

# SENATE CONCURRENT RESOLUTIONS

## CHAPTER 543

### SENATE CONCURRENT RESOLUTION NO. 4001

(Legislative Management)  
(Budget Section)

A concurrent resolution authorizing the Budget Section of the Legislative Management to hold the required legislative hearings on state plans for the receipt and expenditure of new or revised block grants passed by Congress.

**WHEREAS**, the Congress of the United States enacted the Omnibus Budget Reconciliation Act of 1981 creating the community services block grant program; and

**WHEREAS**, the Legislative Assembly is required to conduct public hearings; and

**WHEREAS**, the Appropriations Committees have met the public hearing requirement for community services block grant moneys expected for the next biennium by the Department of Commerce; and

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

**WHEREAS**, the Legislative Assembly will not meet in regular session during 2014, and thus its public hearing responsibility for grants not approved by the Sixty-third Legislative Assembly must be delegated to a legislative entity;

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

That the Department of Commerce appropriation bill enacted by the Legislative Assembly is the Legislative Assembly's approval of and contains directions regarding the use of community services block grant moneys for the period ending September 30, 2015; and

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

**BE IT FURTHER RESOLVED**, that the authority granted by this resolution is in effect during the period from the recess or adjournment of the Sixty-third Legislative Assembly through September 30, 2015, and the Budget Section may provide public notice and hold the hearings authorized by this resolution using the methods and procedures it deems appropriate.

Filed March 22, 2013

**CHAPTER 544****SENATE CONCURRENT RESOLUTION NO. 4002**

(Legislative Management)  
(Health Services Committee)

A concurrent resolution directing the Legislative Management to study the feasibility and desirability of community paramedics providing additional clinical and public health services, particularly in rural areas of the state.

**WHEREAS**, the integration of public health and primary care at the community level may increase health care services to vulnerable citizens; and

**WHEREAS**, a shortage of clinical and public health providers exists in rural areas of the state; and

**WHEREAS**, demand for emergency medical services is increasing in many rural areas of the state; and

**WHEREAS**, emergency medical services systems in rural areas of the state are experiencing a shortage of volunteers; and

**WHEREAS**, emergency medical services systems in rural areas are often unable to generate sufficient operating revenues;

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

That the Legislative Management study the feasibility and desirability of community paramedics providing additional clinical and public health services, particularly in rural areas of the state, including the ability to receive third-party reimbursement for the cost of these services and the effect of these services on the operations and sustainability of the current emergency medical services 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 2, 2013

## CHAPTER 545

### SENATE CONCURRENT RESOLUTION NO. 4003

(Senators Sitte, Wanzek, Warner)  
(Representatives Heilman, Steiner, Muscha)

A concurrent resolution recognizing School Choice Week.

**WHEREAS**, every student in this state has a right to the highest quality schools possible; and

**WHEREAS**, citizens across this state agree that improving the quality of education and expanding access to highly effective schools is an issue of importance; and

**WHEREAS**, citizens across this state recognize the critical role that an effective and accountable system of education plays in preparing students to be successful adults in a global economy; and

**WHEREAS**, this state has a multitude of high-quality public schools, nonpublic schools, and home schools; and

**WHEREAS**, educational variety not only helps to diversify our economy, but also enhances the vibrancy of our state; and

**WHEREAS**, this state has many high-quality teachers in public schools, private schools, and home schools, who are committed to educating students; and

**WHEREAS**, the vital cause of education reform is one that transcends ideology and political affiliation; and

**WHEREAS**, research demonstrates conclusively that providing children with multiple schooling options improves academic performance; and

**WHEREAS**, School Choice Week is a nationally celebrated event during which legislators and elected officials can join with millions of parents, teachers, schools, and organizations to raise awareness of the need for effective educational options that challenge and motivate all our students to succeed;

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

That the Sixty-third Legislative Assembly recognizes January 27, 2013, through February 2, 2013, as School Choice Week.

