

**Sixty-third Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 8, 2013**

HOUSE CONCURRENT RESOLUTION NO. 3010

(Representatives Steiner, Delzer, Froseth, Hatlestad, Heller, Kreidt, Laning, Rohr, Schmidt, Onstad)
(Senators Lyson, Unruh)

A concurrent resolution urging Congress and the United States Army Corps of Engineers to ensure that access to Lake Sakakawea and Lake Oahe for agriculture, commerce, energy and water development, and recreation is not inhibited by unreasonable regulations and to address proper funding for all project purposes and weed control on Lake Sakakawea and Lake Oahe.

WHEREAS, North Dakota has sacrificed hundreds of thousands of acres of production farm and ranch land for the development of the Lake Sakakawea and Lake Oahe project areas; and

WHEREAS, Congress and the United States Army Corps of Engineers have legal and historical obligations to the state of North Dakota under the Flood Control Act of 1944 [Pub. L. 78-534; 58 Stat. 887; 16 U.S.C. 460d et seq.; 33 U.S.C. 701 et seq.] to ensure proper funding is provided for all project purposes, and public access to the project areas of Lake Sakakawea and Lake Oahe; and

WHEREAS, the United States Army Corps of Engineers has a federal legal obligation to adequately budget noxious weed control on all project lands pursuant to the Carlson-Foley Act of 1968 [Pub. L. 90-583; 82 Stat. 1146; 43 U.S.C. 1241 et seq.] and the Federal Noxious Weed Act of 1974 [Pub. L. 93-629; 88 Stat. 2148; 7 U.S.C. 2801 et seq.], and adequate funding to fulfill these duties has not been budgeted for by the United States Army Corps of Engineers nor provided by Congress; and

WHEREAS, the North Dakota Legislative Assembly requests that the United States Army Corps of Engineers include as agenda items the topics of lake, dock, and shoreline access as well as weed control in a public hearing held in North Dakota in 2013 to discuss lake management issues;

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

That the Sixty-third Legislative Assembly urges Congress and the United States Army Corps of Engineers to ensure that access to Lake Sakakawea and Lake Oahe for agriculture, commerce, energy and water development, and recreation is not inhibited by unreasonable regulations and to address proper funding for all project purposes and weed control on Lake Sakakawea and Lake Oahe; and

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

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate