote federal legislation that provides for in-home adjustment services for the visually impaired older citizens of the state of North Dakota.

**WHEREAS**, visual impairment is common among people age 55 and over, due in part to the major diseases of the eye which are associated with the aging process, including macular degeneration, cataracts, glaucoma, and diabetic retinopathy; and

**WHEREAS**, it is estimated that more than 10,500 North Dakota residents over 55 years of age experience severe vision impairment; and

**WHEREAS**, one-to-one skills training would make it possible for individuals with reduced vision to maintain or improve their quality of life in the home, community, and job environment; and

**WHEREAS**, existing federal legislation, which is funded only on a limited competitive basis, calls for the provision of training to older visually impaired individuals in the areas of orientation and mobility, communication skills, activities of daily living, and use of low vision aids and provides for family and peer counseling; and

**WHEREAS**, the state of North Dakota has matched federal funds in the past;

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

That the Fifty-fifth Legislative Assembly urges the North Dakota Congressional Delegation to seek maximum funding of the Older Blind (Title VII, Chapter 2) portion of the Vocational Rehabilitation Act of 1992, as amended; and

**BE IT FURTHER RESOLVED**, that vision rehabilitation services be included in existing Medicare, Medicaid, and other third-party reimbursement programs or considered as part of an overall national health plan; and

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

Filed April 1, 1997

**CHAPTER 624****SENATE CONCURRENT RESOLUTION NO. 4017**

(Senators Naaden, O'Connell, B. Stenehjem)

**LEGISLATIVE EMPLOYEE COMPENSATION STUDY**

A concurrent resolution directing the Legislative Council to study legislative employee compensation.

**WHEREAS**, Legislative Assembly employees function in an extremely demanding work environment and carry out their duties with great dispatch, ability, and efficiency; and

**WHEREAS**, attracting and retaining high quality employees is critical to the continued ability of the Legislative Assembly to conduct its deliberations within the limited time available; and

**WHEREAS**, while all legislative employee positions require good interpersonal and communication skills, various positions involve different degrees of ability, experience, and technical knowledge which necessitate differences in compensation; and

**WHEREAS**, Legislative Assembly employee compensation was last studied during the 1993-94 interim, with resulting adjustments to reflect varying levels of knowledge, technical skills, and supervisory skills; and

**WHEREAS**, assuring adequate compensation to legislative employees is of primary importance to attracting and retaining the talented and dedicated employees necessary for the Legislative Assembly to conduct its deliberations in an appropriate atmosphere;

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

That the Legislative Council study legislative employee compensation; 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-sixth Legislative Assembly.

Filed March 7, 1997

**CHAPTER 625****SENATE CONCURRENT RESOLUTION NO. 4019**

(Senators B. Stenehjem, Solberg, St. Aubyn)  
(Representatives Belter, Freier, Koppelman)

**TRANSPORTATION FUNDING STUDY**

A concurrent resolution directing the Legislative Council to study the adequacy of transportation funding in North Dakota.

**WHEREAS**, traffic has caused increased demands of the entire transportation system. Approximately eighteen million miles are traveled daily on North Dakota streets and highways. The North American Free Trade Agreement has increased truck volumes as much as fifty percent in one year on certain segments of North Dakota highways; and

**WHEREAS**, the Devils Lake flooding situation has depleted transportation funds for all government agencies in the basin; and

**WHEREAS**, the Four Bears Bridge is beyond the funding capacity of the North Dakota Department of Transportation; and

**WHEREAS**, the existing funding mechanisms were established in a different era and have not kept up with our changing economy or demographics; and

**WHEREAS**, there is increasing pressure for the federal government to fund only a small portion of the transportation program in each state; and

**WHEREAS**, existing funding sources have not kept pace with inflation, increases in usage or cost of providing transportation infrastructure;

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

That the Legislative Council is directed to study the adequacy of existing, and the potential for new, funding sources to meet system needs for North Dakota's entire transportation infrastructure; 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-sixth Legislative Assembly.

Filed March 25, 1997

**CHAPTER 626****SENATE CONCURRENT RESOLUTION NO. 4020**

(Senators Nalewaja, Krauter, W. Stenehjem)  
(Representatives Carlisle, Kretschmar, Warner)

**CRIMINAL JUSTICE SUPPORT MECHANISMS STUDY**

A concurrent resolution directing the Legislative Council to study and develop a long-term plan for the investigatory and penological support mechanisms of the criminal justice system.

**WHEREAS**, cooperation is needed among fire arson investigators, sheriffs, police officers, the state highway patrol, state's attorneys, the bureau of criminal investigation, the state fire marshal, the department of corrections and rehabilitation, the state crime laboratory, the state forensic examiner, and the state toxicologist for adequate investigation of crimes, proper evidence handling, and efficient case tracking and management; and

**WHEREAS**, new technology provides more evidence, requires new equipment, and necessitates skilled personnel to operate the equipment; and

**WHEREAS**, the state forensic examiner needs to be supported by a coroner system that is effective, coordinated, and fiscally sound to adequately investigate deaths; and

**WHEREAS**, sheriffs and the department of corrections and rehabilitation need to develop a long-range plan for the management of inmates;

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

That the Legislative Council study and develop a long-term plan for the investigatory and penological support mechanisms of the criminal justice 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-sixth Legislative Assembly.

Filed March 25, 1997

**CHAPTER 627****SENATE CONCURRENT RESOLUTION NO. 4021**

(Senators C. Nelson, Krebsbach, Lindaas)  
(Representatives Hanson, Sabby, Wilkie)

**TFFR RESUMED TEACHING STUDY**

A concurrent resolution directing the Legislative Council to study participation in the teachers' fund for retirement by retired persons who have resumed teaching.

**WHEREAS**, the 1995-96 interim Employee Benefits Programs Committee considered a proposal that would have allowed retired persons to return to teaching for up to one year without losing any benefits if at least 50 percent of the salary earned by that person was donated to in the school district's educational foundation; and

**WHEREAS**, the consulting actuary of the teachers' fund for retirement reported that the proposal would not have had a measurable actuarial impact on the teachers' fund for retirement but that the proposal could endanger the qualified status of the plan under federal law; and

**WHEREAS**, under qualified retirement plans, benefits are not taxable until they are received, but if a plan loses its qualified status, accrued vested benefits become immediately taxable; and

**WHEREAS**, because the consulting actuary reported that the proposal could endanger the qualified status of the plan, the committee gave the proposal an unfavorable recommendation; and

**WHEREAS**, school district educational foundations help support school districts in an era when school districts need all the financial help available; and

**WHEREAS**, retired teachers have a vast reservoir of experience and knowledge which would greatly benefit the students if school districts were able to tap this reservoir;

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

That the Legislative Council study participation in the teachers' fund for retirement by retired persons who have resumed teaching; 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-sixth Legislative Assembly.

Filed March 19, 1997

**CHAPTER 628****SENATE CONCURRENT RESOLUTION NO. 4023**

(Senators B. Stenehjem, Lee, Wogsland)  
(Representatives Brown, Christenson, Wardner)

**PRIVATIZATION STUDY**

A concurrent resolution directing the Legislative Council to study the process of privatization and contracting for public sector services.

**WHEREAS**, although North Dakota Century Code Chapter 54-44.4 sets forth comprehensive laws regarding the purchase of personal property by the state, the state may need to further establish comprehensive laws regarding the privatizing and contracting for public services to protect its citizens and effectively manage the resources of the state; and

**WHEREAS**, the state needs to have a rigorous methodology and process for determining whether privatization and contracting for services are appropriate, efficient, and effective; and

**WHEREAS**, the state has a compelling need to establish a framework for privatizing and contracting for services which provides formal access to decisionmaking, ensures an open bidding process, monitors existing contracts for compliance, and allows for involvement by citizens, legislators, public employees, and private sector contractors; and

**WHEREAS**, questions surrounding privatization and contracting for public services necessitate a study that identifies immediate and long-term advantages and disadvantages of privatization and contracting for public sector services, identifies barriers to making public sector services more efficient, develops accurate methodologies of comparing costs of similar public and private sector services, reviews performance standards for both public and private sector providers of public services, identifies goals and measurable results of public services provided by the private sector, develops identifiable and measurable review processes of all privatized contracts for contract continuance, including providing sufficient resources to monitor privatization contracts on an ongoing basis, and promotes public education on privatization and contracting for public sector services;

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

That the Legislative Council study the process of privatization and contracting for public sector services; and

**BE IT FURTHER RESOLVED**, that the Legislative Council seek participation from representatives of the executive branch, higher education, political subdivisions, public employees and employee organizations, and private sector businesses; 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-sixth Legislative Assembly.

Filed March 7, 1997

**CHAPTER 629****SENATE CONCURRENT RESOLUTION NO. 4024**

(Senators Mathern, DeMers, Lee, G. Nelson)  
(Representatives Boucher, Dorso)

**GOVERNMENTAL ELECTRONIC MAIL STUDY**

A concurrent resolution directing the Legislative Council to study the development of an electronic mail and records management policy for governmental entities.

