

HOUSE CONCURRENT RESOLUTIONS

CHAPTER 523

HOUSE CONCURRENT RESOLUTION NO. 3001

(Legislative Management)
(Advisory Commission on Intergovernmental Relations)

A concurrent resolution directing the Legislative Management to study issues related to development of group housing and crew camps, including infrastructure demands, health and safety requirements, regulation, and enforcement of regulatory violations.

WHEREAS, the number of crew camps and other group housing facilities and locations has grown significantly due to the lack of permanent housing in growth areas of the state; and

WHEREAS, the increase in population and the need for utilities and services have had significant impacts on the resources of local governments; and

WHEREAS, numerous cities and counties have enacted ordinances regulating the siting of group housing and crew camps and other jurisdictions are considering regulations as this type of housing continues to expand; and

WHEREAS, a comprehensive study of issues related to the development of group housing and crew camps could aid political subdivisions in the planning and development of necessary infrastructure and appropriate regulations and examine whether state agencies have resources and expertise to assist political subdivisions in ensuring that the health and safety of the public are protected while appropriate housing facilities are available to meet the needs of employers in the state;

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

That the Legislative Management study issues related to development of group housing and crew camps, including infrastructure demands, health and safety requirements, regulation, and enforcement of regulatory violations; and

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

Filed April 8, 2013

CHAPTER 524**HOUSE CONCURRENT RESOLUTION NO. 3009**

(Representatives Beadle, Heilman, N. Johnson, Sanford, Mock)
(Senators Flakoll, Miller)

A concurrent resolution directing the Legislative Management to study the use of open textbooks in the North Dakota University System, including options to develop partnerships with other states to use open textbooks.

WHEREAS, a North Dakota University System student pays an estimated average of \$1,100 per year for academic course textbooks; and

WHEREAS, high textbook costs create a financial burden for students to attend a higher education institution which may limit student access to higher education; and

WHEREAS, open textbooks are published under a license that enables students to obtain free or low-cost versions of electronic or printed academic textbooks; and

WHEREAS, the use of open textbooks can significantly reduce higher education costs for students which increases student access to higher education; and

WHEREAS, the use of open textbooks among all North Dakota University System institutions and other states' higher education systems for common core courses may result in efficiencies reducing state costs related to higher education;

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

That the Legislative Management study the use of open textbooks in the North Dakota University System, including options to develop partnerships with other states to use open textbooks; and

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

Filed March 22, 2013

CHAPTER 525

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.

Filed April 16, 2013

CHAPTER 526**HOUSE CONCURRENT RESOLUTION NO. 3012**

(Representatives Strinden, Owens, Sanford, Delmore,
Glassheim, Holman, Mock, Mooney, Oversen)
(Senators Murphy, Schneider, Triplett)

A concurrent resolution urging the United States Air Force to select the Grand Forks Air Force Base as the active duty main operating base for the new KC-46A refueling tanker mission.

WHEREAS, the Grand Forks Air Force Base is one of four finalists to serve as the active duty main operating base for the United States Air Force's new KC-46A tanker mission; and

WHEREAS, the Grand Forks Air Force Base successfully hosted a KC-135 tanker mission for over fifty years, from 1960 to 2010; and

WHEREAS, existing infrastructure and recent expansions in housing capacity would lend to successfully hosting the KC-46A tanker mission; and

WHEREAS, the Grand Forks Air Force Base has an exemplary record of service; and

WHEREAS, the vast, open airspace of the Northern Plains has proven to be an ideal setting for the operation of both training and active duty aerial missions; and

WHEREAS, the Grand Forks Air Force Base was selected to house and support unmanned aircraft missions being launched around the globe; and

WHEREAS, the geographic location of the Grand Forks Air Force Base provides access to strategic aerial routes over the North Pole; and

WHEREAS, the Grand Forks community showed its overwhelming support for the Grand Forks Air Force Base during base realignment and closure in 2005;

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

That the Sixty-third Legislative Assembly urges the United States Air Force to select the Grand Forks Air Force Base as the active duty main operating base for the new KC-46A refueling tanker mission; and

BE IT FURTHER RESOLVED, that the Secretary of State forward copies of this resolution to the Secretary of Defense, the Commander of the Grand Forks Air Force Base, the General Air Force Chief of Staff, and to each member of the North Dakota Congressional Delegation.