Filed January 23, 2013

**CHAPTER 546****SENATE CONCURRENT RESOLUTION NO. 4004**

(Senator Dever)  
(Representative Martinson)

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 Sixty-third Legislative Assembly, the following positions are designated as employee positions of the Senate and House and are to be paid the daily wages indicated:

SENATE		
Secretary of the Senate		\$171
Assistant secretary of the Senate		151
Journal reporter		167
Calendar clerk		151
Bill clerk		144
Recording clerk		144
Sergeant-at-arms		134
Administrative assistant to majority leader		157
Staff assistant to majority leader		157
Administrative assistant to minority leader		157
Staff assistant to minority leader		157
Chief committee clerk		157
Appropriations committee clerk		157
Assistant appropriations committee clerk		151
Committee clerk for three-day committee		151
Committee clerk for two-day committee		140
Assistant committee clerk		140
Deputy sergeant-at-arms		110
Chief page and bill book clerk		122
Legislative assistant		104
HOUSE		
Chief clerk		171
Assistant chief clerk		151
Journal reporter		167
Calendar clerk		151
Bill clerk		144
Recording clerk		144
Sergeant-at-arms		134
Administrative assistant to majority leader		157
Staff assistant to majority leader		157
Administrative assistant to minority leader		157
Staff assistant to minority leader		157
Administrative assistant to Speaker		157
Chief committee clerk		157

Appropriations committee clerk	157
Assistant appropriations committee clerk	151
Committee clerk for three-day committee	151
Committee clerk for two-day committee	140
Assistant committee clerk	140
Deputy sergeant-at-arms	110
Chief page and bill book clerk	122
Legislative assistant	104

**BE IT FURTHER RESOLVED**, that each employee of the Sixty-third 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 House or the Senate, 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 and each minority leader is entitled to one administrative assistant and 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 a part-time employee may hold more than one part-time position so long as the positions held do not exceed a full-time equivalent position; 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 15, 2013

**CHAPTER 547****SENATE CONCURRENT RESOLUTION NO. 4005**

(Senators Klein, G. Lee, Wardner)  
(Representatives Porter, Weisz, Grande)

A concurrent resolution congratulating the establishment of the first North Dakota chapter of Pilots for Christ, International, and honoring Mr. John Timothy Rice for whom the chapter is named.

**WHEREAS**, Air Force Second Lieutenant John Timothy Rice of Maddock, North Dakota, graduated from the United States Air Force Academy with honors in May of 2010 and was a member of the United States Air Force Academy Flying Team; and

**WHEREAS**, while attending Texas Tech University in 2011 his rich and full life was tragically cut short; and

**WHEREAS**, Pilots for Christ is an international nondenominational ministry of pilots and aviation enthusiasts dedicated to the promotion of the Gospel through aviation; and

**WHEREAS**, Pilots for Christ will provide services, including mercy flights, ambulatory medical flights, missionary transportation, and incentive flights for youth groups, free of charge to any needy person through a one hundred percent volunteer organization that does not have any paid staff;

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

That the Sixty-third Legislative Assembly congratulates the establishment of the first North Dakota chapter of Pilots for Christ, International, and honors Mr. John Timothy Rice for whom the chapter is named; and

**BE IT FURTHER RESOLVED**, that the Secretary of State forward an enrolled copy to the immediate family of John Timothy Rice and to the North Dakota chapter of Pilots for Christ.

Filed March 22, 2013

**CHAPTER 548****SENATE CONCURRENT RESOLUTION NO. 4007**

(Senators Cook, Hogue, Triplett)  
(Representatives Klemin, Kretschmar)

A concurrent resolution directing the Legislative Management to study the growth in use of state False Claims Acts with qui tam provisions in state and local taxation matters and whether that approach is feasible and desirable in North Dakota.

**WHEREAS**, False Claims Acts, with qui tam provisions, have been enacted in twenty states which include incentives for private citizens to report and initiate action against other taxpayers for underpayment of taxes; and

**WHEREAS**, enactment of False Claims Act laws has sparked court actions and public policy debates on a national level about the application, administration, and wisdom of these laws; and

**WHEREAS**, detailed examination should be undertaken of the issues involved in court actions and debate of False Claims Act laws to determine the feasibility and desirability of employing such laws in this state;

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

That the Legislative Management study the growth in use of state False Claims Acts with qui tam provisions in state and local taxation matters and whether that approach is feasible and desirable in North Dakota; 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 2, 2013

**CHAPTER 549****SENATE CONCURRENT RESOLUTION NO. 4008**

(Senators Dever, Carlisle, Lyson)  
(Representatives Bellew, Belter, Owens)

A concurrent resolution designating May 1 as "Cold War Victory Day".