**WHEREAS**, various state agencies and institutions and numerous political subdivisions operate or maintain electronic mail systems through which government officials and employees and others are able to communicate and transmit information; and

**WHEREAS**, state law does not address the impact of open records laws with respect to the use of electronic mail, nor does it address the privacy issues surrounding monitoring of electronic mail; and

**WHEREAS**, before the state adopts an electronic mail policy, comprehensive study of privacy issues such as monitoring of electronic communications and what types of electronic communications are subject to open records laws is needed; and

**WHEREAS**, official business may be conducted electronically using digital signatures; and

**WHEREAS**, standards and procedures need to be reviewed for the effective management of the electronic records;

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

That the Legislative Council study the development of an electronic mail and records management policy for governmental entities; 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-sixth Legislative Assembly.

Filed March 25, 1997

## CHAPTER 630

### SENATE CONCURRENT RESOLUTION NO. 4025

(Senators Nalewaja, Cook, C. Nelson, Robinson)  
(Representatives Grande, Kliniske)

#### SEXUAL ABUSE VICTIM STUDY

A concurrent resolution directing the Legislative Council to study the effects of sexual abuse on child victims, strategies to assist child victims and the parents of child victims, the use and effectiveness of the mandatory reporting law, effective deterrents, and the need for training of professionals, public awareness initiatives, and training of school personnel in the recognition of victims and in prevention activities.

**WHEREAS**, based upon a survey of parents, a December 1995 Gallup poll estimated that 23 percent of those parents as children were sexually abused by an adult or older child and that 1,300,000 children in the United States have been forced to touch an adult or older child in a sexual manner, have been forcibly touched by an adult or older child in a sexual manner, or have been forced to have sex with an adult or older child; and

**WHEREAS**, in this state in fiscal year 1995, 380 reports of suspected child sexual abuse by a caretaker were reported to the Department of Human Services, and in 122 of those reports a determination was made that there was probable cause to believe child sexual abuse was indicated, and an additional 234 reports of suspected noncaretaker child sexual abuse were made to the department and were referred to law enforcement agencies; and

**WHEREAS**, the Department of Corrections and Rehabilitation manages over 300 adult sex offenders and research about adult sex offenders has revealed that more than one-half offended as children and that treatment can stop many of these offenders from reoffending; and

**WHEREAS**, North Dakota state law provides for mandatory reporting of suspected abuse; and

**WHEREAS**, parents of a sexually abused child may be emotionally traumatized by their child's victimization and may be in need of support including a parents' network; and

**WHEREAS**, sexually abused children may suffer from physical, mental, and emotional deterioration, low self-esteem, poor academic progress, inappropriate behaviors, and suicidal tendencies; and

**WHEREAS**, the child protection services program through the Alliance for Sexual Abuse Prevention and Treatment promotes public awareness of child abuse issues and the prevention of child sexual abuse, and also provides training for professionals; and

**WHEREAS**, the Child Fatality Review Panel monitors unexpected child deaths and recommends changes in policy, practices, and law to prevent child deaths; and

**WHEREAS**, evidence suggests that efforts to prevent abuse and to promptly and appropriately treat victims and offenders will save taxpayers millions of dollars over time and will save children from trauma and lifelong suffering;

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

That the Legislative Council study the effects of sexual abuse on child victims, strategies to assist child victims and the parents of child victims, the use and effectiveness of the mandatory reporting law, effective deterrents, and the need for training of professionals, public awareness initiatives, and training of school personnel in the recognition of victims and in prevention 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-sixth Legislative Assembly.

Filed March 20, 1997

**CHAPTER 631****SENATE CONCURRENT RESOLUTION NO. 4026**

(Senators DeMers, Mathern, C. Nelson)  
(Representatives Gulleason, Jensen, Wentz)

**DOMESTIC VIOLENCE TASK FORCE STUDY**

A concurrent resolution directing the Legislative Council to study the feasibility and desirability of establishing a statewide domestic violence task force to address domestic violence prevention issues and adopt a statewide domestic violence prevention strategy.

**WHEREAS**, the problem of domestic violence continues to escalate in this state; and

**WHEREAS**, domestic violence is a pervasive problem that often devastates its victims physically, emotionally, spiritually, and financially; and

**WHEREAS**, the North Dakota Supreme Court has urged a unified effort be made at all levels, including local and state, public and private, executive, legislative, and judicial, to implement the state strategy to attack and resolve the domestic violence problem in the state; and

**WHEREAS**, there currently exists a Governor's task force that deals exclusively with the expenditure of federal Violence Against Women Act funds but does not address prevention strategies;

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

That the Legislative Council study the feasibility and desirability of establishing a statewide domestic violence task force to address domestic violence prevention issues and adopt a statewide domestic violence prevention strategy; and

**BE IT FURTHER RESOLVED**, that in conducting the study, the Legislative Council investigate the availability of federal funds to assist in funding the study and seek the involvement of the North Dakota Supreme Court, the Governor, the Attorney General, and the North Dakota Council on Abused Women's 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-sixth Legislative Assembly.

Filed March 25, 1997

**CHAPTER 632****SENATE CONCURRENT RESOLUTION NO. 4027**

(Senators Wanzek, Kelsh)  
(Representatives D. Johnson, Murphy, Schmidt, Wilkie)

**DOT HIGHWAY 281 STUDY**

A concurrent resolution requesting the North Dakota Department of Transportation to study the feasibility and desirability of upgrading United States Highway 281 to an all-year load-free highway.

**WHEREAS**, United States Highway 281 extends from the Peace Garden on the Canadian border to Brownsville, Texas; and

**WHEREAS**, the International United States Highway Association has actively promoted United States Highway 281 as a corridor for commerce and 267 miles of this corridor are in this state; and

**WHEREAS**, United States Highway 281 is heavily used the entire year to move many of this state's raw and finished products; and

**WHEREAS**, the average annual daily traffic per day in Jamestown is 20,500 vehicles per day and the annual daily truck traffic is 475 trucks per day; and

**WHEREAS**, 60 miles of pavement on United States Highway 281 are 30 years old or older, the average age of the pavement is 22 years, and the design life for the pavement is 20 years;

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

That the North Dakota Department of Transportation be requested to study the feasibility and desirability of making United States Highway 281 an all-year load-free highway; and

**BE IT FURTHER RESOLVED**, that the North Dakota Department of Transportation report its findings and recommendations, together with any legislation to implement the recommendations, to the Fifty-sixth Legislative Assembly.

Filed March 25, 1997

**CHAPTER 633****SENATE CONCURRENT RESOLUTION NO. 4030**

(Senators DeMers, Kinnoin, Traynor)  
(Representatives Christopherson, D. Johnson, Kerzman)

**WELFARE REFORM TRIBAL RELATIONS STUDY**

A concurrent resolution directing the Legislative Council to study the issues of welfare reform as they relate to the relationship between the state and the federally recognized Indian tribes within the state.

**WHEREAS**, Congress has enacted Public Law 104-193, which substantially reforms the welfare system and which includes block grants to the states and to federally recognized Indian tribes, if the tribes so choose, along with strict work requirements for recipients of public assistance and time limits for recipients of public assistance; and

**WHEREAS**, members of federally recognized Indian tribes represent less than six percent of the population of the state; however, approximately 25 percent of the welfare caseload of the state is tribal members who live on reservations; and

**WHEREAS**, tribal economies have not been as strong as the economy of the remainder of the state which will make compliance with the work participation rate requirements of the welfare reform legislation more difficult to achieve on the reservations; and

**WHEREAS**, the federally recognized tribes in the state are undecided as to whether to apply for state and federal block grants that would allow the tribes to design and administer their own welfare system; and

**WHEREAS**, the federally recognized tribes in the state are unsure as to the role the state should play, if any, in the development, funding, and administration of a tribally administered welfare program; and

**WHEREAS**, the federally recognized tribes in the state desire to engage in constructive dialogue with the state regarding welfare reform issues of mutual concern;

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

That the Legislative Council study the issues of welfare reform as they relate to the relationship between the state and the federally recognized Indian tribes within the state; and

**BE IT FURTHER RESOLVED**, that the Legislative Council, in conducting its study, shall solicit input from tribal members, tribal leaders, and tribal government officials interested in state and tribal welfare reform issues; 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-sixth Legislative Assembly.

Filed March 20, 1997

**CHAPTER 634****SENATE CONCURRENT RESOLUTION NO. 4032**

(Senators Tomac, Kelsh)  
(Representatives Brandenburg, Brown, DeKrey, Renner)

**PACKING INDUSTRY COMPETITION URGED**

A concurrent resolution urging the United States Department of Agriculture to support efforts to restore competition in the livestock packing industry.

**WHEREAS**, the State of North Dakota has many agriculture livestock operations, which support the economy within the state; and

**WHEREAS**, market prices for cattle have recently fallen to levels that are below the production costs and that this situation is a result of a highly concentrated market; and

**WHEREAS**, this situation threatens the stability of the economy within the borders of the state; and

**WHEREAS**, the United States Secretary of Agriculture and the Grain Inspection and Packers and Stockyards Administration have recently published the Western Organization of Resource Councils' Livestock Concentration Rulemaking Petition on behalf of citizens and organizations within North Dakota, and five other states;

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

That the Fifty-fifth Legislative Assembly of the State of North Dakota supports actions taken by the United States Secretary of Agriculture to restore competitive practices to the livestock slaughter trade, including:

1. Prohibiting packers who process more than five percent of the national daily slaughter of a given species from procuring livestock for slaughter through the use of forward contracts, unless the contracts contain a firm base price that can be equated to a fixed dollar amount on the day the contract is signed and the forward contract is offered or bid in an open, public manner; and
2. Prohibiting packers, other than farmer-owned cooperatives, from owning and feeding livestock, unless the livestock are sold for slaughter in an open, public market; and

**BE IT FURTHER RESOLVED**, that the Secretary of State forward copies of this resolution to the Secretary of the United States Department of Agriculture, the Administrator of the Grain Inspection and Packers and Stockyards Administration and to each member of the North Dakota Congressional Delegation.