Filed March 22, 2013

CHAPTER 527**HOUSE CONCURRENT RESOLUTION NO. 3013**

(Representatives Beadle, Heilman, N. Johnson,
Looyesen, Sanford, Mock, Oversen)
(Senator Flakoll)

A concurrent resolution urging the State Board of Higher Education and faculty members of North Dakota University System institutions to increase the use of open textbooks for academic courses in order to reduce the financial burden to higher education students.

WHEREAS, a North Dakota University System student pays an estimated average of \$1,100 per year for academic course textbooks; and

WHEREAS, high textbook costs create a financial burden for students to attend a higher education institution which may limit student access to higher education; and

WHEREAS, open textbooks are published under a license that enables students to obtain free or low-cost versions of electronic or printed academic textbooks; and

WHEREAS, the use of open textbooks can significantly reduce higher education costs for students which increases student access to higher education; and

WHEREAS, the use of open textbooks among all North Dakota University System institutions and other states' higher education systems for common core courses may result in efficiencies reducing state costs related to higher education;

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

That the Sixty-third Legislative Assembly urges the State Board of Higher Education and faculty members of North Dakota University System institutions to increase the use of open textbooks for academic courses in order to reduce the financial burden to higher education students; and

BE IT FURTHER RESOLVED, that the Secretary of State forward copies of this resolution to each member of the State Board of Higher Education, to the Chancellor of the North Dakota University System, and to each North Dakota University System institution president.

Filed March 22, 2013

CHAPTER 528**HOUSE CONCURRENT RESOLUTION NO. 3014**

(Representatives Mock, Dosch, Heller, N. Johnson,
Kreidt, Rohr, Schatz, Schmidt, Steiner, Thoreson)
(Senators Unruh, Wardner)

A concurrent resolution urging the United States Department of the Interior's Bureau of Reclamation and North Dakota's Congressional Delegation to work together to find a solution that allows people occupying lots around Lake Tschida under bureau-issued permits to freely transfer their permits and to leave nonpermanent structures, such as mobile homes, on their lots and that the state Attorney General consider taking such action as may be helpful to bring about the desired solution.

WHEREAS, the Bureau of Reclamation recently announced new policies that will restrict the transferability of permits to lots around Lake Tschida and that will require removal from those lots of nonpermanent structures, such as mobile homes; and

WHEREAS, these new policies change a half century of past policies; and

WHEREAS, these new policies adversely affect, and in many instances substantially so, economic and other decisions made by permitholders in reliance on the continuation of bureau policies; and

WHEREAS, businesses from the small towns near Lake Tschida, as well as officials in those towns, are concerned about the adverse consequences for them if the bureau's new policies are not rescinded or revised; and

WHEREAS, Lake Tschida permitholders have sought to work with the bureau and North Dakota's Congressional Delegation to find an amicable resolution to the concerns of all interests;

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

That the Sixty-third Legislative Assembly urges the United States Department of the Interior's Bureau of Reclamation and North Dakota's Congressional Delegation to work together to find a solution that allows people occupying lots around Lake Tschida under bureau-issued permits to freely transfer their permits and to leave nonpermanent structures, such as mobile homes, on their lots and that the state Attorney General consider taking such action as may be helpful to bring about the desired solution; and

BE IT FURTHER RESOLVED, that the Secretary of State forward copies of this resolution to the Secretary of the Department of the Interior, the Commissioner of the Bureau of Reclamation, to each member of the North Dakota Congressional Delegation, and to the state Attorney General.

Filed April 8, 2013

CHAPTER 529**HOUSE CONCURRENT RESOLUTION NO. 3015**

(Representatives Vigesaa, Carlson, Devlin, Nathe, Onstad)
(Senators Flakoll, Schneider, Wardner)

A concurrent resolution declaring Monday, February 11, 2013, "North Dakota Close-Up Day".

WHEREAS, the North Dakota Close-Up program is designed to ignite interest in the democratic process and instill in young people the desire to become active participants in their government; and

WHEREAS, the North Dakota Close-Up program concentrates on the functions and structures of state government and defines constitutional responsibilities assigned to each of the three branches of government; and

WHEREAS, the focus of the 2013 North Dakota Close-Up program is the legislative branch of government; and

WHEREAS, the North Dakota Close-Up program has been in existence over two decades; and

WHEREAS, it is anticipated that nearly 100 North Dakota high school students will participate in the 2013 North Dakota Close-Up program;

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

That the Sixty-third Legislative Assembly declares Monday, February 11, 2013, "North Dakota Close-Up Day"; and

BE IT FURTHER RESOLVED, that the Secretary of State forward copies of this resolution to the North Dakota Council of Educational Leaders.