**WHEREAS**, the Cold War lasted from 1945 to the Soviet Union's breakup in 1991 and prevented total nuclear war; and

**WHEREAS**, during this time the Cold War turned hot with the Korean War and the Vietnam War and sparked conflicts in Lebanon and Grenada; and

**WHEREAS**, between flareups, on duty members of the military did not do battle and are not properly recognized for their service to the United States; and

**WHEREAS**, this service included being on alert when Egypt claimed the Suez Canal in 1956, manning missile silos in North Dakota, piloting B52s aimed at Soviet targets, staffing nuclear-armed submarines, driving tanks in the Fulda Gap between West and East Germany, and other activities, some of which are still secret; and

**WHEREAS**, May 1 is an appropriate day for "Cold War Victory Day" because it is the same day as May Day in communist countries;

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

That the Sixty-third Legislative Assembly designates May 1 as "Cold War Victory Day"; and

**BE IT FURTHER RESOLVED**, that the Secretary of State forward enrolled copies of this resolution to the Governor; the American Legion; the Veterans of Foreign Wars; the American Veterans (AMVETS); the Disabled American Veterans; the veterans of World War II, Korea, and Vietnam; and the Vietnam Veterans of America.

Filed April 2, 2013

**CHAPTER 550****SENATE CONCURRENT RESOLUTION NO. 4011**

(Senators Erbele, Hogue, Mathern)  
(Representatives Kretschmar, Schmidt, Silbernagel)

A concurrent resolution urging the National Park Service to recognize the historical value of the Nokota horse and provide for its appropriate management in Theodore Roosevelt National Park.

**WHEREAS**, Nokota horses trace their ancestry to the early Native American and frontier ranch horses that were bred for use as war horses, buffalo runners, and all-purpose saddle horses; and

**WHEREAS**, Nokota horses are characterized by a square-set, angular frame, tapering musculature, V-shaped front end, angular shoulders with prominent withers, distinctly sloped croup, low tail set, strong bone, legs, and hooves, and "Spanish colonial" pigmentation; and

**WHEREAS**, during most of the 20th century, Nokota horses have lived and roamed in the wild and rugged Little Missouri Badlands; and

**WHEREAS**, some of the wild bands of Nokota horses were fenced in at the time Theodore Roosevelt National Park was created; and

**WHEREAS**, the Nokota horse is the honorary equine of North Dakota;

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

That the Sixty-third Legislative Assembly urges the National Park Service to recognize the historical value of the Nokota horse in this state's ranching and Indian culture and to manage the feral horses in Theodore Roosevelt National Park in a manner that ensures the preservation of the Nokota bloodline and further ensures that Nokota horses will continue to be a magnificent part of the national park's landscape and treasured by future generations of North Dakotans and visitors from across the nation and around the world; and

**BE IT FURTHER RESOLVED**, that the Secretary of State forward copies of this resolution to the Secretary of the United States Department of the Interior, the Director of the National Park Service, the Superintendent of Theodore Roosevelt National Park, and to each member of the North Dakota Congressional Delegation.

Filed April 2, 2013

## CHAPTER 551

### SENATE CONCURRENT RESOLUTION NO. 4012

(Senators Anderson, Carlisle, Kilzer, Sitte)  
(Representatives Laning, Rust)

A concurrent resolution directing the Legislative Management to study state alternatives to the statutory and regulatory requirements placed on North Dakota schools and school districts by the United States Department of Education, determine whether there are viable options to achieve the federal government's goals without having the federal government's oversight and involvement, and determine whether the federal fiscal impact is a significant and necessary factor in assenting to the continuance of federal government involvement in this state's educational process.