Filed March 25, 1997

**CHAPTER 635****SENATE CONCURRENT RESOLUTION NO. 4033**

(Senators Tomac, Freborg)  
(Representatives Grosz, Mahoney)

**MISSOURI RIVER BANK PROTECTION URGED**

A concurrent resolution urging the Congress of the United States and the United States Army Corps of Engineers to assume responsibility for Missouri River bank erosion downstream from all Pick-Sloan Project dams, including the Garrison Dam to Oahe Reservoir reach in North Dakota, and to continue a program of annually appropriating funds for the maintenance and construction of bank protection projects.

**WHEREAS**, the Flood Control Act of 1944, as amended, assured benefits to all 10 states within the Missouri River basin under a control and management program that came to be commonly known as the Pick-Sloan Project; and

**WHEREAS**, the Congress has directed the United States Army Corps of Engineers to build, operate, and maintain all the features of the Pick-Sloan Project; and

**WHEREAS**, the Pick-Sloan Project provides major flood control benefits, recreational benefits, water supply benefits, hydropower benefits, and navigational benefits for states lying below Sioux City, Iowa, through construction of large reservoirs in states lying above that point, and by channelizing the Missouri River from Sioux City, Iowa, to St. Louis, Missouri, at federal expense; and

**WHEREAS**, the Pick-Sloan Project reservoirs have been in place for many years, thus providing the downstream states in the Missouri River Basin all of the benefits promised in the Pick-Sloan Project; and

**WHEREAS**, construction of facilities under the Pick-Sloan Project has, to date, resulted in \$10.6 billion of flood protection to downstream interests and has allowed those downstream interests to develop the original floodplain of the Missouri River for industrial, municipal, and agricultural uses; and

**WHEREAS**, the United States Army Corps of Engineers has stabilized and continues to maintain the entire channel of the Missouri River from Sioux City, Iowa, to St. Louis, Missouri, all at federal expense; and

**WHEREAS**, under the Pick-Sloan Project, North Dakota has sacrificed over 550,000 acres of land, which has meant the permanent loss of 2,641 jobs, \$45 million of annual personal income, and \$131 million of annual gross business volume; and

**WHEREAS**, almost two-thirds of the inexpensive hydroelectric power generated by Garrison Dam in North Dakota, which was built pursuant to the Pick-Sloan Project, is used in states other than North Dakota; and

**WHEREAS**, the United States Army Corps of Engineers stated in its final report to Congress dated December 1981 concerning the Missouri River streambank

erosion that "bank erosion in this reach results in a permanent net loss of high value lands. This process, unless halted, would eventually transform the present river into a wide area of sandbars and channels, occupying an increasing proportion of the valley width between the bluffs"; and

**WHEREAS**, the lands adjacent to the Missouri River have been and will continue to be seriously eroded and permanently lost to the local landowners and the state of North Dakota because of reservoir management that releases highly fluctuating amounts of clear water capable of eroding and transporting large amounts of soil; and

**WHEREAS**, soil eroded from the banks of the Missouri River is being deposited as a delta in the headwaters of the Oahe Reservoir and Lake Sakakawea thereby causing the water table to rise under the adjacent land, and is increasing the frequency and severity of ice jam hazards and has, according to recent United States Army Corps of Engineers' pronouncements, endangered 6,000 acres of land containing 150 homes, industrial development, and valuable farmland around Lake Oahe; and in the headwaters area of Lake Sakakawea, the delta is endangering the Buford-Trenton irrigation district, the water intake for the city of Williston, and many acres of valuable farmland; and

**WHEREAS**, a similar bank erosion problem exists for a 58-mile reach on the South Dakota-Nebraska border downstream from the Gavins Point Dam and also between the Fort Peck Dam in Montana and Lake Sakakawea; and

**WHEREAS**, destructive bank erosion continues when high winter water releases for power generation occur; and

**WHEREAS**, Section 33 of the Water Resource Development Act of 1988 amended the Flood Control Act of 1944 and directed the Secretary of the Army to undertake measures that the Secretary of the Army determines are needed to alleviate bank erosion and related problems associated with reservoir releases along the Missouri River between the Fort Peck Dam in Montana and a point 58 miles downstream of the Gavins Point Dam on the South Dakota-Nebraska border; and

**WHEREAS**, at the request of Congress, a 1988 General Accounting Office study agreed that since the closure of the Garrison Dam accretion no longer occurs and a net loss of land results and the study also identified one option of funding bank stabilization projects as allocating these costs, whether economically justifiable or not, to Pick-Sloan Project purposes; and

**WHEREAS**, Congress appropriated \$1.5 million in fiscal year 1992 and \$1.5 million in fiscal year 1993 for the purpose of protecting the banks of the Missouri River; and

**WHEREAS**, the United States Army Corps of Engineers has used these funds for maintenance of existing bank protection projects, and the corps insists that new protection projects may not be constructed unless a site-specific benefit-cost ratio greater than one exists which is contrary to the language and intent of Section 33 of the Water Resource Development Act of 1988 and contrary to the funding criteria of many other projects the United States Army Corps of Engineers has found necessary to complete the Pick-Sloan Project;

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

That the Fifty-fifth Legislative Assembly urges the Congress of the United States to continue the responsibility for the protection of lands endangered below all Pick-Sloan Project dams by the operation of the Pick-Sloan Project; and

**BE IT FURTHER RESOLVED**, that the Congress of the United States is urged to continue a program of annually appropriating funds to repair existing bank protection projects now in danger of failure and to begin to construct bank protection projects in the most critical locations; and

**BE IT FURTHER RESOLVED**, that the United States Army Corps of Engineers, in evaluating each erosion site, disregard site-specific benefit-cost studies as stated in the Government Accounting Office study as was the intent of Section 33 of the Water Resource Development Act of 1988 and that if benefit-cost studies are made, that the benefits are project-wide and include the delta problems and the enhancement of hydropower and water release capabilities; and

**BE IT FURTHER RESOLVED**, that the members of the North Dakota Congressional Delegation are urged to work diligently with the senators and congressmen of the states of Montana, South Dakota, and Nebraska to secure appropriations of these necessary funds; and

**BE IT FURTHER RESOLVED**, that funding for this project not be a normal federal water project appropriation, but rather be charged to the construction and maintenance of the Pick-Sloan Project; and

**BE IT FURTHER RESOLVED**, that the United States Army Corps of Engineers be urged to initiate a program to construct bank protection structures along the Missouri River between Fort Peck and a point 58 miles downstream of Gavins Point Dam, as directed by Section 33 of the Water Resource Development Act of 1988; and

**BE IT FURTHER RESOLVED**, that the Secretary of State forward copies of this resolution to the Secretary of the Army; Secretary of the Interior; District Engineer, Omaha District, United States Army Corps of Engineers; the Governor; each member of the North Dakota State Water Commission; and each member of the North Dakota, South Dakota, Nebraska, and Montana Congressional Delegations.

Filed March 25, 1997

## CHAPTER 636

### SENATE CONCURRENT RESOLUTION NO. 4034

(Senators Tomac, Freborg)  
(Representatives Grosz, Mahoney)

#### PICK-SLOAN MASTER MANUAL REVISIONS URGED

A concurrent resolution urging the United States Army Corps of Engineers to include provisions for the protection of recreation, municipal, industrial, irrigation, and other interests on the Missouri River in North Dakota in developing a revised master manual for the future operation of the Pick-Sloan Project.

**WHEREAS**, the Flood Control Act of 1944, as amended, assured benefits to all 10 states within the Missouri River Basin under a control and management program that came to be commonly known as the Pick-Sloan Project; and

**WHEREAS**, the Congress of the United States has directed the United States Army Corps of Engineers to build, operate, and maintain all the features of the Pick-Sloan Project; and

**WHEREAS**, the Pick-Sloan Project provides major flood control benefits, recreational benefits, water supply benefits, hydropower benefits, and navigational benefits for the downstream states of Iowa, Nebraska, Missouri, and Kansas through construction of large reservoirs in states lying upstream from these states, and by channelizing the Missouri River from Sioux City, Iowa, to St. Louis, Missouri, at federal expense; and

**WHEREAS**, the Pick-Sloan Project reservoirs have been in place for many years, thus providing the downstream states in the Missouri River Basin all of the benefits promised in the Pick-Sloan Project; and

**WHEREAS**, construction of facilities under the Pick-Sloan Project has, to date, resulted in \$10.6 billion of flood protection to downstream interests and has allowed these downstream interests to develop the original floodplain of the Missouri River for industrial, municipal, and agricultural uses; and

**WHEREAS**, under the Pick-Sloan Project, North Dakota has sacrificed over 550,000 acres of land, which has meant the permanent loss of 2,641 jobs, \$45 million of annual personal income, and \$131 million of annual gross business volume; and

**WHEREAS**, the United States Army Corps of Engineers is now in the process of revising its master manual for the operation of the entire Pick-Sloan Project in future years; and

**WHEREAS**, the construction of the Pick-Sloan Project has divided the Missouri River in North Dakota into four distinct regions, namely, the Missouri River reach above Williston, Lake Sakakawea, the Missouri River reach from Garrison Dam to the headwaters of Lake Oahe, and Lake Oahe; and

**WHEREAS**, as the recreation industry on the Missouri River mainstem in North Dakota, which has developed into a \$67 million per year industry, suffered severely when the United States Army Corps of Engineers allowed lake levels to drop drastically during the drought of the late 1980s and the early 1990s; and

**WHEREAS**, the United States Army Corp of Engineers, in its new proposed operation plan called the Missouri River Master Manual Preferred Alternative, is planning to allow Lake Sakakawea to drop to 1,775 feet mean sea level and Lake Oahe to 1,540 feet mean sea level in future drought years, thereby again severely damaging North Dakota's recreation industry; and

**WHEREAS**, the riverbanks in the Garrison Dam to Oahe Reservoir reach consist of ancient floodplain deposits that have been and will be severely eroded with great loss of valuable land whenever high water flows are released from Garrison Dam; and

**WHEREAS**, the irrigators, fishermen, boaters, industrial, and municipal water intakes, dredged channels, and marinas have all utilized the moderate summer river levels of the Garrison to Oahe reach both before and after the construction of the Garrison Dam; and

**WHEREAS**, the United States Army Corps of Engineers, in its proposed master manual, is proposing high spring releases every third year and these releases will cause severe bank erosion and loss of much valuable land; and

**WHEREAS**, the United States Army Corps of Engineers is also proposing very low water releases during the summer to allow endangered shore birds to nest, which will seriously affect many irrigators, recreation users, water intakes, dredged channels, and marinas;

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

That the Fifty-fifth Legislative Assembly requests the United States Army Corps of Engineers to respect the large sacrifice North Dakota has made in order that the Pick-Sloan Project could be built; and

**BE IT FURTHER RESOLVED**, that the United States Army Corps of Engineers, in its new master manual, provide for Lake Sakakawea minimum levels of at least 1,802 feet mean sea level and Lake Oahe levels of at least 1,569 feet mean sea level, so that North Dakota's flourishing recreation industry may continue to operate; and

**BE IT FURTHER RESOLVED**, that the United States Army Corps of Engineers, in its master manual, delay any unnecessary high and very high water releases on the free flowing reaches of the Missouri River, which cause the unnecessary loss of valuable land and an increase in flood damage until such time when the riverbanks are protected; and

**BE IT FURTHER RESOLVED**, that the United States Army Corps of Engineers more evenly balance the needs of endangered species in the Upper Missouri River Basin with the requirements for water supply, the reduction of bank erosion, recreation, and flood control in the free flowing stretches of the Missouri River; and

**BE IT FURTHER RESOLVED**, that the Governor, members of the North Dakota Congressional Delegation, the State Engineer and staff, director of the Game and Fish Department and staff, and many others be commended for their efforts to date and be urged to continue to work diligently at the local and national levels to influence the United States Army Corps of Engineers to adopt a master manual for the future operation of the Missouri River that is acceptable to all areas and interests on the Missouri River in North Dakota; and

**BE IT FURTHER RESOLVED**, that the Secretary of State forward copies of this resolution to the Division Commander of the Missouri River Division of the United States Army Corps of Engineers in order to be part of the public record for the Missouri River Master Manual Draft Environmental Impact Statement; the Secretary of the Army; the Secretary of the Interior; the District Engineer, Omaha District, United States Army Corps of Engineers; the Governor; each member of the State Water Commission; and each member of the North Dakota, South Dakota, Wyoming, and Montana Congressional Delegations.

Filed March 25, 1997

**CHAPTER 637****SENATE CONCURRENT RESOLUTION NO. 4035**

(Senators Thompson, LaFountain, Wogsland)  
(Representatives Kerzman, Warner, Wilkie)

**NORTH AMERICAN INDIGENOUS GAMES  
CONGRATULATED**

A concurrent resolution congratulating the North American Indigenous Games TEAM North Dakota, an indigenous sports organization comprised of members from the Spirit Lake Nation; Standing Rock Sioux; Three Affiliated Tribes; and Turtle Mountain Band of Chippewa, for successfully securing the bid to host the 1999 North American Indigenous Games in Fargo, North Dakota, to be held July 28 through August 27, 1999.

**WHEREAS**, the mission of the North American Indigenous Games is to improve the quality of life for indigenous peoples by supporting self-determined sports and cultural activities which encourage equal access to participation in the social and cultural fabric of the communities where they reside and which respect indigenous distinctiveness; and

**WHEREAS**, the North American Indigenous Games will showcase the athletic skills, abilities, and talents of North Dakota native youth and adult athletes, who will serve as positive role models for healthy living for the native youth as well as the nonnative youth of our state; and

**WHEREAS**, the youth of North Dakota, who are our future leaders, will be encouraged to develop positive leadership abilities by the organization and participation in this outstanding event; and

**WHEREAS**, the North American Indigenous Games will provide an opportunity to promote tourism in North Dakota to showcase the history of North Dakota and plains culture, history, and native heritage of the Indian nations of this state; and

**WHEREAS**, this international event is expected to draw over 30,000 visitors to the state of North Dakota and is expected to provide a direct economic impact of an estimated \$20 million during the North American Indigenous Games;

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

That the Fifty-fifth Legislative Assembly supports and endorses the 1999 North American Indigenous Games in the Fargo-Moorhead area in July and August of 1999; and

**BE IT FURTHER RESOLVED**, that the Legislative Assembly encourages the citizens, state agencies, and private sector of North Dakota to share their hospitality and to fully support the successful accomplishment of this worthwhile endeavor.

Filed March 25, 1997

**CHAPTER 638****SENATE CONCURRENT RESOLUTION NO. 4036**

(Senators Nalewaja, Cook, C. Nelson, Robinson, W. Stenehjem)  
(Representative Kliniske)

**DISCRIMINATION STUDY**

A concurrent resolution directing the Legislative Council to study the level of and remedies for discrimination in this state.

**WHEREAS**, Congress and the North Dakota Legislative Assembly have enacted laws prohibiting discrimination; and

**WHEREAS**, this state has operating within it many state and federal agencies with the power to investigate and provide appropriate remedies in different cases of discrimination; and

**WHEREAS**, there needs to be a determination of whether there are instances of discriminatory actions in violation of state and federal laws before the Legislative Assembly can fashion appropriate remedies; and

**WHEREAS**, if discriminatory actions are found to exist, there needs to be a determination of whether existing state agencies have the power to remedy those activities; and

**WHEREAS**, remedies available in this state should be compared to procedures used by other states to investigate and provide appropriate remedies in cases of discrimination;

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

That the Legislative Council study the level of and remedies for discrimination in this state; and

**BE IT FURTHER RESOLVED**, that the study determine the degree of discrimination in this state, determine current and additional remedies including educational initiatives to prevent discrimination, and develop recommendations to establish a commission visible to the public with representative membership able to objectively investigate citizen complaints and enforce remedies; and

**BE IT FURTHER RESOLVED**, that the study include an examination of the membership, structure, authority, duties and responsibilities, and funding of commissions in other states; 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-sixth Legislative Assembly.

Filed March 19, 1997

**CHAPTER 639****SENATE CONCURRENT RESOLUTION NO. 4037**

(Senators St. Aubyn, Robinson, Thane)  
(Representatives Delmore, Kliniske, Poolman)

**BOILER OPERATOR LICENSING STUDY**

A concurrent resolution directing the Legislative Council to study the feasibility and desirability of licensing high pressure boiler operators, including which state agency would manage a state licensing process, the fees necessary to fund a licensing program, whether adequate training opportunities exist to support licensing, and whether any other state has a boiler licensing program with which this state could join.

**WHEREAS**, the operation of high pressure boilers and other high pressure vessels may pose significant safety risks; and

**WHEREAS**, North Dakota does not license high pressure boiler operators; and

**WHEREAS**, a comprehensive study of the actual risks from not licensing high pressure boiler operators, the availability of training programs, and other states' laws and practices may be appropriate before implementing licensure requirements for high pressure boiler operators;

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

That the Legislative Council study the feasibility and desirability of licensing high pressure boiler operators, including which state agency would manage a state licensing process, the fees necessary to fund a licensing program, whether adequate training opportunities exist to support licensing, and whether any other state has a boiler licensing program with which this state could join; 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-sixth Legislative Assembly.

Filed March 20, 1997

**CHAPTER 640****SENATE CONCURRENT RESOLUTION NO. 4038**

(Senators St. Aubyn, Solberg, Robinson)  
(Representatives Delmore, Monson, Skarphol)

**ADVOCACY PROGRAM MERGER STUDY**

A concurrent resolution directing the Legislative Council to study the effectiveness of and methods to improve advocacy programs administered by the Department of Human Services and the feasibility and desirability of merging those advocacy programs, including the vulnerable adult protective services program, into the protection and advocacy program.

**WHEREAS**, the Committee on Protection and Advocacy provides advocacy and protective services for persons with developmental disabilities and persons with mental illnesses; and

**WHEREAS**, the Committee on Protection and Advocacy must balance the rights of persons to privacy and to refuse services with the committee's duties to protect the human and legal rights of persons eligible for services and to monitor facilities for compliance with federal and state laws and rules; and

**WHEREAS**, the vulnerable adult protective services program provides remedial, social, legal, health, mental health, and referral services that are necessary and appropriate for the prevention, correction, or discontinuance of abuse or neglect of a vulnerable adult; and

**WHEREAS**, the Department of Human Services and county social service boards are not required to implement or enforce the vulnerable adult protective services program with respect to any region, area, or county of this state if the Legislative Assembly does not provide an appropriation to support the implementation and enforcement of the program within that region, area, or county; and

**WHEREAS**, a number of other advocacy programs administered by the Department of Human Services have purposes similar to those of the Committee on Protection and Advocacy and the vulnerable adult protective services program; and

**WHEREAS**, the merging of the various advocacy programs may be one method to improve the effectiveness and efficiency of the programs and may avoid a duplication in services; and

**WHEREAS**, shared resources may be a method to improve the effectiveness and the efficiency of the programs;

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

That the Legislative Council study the effectiveness of and methods to improve advocacy programs administered by the Department of Human Services and the feasibility and desirability of merging those advocacy programs, including

the vulnerable adult protective services program, into the protection and advocacy program; 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-sixth Legislative Assembly.

Filed March 20, 1997

**CHAPTER 641****SENATE CONCURRENT RESOLUTION NO. 4040**

(Senators Schobinger, Grindberg, Krauter, O'Connell, Thane)

**PREPAID COLLEGE TUITION STUDY**

A concurrent resolution directing the Legislative Council to study the feasibility and desirability of implementing a prepaid college tuition program.

**WHEREAS**, during the 1980s the cost of college tuition rose faster than family income; and

**WHEREAS**, people became concerned about the future ability of average American families to afford college tuition for their children; and

**WHEREAS**, by implementing a prepaid college tuition program, people could pay current tuition prices at participating institutions and be guaranteed that their children's tuition would be covered, regardless of how high the costs rose in the future; and

**WHEREAS**, over 30 states responded to the concern about college affordability by adopting some type of college savings program; and

**WHEREAS**, the Bank of North Dakota could incorporate the administrative duties of a prepaid college tuition program within its existing obligations; and

**WHEREAS**, the State Board of Higher Education and the representatives of all universities and colleges under the control of the board have a vested interest in promoting and ensuring the affordability of higher education for the citizens of this state;

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

That the Legislative Council study the feasibility and desirability of implementing a prepaid college tuition program; 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-sixth Legislative Assembly.

Filed March 26, 1997

**CHAPTER 642****SENATE CONCURRENT RESOLUTION NO. 4041**

(Senators Lindaas, Thane)  
(Representative Aarsvold)

**WATERSHED DISTRICT STUDY**

A concurrent resolution directing the Legislative Council to study the establishment of watershed districts to manage water based on watershed boundaries.

**WHEREAS**, the effective management of the state's water resources is essential to the health, prosperity, and general welfare of the citizens of North Dakota; and

**WHEREAS**, most of the state's existing water resource political subdivisions are based upon political boundaries and not hydrologic boundaries; and

**WHEREAS**, the state's rivers, streams, and watersheds do not correspond with existing political boundaries; and

**WHEREAS**, many watershedwide issues such as channel maintenance, upstream drainage, and drain maintenance extend across the boundaries of existing water-related political subdivisions and necessarily require watershedwide or regionwide solutions that smaller water-related political entities are incapable of providing;

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

That the Legislative Council study the establishment of watershed districts to manage water based on watershed boundaries; 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-sixth Legislative Assembly.

Filed March 28, 1997

**CHAPTER 643****SENATE CONCURRENT RESOLUTION NO. 4042**

(Senators St. Aubyn, Grindberg, Robinson)  
(Representatives R. Kelsch, Kretschmar, Wentz)

**"ABUSE", "NEGLECT", AND "EXPLOITATION"  
USAGE STUDY**

A concurrent resolution directing the Legislative Council to study the use of "abuse," and "neglect," and "exploitation" in the North Dakota Century Code.

**WHEREAS**, the terms "abuse," "neglect," and "exploitation" are not defined consistently throughout the North Dakota Century Code; and

**WHEREAS**, concerns have been expressed by private developmental disability providers regarding the lack of consistency in the application of the terms to the provider setting; and

**WHEREAS**, use of those terms should be compared to definitions used by other states and the federal government; and

**WHEREAS**, a need may exist to establish different grades or levels of severity of each term;

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

That the Legislative Council study the use of "abuse," "neglect," and "exploitation" in the North Dakota Century Code; 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-sixth Legislative Assembly.

Filed March 25, 1997

**CHAPTER 644****SENATE CONCURRENT RESOLUTION NO. 4043**

(Senators Fischer, Krebsbach, Nalewaja)  
(Representatives Carlson, Skarphol, Wald)

**INSURANCE CONSULTANTS PRACTICES STUDY**

A concurrent resolution directing the Legislative Council to study the issue of insurance brokers acting as consultants and the public policy of prohibiting insurance consultants from collecting commissions, consulting fees, and policy fees.

**WHEREAS**, the insurance industry is rapidly evolving as the new millennium approaches; and

**WHEREAS**, the fashion in which insurance products are being marketed is changing; and

**WHEREAS**, the commission structure of certain insurance products makes it economically unfeasible to market products to particular markets; and

**WHEREAS**, although numerous professions in North Dakota are allowed to charge consultant fees during the normal course of business, insurance brokers are prohibited from being paid a consulting fee or policy fee in addition to collecting commission for insurance sold to the same client;

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

That the Legislative Council study the issue of insurance brokers acting as consultants and the public policy of prohibiting insurance consultants from collecting commissions, consulting fees, or policy fees; 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-sixth Legislative Assembly.

Filed March 19, 1997

**CHAPTER 645****SENATE CONCURRENT RESOLUTION NO. 4044**

(Senators Kelsh, O'Connell)  
(Representative Brandenburg)

**AGRICULTURAL LIEN FILING STUDY**

A concurrent resolution directing the Legislative Council to study ways of improving the filing of agricultural liens so losses resulting from incomplete or inaccurate information can be reduced.

**WHEREAS**, the central filing system was designed to reduce the number of filings required to gain a perfected security interest; and

**WHEREAS**, the central filing system was designed to provide easy and widespread access to lien and security information; and

**WHEREAS**, losses are occasionally suffered when not all liens and security information are accessed;

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

That the Legislative Council study ways of improving the filing of agricultural liens so losses resulting from incomplete or inaccurate information can be reduced; 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-sixth Legislative Assembly.

Filed March 25, 1997

**CHAPTER 646****SENATE CONCURRENT RESOLUTION NO. 4045**

(Senator W. Stenehjem)  
(Representative Kretschmar)

**DISTRICT COURT AND CLERK STUDY**

A concurrent resolution directing the Legislative Council to study state funding of the office of clerk of district court, the issues and problems associated with the continued implementation of court unification, and the effective provision of judicial services to the citizens of this state.

**WHEREAS**, since 1981, the judicial system has evolved through a series of consolidation refinements culminating in 1991 legislation abolishing county courts, establishing a single level trial court system, and requiring the reduction in total number of judges to 42 by January 2, 2001; and

**WHEREAS**, clerks of district court are an integral part of the court system but their status as elected county officials poses unique and significant issues concerning the effective operation of the courts in providing judicial services; and

**WHEREAS**, continued implementation of court unification requires substantive review of issues concerning the means of effectively providing judicial services with reduced judicial resources, including the location of judicial services, facility standards for courthouses, continued refinement of venue requirements, and methods of juror selection; and

**WHEREAS**, complex issues concerning state funding of the office of clerk of district court and continued implementation of court unification and the impact upon counties, the courts, and judicial services provided to North Dakota citizens are most proficiently considered by a body with the reservoir of knowledge about the issues and reflecting the diverse interests, needs, and allegiances of those affected by those issues;

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

That the Legislative Council study state funding of the office of clerk of district court, the issues and problems associated with the continued implementation of court unification, and the effective provision of judicial services to the citizens of this state; and

**BE IT FURTHER RESOLVED**, that the Legislative Council consider including representatives of clerks of court, county commissioners, and judges on the interim committee; 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-sixth Legislative Assembly.

Filed March 25, 1997

**CHAPTER 647****SENATE CONCURRENT RESOLUTION NO. 4046**

(Senators Holmberg, Freborg, Goetz, Nething, Redlin, Robinson)

**VOCATIONAL AND TECHNICAL EDUCATION STUDY**

A concurrent resolution directing the Legislative Council to study the role of the State Board for Vocational and Technical Education in work force training and retraining, to determine whether the current organizational structure of the board is adequate to ensure continued leadership in readying the state's citizens for a globally competitive marketplace, and to determine the adequacy of funding for the board and for vocational and technical education in this state.

**WHEREAS**, it is the mission of the State Board for Vocational and Technical Education to work with representatives of the State Board for Higher Education, Job Service North Dakota, the Department of Economic Development and Finance, the Superintendent of Public Instruction, the Work Force Development Council, and the Department of Human Services to provide the citizens of this state with the technical skills, knowledge, and attitudes necessary for successful performance in a globally competitive marketplace; and

**WHEREAS**, it is the mission of the State Board for Vocational and Technical Education to work with representatives of the private sector to create a responsive and flexible work force that is capable of meeting the short-term and long-term needs of business and industry in this state; and

**WHEREAS**, it is the mission of the State Board for Vocational and Technical Education to provide leadership and quality services designed to stimulate and support economic growth and diversity in this state;

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

That the Legislative Council study the role of the State Board for Vocational and Technical Education in work force training and retraining, to determine whether the current organizational structure of the board is adequate to ensure continued leadership in readying the state's citizens for a globally competitive marketplace, and to determine the adequacy of funding for the board and for vocational and technical 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-sixth Legislative Assembly.

Filed March 26, 1997

**CHAPTER 648****SENATE CONCURRENT RESOLUTION NO. 4047**

(Senators Holmberg, Freborg, O'Connell, Wanzek)  
(Representative R. Kelsch)

**FEDERAL EDUCATION LEGISLATION IMPACT STUDY**

A concurrent resolution directing the Legislative Council to study the short-term and long-term impact of federal education legislation, and other direct and indirect mandates from whatever sources, on the educational goals and fiscal well-being of school districts.

**WHEREAS**, the Constitution of North Dakota provides that the Legislative Assembly shall provide for "the establishment and maintenance of a system of public schools which shall be open to all children of the state"; and

**WHEREAS**, the Constitution of North Dakota provides that the Legislative Assembly shall take "steps as may be necessary to prevent illiteracy, secure a reasonable degree of uniformity in course of study, and to promote industrial, scientific, and agricultural improvements"; and

**WHEREAS**, the enactment of federal legislation such as the Goals 2000: Educate America Act, the School-to-Work Opportunities Act, the Elementary and Secondary Education Act, the Rehabilitation Act, the Safe Schools Act, the Refugee Assistance Act, and the Individuals with Disabilities Education Act, among others, together with the development of state accreditation standards, has significantly impacted the ability of local school districts to determine a course of education and to deliver a course of education to their students;

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

That the Legislative Council study the short-term and long-term impact of federal education legislation, and other direct and indirect mandates from whatever sources, on the educational goals and fiscal well-being of school districts; and

**BE IT FURTHER RESOLVED**, that the Legislative Council appoint a committee having broad-based representation among urban and rural and small, medium, and large school districts to pursue this study; 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-sixth Legislative Assembly.

Filed March 26, 1997

**CHAPTER 649****SENATE CONCURRENT RESOLUTION NO. 4048**

(Senator W. Stenehjem)  
(Representatives Christenson, Price)

**DIVORCE ISSUES STUDY**

A concurrent resolution directing the Legislative Council to study the interrelationship of the postjudgment issues of child support and visitation, including the accountability of both parents to honor divorce orders and the development of a parenting education program that addresses the impact of divorce on children.

**WHEREAS**, nationwide, there are more than one million children each year whose parents are involved in divorce proceedings; and

**WHEREAS**, research indicates that children of divorcing couples are at a greater risk than children in two-parent families for a range of problems, from depression to poor grades to substance abuse; and

**WHEREAS**, at least 10 states, including Iowa and Illinois, have enacted legislation that provides for either voluntary or mandated education programs for divorcing parents; and

**WHEREAS**, each child has a right to be guided, nurtured, and supported emotionally, physically, and financially by both parents regardless of the parents' marital status; and

**WHEREAS**, concerns have been expressed that there are inequities in the enforcement of visitation orders and child support obligations;

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

That the Legislative Council study the interrelationship of the postjudgment issues of child support and visitation, including the accountability of both parents to honor divorce orders and the development of a parenting education program that addresses the impact of divorce on children; 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-sixth Legislative Assembly.

Filed March 25, 1997

**CHAPTER 650****SENATE CONCURRENT RESOLUTION NO. 4049**

(Senators W. Stenehjem, Nalewaja, Watne)  
(Representatives R. Kelsch, Kretschmar, Stenehjem)

**SEXUAL OFFENSE LAWS STUDY**

A concurrent resolution directing the Legislative Council to study the feasibility and desirability of revising the sections of the North Dakota Century Code which relate to sexual offenses.

**WHEREAS**, it is a legislative responsibility to review existing laws to ensure that they address the problems they are intended to rectify; and

**WHEREAS**, the Fifty-fifth Legislative Assembly consider at least 10 measures relating to sexual offenders; and

**WHEREAS**, the sexual offense statutes are interrelated and sometimes a change in one section necessitates a reevaluation of other sections;

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

That the Legislative Council study the feasibility and desirability of revising the sections of the North Dakota Century Code which relate to sexual offenses; 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-sixth Legislative Assembly.

Filed March 25, 1997

**CHAPTER 651****SENATE CONCURRENT RESOLUTION NO. 4050**

(Senators G. Nelson, Mathern)  
(Representatives Dorso, Boucher)

**LIGNITE INDUSTRY TAX AND REGULATION STUDY**

A concurrent resolution directing the Legislative Council to study taxation and regulatory incentives for the lignite industry in order to improve its competitive position in the energy marketplace.

**WHEREAS**, North Dakota's lignite industry produces approximately thirty million tons of lignite annually, contributing to our state's and nation's energy independence by generating electricity for more than two million people in the northern great plains region and by producing synthetic natural gas from coal that heats 300,000 homes and businesses in eastern states, which is equivalent to over 20,000 barrels of oil per day; and

**WHEREAS**, North Dakota's lignite industry generates over 20,000 direct and indirect jobs for North Dakota, over one billion dollars in annual business volume, and over sixty-five million dollars in annual tax revenue; and

**WHEREAS**, the Legislative Assembly has previously determined that it is an essential governmental function and public purpose to assist with the development and wise use of North Dakota's vast lignite resources by supporting a lignite research, development, and marketing program; and

**WHEREAS**, the Gascoyne Mine recently closed due to the loss of its contract due to out-of-state coal competition; and

**WHEREAS**, subbituminous coal is presently being test burned in two North Dakota coal generating facilities; and

**WHEREAS**, with deregulation and restructuring within the electrical industry, there are increasing competitive pressures on the lignite industry; and

**WHEREAS**, government taxation and regulatory costs constitute up to thirty percent of the cost of North Dakota lignite; and

**WHEREAS**, North Dakotans desire to maintain their state's status as one of only a few clean air states and as a state with an equitable tax structure;

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

That the Legislative Council study the feasibility and desirability of providing taxation incentives and eliminating unnecessary regulatory burdens in order to make the lignite industry more competitive in order to protect and enhance the jobs and economic activity associated with the development of the state's abundant state lignite resource, while at the same time maintaining a clean and healthy environment for all of our state's citizens; 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-sixth Legislative Assembly.

Filed March 25, 1997

**CHAPTER 652****SENATE CONCURRENT RESOLUTION NO. 4051**

(Senators Solberg, Christmann)

**SCHOOL CORE CURRICULUM STUDY**

A concurrent resolution directing the Legislative Council to study the desirability of requiring that a core curriculum be taught from kindergarten through grade 12; and if determined to be desirable, to develop a core curriculum or endorse an existing core curriculum for delivery to each North Dakota school child, regardless of where the child resides; and to determine the desirability and feasibility of requiring the state to assume all costs of delivering that core curriculum to each North Dakota school child.

**WHEREAS**, the Constitution of North Dakota states that the Legislative Assembly is to provide for "the establishment and maintenance of a system of public schools which shall be open to all children of the state"; and

**WHEREAS**, the Constitution of North Dakota states that the Legislative Assembly shall take "steps as may be necessary to prevent illiteracy, secure a reasonable degree of uniformity in course of study, and to promote industrial, scientific, and agricultural improvements"; and

**WHEREAS**, the Legislative Assembly believes that each North Dakota school child should be challenged academically in, at the very least, the disciplines of mathematics, science, English, history, geography, music, art, and physical education, regardless of where in the state the child resides;

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

That the Legislative Council study the desirability of requiring that a core curriculum be taught from kindergarten through grade 12; and if determined to be desirable, to develop a core curriculum or endorse an existing core curriculum for delivery to each North Dakota school child, regardless of where the child resides; and to determine the desirability and feasibility of requiring the state to assume all costs of delivering that core curriculum to each North Dakota school child; 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-sixth Legislative Assembly.

Filed March 26, 1997

**CHAPTER 653****SENATE CONCURRENT RESOLUTION NO. 4052**

(Senators Andrist, Naaden, Solberg)  
(Representatives Huether, Kempenich)

**OCCUPATIONAL LICENSING PRIVATIZATION STUDY**

A concurrent resolution directing the Legislative Council to study occupational and professional licensing entities with an emphasis on methods to privatize licensing entities.