Filed February 7, 2013

CHAPTER 530**HOUSE CONCURRENT RESOLUTION NO. 3016**

(Representatives Kiefert, Bellew, Fehr, Heilman, K. Koppelman, Porter, Wall)
(Senators Dotzenrod, Grabinger, Heckaman, Luick, Miller)

A concurrent resolution directing the Legislative Management to study the use of natural gas as fuel in motor vehicles.

WHEREAS, this state has an abundance of natural gas and an increase in demand in natural gas would help reduce the flaring of natural gas; and

WHEREAS, for there to be a general acceptance of natural gas vehicles in this state, there needs to be the strategic placement of natural gas fueling stations throughout this state; and

WHEREAS, natural gas is approximately one-third cheaper than gasoline on a comparable unit basis and over time the savings would cover the cost of the fueling stations; and

WHEREAS, one manner in which to increase the number of fueling stations in this state is to have state and political subdivision vehicles powered with natural gas and have the fueling stations open to the public; and

WHEREAS, the retail petroleum distribution system already exists in this state;

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

That the Legislative Management study the use of natural gas as fuel in motor vehicles; and

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

Filed April 23, 2013

CHAPTER 531

HOUSE CONCURRENT RESOLUTION NO. 3017

(Representatives Brandenburg, Belter, Headland, Kempenich, Schmidt, Boe)
(Senators Schaible, Wanzek, Dotzenrod, O'Connell)

A concurrent resolution urging the United States Fish and Wildlife Service and the United States Department of Agriculture's Natural Resources Conservation Service to fairly administer water management laws and regulations in a manner that allows landowners and tenants certainty and cooperation in the management of these laws and regulations.

WHEREAS, North Dakota agriculture is the state's number one industry and economic engine; and

WHEREAS, orderly water management is critical for agriculture's continued success in the state; and

WHEREAS, orderly water management is vital to soil stewardship and soil health; and

WHEREAS, orderly water management will reduce the number of unproductive acres of cropland, reducing prevent plant acres and decreasing the cost of the crop insurance program, while enhancing crop production for the benefit of the state and the world's population; and

WHEREAS, in the area of proper water management, North Dakota farmers and ranchers have been stymied by the regulatory burden caused by inconsistent and misinterpreted water management laws and regulations; and

WHEREAS, federal agencies, including the United States Department of Agriculture's Natural Resources Conservation Service and the United States Fish and Wildlife Service have perpetuated an environment of overregulation and misinterpretation of water management laws and regulations, instead of an environment of cooperation and assistance to North Dakota farmers and ranchers; and

WHEREAS, the Natural Resources Conservation Service and the Fish and Wildlife Service have made questionable "year specific" wetland conversion determinations without reasonable review of the historic rainfall events and the erosion of the rainfall events that have affected this state since 1992; and

WHEREAS, producers in this state have several hundred acres of cropland that have been awaiting wetland determinations by the Natural Resources Conservation Service for many years and have in good faith attempted to comply with the now rigorous implementation of an age-old wetlands law; and

WHEREAS, the Natural Resources Conservation Service and the Fish and Wildlife Service need to consider the emotional and financial well-being of the farmers, ranchers, landowners, and tenants being charged with purported wetland violations; and

WHEREAS, the United States Department of Agriculture's Farm Service Agency's relief authority, otherwise known as good-faith effort determinations, and reinstatement of benefits should not be bound by limitations on the number of good-faith effort determinations provided; and

WHEREAS, this state has the governmental agencies and resources to manage wetlands; and

WHEREAS, the waterfowl population is stable and secure, and the United States Fish and Wildlife Service should allow this state to manage wetlands within the state's boundaries;

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

That the Sixty-third Legislative Assembly urges the United States Fish and Wildlife Service specifically define all of its easement boundaries and present these easement boundaries to impacted landowners and tenants as soon as possible; and

That the United States Department of Agriculture's Natural Resources Conservation Service more clearly define and more consistently implement their mission statement of "Helping People Help the Land" and apply its rules and regulations accordingly regarding water management in North Dakota; and

That the Natural Resources Conservation Service clearly define, for North Dakota farmers, ranchers, landowners, and tenants, all of the options available for implementing orderly water management strategies; and

That the Natural Resources Conservation Service and Fish and Wildlife Service provide technical assistance to North Dakota farmers, ranchers, landowners, and tenants to achieve orderly water management without fear of retribution or findings of other wetland violations; and

That processes undertaken in regards to orderly water management by the Natural Resources Conservation Service and the Fish and Wildlife Service are completed in a timely fashion; and