**WHEREAS**, the original Department of Education was created in 1867 to collect information on schools and teaching that would help the states establish effective school systems; and

**WHEREAS**, in 1980, Congress established the United States Department of Education as a cabinet-level agency; and

**WHEREAS**, today, the United States Department of Education operates programs that touch on every area and level of education; and

**WHEREAS**, the United States Department of Education touts its leadership role in promoting student achievement and preparing students for global competitiveness by fostering educational excellence and ensuring equal access; and

**WHEREAS**, since 1965, the federal government has expended \$2 trillion on education programs and since 1970, in real inflation-adjusted dollars, federal spending per student has nearly tripled; and

**WHEREAS**, North Dakota parents, teachers, school administrators, personnel at the Department of Public Instruction, legislators, the Governor, representatives of our institutions of higher education, and other highly educated and successful residents of this state are well-positioned to identify and meet the needs of all North Dakota students;

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

That the Legislative Management study the statutory and regulatory requirements placed on North Dakota schools and school districts by the United States Department of Education, determine whether there are viable options to achieve the federal government's goals without having the federal government's oversight and involvement, and determine whether the federal fiscal impact is a significant and necessary factor in assenting to the continuance of federal government involvement in this state's educational process; 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 552

### SENATE CONCURRENT RESOLUTION NO. 4013

(Senators Flakoll, Carlisle, Wardner)  
(Representatives Carlson, Gruchalla, D. Johnson)

A concurrent resolution supporting the second United States Navy ship to carry the name of our Great State - USS NORTH DAKOTA (SSN-784).

**WHEREAS**, the first United States Navy ship to carry the name of our Great State - USS NORTH DAKOTA (BB-29) was commissioned in 1910 and served until she was decommissioned in 1923; and

**WHEREAS**, USS NORTH DAKOTA (BB-29) was the first all big gun or dreadnought battleship launched by the United States Navy and she was the first ship launched to be driven by steam turbine engines; and

**WHEREAS**, the Great State of North Dakota is the state in the Union farthest away from a year-round saltwater port; and

**WHEREAS**, the Great State of North Dakota has seen many of her sons and daughters leave these prairies to serve with distinction and honor in the United States Navy; and

**WHEREAS**, it has been more than 90 years since a ship of the United States Navy has carried the name of the Great State of North Dakota; and

**WHEREAS**, in July 2008 the then Secretary of the Navy Donald Winter bestowed upon our Great State the honor of naming the eleventh VIRGINIA Class nuclear-powered attack submarine to be built USS NORTH DAKOTA (SSN-784); and

**WHEREAS**, as the eleventh submarine of the VIRGINIA Class NORTH DAKOTA will be the first submarine of the VIRGINIA Class to be equipped with two cylinders each holding six Tomahawk cruise missiles as well as the latest SONAR gear plus torpedoes with the added capability of carrying a wide variety of Special Forces and their equipment; and

**WHEREAS**, this fine ship is expected to be christened NORTH DAKOTA in September 2013 by her Ship's Sponsor, Mrs. Katie Fowler, the wife of Vice Admiral Jeff Fowler, USN (Ret), a 1973 Bismarck High School graduate; and

**WHEREAS**, NORTH DAKOTA is expected to be commissioned in the summer of 2014; and

**WHEREAS**, NORTH DAKOTA, when she joins the fleet in 2014, will be the most modern and capable attack submarine in the world, and she will operate for 33 years without refueling; and

**WHEREAS**, she will have a crew of 14 officers and 120 enlisted men, and she will go to sea under the command of Commander Douglas V. Gordon, United States Navy; and

**WHEREAS**, Electronics Technician Master Chief Tim Preabt, United States Navy, who was born in Minot, educated in Williston, and graduated from Mandan High School, serves as the Chief of the Boat and is the senior enlisted advisor to the Commanding Officer; and

**WHEREAS**, NORTH DAKOTA brings pride and patriotic joy to our Great State and its people; and

**WHEREAS**, our state's USS North Dakota Committee will not only support NORTH DAKOTA through its christening and commissioning, but will work to build and maintain a strong and close relationship between her and the people and communities of our Great State throughout her entire 33-year life expectancy;

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

That the Sixty-third Legislative Assembly thanks former Secretary of the Navy Donald Winter for the honor he has bestowed upon our Great State by naming the eleventh VIRGINIA Class submarine USS NORTH DAKOTA; and