**WHEREAS**, during the 1995-96 interim, the Legislative Council conducted a comprehensive study of all boards, committees, commissions, and councils of state government; and

**WHEREAS**, because of the large scope of that study, the interim committee was unable to fully research areas in which other states are attempting to consolidate or eliminate occupational and professional licensing entities; and

**WHEREAS**, there are approximately 40 occupational and professional licensing entities for which the Legislative Assembly has oversight and legal responsibility; and

**WHEREAS**, other states are attempting to address the problem of the growing number of state licensing entities through privatization of those entities; and

**WHEREAS**, a number of occupational and professional licensing entities in this state have demonstrated an interest in working with establishing models of privatization of licensing functions;

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

That the Legislative Council study occupational and professional licensing entities with an emphasis on methods to privatize licensing entities; 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-sixth Legislative Assembly.

Filed March 20, 1997

**CHAPTER 654****SENATE CONCURRENT RESOLUTION NO. 4053**

(Senators LaFountain, Nalewaja, Robinson)

**JUVENILE CRIME DISPOSITION STUDY**

A concurrent resolution directing the Legislative Council to study the prevention of and dispositional alternatives to juvenile crime with a focus on services offered to American Indian children.

**WHEREAS**, according to 1992 statistics, American Indian children represent seven percent of all the children in North Dakota, but represent 28 percent of the children in juvenile detention and 36 percent of the admissions to the North Dakota Youth Correctional Center; and

**WHEREAS**, dispositional alternatives to admission to the North Dakota Youth Correctional Center include community service, employment, education, self-help groups, drug and alcohol testing and treatment, house arrest, electronic monitoring, curfew, and supervision sessions; and

**WHEREAS**, there are special problems concerning delinquency in the rural and tribal areas of this state; and

**WHEREAS**, there is a need to identify and treat the problems of juveniles that enter the juvenile justice system;

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

That the Legislative Council study the prevention of and dispositional alternatives to juvenile crime with a focus on services offered to American Indian children; 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-sixth Legislative Assembly.

Filed March 25, 1997

**CHAPTER 655****SENATE CONCURRENT RESOLUTION NO. 4054**

(Senators DeMers, Fischer, Thane, Yockim)

**ASSISTIVE TECHNOLOGY REIMBURSEMENT STUDY**

A concurrent resolution directing the Legislative Council to study whether the Department of Human Services should reimburse qualified service providers who provide assistive technology devices and services to individuals with disabilities.

**WHEREAS**, an assistive technology device is any item or system used to increase, maintain, or improve the functional capabilities of individuals with disabilities to perform tasks such as communicating, speaking, seeing, hearing, maneuvering, moving, walking, standing, reaching, grasping, working, sleeping, learning, or caring for themselves; and

**WHEREAS**, an assistive technology service is any service that directly assists individuals with disabilities in selecting or using assistive technology devices and includes evaluating the needs of individuals with disabilities; coordinating and employing other therapies or services with assistive technology devices; and training or technical assistance; and

**WHEREAS**, a qualified service provider is a county agency or an independent contractor who agrees to meet standards for service and operations established by the Department of Human Services;

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

That the Legislative Council study whether the Department of Human Services should reimburse qualified service providers who provide assistive technology devices and services to individuals with disabilities; 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-sixth Legislative Assembly.

Filed March 20, 1997

**CHAPTER 656****SENATE CONCURRENT RESOLUTION NO. 4055**

(Senator Andrist)  
(Political Subdivisions Committee)

**EXTENDED AREA TELECOMMUNICATIONS STUDY**

A concurrent resolution directing the Legislative Council to study the potential for expansion of extended area telecommunications service.

**WHEREAS**, rural communities and schools in those communities are frequently restrained by the lack of toll-free telephone lines used for Internet access; and

**WHEREAS**, there appears to be a shortage of extended area service opportunities to residents in rural areas; and

**WHEREAS**, the loss of businesses and services in rural communities makes rural residents ever more dependent on long-distance service to communicate for their essential needs; and

**WHEREAS**, an alternative to current service is a tiered system providing add-ons to basic telephone service;

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

That the Legislative Council study the potential for expansion of extended area telecommunications service; 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-sixth Legislative Assembly.

Filed March 25, 1997

**CHAPTER 657****SENATE CONCURRENT RESOLUTION NO. 4057**

(Senators G. Nelson, Mathern)  
(Representatives Dorso, Boucher)  
(Approved by the Delayed Bills Committee)

**GARRISON DIVERSION COMPLETION URGED**

A concurrent resolution urging Congress to complete the Garrison Diversion project, to provide water for eastern North Dakota, and to meet the other water needs of the state.

**WHEREAS**, North Dakota lost more than 500,000 acres of valuable river bottomlands as a result of construction of the Missouri River reservoirs under the federal Flood Control Act of 1944, causing an annual loss of millions of dollars in economic gross product and an additional annual loss in personal income as well as other serious impacts to individuals, political subdivisions, and North Dakota's Indian Nations; and

**WHEREAS**, operation of the Pick-Sloan Missouri River dams has caused extensive damage and erosion to the remaining river banks and sediment buildup in areas of the upper reaches of the Oahe and Garrison reservoirs; and

**WHEREAS**, North Dakota was assured by Congress in the Flood Control Act of 1944 that the loss of this valuable land and economic return would be offset by completion of the Garrison Diversion Unit; and

**WHEREAS**, project benefits to date have not fully realized the promise of Garrison diversion; and

**WHEREAS**, construction of Garrison diversion by the federal government has been delayed numerous times with construction costs increasing and the remaining benefits deferred with each delay; and

**WHEREAS**, the Red River Basin needs a dependable supply of water for the cities of Fargo and Grand Forks, smaller communities, rural water systems, industry, agricultural processing, manufacturing, and other purposes, including minimum flows, and to protect and enhance the economic stability and quality of life for the growing population of the Red River Basin; and

**WHEREAS**, North Dakota has tremendous potential to produce irrigated high-value nonsurplus crops, and a dependable water supply for the James River is necessary for the Oakes test area and to realize the incredible economic opportunity to produce onions, potatoes, vegetables, and other high-value crops under irrigation; and

**WHEREAS**, the short-term solution to Devils Lake flooding includes an emergency outlet, upper basin storage and infrastructure protection, and the long-term solution to Devils Lake water management includes an inlet and outlet facility, upper basin storage, and infrastructure protection as parts of a stabilization plan to protect against periods of flooding and drought; and

**WHEREAS**, communities and rural water systems across North Dakota need a clean dependable water supply to preserve the quality of life in rural North Dakota; with such supplies being provided by projects such as the Southwest Pipeline Project and the Northwest Area Water Supply as well as other systems now being developed to meet water supply needs; and

**WHEREAS**, Missouri River water, delivered to eastern North Dakota via the Sheyenne River, provides the best practical solution to bring a dependable and adequate water supply to satisfy the growing water needs of the Red River Basin, the James River, Devils Lake, and other areas for the long-term future; and

**WHEREAS**, most North Dakotans will benefit from ensuring an adequate water supply to areas of need; and

**WHEREAS**, failure to provide long-term water supply and management for the Red River Basin, the James River, Devils Lake, and other areas will jeopardize future economic opportunities dependent on water, including industry, agricultural processing, manufacturing, municipal growth, recreation and fish and wildlife, and will adversely affect the entire state of North Dakota;

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

That construction and completion of a federally funded Garrison Diversion is a critical priority for water supply, management, and development in the State of North Dakota; and

**BE IT FURTHER RESOLVED**, that the State of North Dakota is prepared to assume responsibility for planning, constructing, operating, and maintaining the Garrison principal water supply facilities; and

**BE IT FURTHER RESOLVED**, that establishment of an economic recovery water fund would advance municipal, rural, agriculture, industry, tourism, recreation, wildlife, aesthetics, and other water-related economic development projects; and

**BE IT FURTHER RESOLVED**, that the Legislative Assembly urges the Governor, the members of the Congressional delegation, and legislative leaders to work together in ongoing negotiations with other interested parties to reach consensus on legislation to complete the Garrison Diversion project and thereby achieve the goal of long-term future water supply for the Red River Basin; the James River; Devils Lake; Northwest Area Water Supply; the Southwest Pipeline; community water supply systems; rural water systems; Indian municipal, rural, and industrial water supply systems, and other areas, and to establish or enhance resources, wildlife, and water funds to assist in the development and completion of the Garrison Diversion Unit; and

**BE IT FURTHER RESOLVED**, that copies of this resolution be forwarded by the Secretary of State to the Governor, each member of the North Dakota Congressional Delegation, and the United States Secretary of the Interior.

Filed March 28, 1997

## CHAPTER 658

### SENATE CONCURRENT RESOLUTION NO. 4058

(Senators Traynor, G. Nelson, Mathern, Thompson)

(Representatives Dorso, Boucher)

(Approved by the Delayed Bills Committee)

### DEVILS LAKE OUTLET CONSTRUCTION URGED

A concurrent resolution expressing the consensus of the Legislative Assembly and urging the United States Army Corps of Engineers to design and construct the emergency outlet for Devils Lake.