That in cases where the Natural Resources Conservation Service and the Fish and Wildlife Service declares an area of land as converted wetlands and impose penalties, these agencies work with farmers, ranchers, landowners, and tenants to correct the unintentional land management practice; and

That in cases of disputes between farmers, ranchers, landowners, and tenants and the Natural Resources Conservation Service and the Fish and Wildlife Service, farmers, ranchers, landowners, and tenants are afforded time to employ corrective action before an official determination of a violation is made; and

That in cases of dispute between the Natural Resources Conservation Service or the Fish and Wildlife Service and farmers, ranchers, landowners, and tenants, the later are afforded mediation through the United States Department of Agriculture and the North Dakota Department of Agriculture and are provided the appeals processes in a timely fashion; and

That in the case of the United States Department of Agriculture's Farm Service Agency's review of relief, also known as good-faith effort determinations, no limitation of the number of good-faith effort determinations should be established for a farmer, rancher, landowner, or tenant due to the Natural Resources Conservation Service's erratic and delayed implementation of wetlands certifications and determinations; and

BE IT FURTHER RESOLVED, that the Secretary of State forward copies of this resolution to the President of the United States, the Chairmen and ranking members of the United States Senate and United States House of Representatives Committees on Agriculture, the United States Secretary of Agriculture, the Chief of the United States Department of Agriculture's Natural Resources Conservation Service, the Director of the United States Fish and Wildlife Service, and to each member of the North Dakota Congressional Delegation.

Filed April 23, 2013

CHAPTER 532**HOUSE CONCURRENT RESOLUTION NO. 3019**

(Representative Louser)

A concurrent resolution directing the Legislative Management to study the property tax system.

WHEREAS, property taxes levied by political subdivisions constitute a very substantial share of the cost of owning and using property in the state; and

WHEREAS, assessment and levy of property taxes has been the primary funding source for local government services since before statehood but the system continues to be subject to criticism by taxpayers and ongoing legislative efforts to create more fairness and lower tax burdens; and

WHEREAS, the Legislative Assembly must closely monitor the property tax system and examine options for improvements that could reduce the property tax burden and enhance the fairness and uniformity of the property tax system;

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

That the Legislative Management study the property tax system; and

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

Filed April 17, 2013

CHAPTER 533**HOUSE CONCURRENT RESOLUTION NO. 3021**

(Representatives Amerman, J. Kelsh, Wall)
(Senators Dotzenrod, Luick)

A concurrent resolution directing the Legislative Management to study the feasibility and desirability of providing assistance to obtain rural water for households with arsenic and other harmful substances in the well water.

WHEREAS, water is essential for human life and production agriculture; and

WHEREAS, harmful substances in drinking water especially affect children; and

WHEREAS, there are wells that provide water to families in this state which have unsafe levels of arsenic in the present water supply; and

WHEREAS, the federal government has stopped funding to provide rural water to those households;

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

That Legislative Management study the feasibility and desirability of providing assistance to obtain rural water for households with arsenic and other harmful substances in the well water; and

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

Filed April 17, 2013

CHAPTER 534

HOUSE CONCURRENT RESOLUTION NO. 3022

(Representatives Schatz, Belter, Boehning, Dockter, Froseth, Headland, Larson)

A concurrent resolution urging Congress to amend the Federal Meat Inspection Act for the purpose of allowing flexibility in state meat inspection programs.

WHEREAS, the Federal Meat Inspection Act of 1906 was enacted to prevent adulterated or misbranded meat and meat products from being sold as food; and

WHEREAS, the Federal Meat Inspection Act of 1906 authorized the Secretary of Agriculture to inspect and condemn any meat or meat product found to be unfit for human consumption; and

WHEREAS, the Federal Meat Inspection Act authorizes the development and administration of state meat inspection programs that are equal to the federal provisions, for purposes of inspecting meat and meat products remaining in intrastate commerce; and

WHEREAS, the United States Supreme Court in 2012 held that the Preemption Clause of the Federal Meat Inspection Act prevents a state from imposing any additional or different requirements on slaughter facilities and operations; and

WHEREAS, the Federal Meat Inspection Act and its interpretation by the courts provides no flexibility to the states in addressing their own situations and circumstances with respect to their producers and consumers of meat and meat products;

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

That the Sixty-third Legislative Assembly urges the Congress of the United States to amend the Federal Meat Inspection Act so that each state can determine the nature and scope of protections necessary for its citizens and develop and implement an intrastate meat inspection program that is appropriate to its own culture and manner of producing and consuming meat and meat products; 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 and to each member of the North Dakota Congressional Delegation.

Filed April 8, 2013

CHAPTER 535

HOUSE CONCURRENT RESOLUTION NO. 3023

(Representatives Gruchalla, Guggisberg, Haak, Heilman, S. Kelsh, Kreun)
(Senators Grindberg, Laffen, Oehlke, Schneider)

A concurrent resolution directing the Legislative Management to study the feasibility and desirability of creating and encouraging the use of paved bike paths throughout the state.

WHEREAS, paved bicycle paths provide exercise and recreational opportunities for citizens along the entire age continuum; and

WHEREAS, paved bicycle paths provide a safe and effective means of commuting to and from home, work, and play; and

WHEREAS, bicycle paths preserve and restore open space and make our communities more livable and marketable; and

WHEREAS, bicycle paths provide an environmentally friendly venue for bicycle-centered tourism and a ready source of customers for retail outlets, restaurants, coffee houses, and other businesses; and

WHEREAS, bicycle paths encourage lifelong residents and newcomers to explore this state's geographic grandeur, its spectacular scenery, its storied history, and its cultural diversity;

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

That the Legislative Management study the feasibility and desirability of creating and encouraging the use of paved bike paths throughout the state; and

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

Filed April 8, 2013

CHAPTER 536**HOUSE CONCURRENT RESOLUTION NO. 3025**

(Representatives Heilman, Belter, Carlson, Kasper,
B. Koppelman, Thoreson, Wieland)
(Senators Flakoll, Grindberg, J. Lee, Nelson, Sorvaag)

A concurrent resolution of commendation to the North Dakota State University Bison football team and Coach Craig Bohl for achieving a rare level of dominance in NCAA Division I football.

WHEREAS, the North Dakota State University Bison football team captured back-to-back 2011 and 2012 NCAA Division I Football Championship Subdivision national football championships; and

WHEREAS, the "Thundering Herd" rolled through eight consecutive playoff game victories over high-caliber opponents to achieve consecutive national championships with an inspiring display of athleticism, hard work, courage, and superb coaching that repeatedly brought North Dakotans and Bison fans worldwide to their feet to applaud their achievements; and

WHEREAS, Bison Head Coach Craig Bohl has guided the Bison to national prominence in his 10 years at the helm, being the No. 1 ranked team in 23 weekly FCS polls in that time, and has earned recognition from several sources, including a well-deserved honor as the 2012 American Football Coaches Association Football Championship Subdivision Coach of the Year;

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

The Sixty-third Legislative Assembly takes great pride in expressing its commendation to the North Dakota State University Bison football team and Coach Craig Bohl for achieving a rare level of dominance in NCAA Division I football; and

BE IT FURTHER RESOLVED, that the Secretary of State send an enrolled copy of this resolution to Bison Head Coach Craig Bohl, North Dakota State University Director of Athletics Gene Taylor, North Dakota State University President Dean L. Bresciani, and to each coach of the 2011 and 2012 championship teams.

Filed April 8, 2013

CHAPTER 537

HOUSE CONCURRENT RESOLUTION NO. 3026

(Representatives Belter, Boe, Delmore, Delzer, Headland, Kreidt, Porter)
(Senators Carlisle, Dotzenrod, Lyson, Unruh, Wardner)

A concurrent resolution urging the United States Environmental Protection Agency to refrain from enacting regulations that place unreasonable economic burden on electric consumers living in the Northern Great Plains.

WHEREAS, over the course of the 2011-13 interim the United States Environmental Protection Agency considered whether to regulate coal combustion residuals as hazardous or nonhazardous wastes under the Resource Conservation and Recovery Act; and

WHEREAS, the North Dakota Congressional Delegation in conjunction with members of other delegations across the region introduced legislation clarifying that coal combustion residuals should be regulated by states and not be deemed hazardous wastes; and

WHEREAS, in March 2012 the United States Environmental Protection Agency released a decision on the federal regional haze program approving the State Department of Health's decision to require selective noncatalytic reduction technology at the Milton R. Young Station and the Leland Olds Station, but requiring the installation of other technologies for the Antelope Valley Station and the Coal Creek Station resulting in a federal implementation plan for the two units; and

WHEREAS, in December 2012 the United States Environmental Protection Agency issued a notice that it intended to reopen the North Dakota regional haze issue in response to a petition filed by a number of environmental groups; and

WHEREAS, in April 2012 the United States Environmental Protection Agency proposed new carbon dioxide emission standards requiring new coal-based electric generation units to meet an emission standard based on the carbon dioxide emissions of a combined cycle natural gas plant; and

WHEREAS, new lignite-based electric generation units will not be able to meet the proposed carbon dioxide emission standards until carbon dioxide capture technology is developed for widespread, commercial installation; and

WHEREAS, the United States Environmental Protection Agency stated in the April 2012 proposed rule that no notable carbon dioxide or other pollutant emissions changes or monetized benefits were anticipated with the new carbon dioxide emission standards; and

WHEREAS, the North Dakota lignite industry employs thousands of individuals and contributes over \$3.5 billion in business activity in North Dakota each year; and

WHEREAS, if the United States Environmental Protection Agency continues to issue regulations that are not based on sound science and that will have significant

impact on consumer electricity costs, the North Dakota lignite industry will struggle to provide low-cost, reliable electricity to the two million consumers served by North Dakota lignite-based generation across the Northern Great Plains; and

WHEREAS, under the present federal regulatory agenda, the state is in danger of losing high-paying jobs related to the lignite industry as well as revenue generated through taxes and business activity;

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

That the Sixty-third Legislative Assembly urges the United States Environmental Protection Agency to refrain from enacting regulations that regulate coal combustion residuals as hazardous wastes and allow the State Department of Health to continue to regulate coal combustion residuals under its current regulatory structure; and

That the United States Environmental Protection Agency support its March 2012 decision related to the state's regional haze implementation plan and delegate to the state the responsibility for working with the Antelope Valley Station and the Coal Creek Station to achieve the federal implementation plan; and

That the United States Environmental Protection Agency refrain from finalizing regulations for carbon dioxide emission standards which require coal to meet an emission standard based on the carbon dioxide emissions of a combined cycle natural gas plant and to refrain from proposing carbon dioxide emissions standards for existing coal-based electric generation units; and

That the Sixty-third Legislative Assembly urges the United States Environmental Protection Agency to work with the state, the North Dakota Congressional Delegation, and the North Dakota lignite industry to design regulatory programs that are based on sound science and that make economic sense for the consumers of North Dakota lignite; and

That the members of the Sixty-third Legislative Assembly support the efforts of the lignite industry to find common sense technology solutions that will facilitate the continuation of lignite-based electric generation; and

That the members of the Sixty-third Legislative Assembly support the efforts of the lignite industry to challenge regulations that will significantly impact the ability of the industry to continue to generate electricity from existing lignite-based plants; and

BE IT FURTHER RESOLVED, that the Secretary of State forward copies of this resolution to the President of the United States, the Director of the United States Environmental Protection Agency, each member of the North Dakota Congressional Delegation, the State Department of Health, and the Public Service Commission.

Filed March 22, 2013

CHAPTER 538

HOUSE CONCURRENT RESOLUTION NO. 3028

(Representatives Hawken, Delmore, N. Johnson, J. Nelson, Weisz)
(Senators J. Lee, Poolman)

A concurrent resolution urging the Sixty-third Legislative Assembly to recognize the month of November 2013 as "Chronic Obstructive Pulmonary Disease Awareness Month" throughout the state in recognition of this deadly disease and its effects on the citizens of North Dakota and encourage all residents of North Dakota to learn more about the prevention and treatment of chronic obstructive pulmonary disease.

WHEREAS, chronic obstructive pulmonary disease, also known as chronic bronchitis and emphysema, is the third-leading cause of death in the United States and is the second-leading cause of disability; and

WHEREAS, chronic obstructive pulmonary disease is a chronic and progressive disease that affects over 24 million individuals in the United States, one-half of whom have not been properly diagnosed and 70 percent of whom are under age 65; and

WHEREAS, the major risk factor for chronic obstructive pulmonary disease is smoking. Other risks include environmental and workplace exposure to air pollution, a history of childhood respiratory infection, and genetics; and

WHEREAS, chronic obstructive pulmonary disease currently accounts for 1.5 million emergency room visits, 726,000 hospitalizations, and 8 million physician office and hospital outpatient visits, all of which are a detriment to the United States economy; and

WHEREAS, the United States annual cost of chronic obstructive pulmonary disease in 2010 was estimated to be \$49.39 billion; and

WHEREAS, one-half of the persons with chronic obstructive pulmonary disease (51 percent) report that their condition limits their ability to work, while 34 percent say that chronic obstructive pulmonary disease keeps them from working and 17 percent say their condition limits them in the kind or amount of work they can do; and