**BE IT FURTHER RESOLVED**, that the people of our Great State are encouraged to join in the support of USS NORTH DAKOTA through her christening, commissioning, and her entire expected 33 years of service in the world's greatest Navy; and

**BE IT FURTHER RESOLVED**, that the Sixty-third Legislative Assembly extends its best wishes to Commander Gordon and his crew throughout the final stages of the construction of NORTH DAKOTA and it extends its blessings on all who command and serve on board her throughout her entire service life; and

**BE IT FURTHER RESOLVED**, that the Secretary of State forward an enrolled copy of this resolution to Commander Gordon. God speed NORTH DAKOTA. Fair winds and following seas.

Filed March 22, 2013

## CHAPTER 553

### SENATE CONCURRENT RESOLUTION NO. 4015

(Senators Grindberg, Holmberg, O'Connell)  
(Representatives Delmore, Hawken, Meier)

A concurrent resolution urging the Department of Career and Technical Education to identify programs and initiatives in the fields of science, technology, engineering, and mathematics, and identify opportunities for coordinated public and private sector participation.

**WHEREAS**, scientific and technological innovations are the catalyzing agents in the creation of new industries, the spawning of job growth, and ultimately the improvement of lives; and

**WHEREAS**, scientific and technological innovations are dependent upon individuals possessing the knowledge, skills, creativity, and foresight to forge new paths; and

**WHEREAS**, business and government leaders, elementary and secondary teachers, and higher education faculty members and administrators are increasingly aware of workforce shortages and skill gaps in the innovative fields of science, technology, engineering, and mathematics; and

**WHEREAS**, in order to address such shortages and ensure our long-term competitiveness and prosperity as a state, it is incumbent upon us to promote a collective commitment to excellence in education and the development of talent in the fields of science, technology, engineering, and mathematics; and

**WHEREAS**, in order to identify and develop the next generation of innovators in the fields of science, technology, engineering, and mathematics, there must be a coordinated, proactive, and sustained pursuit of intellectual curiosity and engagement; and

**WHEREAS**, in order to ensure that multiple public and private sector interests are addressing responsibilities and opportunities in the fields of science, technology, engineering, and mathematics in an efficient, effective, coherent, and nonduplicative manner, it is appropriate to call for a state-level organized and consolidated approach;

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

That the Department of Career and Technical Education utilize its staff and contacts throughout the state to serve public and private sector participants by identifying meritorious programs and initiatives in the fields of science, technology, engineering, and mathematics, identifying opportunities for integrated activities and increased access, encouraging sustainable partnerships, and recommending policies and approaches to ensure that the state's resources and assets are utilized sagaciously; and

**BE IT FURTHER RESOLVED**, that the Secretary of State forward copies of this resolution to the director of the Department of Career and Technical Education and to each member of the North Dakota Congressional Delegation.

Filed April 3, 2013

## CHAPTER 554

### SENATE CONCURRENT RESOLUTION NO. 4017

(Senators Sitte, Armstrong, Schaible)  
(Representatives Heller, Porter, Streytle)

A concurrent resolution relating to the Obama Administration's proposal that the Senate of the United States consider adoption of a United Nations Arms Trade Treaty.

**WHEREAS**, the "First Law of Nature" has long been held to be the natural and fundamental right of all persons to "self-preservation", "self-defense", and a "right of revolution" against any and all dangers to life, liberty, and property; and

**WHEREAS**, this first law of nature is enshrined in both a collective and an individual right to keep and bear arms, a right that has been recognized in English law since the adoption of the English Bill of Rights of 1689; and

**WHEREAS**, the Founding Fathers of the United States of America codified that individual and collective right by adoption and ratification of the Second Amendment to the United States Constitution; and

**WHEREAS**, the Second Amendment to the United States Constitution reads as follows: "A well-regulated militia being necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed."; and

**WHEREAS**, such codification of the individual right to keep and bear arms is derivative of the natural right and not the creation of a new right, a fact which has been recognized by the United States Supreme Court; and

**WHEREAS**, the existence and recognition of such an individual right is necessary to resist invasion, to dissuade a tyrannical government, and to empower citizens in maintaining the natural right of self-defense, and is as essential as the collective right; and

**WHEREAS**, our nation's Founding Fathers expressed a deep belief in the individual right to keep and bear arms, expressed by Patrick Henry in Virginia's constitutional ratification convention on June 5, 1788, with the words: "Guard with jealous attention to the public liberty. Suspect everyone who approaches that jewel. Unfortunately, nothing will preserve it but downright force. Whenever you give up that force, you are inevitably ruined . . ."; and

**WHEREAS**, the individual right to keep and bear arms has been upheld by court opinions over the 225 years since the original 13 states ratified the United States Constitution, most recently in *District of Columbia v. Heller* and in *McDonald v. Chicago*; and

**WHEREAS**, the state of North Dakota further codifies the individual right to keep and bear arms in the North Dakota Constitution's Declaration of Rights, wherein Article I, Section 1, states "All individuals are by nature equally free and independent

and have certain inalienable rights, among which are those of enjoying and defending life and liberty; acquiring, possessing and protecting property and reputation; pursuing and obtaining safety and happiness; and to keep and bear arms for the defense of their person, family, property, and the state, and for lawful hunting, recreational, and other lawful purposes, which shall not be infringed."; and

**WHEREAS**, the United States Mission to the United Nations voted in November 2012 to move the Draft Paper for the United Nations Arms Trade Treaty (hereinafter the "Treaty") out of General Disarmament Committee to the full body of the United Nations for a vote on finalization of the Treaty in March 2013; and

**WHEREAS**, the current form of the Treaty covers both traditional military munitions as well as "small arms and light weapons" and does not distinguish between arms, such as rockets, and from vastly and distinctly different arms, such as handguns, rifles, or shotguns; and

**WHEREAS**, the Treaty would allow for an expansion of federal firearms controls on the transportation of arms across national territory, require maintaining records of all arms within the territory of a country which would include the identity of individual users, and create an obligation that would require the United States to take measures that would infringe on the individual right to keep and bear arms; and

**WHEREAS**, passages of the Treaty as currently drafted are written so broadly as to not only possibly impair or render our military unable to assert the national right of self-defense against other nations, but to also subject citizens of the United States to violation of international laws within the borders of the United States; and

**WHEREAS**, ratification of the Treaty would erroneously encourage politicians and courts to view the treaty power as a separate source of federal authority for the regulation of purely intrastate matters expressly delegated to the states, including the criminal law of self-defense and the individual right to keep and bear arms; and

**WHEREAS**, the harmful potential of the Treaty led a bipartisan coalition of 51 United States senators to express the strongest expression of concern and opposition on the potentially devastating consequences of the Treaty to President Barack Obama and Secretary of State Hillary Clinton in a letter dated July 26, 2012; and

**WHEREAS**, the adoption of the Treaty, or any document with as broad a scope as the Treaty as to imperil the individual and collective right to keep and bear arms, would constitute an absolute abandonment of the oath of office upon which every federal elected official, federal civilian employee, and military servicemember swears to upon entering office, namely the oath to either "preserve, protect, and defend the Constitution of the United States" or to "support and defend the Constitution of the United States against all enemies, foreign and domestic";

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

That the Sixty-third Legislative Assembly hereby expresses its opposition to the current form of the United Nations Arms Trade Treaty, as well as to any treaty that infringes on the individual or collective right to keep and bear arms, in the strongest and most unequivocal terms; and

**BE IT FURTHER RESOLVED**, as duly elected representatives of the will of the people of North Dakota, strongly urge the President of the United States, the United States Secretary of State, the Ambassador of the United States to the United Nations, and all members of the United States Senate to soundly reject the current form of the United Nations Arms Trade Treaty or any other treaty which would endanger the individual or collective right to keep and bear arms; and

**BE IT FURTHER RESOLVED**, that the Secretary of State of North Dakota forward properly inscribed copies of this resolution to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, the United States Secretary of State, the Ambassador of the United States to the United Nations, each member of the United States Senate, the Governor of each state, the Speaker of the House and President of the Senate of each state's legislature, and each member of the North Dakota Congressional Delegation.

Filed April 9, 2013

**CHAPTER 555****SENATE CONCURRENT RESOLUTION NO. 4019**

(Senator Andrist)

A concurrent resolution directing the Legislative Management to study early childhood services in the state, including the United States Department of Agriculture's food reimbursement program for early childhood service providers and the income guidelines for the Department of Human Services' child care assistance program.

**WHEREAS**, early childhood services capacity in the state is in a state of crisis; and

**WHEREAS**, there appears to be a gap between the cost of early childhood services and the ability of families to pay for those services; and

**WHEREAS**, the staffing of early childhood facilities with trained personnel continues to be an issue; and

**WHEREAS**, the lack of early childhood services in the state is creating an impact on existing and projected workforce; and

**WHEREAS**, there is a need to enhance the sustainability of early childhood services facilities;

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

That the Legislative Management study early childhood services in the state, including the United States Department of Agriculture's food reimbursement program for early childhood service providers and the income guidelines for the Department of Human Services' child care assistance program; 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 2, 2013

**CHAPTER 556****SENATE CONCURRENT RESOLUTION NO. 4022**

(Senator Dever)

A concurrent resolution directing the Legislative Management to study the desirability of and the potential process for licensing or certifying mechanical contractors.

**WHEREAS**, there is potential harm to the public resulting from the activity of unqualified mechanical contractors operating in the state; and

**WHEREAS**, there is a lack of uniformity across jurisdictions in the state with regard to licensure or certification of mechanical contractors; and

**WHEREAS**, there is a desire by the industry to have qualified mechanical contractors designated by the state as able to conduct business with assurances to the public that work on mechanical systems will be completed in accordance with all applicable laws and codes;

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

That the Legislative Management study the desirability of and the potential process for licensing or certifying mechanical contractors; 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 2, 2013

**CHAPTER 557****SENATE CONCURRENT RESOLUTION NO. 4023**

(Senators Cook, Campbell, Wardner)  
(Representatives Belter, Carlson, Headland)

A concurrent resolution directing the Legislative Management to study whether political subdivisions can become more efficient and effective to reduce costs to taxpayers.

**WHEREAS**, North Dakota ranks first among states in the number of local government elected officials and units of local government; and

**WHEREAS**, on the basis of governmental units per 10,000 population, North Dakota has over six times the governmental units of Minnesota, over three times the governmental units of Montana, and almost two times the governmental units of South Dakota; and

**WHEREAS**, an appropriate balance must be determined between the desire for accessibility of local government and the cost taxpayers are willing to bear to maintain the current level of governmental units and officials; and

**WHEREAS**, local government representatives should have a forum to suggest measures to make local government more efficient and effective to reduce costs to taxpayers;

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

That the Legislative Management study whether political subdivisions can become more efficient and effective to reduce costs to taxpayers; 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 2, 2013

**CHAPTER 558****SENATE CONCURRENT RESOLUTION NO. 4030**

(Senator Cook)

A concurrent resolution to provide for a legislative management study of applying property tax rates against true and full value of property.

**WHEREAS**, property taxpayers continue to express frustration with the complexity of the property tax system's three levels of valuation for property and how mill rates are applied to determine the tax bill for a parcel of property; and

**WHEREAS**, it appears feasible and desirable to use true and full valuation of property and a percent of that value as a tax rate, to provide a more comprehensible method of determination of the tax bill for a parcel of property; and

**WHEREAS**, determining the statutory changes necessary to implement such a change will involve detailed consideration and adjustment of a very large volume of statutory provisions, which is feasible only in an interim study setting;

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

**WHEREAS**, property taxpayers continue to express frustration with the complexity of the property tax system's three levels of valuation for property and how mill rates are applied to determine the tax bill for a parcel of property; and

**WHEREAS**, it appears feasible and desirable to use true and full valuation of property and a percent of that value as a tax rate, to provide a more comprehensible method of determination of the tax bill for a parcel of property; and

**WHEREAS**, determining the statutory changes necessary to implement such a change will involve detailed consideration and adjustment of a very large volume of statutory provisions, which is feasible only in an interim study setting;

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

That the Legislative Management study applying property tax rates against true and full value of property; 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 29, 2013