**WHEREAS**, the primary and most critical water management problem in the Devils Lake Basin is the flooding of Devils Lake; and

**WHEREAS**, this flooding is causing economic, social, and other hardships to the citizens of the Devils Lake Basin; and

**WHEREAS**, the fifth year of flooding is causing critical impacts to all resources, creating an emergency; and

**WHEREAS**, the Governor has declared that an emergency due to the disastrous flooding conditions exists within the State of North Dakota; and

**WHEREAS**, the state has initiated an emergency response plan which includes infrastructure preservation, upper basin water storage, and an outlet; and

**WHEREAS**, the United States Army Corps of Engineers has announced, in a plan dated August 12, 1996, an emergency outlet to reduce the flooding problems at Devils Lake; and

**WHEREAS**, this plan was developed after consideration of a number of criteria, including engineering feasibility, availability of information, relative effectiveness, views of the Spirit Lake Nation, costs, environmental impacts, downstream concerns, and construction time; and

**WHEREAS**, more than a dozen meetings were held within the Devils Lake Basin and downstream along the Sheyenne and Red Rivers during the fall of 1996 to gather public comment and questions about the United States Army Corps of Engineers' plan; and

**WHEREAS**, the United States Army Corps of Engineers' plan, after broad review, is judged to offer the best balance among the above criteria and consists of pumping Devils Lake water over the divide between Devils Lake and the Sheyenne River via the Twin Lakes outlet route; and

**WHEREAS**, in order to move forward the United States Army Corps of Engineers requires consensus on the part of state and local political leaders for this project; and

**WHEREAS**, the state is committed to a comprehensive solution to this flood emergency situation, including infrastructure preservation and restoration, upper basin water storage, and an outlet;

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

That the Fifty-fifth Legislative Assembly has reached consensus and approves of and urges the United States Army Corps of Engineers to move forward with the design and construction of the Twin Lakes Devils Lake outlet or the Peterson Coulee outlet; and

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

Filed March 28, 1997

**CHAPTER 659****SENATE CONCURRENT RESOLUTION NO. 4059**

(Senator Sand)

(Representatives Monson, Olson)

(Approved by the Delayed Bills Committee)

**DISHER RINK CONGRATULATED**

A concurrent resolution congratulating the Disher Rink curling team on winning the 1997 United States men's curling national championship.

**WHEREAS**, the Disher Rink curling team is composed of Craig Disher, Hansboro; Kevin Kakela, Rolla; Joel Jacobson, Langdon; and Paul Peterson, Langdon; and

**WHEREAS**, after placing second in 1994 and third in 1995 this team, representing North Dakota and the Langdon Curling Club, came on strong at the end to win the 41st United States men's national championship; and

**WHEREAS**, the Disher Rink team from Langdon will enjoy the title of Team USA for the next year; and

**WHEREAS**, Team USA will now advance to the world curling championships to be held in Berne, Switzerland, April 12-20, 1997; and

**WHEREAS**, in addition to the world championships in Berne, this team has earned a berth into the United States Olympic trials to be held December 10-14, 1997, in Duluth, Minnesota, to compete with the top six teams in the United States for the sole right to represent the United States in the 1998 Winter Olympics in Nagano, Japan, where curling will be a full medal sport for the first time;

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

That the Fifty-fifth Legislative Assembly extends to all members of the Disher Rink team its heartiest congratulations for winning the 1997 United States men's curling national championship; and

**BE IT FURTHER RESOLVED**, that the Secretary of State forward copies of this resolution to each member of the Disher Rink team.

Filed April 2, 1997

**CHAPTER 660****SENATE CONCURRENT RESOLUTION NO. 4060**

(Senators G. Nelson, Mathern)  
(Representatives Dorso, Boucher)  
(Approved by the Delayed Bills Committee)

**DOCTOR OF THE DAY PROGRAM APPRECIATION**

A concurrent resolution expressing the thanks and appreciation of the Fifty-fifth 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 residency programs in Minot, Grand Forks, Fargo, and Bismarck, have volunteered their services as the doctor of the day during the fifty-fifth 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 Bismarck Family Practice Center, local pharmacies and pharmaceutical manufacturers, Mid Dakota Clinic, and Medcenter One Health Systems 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 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 1997 North Dakota Medical Association doctor of the day program.

Filed April 2, 1997

**CHAPTER 661****SENATE CONCURRENT RESOLUTION NO. 4061**

(Senators W. Stenehjem, Holmberg, DeMers, Mutch, St. Aubyn)  
(Representatives Kliniske, Poolman, Jensen, Svedjan, Christenson,  
Glasshiem, Brusegaard, Lloyd, Delmore, Nottestad)  
(Approved by the Delayed Bills Committee)

**SIoux WOMEN'S BASKETBALL CONGRATULATIONS**

A concurrent resolution congratulating the University of North Dakota Fighting Sioux women's basketball team for winning the 1997 NCAA Division II national championship.

**WHEREAS**, the University of North Dakota Fighting Sioux women's basketball team captured its first-ever NCAA Division II championship and capped its postseason play with a 94-78 championship victory at Hyslop Sports Center in Grand Forks; and

**WHEREAS**, the Fighting Sioux women's basketball team tied its season record of 28 victories and for the eighth consecutive season won more than 20 games under the leadership of Coach Gene Roebuck; and

**WHEREAS**, Jaime Pudenz, named most outstanding player of the Division II Elite Eight tournament, Kelli Britz, and Jenny Crouse, named to the all-tournament team, and the other talented individual athletes distinguished themselves under the guidance of Coach Roebuck and assistant coaches Darcy Deutsch, Chris Gardner, and Doug Reiten by displaying explosive offense, tenacious defense, and exemplary teamwork in realizing their goal of a national championship, a performance of which North Dakotans are extremely proud;

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

That the Fifty-fifth Legislative Assembly takes pride in extending to all members and coaches of the University of North Dakota Fighting Sioux women's basketball team its heartiest congratulations for winning the 1997 NCAA Division II women's national basketball championship; and

**BE IT FURTHER RESOLVED**, that the Secretary of State forward enrolled copies of this resolution to each member of the University of North Dakota Fighting Sioux women's basketball team, to each of their coaches, and to the president of the University of North Dakota, home of the Fighting Sioux.

Filed April 2, 1997

**CHAPTER 662****SENATE CONCURRENT RESOLUTION NO. 4062**

(Senators W. Stenehjem, Holmberg, DeMers, Mutch, St. Aubyn)  
(Representatives Kliniske, Poolman, Jensen, Svedjan, Christenson,  
Glasheim, Brusegaard, Lloyd, Delmore, Nottestad)  
(Approved by the Delayed Bills Committee)

**SIoux HOCKEY CONGRATULATIONS**

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

**WHEREAS**, the University of North Dakota Fighting Sioux hockey team captured the NCAA Division I hockey national championship with a thrilling 6-4 victory over Boston University; and

**WHEREAS**, the 1996-97 University of North Dakota Fighting Sioux hockey team was co-champion of the Western Collegiate Hockey Association regular season, playoff champion of the Western Collegiate Hockey Association, and the NCAA Division I hockey national champion; and

**WHEREAS**, the leadership of Coach Dean Blais molded a team of outstanding individual athletes into a cohesive, unselfish team with balanced and explosive offense, unyielding defense, and stalwart goaltending and this team is an exemplar of the proud Fighting Sioux hockey heritage and claimed the sixth Fighting Sioux hockey national championship;

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

That the Fifty-fifth Legislative Assembly takes great pride in extending to all members and coaches of the University of North Dakota Fighting Sioux hockey team its heartiest congratulations for winning the 1996-97 NCAA Division I hockey national championship; and

**BE IT FURTHER RESOLVED**, that the Secretary of State forward enrolled copies of this resolution to each member of the University of North Dakota Fighting Sioux hockey team, to each of their coaches, and to the President of the University of North Dakota, home of the Fighting Sioux.

Filed April 10, 1997

**CHAPTER 663****SENATE CONCURRENT RESOLUTION NO. 4063**

(Senators G. Nelson, Mathern)  
(Representatives Dorso, Boucher)  
(Approved by the Delayed Bills Committee)

**NORTHERN GREAT PLAINS RESEARCH FUNDING  
URGED**

A concurrent resolution urging Congress to continue to fund the Northern Great Plains Research Laboratory.

**WHEREAS**, the Northern Great Plains Research Laboratory was founded in 1912 and operates on a budget of \$2.6 million; and

**WHEREAS**, the Northern Great Plains Research Laboratory supports North Dakota and Northern Great Plains agriculture through an integrated program that combines soil and crop management and conservation, irrigation and water management, forage and grassland management, and forage improvement; and

**WHEREAS**, the Northern Great Plains Research Laboratory has virtually unparalleled facilities, both in terms of land resources and in terms of the combination of different soil, plant, and animal science specializations; and

**WHEREAS**, the Northern Great Plains Research Laboratory has generated critical research findings regarding the conversion of conservation reserve program land to cropland; and

**WHEREAS**, the Northern Great Plains Research Laboratory has generated critical research findings regarding the importance of shelterbelts to agriculture in the Northern Great Plains states and the viability and hardiness of certain tree varieties for use as shelterbelts; and

**WHEREAS**, the President's fiscal year 1998 budget proposes an appropriation of \$726.8 million for the Agricultural Research Service, and spending proposed for certain programs within the service necessitates the termination of other research programs and the closure of research facilities, including the Northern Great Plains Research Laboratory; and

**WHEREAS**, the continued funding of the Northern Great Plains Research Laboratory is necessary to ensure both the continued viability of North Dakota agriculture and sustainable food production in the future;

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

That the Fifty-fifth Legislative Assembly urges Congress to continue to fund the Northern Great Plains Research Laboratory; and

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

Filed April 10, 1997