WHEREAS, early chronic obstructive pulmonary disease screening and a diagnosis test for chronic obstructive pulmonary disease known as spirometry is available for office use, yet most people are not diagnosed until they have reached an advanced stage of chronic obstructive pulmonary disease; and

WHEREAS, there is no cure for chronic obstructive pulmonary disease, and its lung damage is irreversible. Treatments, however, can improve a patient's quality of life and prevent symptoms, reduce the frequency and severity of exacerbation, improve health status, and improve the ability to exercise; and

WHEREAS, until there is a cure, increased public awareness, early detection, and proper health management can slow the progression of the disease and lead to reduced costs and improved quality of life for our residents;

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

That the Sixty-third Legislative Assembly recognizes the month of November 2013 as "Chronic Obstructive Pulmonary Disease Awareness Month" throughout the state in recognition of this deadly disease and its effects on the citizens of North Dakota and encourages all residents of North Dakota to learn more about the prevention and treatment of chronic obstructive pulmonary disease.

Filed April 8, 2013

CHAPTER 539

HOUSE RESOLUTION NO. 3029

(Representatives Grande, Dosch, Heller, Kasper, Nathe, Thoreson)
(Senators Burckhard, Dever, Larsen, Miller, O'Connell)

A concurrent resolution commending the nation of Israel for its cordial and mutually beneficial relationship with the United States and with the state of North Dakota.

WHEREAS, the legal basis for the establishment of the modern state of Israel was a binding resolution under international law, which was unanimously adopted by the League of Nations in 1922 and subsequently affirmed by both houses of the United States Congress; and

WHEREAS, this resolution affirmed the establishment of a national home for the Jewish people in the historical region of the Land of Israel, including the areas of Judea, Samaria, and Jerusalem; and

WHEREAS, Article 80 of the United Nations charter recognized the continued validity of the rights granted to states or peoples which already existed under international instruments, and, therefore, the 1922 League of Nations resolution remains valid, and the 650,000 Jews currently residing in the areas of Judea, Samaria, and eastern Jerusalem reside there legitimately; and

WHEREAS, Israel declared its independence and self-governance on May 14, 1948, with the goal of reestablishing its God-given and legally recognized lands as a homeland for the Jewish people; and

WHEREAS, the United States, having been the first country to recognize Israel as an independent nation and as Israel's principal ally, has enjoyed a close and mutually beneficial relationship with Israel and her people; and

WHEREAS, Israel is the greatest friend and ally of the United States in the Middle East and the values of our two nations are so intertwined that it is impossible to separate one from the other; and

WHEREAS, there are those in the Middle East who have continually sought to destroy Israel, from the time of its inception as a state, and those same enemies of Israel also hate and seek to destroy, the United States; and

WHEREAS, the state of North Dakota and the nation of Israel have enjoyed cordial and mutually beneficial relations since 1948, a friendship that continues to strengthen with each passing year;

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

That the members of the North Dakota Legislative Assembly commend Israel for its cordial and mutually beneficial relationship with the United States and with the

state of North Dakota and support Israel in its legal, historical, moral, and God-given right of self-governance and self-defense upon the entirety of its own lands, recognizing that Israel is neither an attacking force nor an occupier of the lands of others, and that peace can be afforded the region only through a whole and united Israel; and

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

Filed April 17, 2013

CHAPTER 540

HOUSE CONCURRENT RESOLUTION NO. 3030

(Representatives D. Johnson, Devlin, Drovdal)
(Senators Flakoll, Grindberg, Klein)

A concurrent resolution endorsing Taiwan's participation as an observer in the International Civil Aviation Organization and United Nations Framework Convention on Climate Change.

WHEREAS, civil aviation plays a pivotal role in promoting cultural exchange, business, trade, and tourism; and

WHEREAS, the development of international civil aviation in a safe and orderly manner is the supreme cause of the International Civil Aviation Organization (ICAO); and

WHEREAS, with an excellent geographic location, Taiwan is a key aviation hub for regions in northeastern and southeastern Asia; and

WHEREAS, the Taipei Flight Information Region (FIR), bordering the FIRs of Fukuoka, Manila, Hong Kong, and Shanghai, includes 14 international airways and 4 domestic airways, providing services for more than 1 million flights per year; and

WHEREAS, each year, 40 million travelers enter, leave, or pass through the Taipei FIR, making Taiwan a key part of air navigation in East Asia; and

WHEREAS, currently, more than 50 domestic and foreign airlines operate flights from Taiwan to 110 cities in the world and the annual number of passengers on international flights is approximately 30 million; and

WHEREAS, in 2010, the number of international passengers at Taiwan's largest airport--Taoyuan International Airport--ranks 16th worldwide, while international cargo ranks 9th, making Taiwan one of the busiest airspaces in the world; and

WHEREAS, without Taiwan's participation, international flight plans, regulations, and procedure that the ICAO formulates will be incomplete and unsafe; and

WHEREAS, as an island in the Pacific Ocean, Taiwan is imperiled by rising sea levels and the ravages of extreme weather; and

WHEREAS, Taiwan's exclusion from meaningful participation in United Nations Framework Convention on Climate Change (UNFCCC) has been to the detriment of both the Taiwanese people and the global community as Taiwan not only has the means but also incentive to make a meaningful contribution; and

WHEREAS, Taiwan's request to participate in the ICAO and the UNFCCC is fully in line with the United States government's policy of supporting Taiwan's meaningful participation in United Nation's specialized agencies;

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

That the North Dakota Legislative Assembly endorses Taiwan's participation in the ICAO as an observer; and

BE IT FURTHER RESOLVED, that that the North Dakota Legislative Assembly is supportive of all efforts to grant Taiwan official observer status at the UNFCCC and as a collaborative partner of the United States on a wide range of public issues, Taiwan should be afforded the opportunity to participate in global efforts aimed at reducing and preventing natural disasters; and

BE IT FURTHER RESOLVED, that the copies of this resolution be sent to the United States Secretary of State, the United States Secretary of Transportation, the United States Administrator of the Environmental Protection Agency, each member of the North Dakota Congressional Delegation, and the Director-General of the Taipei Economic and Cultural Office in Kansas City.

Filed April 8, 2013

CHAPTER 541**HOUSE CONCURRENT RESOLUTION NO. 3031**

(Representatives Steiner, Hatlestad, N. Johnson, Kempenich, Larson)
(Senators Armstrong, Krebsbach)

A concurrent resolution directing the Legislative Management to study special enforcement measures in high-fatality zones on highways in this state.

WHEREAS, certain areas of this state have a disproportionately high number of motor vehicle accidents and fatalities, including the northwest portion of this state; and

WHEREAS, many accidents are caused by or are contributed to by speeding and unsafe and prohibited passing; and

WHEREAS, to reduce the injuries and deaths caused by traffic violations, on certain highways in this state it may be necessary to provide for higher traffic fees, camera utilization, public lists of violators, employer notification, and other actions;

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

That the Legislative Management study special enforcement measures in high-fatality zones on highways in this state; and

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

Filed April 8, 2013

CHAPTER 542

HOUSE CONCURRENT RESOLUTION NO. 3038

(Representatives Becker, Brabandt, Headland, Heller,
B. Koppelman, K. Koppelman, Rohr, Ruby, Schatz, Toman)
(Senators Larsen, Miller)

A concurrent resolution directing the Legislative Management to study the statutory and regulatory requirements placed on North Dakota state government agencies by United States government agencies as a condition of the receipt of federal funding to determine whether there are viable options to meet the needs of our state without having the federal government's oversight and involvement, which state needs can be met if federal funding associated with undesirable regulation or excessive direct and indirect costs are refused, and whether the federal fiscal impact is a significant and necessary factor in assenting to the continuance of federal government involvement in the state's management processes.

WHEREAS, the budget surplus and strong economic vitality of the state has placed North Dakota in a position in which the state can potentially tend to more of its needs independent of sometimes onerous federal statutory and regulatory requirements and the oversights and controls placed on state agencies as a condition of receipt of federal funding; and

WHEREAS, a tenet of fiscal responsibility is to take care of one's own needs as much as possible with one's own resources before seeking assistance from outside sources; and

WHEREAS, state agencies have demonstrated the ability to take care of the state's needs much more efficiently and effectively when allowed to do so with minimal control and oversight from the federal government; and

WHEREAS, federal debts and deficits are at levels that are unsustainable and are placing a tremendous burden on our future generations; and

WHEREAS, we have a responsibility to do what we can in this state to reduce the burdens we place on the federal budget wherever possible while still seeing to the needs of our state and its citizens;

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

That the Legislative Management study the statutory and regulatory requirements placed on North Dakota state government agencies by United States government agencies as a condition of the receipt of federal funding to determine whether there are viable options to meet the needs of our state without having the federal government's oversight and involvement, which state needs can be met if federal funding associated with undesirable regulation or excessive direct and indirect costs are refused, and whether the federal fiscal impact is a significant and necessary

factor in assenting to the continuance of federal government involvement in the state's management processes; and

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

Filed April 17, 2013